



**Orange County
Board of Commissioners**

Agenda

Regular Meeting

September 6, 2016

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

- a. Resolution of Gratitude for Colonel William Hughes Breeze
b. 2017 Reappraisal Schedule of Values – Submission
c. Presentation on the Bond Education Committee Communications Plan



5. Public Hearings

6. Consent Agenda

- Removal of Any Items from Consent Agenda
 - Approval of Remaining Consent Agenda
 - Discussion and Approval of the Items Removed from the Consent Agenda
- a. Minutes
 - b. Motor Vehicle Property Tax Releases/Refunds
 - c. Property Tax Releases/Refunds
 - d. Applications for Property Tax Exemption/Exclusion
 - e. Tax Collector's Annual Settlement for Fiscal Year 2015-16
 - f. Relief from Collecting Debts
 - g. Back-Up 9-1-1 Call Processing Equipment
 - h. Fiscal Year 2016-17 Budget Amendment #1
 - i. Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro City Schools (CHCCS) and Contingent Approval of Budget Amendment #1-A Related to CHCCS Capital Project Ordinances
 - j. Changes in BOCC Regular Meeting Schedule for 2016
 - k. Orange Unified Transportation Board (OUTBoard) Rules and Procedures
 - l. Orange County/City of Durham Utility Service Agreement Amendment
 - m. Comprehensive Plan and Unified Development Ordinance (UDO) Amendment Outline and Schedule – Erosion Control & Stormwater
 - n. Rogers Road Sewer Project – Accepting Sewer Easement Across County-Interest Property
 - o. North Carolina Department of Transportation Rural Operating Assistance Program (ROAP) Grant Application for FY 2017
 - p. Marketing Communications Management Agreement with Clean Design
 - q. Performance Agreement Between the Town of Chapel Hill and Visitors Bureau

7. Regular Agenda

- a. Agreement with United States Marshals Service on Federal Inmate Reimbursement

8. Reports

- a. School Impact Fee Studies – Receive Draft Reports
- b. County Landholdings Without Public Access

9. County Manager's Report

10. County Attorney's Report

11. Appointments

- a. Agricultural Preservation Board – Appointment
- b. Animal Services Hearing Panel Pool – Appointment
- c. Arts Commission – Appointments
- d. Hillsborough Board of Adjustment – Appointment
- e. Nursing Home Community Advisory Committee – Appointment



12. Board Comments (Three Minute Limit Per Commissioner)

13. Information Items

- June 21, 2016 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
- Single Occupancy Restroom Improvement Project Update
- Safe Routes to School Plan Update
- Creation of Pat Sanford Animal Welfare Grant Program
- Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCHC MPO) Local Input Point Assignment for Division Needs Tier Projects
- BOCC Chair Letter Regarding Petitions from June 21, 2016 Regular Meeting

14. Closed Session

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 orangecountync.gov/occlerks/granicus.asp 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: September 6, 2016

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

SUBJECT: Resolution of Gratitude for Colonel William Hughes Breeze

DEPARTMENT: BOCC

ATTACHMENT(S):

- Resolution

INFORMATION CONTACT:

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

PURPOSE: To consider approval of a resolution expressing gratitude and recognizing Colonel William Hughes Breeze for his devotion and service to the people of Orange County.

BACKGROUND: Colonel William Hughes Breeze grew up in Orange County and throughout his life worked tirelessly to improve the way of life for Orange County residents. Colonel Breeze shared his talent for leadership and public service through his work on numerous committees, boards, and task forces focusing on agriculture, land conservation, the environment, and rural life.

Colonel Breeze continually demonstrated himself to be a dedicated and effective public servant, and a man of empathy, insight and integrity, who gained the respect of all who knew him in both the public and military sectors.

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

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board approve the attached resolution expressing deep appreciation to Colonel William Hughes Breeze for his service to the people of Orange County and authorize the Chair to sign the resolution on behalf of the Board.

ORANGE COUNTY BOARD OF COMMISSIONERS

RESOLUTION OF GRATITUDE FOR COLONEL WILLIAM HUGHES BREEZE

WHEREAS, Colonel William Hughes Breeze grew up in Orange County and throughout his life worked tirelessly to improve the way of life for Orange County residents; and

WHEREAS, Colonel Breeze continually demonstrated himself to be a dedicated and effective public servant, and a man of empathy, insight and integrity, who gained the respect of all who knew him in both the public and military sectors; and

WHEREAS, Colonel Breeze served a distinguished thirty year career in the United States Air Force, retiring at the rank of colonel with decorations including the Legion of Merit and Distinguished Flying Cross; and

WHEREAS, on returning to Orange County, Colonel Breeze shared his talent for leadership and public service through his work on numerous committees, boards, and task forces focusing on agriculture, land conservation, the environment, and rural life; and

WHEREAS, he was a willing volunteer on County committees including the Orange County Extension Advisory Board, the Orange County Hunting & Fishing Ordinance Committee, the Road Naming Advisory Committee, the Orange County Board of Social Services, the Orange County Planning Board, the Orange Soil and Water Conservation District Board, the North Carolina Piedmont Resource Conservation and Development Area Steering Committee (appointed by Orange County); and

WHEREAS, the W C Breeze Family Farm Agricultural Extension and Research Center was bequeathed to the NC State University College of Agriculture and Life Sciences by Orange County farm family patriarch, Colonel William Breeze, with a desire to see the land used to explore local options for organic and sustainable farming practices; and

WHEREAS, the Breeze Farm is now home to an enterprise incubator creating farming apprentices and the annual Farm to Fork Picnic promoting local agriculture in and around Orange County; and

WHEREAS, Colonel Breeze was also active in local, state and national electoral politics in a supportive capacity;

NOW THEREFORE, BE IT RESOLVED the Orange County Board of Commissioners, on behalf of County officials and employees and the residents of Orange County, expresses its deep appreciation, gratitude and respect for the services rendered by Colonel William Hughes Breeze to the County over the course of his lifetime.

This the 6th day of September 2016.

Earl McKee, Chair
Orange County Board of Commissioners

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: 2017 Reappraisal Schedule of Values - Submission

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Advertising Notice
North Carolina General Statute 105-317
Frequently Asked Questions on
Revaluations
PowerPoint Presentation

INFORMATION CONTACT:

Dwane Brinson, Tax Administrator
919-245-2726

UNDER SEPARATE COVER

2017 Reappraisal Schedule of Values

ON FILE IN TAX ADMINISTRATION

OFFICE AND CLERK'S OFFICE

AND AVAILABLE

ELECTRONICALLY AT:

<http://www.orangecountync.gov/departments/tax/reevaluation.php>

PURPOSE: To receive the proposed 2017 Reappraisal Schedule of Values (SOV), review a statutory-compliant timeline of the proposed adoption process, and schedule a public hearing on the SOV for the Board's September 20, 2016 regular meeting.

BACKGROUND: Per North Carolina General Statute (NCGS) 105-317(c)(1), "The [Tax] [A]ssessor shall submit the proposed schedules, standards, and rules to the board of county commissioners not less than 21 days before the meeting at which they will be considered by the board. On the same day that they are submitted to the board for its consideration, the assessor shall file a copy of the proposed schedules, standards, and rules in his [or her] office where they shall remain available for public inspection."

In addition, NCGS 105-317(c)(2) states "Upon receipt of the proposed schedules, standards, and rules, the board of commissioners shall publish a statement in a newspaper having general circulation in the county stating:

- a. That the proposed schedules, standards, and rules to be used in appraising real property in the county have been submitted to the board of county commissioners and are available for public inspection in the assessor's office; and
- b. The time and place of a public hearing on the proposed schedules, standard, and rules that shall be held by the board of county commissioners at least seven days before adopting the final schedules, standards, and rules."

The timeline for the 2017 Reappraisal Schedule of Values adoption process is as follows:

- September 6, 2016: Submission to Orange County Board of Commissioners
- September 7, 2016: Advertise in newspaper
- September 20, 2016: Public hearing on SOV
- October 4, 2016: Adoption of SOV
- October 5, 2016: Publish 1st notice of adoption
- October 12, 2016: Publish 2nd notice of adoption
- October 19, 2016: Publish 3rd notice of adoption
- October 26, 2016: Publish 4th notice of adoption
- November 3, 2016: Last day for taxpayer to appeal the SOV

FINANCIAL IMPACT: There is no financial impact associated with receiving the SOV and scheduling the public hearing.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board receive the proposed schedules, standards, and rules from the Tax Administrator; schedule the public hearing at the Board's September 20, 2016 regular meeting concerning their adoption; and direct staff to publish the proper advertisements concerning the public inspection and public hearing times in the Durham Herald Sun, News of Orange and Chapel Hill News.

Notice

Per North Carolina General Statute 105-317(c) (1) (2), The County Assessor, on September 6, 2016, has submitted the proposed 2017 Schedules of Rules, Standards and Values for Market Value and Present-Use Value for the 2017 countywide reappraisal, to the Orange County Board of Commissioners. The proposed Schedules of Rules, Standards and Values will be available for public inspection in the offices of the County Assessor at 228 S. Churton Street, Hillsborough, NC, and Clerk to the Board of Commissioners office at 200 S. Cameron St, Hillsborough, NC during regular office hours of 8:00 AM to 5:00 PM, Monday thru Friday. There will be a public hearing regarding the proposed Schedules of Rules, Standards and Values at the regularly scheduled Board of County Commissioners meeting on September 20, 2016 located at the Southern Human Services Center at 2501 Homestead Road, Chapel Hill, NC 27516. The meeting will begin at 7pm.

Article 19.

Administration of Real and Personal Property Appraisal.

§ 105-317. Appraisal of real property; adoption of schedules, standards, and rules.

(a) Whenever any real property is appraised it shall be the duty of the persons making appraisals:

- (1) In determining the true value of land, to consider as to each tract, parcel, or lot separately listed at least its advantages and disadvantages as to location; zoning; quality of soil; waterpower; water privileges; dedication as a nature preserve; conservation or preservation agreements; mineral, quarry, or other valuable deposits; fertility; adaptability for agricultural, timber-producing, commercial, industrial, or other uses; past income; probable future income; and any other factors that may affect its value except growing crops of a seasonal or annual nature.
- (2) In determining the true value of a building or other improvement, to consider at least its location; type of construction; age; replacement cost; cost; adaptability for residence, commercial, industrial, or other uses; past income; probable future income; and any other factors that may affect its value.
- (3) To appraise partially completed buildings in accordance with the degree of completion on January 1.

(b) In preparation for each revaluation of real property required by G.S. 105-286, it shall be the duty of the assessor to see that:

- (1) Uniform schedules of values, standards, and rules to be used in appraising real property at its true value and at its present-use value are prepared and are sufficiently detailed to enable those making appraisals to adhere to them in appraising real property.
- (2) Repealed by Session Laws 1981, c. 678, s. 1.
- (3) A separate property record be prepared for each tract, parcel, lot, or group of contiguous lots, which record shall show the information required for compliance with the provisions of G.S. 105-309 insofar as they deal with real property, as well as that required by this section. (The purpose of this subdivision is to require that individual property records be maintained in sufficient detail to enable property owners to ascertain the method, rules, and standards of value by which property is appraised.)
- (4) The property characteristics considered in appraising each lot, parcel, tract, building, structure and improvement, in accordance with the schedules of values, standards, and rules, be accurately recorded on the appropriate property record.
- (5) Upon the request of the owner, the board of equalization and review, or the board of county commissioners, any particular lot, parcel, tract, building, structure or improvement be actually visited and observed to verify the accuracy of property characteristics on record for that property.
- (6) Each lot, parcel, tract, building, structure and improvement be separately appraised by a competent appraiser, either one appointed under the provisions of G.S. 105-296 or one employed under the provisions of G.S. 105-299.
- (7) Notice is given in writing to the owner that he is entitled to have an actual visitation and observation of his property to verify the accuracy of property characteristics on record for that property.

(c) The values, standards, and rules required by subdivision (b)(1) shall be reviewed and approved by the board of county commissioners before January 1 of the year they are applied. The board of county commissioners may approve the schedules of values, standards, and rules to be used in appraising real property at its true value and at its present-use value either separately or simultaneously. Notice of the receipt and adoption by the board of county commissioners of either or both the true value and present-use value schedules, standards, and rules, and notice of a property owner's right to comment on and contest the schedules, standards, and rules shall be given as follows:

- (1) The assessor shall submit the proposed schedules, standards, and rules to the board of county commissioners not less than 21 days before the meeting at which they will be considered by the board. On the same day that they are submitted to the board for its consideration, the

assessor shall file a copy of the proposed schedules, standards, and rules in his office where they shall remain available for public inspection.⁵

- (2) Upon receipt of the proposed schedules, standards, and rules, the board of commissioners shall publish a statement in a newspaper having general circulation in the county stating:
- a. That the proposed schedules, standards, and rules to be used in appraising real property in the county have been submitted to the board of county commissioners and are available for public inspection in the assessor's office; and
 - b. The time and place of a public hearing on the proposed schedules, standards, and rules that shall be held by the board of county commissioners at least seven days before adopting the final schedules, standards, and rules.
- (3) When the board of county commissioners approves the final schedules, standards, and rules, it shall issue an order adopting them. Notice of this order shall be published once a week for four successive weeks in a newspaper having general circulation in the county, with the last publication being not less than seven days before the last day for challenging the validity of the schedules, standards, and rules by appeal to the Property Tax Commission. The notice shall state:
- a. That the schedules, standards, and rules to be used in the next scheduled reappraisal of real property in the county have been adopted and are open to examination in the office of the assessor; and
 - b. That a property owner who asserts that the schedules, standards, and rules are invalid may except to the order and appeal therefrom to the Property Tax Commission within 30 days of the date when the notice of the order adopting the schedules, standards, and rules was first published.

(d) Before the board of county commissioners adopts the schedules of values, standards, and rules, the assessor may collect data needed to apply the schedules, standards, and rules to each parcel in the county. (1939, c. 310, s. 501; 1959, c. 704, s. 4; 1967, c. 944; 1971, c. 806, s. 1; 1973, c. 476, s. 193; c. 695, s. 5; 1981, c. 224; c. 678, s. 1; 1985, c. 216, s. 2; c. 628, s. 4; 1987, c. 45, s. 1; c. 295, s. 1; 1997-226, s. 5.)



ORANGE COUNTY TAX OFFICE

228 S CHURTON STREET, SUITE 200 PO BOX 8181
 HILLSBOROUGH, NORTH CAROLINA 27278
 Telephone (919) 245-2100 Fax (919) 644-3332
 T. Dwane Brinson, Tax Administrator

10 Frequently Asked Questions on Revaluations

1. **WHAT IS A REVALUATION?**

Revaluation is a process by which all real property within a taxing jurisdiction (Orange County) is reappraised to its market value as of a specific revaluation date. It also is sometimes called a reappraisal or mass appraisal. The tax office, in this process, reappraises all real property (land, buildings and other improvements to the land) as of the revaluation date. Arms-length market sales, as well as other market data such as income/expense information and current building cost information are used to estimate new tax appraisals during this process. The updated tax appraisal is effective, generally, until the next countywide revaluation. Orange County's next revaluation date is January 1, 2017, and tax appraisals should reflect market value as of that date, once the revaluation is completed.

2. **WHY CONDUCT A REVALUATION?**

The State of North Carolina requires counties to conduct a revaluation at least once every eight years [NCGS 105–286(a)]. The purpose is to redistribute the tax burden based on current market data. As time elapses between revaluations, properties may increase or decrease in market value at different rates. The State of North Carolina charges counties with appraising property based on current market data as of each revaluation date.

3. **WILL ALL PROPERTY VALUES CHANGE?**

Most likely, yes. However, not all property values will change at the same percentage. Market values may have increased or decreased more for some neighborhoods and property types than for others. One purpose of a revaluation is to ensure appraised values reflect changes that have occurred in the marketplace since the last countywide revaluation.

4. **WHY APPRAISE AT MARKET VALUE?**

North Carolina General Statute 105–283 requires counties to appraise all property, both real and personal property, at its true value in money. True value shall be interpreted as meaning market value. NCGS 105–284 establishes a uniform assessment standard. This standard in effect penalizes counties if they are not assessing property at market value as of the date of revaluation.

5. **WHO WILL DO THE WORK?**

The Orange County Tax Office is conducting this revaluation “in-house”. This means our own personnel in the tax office will be evaluating properties and current market data to establish new tax appraisals. By having the revaluation conducted with county personnel, we feel this will yield a high-quality revaluation and better tax appraisals.

6. **WHEN DOES THE REVALUATION TAKE EFFECT?**

Typical countywide revaluations take between 18 – 24 months to complete. Orange County Tax Office staff has been reviewing market sales, compiling studies and maintaining a list of current tax base inventory since the last revaluation, January 1, 2009. Tax office appraisers began reviewing all properties for the 2017 revaluation in mid-2014. Our current goal is to complete the process by the fourth quarter of 2016. The resulting values will be effective January 1, 2017. Real property tax bills mailed in July 2017 will reflect the new revaluation tax appraisal.

7. **WHEN CAN I FIND OUT MY NEW TAX APPRAISAL?**

New value notices should be mailed to all taxpayers who own real property in Orange County between January 2017 and March 2017.

8. **WILL MY TAXES CHANGE AS A RESULT OF REVALUATION?**

Although the value of your property does affect your share of taxes, the actual amount you pay is determined by budgetary needs of the jurisdictions in which your property is located (county, city, fire district, etc.). Governing boards of these taxing units decide what services the jurisdiction will provide in the coming year and how much money the jurisdiction will need to provide these services. A tax rate is then adopted to generate the necessary revenue.

9. **HOW ARE MARKET VALUES DETERMINED?**

Various tools are used to extract data from the market. Sales files, sales questionnaires, Multiple Listing Service, revenue stamps, cost books and ratio studies are a few examples. The best source for establishing residential market values is arms-length sales of reasonably comparable properties. Such properties are similar in location, age, style, condition and other features that may have an effect on market value.

10. **WHAT IF I DISAGREE WITH MY NEW TAX APPRAISAL?**

Instructions for appeal will be included with your new value notice. The first appeal level is an informal hearing with an Orange County Tax Office appraiser. Orange County will make personnel available to hold informal hearings with the property owner. During the informal hearing, the property record card is reviewed and you may request an actual site visit to your property. North Carolina General Statutes put the burden of proof on the property owner to show that a tax appraisal is inaccurate. Keep in mind that the informal review will be to ensure your property is appraised at 100% of its fair market value as of the revaluation date, January 1, 2017. Therefore, an informal appeal could result in an increase, decrease or no change in appraisal. A change in appraisal will be considered only if the owner can demonstrate that the appraised value is more or less than market value as of January 1, 2017, or that it is inconsistent with appraisals of similar properties. Appraisals cannot be appealed based on (1) percent of increase/decrease or (2) ability to pay the tax. The Tax Office will send results of informal appeals by mail. The second level of appeal is to the Orange County Board of Equalization and Review. North Carolina has a State Property Tax Commission that hears appeals that advance past the Board of Equalization and Review.

2017 REAPPRAISAL SCHEDULE OF RULES, STANDARDS AND VALUES

T. Dwane Brinson, CAE
Tax Administrator

What is a Reappraisal?

- Systematic process of updating real property tax assessments for market value and present-use value
- Appraisal of all properties in Orange County as of a single date
- Primary goal is to equalize tax base
- Effective date for Orange County's impending reappraisal is January 1, 2017

Where We Have Been

- Started field reviews in mid-2014
 - Postcard left at residences after each visit

- 2017 Revaluation Partner Program
 - Learn and Share revaluation video series (469 total views)
 - 10-question interactive, educational quiz on website
 - 34 quizzes taken, average score of 93
 - Certificate of Achievement

- Summary mailing with 2016 listing forms

- Sales bank/appeals process on website

- Revaluation presentations

Where We Are Now

- Mostly complete with land pricing
- Mostly complete with verifying individual property characteristics and data
- Currently performing “Neighborhood Reviews”
 - ▣ Current sales reports for statistics, edits as necessary
 - ▣ Before and after report for quality control
- Commercial properties are being appraised by outside commercial appraisal company

Where We Are Going

- Schedules of Values submission September 6, 2016 and corresponding adoption timeline

- Final revaluation presentations January 2017
 - ▣ Challenges of the revaluation
 - ▣ Tentative results at a high level by classification, district, and other categories as requested

- Notices of new value mailed late-February 2017

- Deadline for informal appeals April 28, 2017

- Board of Equalization and Review to convene May 1, 2017

Where We Are Going Continued

- Post-revaluation customer service, reporting
 - ▣ Extended informal appeals process
 - ▣ Collaborative approach to appeals
 - ▣ Pooled resources with other county departments

The Schedule of Values (SOV)

- Tax Assessor must submit SOV to the Board of County Commissioners (BOCC)
- “Upon receipt”, the BOCC shall publish a statement that such has been submitted and time/place of public hearing on SOV
- 52-day minimum for full adoption of SOV

What is the Schedule of Values?

- 4-year business plan
- An appraisal “toolbox”
- Explains methodology
- Shows appraisal system contents, i.e. calculation tables, codes, etc.
- Links to applicable case law
- Provides Uniform Standards of Professional Appraisal Practice (USPAP)
- Does **not** provide values for specific properties

The Adoption Process

- September 6, 2016: Submission of Schedules of Values to Board of County Commissioners
- September 7, 2016: Advertising notice published in News of Orange, Chapel Hill News & Durham Herald
- September 20, 2016: Public hearing
- October 4, 2016: Adoption of Schedules
- October 5, 2016: 1st advertising notice
- October 12, 2016: 2nd advertising notice
- October 19, 2016: 3rd advertising notice
- October 26, 2016: 4th advertising notice
- November 3, 2016: Last day for taxpayer appeal

For More Information

- Contact the Orange County Tax Office:
 - 919-245-2100
 - reval@orangecountync.gov

- Visit the revaluation section of our website
 - <http://www.orangecountync.gov/departments/tax/>

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: Presentation on the Bond Education Committee Communications Plan

DEPARTMENT: County Manager

ATTACHMENT(S):

Communication Plan
Flyer and Poster Design
Community Event Calendar

INFORMATION CONTACT:

Travis Myren, 919-245-2308

PURPOSE: To present the communication plan and associated educational materials developed for the 2016 Bond Referenda for school facilities and affordable housing.

BACKGROUND: In June 2016, the Board of Orange County Commissioners appointed members to the Bond Education Committee. The Committee was charged with designing and implementing an educational campaign to inform Orange County residents about the November bond referenda for school facilities and affordable housing. The Committee was also asked to design and implement a process educating residents through informational meetings with civic groups, non-profit agencies, neighborhood associations, and other interested parties while ensuring equal access to information.

A subcommittee of the Bond Education Committee conducted a solicitation of several potential vendors to provide professional services to develop of educational materials and media. The subcommittee recommended Sheer and Associates to provide these services. A contract was executed with Sheer and Associates in late June.

The full Bond Education Committee has met several times over the summer to provide guidance to the consultant on the communication plan and timeline and to review creative materials. The Board of Commissioners will receive a briefing on this activity from consultant Joel Sheer during this presentation. Mr. Sheer will also be available for questions.

FINANCIAL IMPACT: The Board of County Commissioners authorized up to \$50,000 to fund educational efforts. The FY2016-17 Budget contains this appropriation, so no additional action is required.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this 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.

The purpose of the bond education effort is to equip Orange County residents with information to make an informed decision about whether to vote for or against the bond referenda.

RECOMMENDATION(S): The Manager recommends that the Board receive the information provided and deliberate as necessary.



November 2016 Orange County Bond Referendum: Educational Outreach

Target – Message – Channel - Frequency

The communication plan includes the identification and breakdown of the various target audiences, the messages most suited to achieve voter awareness and education, the best channel needed to deliver these messages and finally the timing and frequency for these messages. (Audience, Message, Channel and Frequency)

Target Audiences:

General Orange County Voter when targeting is not possible

Northern Orange County Voters

Southern Orange County Voters

Civic and Community Organizations

Schools

OC – Flyers in backpacks Twice – K-8 + High Schools

CHCCS – No Flyers (PeachJar)

Senior Citizens

2nd Language Voters

UNC & UNC Hospitals

Major Orange County Employers

Non-Profit Organizations

Organizations That Request Information



Media/Communication Outlets Considered:

Consideration was given to the following media outlets for publicity and potential advertising together with the additional collateral expressions that may be required to ensure the success of this communication campaign.

- News of Orange/Northern Orange County
- Daily Tar Heel
- Chapel Hill Herald
- Chapel Hill News (N&O)
- Chapelboro & WCHL-FM
- Independent Weekly
- Chapel Hill Magazine (Electronic)
- WHUP Radio
- WUNC Radio
- Editors and Local Journalist (All media)
- Peachjar Online School Management tool
- Time Warner Cable (Channel 18 & 1305)
- Orange County ListServ
- Social Media
- Orange County Website
- Special Events
- Bus Posters
- Bill Stuffers



Collateral:

Large Posters (8.5 x 14)
Insert Handouts (4 x 9) – English & Spanish
Bus Posters
PSA's (Cable TV)
Newspaper Ads (2)
Radio Sponsorship/PSA's
Radio Sponsorship/Interviews
Email Blast for ListServ(s)
Press Release
Talking Points
Video(s) – English & Spanish
Website Content – English & Spanish
Power Point Presentation
Signs
Social Media (Let Others Advocate)
County Publication Ad (Waste Matters)



Our Schools – Our Neighborhoods

Bond Education Communication Plan 2016

Orange County Bond Referendum: Education Outreach

Target Audiences	Message	Channel	Frequency
General Orange County Voters (When targeting is not possible)	<p>Provides funding for safety, security and educational infrastructure improvements at schools, including rebuilding Chapel Hill High School, and expanding Phoenix Academy and Cedar Ridge High Schools.</p> <p>Provides funding to address overcrowding in elementary schools with a centralized pre-K facility.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community's service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -Bus Posters -PSA's (Cable TV) -Newspaper Ads (2) -Radio Sponsorship / PSA's -Radio Sponsorship / Interviews -Email Blast for ListServ(s) -Press Release -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish -Power Point Presentation -Signs -Social Media (Let Others Advocate) -County Publication Ad (Waste Matters) 	<ul style="list-style-type: none"> -Ads: Chapel Hill News (11 Ads), Chapel Hill Herald (8 Ads), Daily Tar Heel (6 Ads), News of Orange/Northern Orange Extra (8 Ads) -Bus Posters TBD -Radio: WCHL (Two On-Air Interviews and 20 Radio Spots) and WHUP & La Ley (One On-Air Interview each) -Email: Chapel Hill Magazine (2 Email Blasts) and ListServ(s) (once, hopefully twice) -Website: Chapelboro (6-week Digital Ad Rotation and Sponsored Content), Chapel Hill Open Data Website (entire time) <p><i>Everything else constantly and as needed.</i></p>
Northern Orange County	<p>Provides funding for safety, security and educational infrastructure improvements at schools, including expanding Cedar Ridge High School.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community's service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -PSA's (Cable TV) -Newspaper Ads (2) -Radio Sponsorship / PSA's -Radio Sponsorship / Interviews -Email Blast for ListServ(s) -Press Release -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish -Power Point Presentation -Signs -Social Media (Let Others Advocate) -County Publication Ad (Waste Matters) 	<ul style="list-style-type: none"> -Ads: News of Orange/Northern Orange Extra (8 Ads) -Radio: WCHL (Two On-Air Interviews and 20 Radio Spots) and WHUP & La Ley (One On-Air Interview each) -Email: Chapel Hill Magazine (2 Email Blasts) and ListServ(s) (once, hopefully twice) -Website: Chapelboro (6-week Digital Ad Rotation and Sponsored Content), Chapel Hill Open Data Website (entire time) <p><i>Everything else constantly and as needed.</i></p>



Target Audiences	Message	Channel	Frequency
Southern Orange County	<p>Provides funding for safety, security and educational infrastructure improvements at schools.</p> <p>Provides funding to address overcrowding in elementary schools with a designated pre-K facility.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community's service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -Bus Posters -PSA's (Cable TV) -Newspaper Ads (2) -Radio Sponsorship / PSA's -Radio Sponsorship / Interviews -Email Blast for ListServ(s) -Press Release -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish -Power Point Presentation -Signs -Social Media (Let Others Advocate) -County Publication Ad (Waste Matters) 	<ul style="list-style-type: none"> -Ads: Chapel Hill News (11 Ads), Chapel Hill Herald (8 Ads), Daily Tar Heel (6 Ads) -Bus Posters TBD -Radio: WCHL (Two On-Air Interviews and 20 Radio Spots) and WHUP & La Ley (One On-Air Interview each) -Email: Chapel Hill Magazine (2 Email Blasts) and ListServ(s) (once, hopefully twice) -Website: Chapelboro (6-week Digital Ad Rotation and Sponsored Content), Chapel Hill Open Data Website (entire time) <p><i>Everything else constantly and as needed.</i></p>
Civic & Community Organizations	<p>Provides funding for safety, security and educational infrastructure improvements at schools.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community's service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish -Power Point Presentation -Signs 	<p><i>Everything constantly and as needed.</i></p>



Target Audiences	Message	Channel	Frequency
Schools – Orange County	<p>Provides funding for safety, security and educational infrastructure improvements at schools, including rebuilding Chapel Hill High School, and expanding Phoenix Academy and Cedar Ridge High Schools.</p> <p>Provides funding to address overcrowding in elementary schools with a designated pre-K facility.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community’s service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -Email Blast for ListServ(s) -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish -Power Point Presentation -Signs -Social Media (Let Others Advocate) 	<i>Everything constantly and as needed.</i>
Schools - CHCCS	<p>Provides funding for safety, security and educational infrastructure improvements at schools, including rebuilding Chapel Hill High School, and expanding Phoenix Academy and Cedar Ridge High Schools.</p> <p>Provides funding to address overcrowding in elementary schools with a designated pre-K facility.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community’s service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -Email Blast for ListServ(s) -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish -Power Point Presentation -Signs -Social Media (Let Others Advocate) 	<i>Everything constantly and as needed.</i>



Target Audiences	Message	Channel	Frequency
Senior Citizens	<p>Provides funding for safety, security and educational infrastructure improvements at schools.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for seniors and those with very low incomes and special needs, as well as for our community's service providers such as teachers, police and first responder professionals.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -Bus Posters -PSA's (Cable TV) -Newspaper Ads (2) -Radio Sponsorship / PSA's -Radio Sponsorship / Interviews -Email Blast for ListServ(s) -Press Release -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish -Power Point Presentation -Signs -Social Media (Let Others Advocate) -County Publication Ad (Waste Matters) 	<ul style="list-style-type: none"> -Ads: Chapel Hill News (11 Ads), Chapel Hill Herald (8 Ads), News of Orange/Northern Orange Extra (8 Ads) -Bus Posters TBD -Radio: WCHL (Two On-Air Interviews and 20 Radio Spots) and WHUP & La Ley (One On-Air Interview each) -Email: Chapel Hill Magazine (2 Email Blasts) and ListServ(s) (once, hopefully twice) -Website: Chapelboro (6-week Digital Ad Rotation and Sponsored Content), Chapel Hill Open Data Website (entire time) <p><i>Everything else constantly and as needed.</i></p>
2 nd Language Voters	<p>Provides funding for safety, security and educational infrastructure improvements at schools, including rebuilding Chapel Hill High School, and expanding Phoenix Academy and Cedar Ridge High Schools.</p> <p>Provides funding to address overcrowding in elementary schools with a designated pre-K facility.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community's service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Insert Handouts (4 x 9) – English & Spanish -Newspaper Ads (2) -Radio Sponsorship / PSA's -Radio Sponsorship / Interviews -Video(s) – English & Spanish -Website Content – English & Spanish 	<ul style="list-style-type: none"> -La Ley (One On-Air Interview) <p><i>Everything else constantly and as needed.</i></p>



Target Audiences	Message	Channel	Frequency
UNC & UNC Hospitals	<p>Provides funding for safety, security and educational infrastructure improvements at schools.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community's service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -Bus Posters -PSA's (Cable TV) -Newspaper Ads (2) -Radio Sponsorship / PSA's -Radio Sponsorship / Interviews -Email Blast for ListServ(s) -Press Release -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish -Power Point Presentation -Signs -Social Media (Let Others Advocate) -County Publication Ad (Waste Matters) 	<ul style="list-style-type: none"> -Ads: Daily Tar Heel (6 Ads) -Bus Posters TBD -Radio: WCHL (Two On-Air Interviews and 20 Radio Spots) and WHUP & La Ley (One On-Air Interview each) -Email: Chapel Hill Magazine (2 Email Blasts) and ListServ(s) (once, hopefully twice) -Website: Chapelboro (6-week Digital Ad Rotation and Sponsored Content), Chapel Hill Open Data Website (entire time) <p><i>Everything else constantly and as needed.</i></p>
Target Audiences	Message	Channel	Frequency
Major OC Employers	<p>Provides funding for safety, security and educational infrastructure improvements at schools.</p> <p>Provides funding to address overcrowding in elementary schools with a designated pre-K facility.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community's service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -Bus Posters -PSA's (Cable TV) -Newspaper Ads (2) -Radio Sponsorship / PSA's -Radio Sponsorship / Interviews -Email Blast for ListServ(s) -Press Release -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish -Power Point Presentation -Signs -Social Media (Let Others Advocate) -County Publication Ad (Waste Matters) 	<ul style="list-style-type: none"> -Ads: Chapel Hill News (11 Ads), Chapel Hill Herald (8 Ads), Daily Tar Heel (6 Ads), News of Orange/Northern Orange Extra (8 Ads) -Bus Posters TBD -Radio: WCHL (Two On-Air Interviews and 20 Radio Spots) and WHUP & La Ley (One On-Air Interview each) -Email: Chapel Hill Magazine (2 Email Blasts) and ListServ(s) (once, hopefully twice) -Website: Chapelboro (6-week Digital Ad Rotation and Sponsored Content), Chapel Hill Open Data Website (entire time) <p><i>Everything else constantly and as needed.</i></p>



Target Audiences	Message	Channel	Frequency
Non-Profit Organizations	<p>Provides funding for safety, security and educational infrastructure improvements at schools.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community's service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -Bus Posters -PSA's (Cable TV) -Newspaper Ads (2) -Radio Sponsorship / PSA's -Radio Sponsorship / Interviews -Email Blast for ListServ(s) -Press Release -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish -Power Point Presentation -Signs -Social Media (Let Others Advocate) -County Publication Ad (Waste Matters) 	<ul style="list-style-type: none"> -Ads: Chapel Hill News (11 Ads), Chapel Hill Herald (8 Ads), Daily Tar Heel (6 Ads), News of Orange/Northern Orange Extra (8 Ads) -Bus Posters TBD -Radio: WCHL (Two On-Air Interviews and 20 Radio Spots) and WHUP & La Ley (One On-Air Interview each) -Email: Chapel Hill Magazine (2 Email Blasts) and ListServ(s) (once, hopefully twice) -Website: Chapelboro (6-week Digital Ad Rotation and Sponsored Content), Chapel Hill Open Data Website (entire time) <p><i>Everything else constantly and as needed.</i></p>
Target Audiences	Message	Channel	Frequency
Organizations that request information	<p>Provides funding for safety, security and educational infrastructure improvements at schools.</p> <p>Funds the creation of 1000 affordable housing units for rental and ownership for our community's service providers such as teachers, police and first responder professionals, as well as for seniors and those with very low incomes and special needs.</p> <p>Homeowners may see a small increase in county property tax to pay for the bonds.</p>	<ul style="list-style-type: none"> -Large Posters (8.5 x 14) -Insert Handouts (4 x 9) – English & Spanish -Email Blast for ListServ(s) -Talking Points -Video(s) – English & Spanish -Website Content – English & Spanish 	<p><i>Everything constantly and as needed.</i></p>



Planned Activities & Timelines June-November, 2016

Action	June 13th	July 22nd	July 29th	Aug. 10th	Aug. 16th	Aug. 29th	Sept. 12th	Sept. 26th	Oct. 10th	Oct. 24th	Nov. 8th
Contract awarded and job begins											
Research											
Communication Plan											
Contact Database Development											
Media Contact List Database Development											
Community engagement opportunities list & goals, contacts and speaking engagements											
Media Planning											
Creative Communication Development - Copy											
Creative Communication Development - Design											
Identify campaign news stories for publicity											
Execution											
Election Day											

Our Schools Our Neighborhoods



On Election Day,
Tuesday,
November 8th,

all registered voters in Orange County
will have the opportunity to vote
FOR or AGAINST two bond referendums:

SCHOOLS: \$120 million
to fund the repair and renovation of safety and
security features, as well as infrastructure
in schools, including a new pre-K facility.

HOUSING: \$5 million
to create 1000 affordable housing units
throughout the county for rental and
ownership.

Property owners may see an increase
in county property tax to pay for
the bonds.

**DON'T FORGET TO VOTE ON
NOVEMBER 8TH.**



**ORANGE COUNTY
NORTH CAROLINA**

All About Voting

Voter Registration Deadline is 5:00 p.m., October 14, 2016
At the Orange County Board of Elections
208 S. Cameron Street, Hillsborough, NC 27278
(919) 245-2350

Early Voting Sites

CARRBORO TOWN HALL
301 W. Main Street, Carrboro

CHAPEL OF THE CROSS CHURCH
304 E. Franklin Street, Chapel Hill

EFLAND RURITAN CLUB BUILDING
3009 US Highway 70 West, Efland

ORANGE COUNTY BOARD OF ELECTIONS
208 S. Cameron Street, Hillsborough

SEYMOUR SENIOR CENTER
2551 Homestead Road, Chapel Hill

When Can I Vote?

Early Voting begins Thursday, October 20, with no Sunday voting. For specific days and times, contact the Orange County Board of Elections: (919) 245-2350 or visit www.orangecountync.gov/elect

TUESDAY, NOVEMBER 8: ELECTION DAY,
6:30 a.m. - 7:30 p.m.

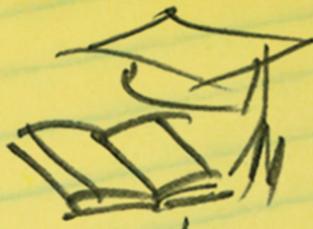
For absentee voting, please call (919) 245-2350 or visit www.orangecountync.gov/elect

Your Vote

For details about the two bonds, visit www.ocbond.org

Don't forget to vote on November 8th.

Our Schools



Our Neighborhoods



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Tuesday, November 8th,

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SCHOOLS: \$120 million to fund
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including a new pre-K facility.

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affordable housing units throughout the county for
rental and ownership.
Property owners may see an increase in county property tax
to pay for the bonds.

YOUR VOTE

For details about the two bonds, as well as early and
Election Day voting hours and locations, visit
www.ocbond.org

DON'T FORGET TO VOTE ON NOVEMBER 8TH.



ORANGE COUNTY
NORTH CAROLINA

Upcoming PR Events		
Event	Date	Notes
Orange County-Hillsborough Elementary School Meet the Teacher	7/14/2016, 4pm	
Meet & Greet w/ Interim Superint. James Causby @ United Church of Chapel Hill	8/10/2016, 12:30pm to 2:15pm	Margaret Samuels requested Bond information be available.
Back to School Forum - Technology	8/11/2016, 8:30am to 10am	The Whitted Building, 300 West Tryon Street, Hillsborough
Conversations in Equity Speaker Series at The Stone Center, UNC Campus	8/16/2016, 6:30pm to 8pm	Margaret Samuels requested Bond information be available.
Fairview Live	8/20/2016, 12pm to 4pm	
Community Forum on Selection of a New Superintendent	8/20/2016, early afternoon	Margaret Samuels requested Bond information be available.
OC Board Meeting	8/22/2016	Fairview Park, 195 Torain Street, Hillsborough
Friends of the Downtown Meeting	8/25/2016, 10am	Second floor of the Franklin Hotel
Orange County-CW Stanford Middle School Open House	8/25/2016, 6pm to 8:30pm	
Orange County-Gravelly Hill Middle School	8/25/2016, 6pm to 8:30pm	
Orange County-Grady A. Brown Elementary School Open House	8/25/2016, 4:30pm	
CH Chamber Orange County Development Briefing	8/25/2016	
CHCSC & OC First Day of School	8/29/2016	
Superintendent Search forums for CHCCS at Chapel Hill High School	8/30/2016, 7pm	Margaret Samuels requested Bond information be available.
CHCSC Board Meeting	9/1/2016, 7pm to 10pm	
Superintendent Search forums for CHCCS at Northside Elementary	9/10/2016, 1:30pm	Margaret Samuels requested Bond information be available.
OC Board Meeting	9/12/2016	
Neighborhood Night Out and Block Party	9/13/2016, 5pm to 9pm	Hargraves Community Center
CHCSC Board Meeting	9/15/2016, 7pm to 10pm	
Hillsborough Hog Day	9/16 & 9/17	
Orange-AL Stanback Middle School School Improvement Team Meeting	9/19/2016	
Carrboro Music Festival	9/24 & 9/25	
OC Board Meeting	9/26/2016	
7th Annual TerraVITA Food & Drink Festival	9/28 - 10/1	
OC Joint Board Meeting with BOCC/BOE	9/29/2016	
Friends of the Downtown Meeting	9/29/2016, 10am	Second floor of the Franklin Hotel
CHCSC Joint Board Meeting with BOCC	9/29/2016, 7pm to 9pm	
Efland Ruritan Rodeo	10/1/2016, 8pm to 10:30pm	
FestiFall	10/1/2016	
Historic Hillsborough Half Marathon and 5K	10/2/2016	
Orange County Shred-A-Thon	10/6/2016	At University Mall
CHCSC Board Meeting	10/6/2016, 7pm to 10pm	
OC Board Meeting	10/10/2016	
Annual Walk for Education	10/15/2016	
OC Board Meeting	10/24/2016	
CHCSC Board Meeting	10/20/2016, 7pm to 10pm	
Friends of the Downtown Meeting	10/27/2016, 10am	Second floor of the Franklin Hotel
CHCSC Board Meeting	11/3/2016, 7pm to 10pm	
CHCSC School Open Houses (Different nights at each school)	TBD	Check CHCSC Website 2nd week of August (Parents--Parents Handbook)
CHCSC PTA Meetings	TBD	Check CHCSC Website 2nd week of August (Parents--Parents Handbook)
CHCSC SIT Meetings	TBD	Check CHCSC Website 2nd week of August (Parents--Parents Handbook)
Orange County Open House - Traditional Elementary Schools	TBD	Individual School Websites will have updates on or after August 17
Orange County Open House - Orange High School	TBD	Individual School Websites will have updates on or after August 17
Orange County Open House - Cedar Ridge High School	TBD	Individual School Websites will have updates on or after August 17
Orange County - SIT Meetings	TBD	Individual School Websites will have updates on or after August 17
Orange County - PTA Meetings	TBD	Individual School Websites will have updates on or after August 17



**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: MINUTES

DEPARTMENT: Board of County
Commissioners

ATTACHMENT(S):
Draft Minutes

INFORMATION CONTACT:
Donna Baker, Clerk to the Board
(919) 245-2130

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

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.

June 9, 2016
June 14, 2016
June 16, 2016
June 21, 2016

BOCC Budget Work Session
BOCC Budget Work Session
BOCC Budget Work Session
BOCC Regular Meeting

FINANCIAL IMPACT: NONE

SOCIAL JUSTICE IMPACT: NONE

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

1
2
3 DRAFT

4 **MINUTES**
5 **BOARD OF COMMISSIONERS**
6 **Budget Work Session**
7 **June 9, 2016**
8 **7:00 p.m.**

9 The Orange County Board of Commissioners met in a budget work session on Thursday, June
10 9, 2016 at 7:00 p.m. at the Southern Human Services Center, in Chapel Hill, N.C.

11
12 **COUNTY COMMISSIONERS PRESENT:** Chair McKee and Commissioners Mia Burroughs,
13 Mark Dorosin, Barry Jacobs, Bernadette Pelissier, Renee Price and Penny Rich

14 **COUNTY COMMISSIONERS ABSENT:**

15 **COUNTY ATTORNEYS PRESENT:**

16 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy Manager Travis
17 Myren and Clerk to the Board Donna Baker (All other staff members will be identified
18 appropriately below)

19
20 Vice Chair Commissioner Dorosin called the meeting to order at 7:02 p.m.

21 Commissioner Dorosin said Chair McKee will be a little late and Commissioner Pelissier
22 would not be attending tonight.

23
24 Commissioner Dorosin noted the following items at the Commissioners' places:

- 25 - White sheets: Replacement pages for CIP and Budget Book
26 - Black binder: Information from Forest Service
27 - Pink sheet: Information on Launch project
28 - Turquoise sheets: Information from Solid Waste on mattresses

29
30
31 **1. Discussion with County Departments within the following Functional**
32 **Leadership Teams (including Operations, Fee Schedule changes, and Capital**
33 **Projects):**

34
35 Travis Myren facilitated the discussion, and made the following PowerPoint
36 presentation:

37
38 **Budget Work Session 2**

39 **General Government**

40 **Support Services**

41 **Community Services**

42 **June 9, 2016 Budget Work Session**

43 **Southern Human Services Center**

44
45 **Functional Leadership Team Process**

- 46 • Functional Leadership Teams reviewed all budget requests
47 ○ Scored using eight criteria
48 ➤ Supports goals of the Board of County Commissioners
49 ➤ Supports a legal mandate
50 ➤ Addresses life and safety concerns

- 1 ➤ Expands services to residents
- 2 ➤ Reduces an existing backlog of resident needs
- 3 ➤ Improves operational efficiency
- 4 ➤ Budget neutral or generates additional revenue
- 5 ➤ Promotes interdepartmental cooperation or collaboration

- 6
- 7 • Final scores informed County Manager recommendations
- 8

9 **Community Services**

- 10 • Animal Services
 - 11 ○ Revenues from service charges - \$3,750
 - 12 ○ Revenue from previously adopted fee increases - \$6000 for reclaim and \$3,550
 - 13 from microchipping

14 **Community Services**

- 15 • Animal Services Shelter staffing – \$6,000 additional funding
 - 16 ○ Seasonal funds during peak months of April to October
 - 17 ○ Funded with new fee revenue

18 **Community Services**

- 19 • Animal Services Spay/Neuter Program - \$12,600
 - 20 ○ Maintains program due to loss of I-Care grant funds from State
 - 21 ○ Funded with transfer from Spay/Neuter fund accumulated balance

22 *Chair McKee and Commissioner Jacobs arrived at 7:08 p.m.*

23 Commissioner Jacobs asked if the funds received through the Community Giving Fund (CGF) could be used to establish an amnesty program for those that have not paid their licensing fees.

24 Bob Marotto said several different options have been used regarding this issue and noted that last year the fee was reduced for those residents that receive assistance from the Department of Social Services (DSS).

25 Bob Marotto said in order to accommodate Commissioner Jacobs' suggestion, CGF donors would have to specifically donate for this purpose.

26 Commissioner Jacobs said he would like the County to be proactive.

27 Commissioner Rich asked if Bob Marotto could explain the animal sponsor program and how the funds are used.

28 Bob Marotto explained the process.

29 Commissioner Price said the Manager's recommendation is not to fund all of Animal Service's requests and asked if this will affect staffing.

30 Bob Marotto said the request was for an additional position for seasonal overload but the Manager was able to secure an increase in seasonal funding as opposed to a Full Time Employee.

31 Travis Myren resumed the presentation:

32 **Community Services**

- 33 • Cooperative Extension
 - 34 ○ \$15,000 for Breeze Farm to increase incubator program (operating expenses)
 - 35 ○ \$25,000 in revenue from Farm to Fork event
 - 36 ○ Breeze Farm Master Plan underway

- 1 ○ Breeze Farm incubator program has served 377 individuals over past eight years
- 2 ➤ 40 new farms have been created
- 3 ▪ 30 farms created by individual taking PLANT classes
- 4 ▪ 10 beginning farmers who leased land at Breeze Farm now farm
- 5 on their own land
- 6 ▪ 24% (83) are involved in local food businesses or local food
- 7 network

8
9 Commissioner Jacobs said the public is being priced out of Farm-to-Fork, at \$100 per
10 ticket, and asked if this is being re-considered.

11 Carl Matyac, County Extension Director, said he will pass this request on to the planner.

12 Commissioner Price suggested increased marketing of the event.

13 Travis Myren resumed the presentation:

14 15 **Community Services**

- 16 • Department of Environment, Agriculture, Parks & Recreation
- 17 ○ Fairview Community Watch - \$5,500
- 18 ➤ Hire temporary employee/intern from neighborhood
- 19 ➤ Moved from outside agencies
- 20 ○ Family Success Alliance Summer Camp - \$8,700
- 21 ➤ Partnership with FSA and New Hope Elementary
- 22 ➤ STEAM Camps (Science, Technology, Engineering, Art, Mathematics)
- 23 ➤ July 11 through August 18
- 24 ○ Community Centers Program - \$43,600
- 25 ➤ Cedar Grove, Efland Cheeks, Rogers Road
- 26 ➤ Provides equipment, operating expenses and temporary staffing
- 27 ➤ Core hours of operation – five hours per day
- 28 ➤ Supplemented with Community Groups and Volunteers
- 29 ○ Cedar Grove Community Center History Wall - \$15,000
- 30 ➤ Exhibits and displays honoring historic school and community

31
32 Commissioner Jacobs asked if local college students have been considered to assist
33 with the Cedar Grove Community Center History Wall.

34 David Stencil, Department of Environment, Agriculture, Parks and Recreation Director
35 (DEAPR), said Peter Sandbeck, Cultural Resources Coordinator, is working on this, and he has
36 found people that actually attended this school and hopes to do some oral histories.

37 Commissioner Dorosin said the Jackson Center has done oral histories in the Northside
38 neighborhood in Chapel Hill and could be a good resource.

39 Travis Myren resumed the presentation:

40 41 **Community Services**

- 42 • Seasonal Staffing - \$69,000
- 43 ○ Hollow Rock Nature Park and Seven Mile Creek Preserve
- 44 ○ Demand measures show increase in park access and services

45 46 **Community Services**

- 47 • Capital Investment Plan - FY2016-17 Recommendations
- 48 ○ Blackwood Farm Park - \$1.26 million
- 49 ➤ New access road and entrance
- 50 ➤ Phase 1 of multi-year park development

- 1 ○ Cedar Grove Park – Phase II - \$60,000
- 2 ➤ Basketball court resurfacing
- 3 ○ Conservation Easements - \$500,000
- 4 ➤ \$250,000 County funds
- 5 ➤ *Proposed Amendment – Add \$250,000 in County funds for conservation*
- 6 ➤ *easements in CIP*
- 7 ○ Mountains to Sea Trail (MST) Segment 11-D - \$521,000
- 8 ➤ Occoneechee Mountain to Seven Mile Creek
- 9 ➤ Public meetings during summer of 2016

10
11 Commissioner Price asked if this MST funding would be used for acquisition of property.
12 David Stancil said this is the low hanging fruit portion of the MST and will be used for
13 trail easements, construction and other miscellaneous items. He said easements will probably
14 be purchased in some areas.

15 Chair McKee said it was his understanding that a lot of this work was done by
16 volunteers.

17 David Stancil said the funding is based on the assumption that there will be trailheads,
18 boardwalks, etc., for which the County pays. He said typically volunteers build the actual trail
19 portion.

20 Commissioner Price asked if other municipalities/counties have put forth funds to
21 purchase land for the trail.

22 David Stancil said yes.

23 Chair McKee asked if the mileage on this segment of the trail is known.

24 David Stancil said approximately five miles but he will check.

25 Chair McKee asked if it can be assumed that the trail will cost \$100,000 per mile in
26 Orange County.

27 David Stancil said there is an average per mile easement cost for planning purposes.
28 He said at least 21 trail easements are expected.

29 Commissioner Rich referred to page 21 in the budget book and said the Manager's
30 capital outlay recommendation was \$100,000 less than the DEAPR request.

31 David Stancil said these funds were for equipment and the portion that has been funded
32 is for community centers.

33 Travis Myren resumed the presentation:

34 35 **Community Services**

- 36 • Capital Investment Plan – FY2016-17 Recommendations
- 37 ○ Hollow Rock Nature Park - \$235,000
- 38 ➤ Relocation of Hollow Rock Store – late 2016
- 39 ➤ ADA loop trail, restrooms, wildlife viewing deck, boardwalk

40
41 Commissioner Jacobs said at the Metropolitan Planning Organization (MPO) yesterday,
42 Durham County Commissioner Ellen Reckow asked staff to pursue closing a portion of the road
43 that had served as a shortcut to through traffic. He said the Department of Transportation
44 (DOT) installed a light to allow neighborhood traffic to have access to Erwin Road, via Pickett
45 Road. He said the Master Plan originally called for this road to close, as it makes it easier and
46 safer to walk through the park, but neighbors had been against this. He said it is possible that
47 neighbors will be more amenable to the idea, now that there is a light to allow access to Erwin
48 Road. He said staff is looking into this matter, and should have a decision by the fall.

49 Travis Myren resumed the presentation:
50

- 1 ○ River Park – Phase II - \$50,000
- 2 ➤ Stormwater controls, entry sign from new Churton St. bus turnout
- 3 ○ Little River Park – Phase II - \$100,000
- 4 ➤ Repave original entry road
- 5 ○ Fairview Park Access and Parking - \$325,000
- 6 ➤ New entry and parking lot
- 7 ➤ Bid award scheduled June 21
- 8 ➤ Construction scheduled for summer/fall of 2016

9
10 Commissioner Rich asked if there was funding left over from last year's budget for this
11 project.

12 David Stancil said yes.

13 Commissioner Rich asked if state parks and recreation funds have been received for the
14 MST, or any other parks.

15 David Stancil said he has not received anything official yet, but he does expect some
16 funding from the State.

17 Commissioner Jacobs asked if there is periodic contact with the resident who has a lot
18 of junk cars at the entrance to the park.

19 David Stancil said he is not aware of any conversations.

20 Jeff Thompson said contact was made about a year ago and will continue to touch base
21 with him.

22 Travis Myren resumed the presentation:

- 23
- 24 ○ \$35,000 for Efland Cheeks Community Center for the design of expansion of the
- 25 facility.
- 26 ○ \$195,000 parks and recreation facility renovations, repairs, and safety
- 27 improvements.

28

29 David Stancil said there is a plan to meet with the Efland Cheeks neighborhood to
30 discuss the Center's needs.

31 Travis Myren said a request was received yesterday from the Town of Chapel Hill about
32 a joint project on a Morgan Creek Bridge. He said staff will research this and bring back an
33 amendment, if necessary, at a future meeting before the break. He said it is expected to cost
34 share in this project with the Town using some bond funds.

35 Commissioner Jacobs congratulated DEAPR on the near completion of the Historic
36 Resources Inventory project, which has been in the works for over 25 years. He said Carrboro
37 did a history project in the 1980s and he asked if including this project has been considered.

38 David Stancil said Peter Sandbeck has reached out to all the municipalities but is unsure
39 if Carrboro has been approached on this project specifically. He said he would follow up.

40 Travis Myren resumed the presentation:

41

42 **Community Services**

- 43 • Economic Development – Article 46 Sales Tax
- 44 ○ \$3,007,726 Total Recommended FY2016-17
- 45 ○ Divided between Education and Economic Development
- 46 ○ Education amount divided between the Districts by average daily membership
- 47 proportions (ADM)

48

49 **Community Services**

- 50 • Economic Development – Article 46 Sales Tax- graph

1
2 Commissioner Jacobs asked if there is a reason why the Agricultural Summit cost
3 \$7,500.

4 Steve Brantley, Director of Economic Development, said the primary costs are for
5 marketing, keeping the event free of a fee, the higher quality (local) luncheon, table and chair
6 rentals, etc.

7 In reference to the Orange Connect Scholarship Program, discussion ensued about
8 what if someone besides an Orange County Schools or Chapel Hill-Carrboro City Schools
9 student wanted to attend Durham Tech, such as a Commissioner or an adult learner.

10 Commissioner Price said this question was discussed at the Durham Tech Board
11 meeting. She said the program is a pilot and would stay as it is for this year, with other options
12 possibly becoming available in the future since the funding comes from Orange County
13 government. She said she reminded the Durham Tech Board that the Board of County
14 Commissioners (BOCC) makes the final decision regarding County funding.

15 Commissioner Dorosin said he would be interested in opening the scholarship to
16 anyone.

17 Commissioner Jacobs said this is a program Orange County is establishing that benefits
18 Durham Tech, and suggested Dr. Ingram be invited to come back for further discussion on this
19 issue.

20 Steve Brantley said young people without work experience have great difficulty in
21 gaining employment. He said connecting high school students in the Career and Technical
22 Education (CTE) program with local industry, via training programs such as Durham Tech, is a
23 positive path to employment.

24 Commissioner Jacobs said to leave this issue for now and ask Durham Tech to track
25 who is requesting this funding.

26 Chair McKee said this may need a broader discussion with Durham Tech in the fall.

27 Commissioner Price said Durham Tech in Durham already has a similar program, which
28 allows high school students to go to college at no charge right out of high school. She said it
29 was her understanding that Orange County wanted to do the same, with this year being the first
30 crack at such a program.

31 Commissioner Price said the Durham Tech Board wanted to put parameters around this
32 program, and she told them no, as any such parameters would have to come to the Board of
33 County Commissioners for a final decision. She said this first year is to try and encourage the
34 students to go to college, and possibly later other options could be considered for this program.

35 Commissioner Dorosin said since the BOCC set up the scholarship program, then
36 Orange County can set the parameters.

37 Commissioner Price said it is currently set up to model what the Durham Tech in
38 Durham is doing for the year-long pilot project, unless the Board of County Commissioners
39 wanted to do something different.

40 Commissioner Dorosin asked if it would be possible to give to others besides high
41 school students.

42 Commissioner Price said the Board of County Commissioners can do that.

43 Commissioner Dorosin said as of now the program will model the Durham program and
44 he would rather have the BOCC make a clear plan as to how it wants the scholarship program
45 to run. He said he is not comfortable leaving it as it is, even now, and would like to have this
46 discussion and a decision made, before the summer break. He would like to see the high
47 school graduation requirement removed.

48 Bonnie Hammersley said her recommendation was based on the Durham model due to
49 timing and it being a pilot program. She said staff can bring back to the Board of County
50 Commissioners the criteria that were used, which the Board can tweak as needed.

1 Commissioner Jacobs said he agreed with Commissioner Price that it is an Orange
2 County program funded by Orange County, and the BOCC can decide that which is best.

3 Commissioner Price said there may be some changes that are needed, but she does
4 not want to lose a year of the program. She said changes can always be made in the future as
5 well.

6 Bonnie Hammersley said she would follow up promptly.

7 Travis Myren resumed the presentation:
8

9 **Community Services**

- 10 • Economic Development – Article 46 Sales Tax
 - 11 ○ Reallocation of Prior Year Balance - \$765,600
 - 12 ➤ Education amount (\$382,800) reallocated 12/15/15
 - 13 ➤ Economic Development Recommendation
 - 14 ▪ SWOT Analysis - \$75,000
 - 15 ▪ Incentives - \$307,800
 - 16 ○ *Proposed Amendment – Launch Expansion - \$33,500*
 - 17 ➤ *Request received after budget was introduced*
 - 18 ➤ *Double space for incubator program*
 - 19 ➤ *Three party agreement – County, Chapel Hill, UNC*
 - 20 ➤ *Up to three year agreement*
 - 21 ➤ *Reallocate from FY2016-17 incentive recommendation*

22
23 Commissioner Rich said it would be good to consider having some incubator space on
24 the Greene Tract.

25 Commissioner Jacobs said he would like to see some flex space there as well.

26 Commissioner Jacobs said the BOCC had received a \$15,000 outside agency request
27 for a staff person for the Hillsborough Arts Council. He said it was his understanding that the
28 arts were going to be more closely coordinated through the Arts Commission, which will have a
29 new employee. He said he wants to insure that there are not multiple agencies doing parallel
30 work.

31 Steve Brantley said this Orange County position would be the same as the similar staff
32 person who just retired, and it is hoped that this position will collaborate with the Hillsborough
33 Arts Council and other arts organizations. He said this County employee would report to him,
34 but be funded through the Visitor's Bureau.

35 Commissioner Jacobs asked if the selection committee for this new position would
36 include outside arts people and internal staff.

37 Steve Brantley said it is currently himself and the Chair of the Arts Commission that
38 would be involved with the interviews.

39 Bonnie Hammersley said it is desired that the Arts Commission will participate in this
40 interview process. She said she interviewed the entire Arts Commission Advisory Board prior to
41 the position becoming vacant. She said it is hoped that the new employee will work to unite the
42 arts community.

43 Commissioner Rich said she does not want to duplicate what Hillsborough is doing with
44 this position. She said she does not want to give too much funding to Hillsborough, when the
45 County is seeking to bring on someone who will focus on promoting the arts across the County.

46 Commissioner Price said the Hillsborough Arts Council is seeking to provide on going
47 support to an existing part-time staff position. She said there are similarities, but the
48 Hillsborough Arts Council and County positions are not the same.

49 Travis Myren resumed the presentation:
50

Community Services

- Orange Public Transportation
 - Create Department of Public Transportation
 - Report to the County Manager
 - Department Director effective 1/1/17 - \$33,131
 - Three additional buses - \$31,678
 - 10-20% County share
 - Fare boxes - \$68,000
 - Prepaid fare cards
 - Bus passes

Orange Public Transportation: Bus Service

Commissioner Jacobs asked if this is simply a functional unit of Planning/Transportation. Bonnie Hammersley said this department will work in collaboration with other departments, community agencies, Chapel Hill Transit and Triangle Transit, but also with County Planning and Transportation. She said the goal is to look at the unmet needs of the human services portion of transportation, and the core function of this department is transit.

Commissioner Jacobs said this is an improvement, and he said he hoped the Manager would monitor whether this department head feels they have any clout.

Bonnie Hammersley said this position is to supplement the mechanics that are already in place.

Craig Benedict, Planning and Inspections Director, resumed the presentation:

Community Services

- Planning and Inspections
 - New Division Structure
 - Decrease in consulting services – completion of School Impact Fee study - \$20,800
 - Code Compliance Officer - \$84,300
 - Includes \$26,100 in startup costs
 - Position funded with Permit and Inspection Fee Revenue - \$138,152

Permit Fee Revenue- Graph

Travis Myren resumed the presentation:

Community Services

- Planning and Inspections - Capital Investment Plan
 - Water/Sewer – Eno EDD smaller scope - \$120,000 design

Community Services

- Solid Waste Operations
 - Solid Waste Financial Consultant
 - Review Expenditures/Revenues
 - Review Program/Services Effectiveness
 - Evaluate Other Regional Annual Fee Structures/Rates
 - Develop 5-Year Financial Plan
 - Recommend Enterprise Fund Fee Schedule
 - Consider Other Revenue Options

- Propose Enterprise Fund Reserve Allocations
- Maintain \$107 Solid Waste Programs Fee for FY2016-17
- Utilize Enterprise Fund Reserves to Temporarily Fund Budget Gap
- Submit Consultant Recommendations to SWAG and BOCC for consideration
- General Fund contribution to Sanitation increases by \$286,701 to maintain standard contribution amount of 65% net division expenses

Community Services

- Solid Waste – Mobile Home Fee Collection Options
 - Solid Waste Program Fee charged to real property owners
 - Mobile home park owners charged for each lot occupied by a mobile home
 - Other multifamily buildings charged by # of units
 - Commercial property assessed by # of store fronts
 - Condominiums billed to owner of the unit
 - Alternatives
 - Maintain status quo
 - Shift fee to mobile home owners instead of land owner
 - Current personal property tax paid on a MH shows a median bill of \$20.02
 - Budget impact - \$40,000 revenue reduction
 - Reduce the rate charged to mobile home park owners
 - Solid Waste consultant has seen models using 75% to 80% of total fee due to less waste generated
 - Budget impact - \$30,000 revenue reduction
 - Shift a reduced fee to mobile home owners
 - Budget impact - \$57,000 revenue reduction

Commissioner Dorosin said it would be useful to know what is currently happening in mobile home parks, between the landowner and the tenant. He said in his experience tenants have incurred additional fees, such as for trash, which may be higher than that which the County would charge. He said he would like to do what is most equitable for the residents, but would need more information.

Chair McKee said he brought this topic up because a mobile park owner contacted him regarding trash bins, for which he was charged but never received. He said it is likely that a tenant's rent is going to increase in a greater amount than additional fees that may be charged to the park owner. He said billing a tenant directly may be the better option.

Commissioner Price said even if the County reduced the fees, there is no guarantee that the mobile park owner would reduce the rents.

Chair McKee said there are no guarantees, but the County could exempt residents by income.

Bonnie Hammersley said staff would bring this information to the Board.

Gayle Wilson said the solid waste fee is for a variety of services, and not all residents use all of the services.

Chair McKee said if a resident is paying the fee, then the resident should have an option of roll carts in a mobile home park.

Gayle Wilson said his department would work with park owners to resolve these issues.

Travis Myren resumed the presentation:

Community Services

- Solid Waste – Mattress Disposal/Recycling Options

- 1 ○ Average of 187 Mattresses and Box Springs processed per month through
- 2 Eubanks Road facility over approximately three years
- 3 ○ 61% of materials were recycled
- 4 ○ Annual cost - \$36,000
- 5 ○ Annual Revenue - \$23,000
- 6 ○ No other County collection sites; Carrboro, Chapel Hill, Hillsborough, Mebane
- 7 offer curbside collection

9 **Community Services**

- 10 ● Alternatives
- 11 1. Eliminate fee at Eubanks and expand to Walnut Grove Church Road
- 12 ○ Disposal only
- 13 ➤ Annual cost - \$65,400
- 14 ➤ Start-up cost - \$13,300
- 15 ○ Recycling and Disposal
- 16 ➤ Annual cost - \$100,300
- 17 ➤ Start-up cost - \$142,600
- 18 2. Collect at Waste & Recycling Centers on Rotation – Walnut Grove Church Road,
- 19 Ferguson Road, High Rock Road, and Eubanks Road
- 20 ○ Disposal only
- 21 ➤ Annual cost - \$21,150
- 22 ➤ Start-up cost - \$13,294
- 23 3. Provide collection in unincorporated area for a \$20/unit fee
- 24 ○ Recycling and Disposal
- 25 ➤ Annual Cost - \$94,170
- 26 ➤ Start-up cost - \$112,180
- 27 ➤ Annual costs net of revenue - \$76,170

28
29 Chair McKee said he appreciated the information in the memo but this was not what he
30 had petitioned about. He said he was not anticipating a plan as expensive as this. He said he
31 had in mind a car shed, at the Eubanks and Walnut Grove Solid Waste Convenience Center
32 (SWCC), where residents could place used mattresses, and Solid Waste staff could pick up
33 and dispose of the mattresses. He said this would allow for minimum expense and effort.

34 Gayle Wilson said the main reason these options were pursued are the difficulties
35 incurred by the size of mattresses. He said the mattresses have to be sorted by size, which
36 must be done by hand, as mattresses will not stack easily any other way. He said it requires a
37 great deal of manual labor.

38 Chair McKee asked if the Orange County employees at the SWCC are too busy to
39 assist a resident with disposing of a mattress.

40 Gayle Wilson said staff would be too busy on days such as a Saturday afternoon, and a
41 lot of these employees are retired and not physically fit to assist with bulk items.

42 Commissioner Price said she had concerns with alternatives 2 and 3. She said rotating
43 the location would lead to confusion and frustration. She said charging a fee for collection will
44 just lead to people placing mattresses on the side of the road.

45 Gayle Wilson said the disposal of mattresses is much easier than the recycling of
46 mattresses.

47 Commissioner Price said the main need is to have somewhere covered to place the
48 mattresses other than the side of the road.

1 Commissioner Dorosin said alternative number 2 gets to Chair McKee's concerns. He
 2 suggested having a youth internship program in the Solid Waste Department and having the
 3 youth stack and sort the mattresses.

4 Bonnie Hammersley suggested staff would work on other options, after this
 5 conversation.

6 Commissioner Jacobs agreed with Chair McKee, and said this should be doable.

7 Travis Myren resumed the presentation:
 8

9 **Community Services**

10 Solid Waste – Capital Investment Plan (graph)
 11

12 **Community Services**

- 13 • *Proposed Amendments – Solid Waste*
 - 14 ○ *Planning funds to begin a joint effort with Towns for a potential transfer station or*
 15 *other alternative waste disposal process - \$100,000 in the CIP*
 - 16 ○ *Purchase 60 acres of Greene Tract owned solely by Orange County/Solid Waste*
 17 *- \$668,178 original purchase price plus interest*

18 **Community Services – photo**

19 **Community Services**

- 20 • Sportsplex
 - 21 ○ Revenues – 8.3% Growth
 - 22 ➤ Ice revenues up \$100K
 - 23 ➤ Fitness up \$50K
 - 24 ➤ Kidsplex growth of \$35K
 - 25 ➤ Swim Team growth of \$20K
 - 26 ➤ Healthy food options up \$20K
 - 27 ○ Operating expenses mostly flat, with increases primarily variable payroll costs
 28 related to revenue growth.
 - 29 ○ Master Swim Program – 50 participants
 - 30 ○ Silver Sneakers Program at Seymour Center
 - 31 ○ 6,000 members

32 **Community Services**

33 Sportsplex – Capital Investment Plan (graph)
 34

35 **Community Services**

- 36 • Non-Departmental Recommended Changes
 - 37 ○ Parks Payment in Lieu Plan Update - \$60,000
 - 38 ➤ DEAPR & Planning collaborative effort
 - 39 ➤ Payment in lieu fee/land dedication analysis for development
 - 40 ○ Lake Orange Maintenance - \$7,260
 - 41 ➤ Maintenance, repair, and aquatic weed control
 - 42 ○ Forest Service Contract – decrease of \$13,117
 - 43 ➤ Cost share of Ranger position with Durham County

44 **General Government**

- 45 • Board of County Commissioners
 - 46 ○ No changes requested or recommended

- 1 • Board of Elections
 - 2 ○ Decrease of \$370,371 – election administration
 - 3 ○ One election budgeted for FY2016-17, down from four in FY2015-16
 - 4 ○ November 2016 General Election - \$225,000
- 5 • County Attorney
 - 6 ○ Additional \$10,000 contingency to offset costs of litigation – court costs and
 - 7 attorney fees

9 **General Government**

- 10 • County Manager
 - 11 ○ Consulting Services - \$100,000 for Development Impact Study and Double
 - 12 Taxation Study
 - 13 ○ Reflects reorganization of Risk Management and Criminal Justice Resource
 - 14 Office as Divisions in Manager's Office
- 15 • Register of Deeds
 - 16 ○ Revenue increase \$160,000 in Excise Stamp fees associated with real estate
 - 17 transactions
 - 18 ○ CIP – Annual Register of Deeds Automation - \$80,000
 - 19 ➤ 10% of revenue deposited in automation enhancement and preservation
 - 20 fund by general statutes
 - 21 ➤ Scanning equipment - \$4,300

23 **General Government**

- 24 • Tax Administration
 - 25 ○ 1% Growth in real and personal property tax base, compared to 0.9% in FY15-16
 - 26 ➤ 159.7 million in new property value
 - 27 ➤ \$1.4 million yield
 - 28 ○ Motor vehicle value projected to increase 6%
 - 29 ○ Budgeted collection rate increased from 98.5% to 99%

31 **General Government (graph)**

33 **General Government (graph)**

35 **General Government (graph)**

37 Commissioner Burroughs asked if Dwane Brinson, Tax Administrator, could explain how
38 the revaluation is designed to be revenue neutral.

39 Dwane Brinson said if there is the same growth in a revaluation year as there is in other
40 years since the previous revaluation, then the tax rate would be set to generate a similar
41 revenue. He said some people's taxes may go up, and some may go down, but the goal is to
42 maintain similar revenue. He said the changes will not be uniform.

44 Travis Myren resumed the presentation:

46 **General Government**

- 47 • Tax Administration Operations
 - 48 ○ Remove time limited designation from Office Assistant II position
 - 49 ○ Revaluation Project
 - 50 ➤ \$10,010 for temporary staff

- \$21,250 in contract services
- \$10,000 for Board of Equalization and Review
- New Revenue
 - \$21,000 revenue from collecting new Town of Hillsborough Stormwater fee = 3% of gross collections
- *Proposed Amendments*
 - \$35,000 for commercial valuation services due to staffing changes; offset by reclassification savings
 - \$5,000 new revenue from City of Mebane Tax collection

General Government

- Non-Departmental Recommended Changes
 - Bond Referendum Education Committee - \$30,000
 - Supplements \$20,000 authorized when Committee was created
 - Total budget - \$50,000
 - Stormwater Fees for County Facilities - \$23,000
 - New Hillsborough stormwater utility fee

Support Services

- Asset Management Services
 - Duke Energy rate increase - \$22,000 reduced by retro commissioning study of Whitted Campus
 - Decrease in gas, oil, diesel fuel accounts - \$340,000 due to fuel cost decrease offset by \$80,000 increase in propane purchase

Commissioner Rich asked if any other buildings would be using solar panels.

Jeff Thompson, Asset Management Services Director, said the Rogers Road

Community Center is their pilot project, and other buildings are being studied.

Commissioner Rich asked if the Whitted Building was a possibility.

Jeff Thompson said yes.

Commissioner Jacobs asked if the revenue from the sale of the methane gas from the landfill could be pointed out in the budget.

Travis Myren said it was in the Solid Waste landfill budget, and he would get the Board specific information about it.

Paul Laughton, Financial and Administrative Services, said this is in the solid waste landfill division, and the revenue is budgeted at \$34,500 for FY 2016-17

Travis Myren resumed the presentation:

Support Services

- *Proposed Amendments - AMS*
 - *Remove rental income expectation for Piedmont Food and Agricultural Processing Center - \$17,000*
 - *Relocate two monitors at Whitted from ceiling to side carts - \$9,000 in recurring capital*
 - *Single Occupancy Restrooms (5) - \$100,000 in CIP*
 - *Sidewalk on Cameron St. from Margaret to King St. - \$24,000 in CIP*
- Finance and Administrative Services
 - Treasury and Investment Optimization Plan - \$30,000
 - Offset by \$102,500 increase in investment earnings
 - Budget policies for Budget Ordinance

- OPEB Trust
- Pay-as-you-go funds
- Sales Tax recovery on school projects
- Financial reporting deadlines

Commissioner Jacobs asked if staff could provide the Board with the Board of County Commissioners' policy on leftover funds from school construction.

Chair McKee asked if the Manager could send a memo that details the financial information that the schools are required to provide to the County, as well as any follow up done by the County to verify those numbers.

Travis Myren resumed the presentation:

Support Services

- Community Relations & Tourism
 - New Community Relations Director – July Start Date
 - *Proposed Amendment - Visitors Bureau return to Economic Development*
 - \$79,000 projected occupancy tax increase = 7%

Commissioner Price asked if this projection is accurate, considering the impact of HB2.

Laurie Paolicelli, Executive Director of the Visitors Bureau, said it is difficult to determine exactly, but there has been 5%-7% growth over the past several years. She said it is wise to be cautious, in light of HB2.

Commissioner Jacobs asked if an Orange County newspaper program could be defined.

Laurie Paolicelli said this is a program that is similar to Chapel Hill's *Town Week*, and it has been running monthly to talk about upcoming meetings, new initiatives, etc. She said it is run in the News of Orange, Mebane Enterprise and Chapel Hill News.

Commissioner Jacobs asked if this addresses the need of communicating with rural residents.

Laurie Paolicelli said addressing rural residents is critically important, and a lot of headway should be made this this summer with the Bond Education Committee and its outreach.

Commissioner Jacobs said occupancy taxes from Carrboro and Hillsborough are not expected this year, and asked if some funding is received from Chapel Hill.

Laurie Paolicelli said Chapel Hill collects about \$1 million and contributes \$250,000. She said Carrboro collects about \$125,000, and has given money per project, but not as a steady baseline commitment. She said Hillsborough collects \$90,000 and is helping to fund projects, but is not contributing on a consistent level. She said if the BOCC wanted to direct the Visitors Bureau (VB) to formalize a memorandum of understanding with these two municipalities, it would be willing to work towards that.

Commissioner Jacobs petitioned the Board of County Commissioners to direct the VB to adopt a memorandum of understanding with Carrboro and Hillsborough, in order to direct some of the occupancy tax revenue towards the VB.

Commissioner Rich said this topic is brought up at every VB meeting, and only blank stares are received. She said the municipalities get a seat at the table, but do not contribute financially.

Commissioner Jacobs asked to whom the Community Relations Director will report.

Bonnie Hammersley said to the County Manager's office.

Travis Myren resumed the presentation:

Support Services

- 1 • Community Relations
- 2 o Digital Media and Website Coordinator - \$55,800

4 **Support Services (graph)**

6 **Support Services**

- 7 • Information Technology
- 8 o Hotspot Program – \$21,000
- 9 ➤ 2016 Pilot Project – 25 units
- 10 ▪ Partnership with Library
- 11 ▪ 3 week check out period
- 12 ▪ 41 holds at Main & Cybrary
- 13 ▪ 5 holds at Carrboro McDougal
- 14 ▪ Pilot program evaluation underway
- 15 ➤ 50 additional hotspot units proposed for FY2016-17
- 16 o Software maintenance/contractual increases - \$268,000

18 **Support Services**

- 19 • Information Technology Capital Investment Plan
- 20 *New Technology Improvements
- 21 o Encryption Software – DSS & Health
- 22 o Scheduling and Mobile Data Terminals – OPT
- 23 o Mobile Computing and Vehicle Location – Sheriff's Office
- 24 o Pretrial and Drug Court Case Management Software
- 25 o KRONOS Timekeeping Improvements
- 26 o MUNIS Financial System Content Management
- 27 o Performance and Training Management Software – Human Resources

29 **Potential Fiber Path (map)**

31 Commissioner Jacobs asked Jim Northup, Chief Information Officer, if the needs
32 identified in his department several years back have been filled.

33 Jim Northup said his department is fully staffed, which is making all other departments
34 function better and more happily.

35 Commissioner Price asked if it is possible to have Wi-Fi on school buses.

36 Jim Northup said Commissioner Jacobs raised this in the past, and, as a result, he
37 spoke with the schools about partnering on this, but has not received further communication
38 from the schools. He said his department has greatly increased the Wi-Fi footprint outside
39 several County buildings, including community centers.

40 Travis Myren resumed the presentation:

42 **Support Services**

- 43 • Human Resources
- 44 o Student Internship Program - \$27,500
- 45 ➤ Funds 2,000 hours of intern time
- 46 ➤ Five interns for 10 weeks each
- 47 o Employee Bus Passes - \$1,500
- 48 ➤ Go Triangle Passes
- 49 ➤ Part of commuter benefits analysis

50

1 Commissioner Price asked if the Go Triangle passes will be available to students.
 2 Bonnie Hammersley said as of now the passes are just for employees, but other options
 3 will be considered moving forward.
 4 Travis Myren resumed the presentation:

6 **Employee Pay and Benefits**

- 7 • Employee Pay and Benefits
 - 8 ○ Salary savings increased from 1.5% of budgeted salaries to 3.0% based on
 - 9 experience - \$1.5 million total
 - 10 ○ 3% across the board increase split 7/1/16 and 1/1/17
 - 11 ○ No in-range adjustments
 - 12 ○ Meritorious Service Awards – recommends three levels as one time performance
 - 13 bonuses
 - 14 ➤ \$500 – proficient performance
 - 15 ➤ \$750 – superior performance
 - 16 ➤ \$1,000 – exceptional performance
 - 17 ○ Compression Reduction Program - \$500,000
 - 18 ○ No changes to retirement, health, or dental premium contributions
 - 19 ○ Living wage increase to \$13.15 per hour for all County employees - \$32,400
 - 20 ○ Retiree health insurance - \$151,409 increase (8%) for Medicare eligible enrolled
 - 21 employees

22
 23 Commissioner Jacobs asked if the BOCC could receive a chart of the meritorious
 24 service awards since the recession.

25 Commissioner Jacobs asked if there is an update about the tuition reimbursement
 26 program.

27 Brenda Bartholomew said it is very well used and can provide exact numbers to the
 28 BOCC.

29 Commissioner Dorosin asked if it is known how many employees will be affected by the
 30 living wage increase.

31 Brenda Bartholomew said it would mainly affect temporary and seasonal employees.

32 Commissioner Dorosin referred to the compression reduction program, and asked if the
 33 \$500,000 will go to adjusting salaries to relieve compression, or is part of it going towards
 34 studying the compression.

35 Brenda Bartholomew said the \$500,000 will go directly go to the employees.

36 Commissioner Dorosin asked if the breakdown of the allocation could be explained.

37 Brenda Bartholomew said, if the budget is adopted, there will be a 2% wage increase
 38 applied to all employees on July 1, 2016. She said, secondly, there would be a compression
 39 adjustment for those employees affected by compression, which is about 65% of employees, at
 40 an average adjustment of \$750. She said on January 1, 2017, there will be a 1% wage
 41 increase applied to the post compression adjusted salary.

42 Commissioner Dorosin said at some point, he would like to re-consider a sliding scale of
 43 percentage raises, in order to shift greater raises toward the lower paid employees, and more
 44 moderate raises to the higher paid employees.

45 Bonnie Hammersley said Commissioner Dorosin's statement is the goal and with the
 46 recession, percentages were moved away from. She said the difficulty arises in finding ongoing
 47 revenue funds. She said core competencies will be looked at, so that employees know what
 48 will be expected in order to be a superior performer. She said there will be an implementation
 49 pilot this year, which will include employee input. She said the process of evaluating employees
 50 will also be reviewed.

1 Commissioner Jacobs said years ago several of the lowest pay grades were eliminated.
2 Commissioner Price said it was her understanding that all employees received \$500
3 under the meritorious increase program, due to inconsistencies from department to department.

4 Commissioner Jacobs said the Board had discussed making the system functional,
5 which the Manager is currently working towards.

6 Bonnie Hammersley said the percentage is consistent across the board but sometimes
7 it is unclear to employees what is needed to be done in order to get these performance awards.

8 Commissioner Price referred to the living wage and noted that interns are paid \$14.00
9 per hour, which is more than the living wage that is given to employees.

10 Brenda Bartholomew said there are some graduate interns that get paid around \$13.75
11 per hour.

12 Commissioner Dorosin said he was talking about across the board raises, and moving
13 away from flat percentages to graduated percentages. He said the meritorious awards are a
14 different program.

15

16 A motion was made by Commissioner Burroughs, seconded by Commissioner Rich to
17 adjourn the meeting at 10:36 p.m.

18

19 VOTE: UNANIMOUS

20

21

Earl McKee, Chair

22 Donna Baker

23 Clerk to the Board

1
2
3 DRAFT

MINUTES

4
5
6 **BOARD OF COMMISSIONERS**
7 **Budget Work Session**
8 **June 14, 2016**
9 **7:00 p.m.**
1011 The Orange County Board of Commissioners met in a budget work session on Tuesday, June
12 14, 2016 at 7:00 p.m. at the Whitted Building in Hillsborough, N.C.
1314 **COUNTY COMMISSIONERS PRESENT:** Chair McKee and Commissioners Mia Burroughs,
15 Barry Jacobs, Bernadette Pelissier, Renee Price and Penny Rich16 **COUNTY COMMISSIONERS ABSENT:** Commissioner Dorosin17 **COUNTY ATTORNEYS PRESENT:**18 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy Manager Travis
19 Myren and Clerk to the Board Donna Baker (All other staff members will be identified
20 appropriately below)
2122 Chair McKee called the meeting to order at 7:07 p.m. He noted the following items at
23 the Commissioners' places:

- 24 - Gold sheet – amendment list
-
- 25 - Purple sheet – information about Cardinal Innovations Healthcare – OPC Community Office
-
- 26 - Green and yellow sheet – additional information
-
- 27 - White sheets – PowerPoint presentation for Budget Work Session 3
-
- 28

29 Chair McKee commented on the tragedy in Orlando, noting the enormity of the event.
30 He said such events should not occur, especially in this country. He said Commissioner Jacobs
31 requested a letter be sent to the Board of Commissioners of Orange County, Florida and the
32 City of Orlando, to express the County's condolences.33 Chair McKee read the letter, saying the Clerk will forward the letter to both entities
34 tomorrow.
3536 **1. Discussion with County Departments within the following Functional Leadership**
37 **Teams (including Operations, Fee Schedule changes, and Capital Projects):**
3839 Travis Myren presented the following PowerPoint, and facilitated the discussion:
4041 **Budget Work Session 3**42 **Public Safety**43 **Human Services**44 **Outside Agencies**45 **June 14, 2016 Budget Work Session**46 **Richard Whitted Meeting Facility**
4748 **Functional Leadership Team Process**

- 49
-
- Functional Leadership Teams reviewed all budget requests
-
- 50
- Scored using eight criteria

- 1 ○ Supports goals of the Board of County Commissioners
- 2 ○ Supports a legal mandate
- 3 ○ Addresses life and safety concerns
- 4 ○ Expands services to residents
- 5 ○ Reduces an existing backlog of resident needs
- 6 ○ Improves operational efficiency
- 7 ○ Budget neutral or generates additional revenue
- 8 ○ Promotes interdepartmental cooperation or collaboration
- 9 ○ Final scores informed County Manager recommendations

10 **Human Services**

- 11 ○ Child Support Services
 - 12 • Maintenance budget
 - 13 • Collections for Orange County families of over \$5.3 million
 - 14 • New child support orders established for 145 families

15 **Human Services**

- 16 ○ Department of Social Services
 - 17 • Staffing Capacity
 - 18 ○ Conversion of four time limited positions – no new County costs
 - 19 ○ 2.0 Management Analysts – Child Welfare and General
 - 20 ○ 2.0 Human Service Specialists - NCFAST Program
 - 21 • Living wage for in-home service providers – \$286,375
 - 22 ○ Wage rate of \$13.15 based on OC Living Wage formula
 - 23 ○ In-home services for 30 frail, elderly, and disabled adults
 - 24 ○ Four agencies provide 34,000 service hours

25 Commissioner Price asked if there is a known reason for the increase in caseloads.
 26 Janet Sparks, Child Support Director, said it is not an increase in the County's
 27 population but rather an increase of existing residents that require services.

28 Commissioner Jacobs asked if any changes were expected from the legislature in the
 29 near future.

30 Janet Sparks said there are always changes being considered.

31 Travis Myren resumed the presentation:

- 32 • Miles Second Family Program – \$62,400 donated funds
 - 33 ○ Serves total of 40 young people
 - 34 ○ FY2016-17 Expansion – individualized transportation to employment for 15
 35 youth
- 36 • Revenue Losses
 - 37 ○ \$78,000 – Child Protective Services
 - 38 ○ \$119,000 - Work First
 - 39 ○ \$20,000 – Adult Services
 - 40 ○ Reduced costs in Work First
 - 41 ○ County cost increase in Child Welfare and Adult Services

42 Commissioner Price asked if there are reasons for these revenue losses.

1 Janet Sparks said most losses stem from actions of the General Assembly last year.
 2 Commissioner Price asked if staff will be lost, as a result.
 3 Janet Sparks said no.

4
 5 Travis Myren resumed the presentation:

- 6
- 7 • Low Income Energy Assistance - \$285,791 federal
 - 8 ○ Reflects anticipated FY2016-17 appropriation
 - 9 ○ Program administered by DSS staff
 - 10 ○ 1,292 residents served in FY2015-16
- 11
- 12 • Crisis Intervention Program Revenue - \$69,600 state
 - 13 ○ Reflects anticipated FY2016-17 State appropriation
 - 14 ○ Heating or cooling assistance
 - 15 ○ 1,536 residents served in FY2015-16
- 16
- 17 • Subsidized employment - \$59,085
 - 18 ○ At risk, unemployed, including Food & Nutrition and Work First participants
 - 19 subject to work requirements
 - 20 ○ Since 2010, 73 total participants
 - 21 ▪ 63 participants in County government placements
 - 22 ▪ 30 participants have achieved full time employment in public and
 - 23 private sector jobs
- 24
- 25 • County Daycare
 - 26 ○ \$1 million additional federal subsidy funds
 - 27 ○ 150 children removed from waiting list
 - 28 ○ No wait list currently
 - 29 ○ Allows reduction of County funds - \$300,000
- 30
- 31 • *Proposed Amendments*
 - 32 ○ *SOAR Worker - \$20,000*
 - 33 ▪ *Streamline SSI/SSDI application process for people with disabilities*
 - 34 *experiencing or at risk of homelessness*
 - 35 ○ *Community Response Program - \$41,000*
 - 36 ▪ *Loss of grant funds; notified on 6/2/16*
 - 37 ▪ *Child maltreatment intervention and prevention*
 - 38 ▪ *Six month bridge funding; alternative funding source may be*
 - 39 *available*
- 40

41 Commissioner Jacobs asked if the housing living wage had been calculated for Orange
 42 County and if all employees are being paid above this figure.

43 Travis Myren said this information would be forwarded to the Board of County
 44 Commissioners (BOCC).

45 Human Services

- 46 ○ Department on Aging
 - 47 • Office Assistant II (0.75 FTE) - \$35,477
 - 48 ○ Increase hours of operation by two nights a week
 - 49 ○ Monday and Wednesday from 5:00 PM to 9:00 PM
 - 50

- Offset by temporary staff reduction - \$11,100

Commissioner Price asked if the Passmore Center has a similar staffing need to the Seymour Center.

Janice Tyler, Department on Aging Director, said the Passmore Center is open every night, but Friday, in partnership with the Sportsplex.

Travis Myren resumed the presentation:

- Add Pass Management to RecTrac Software - \$16,950
 - Participant and volunteer check in
 - Sign up and track program participation using kiosk
- Senior Times - \$7,000
 - Production cost increases
 - No change in distribution
- Revenue for mobility program operations - \$5,000
 - Education on public transit services
 - Volunteer driver program

Commissioner Pelissier asked if updated information about the volunteer driver program could be sent to the Board.

Travis Myren resumed the presentation:

- Capital Investment Plan - FY2016-17 Recommendations
 - Seymour Center CIP - \$990,000
 - Remodel adds 4,000 square feet of programmable space
 - Parking lot construction adds 55 paved spaces
 - *Proposed Amendment: Passmore Center - \$550,000*
 - *Enclose outdoor terrace to create more programming space*
 - *Approximately 1,250 square feet*

Proposed Passmore Center Addition (drawing)

Human Services

- Health Department
 - Family Success Alliance
 - \$105,000 in additional County funds
 - Adds one 0.5 Navigator
 - Leverages \$130,250 of in-kind support, including a full time Evaluation Manager funded by UNC-Chapel Hill

Family Success Alliance 2016-2017

Summer 2016 Kinder Readiness

Zone 4 30 students

Zone 6 60 students

 90 Total

1
 2 Summer 2016 Literacy Enrichment
 3 Zone 4 25 Rising 1st Graders
 4 Zone 6 45 Rising 1st Graders
 5 70 Total

6
 7 After School Programming
 8 *None*

9
 10 Navigators
 11 *Four 0.5 FTE navigators working with 34 families*

12
 13 Summer 2017 Kinder readiness
 14 Zone 4 30 students
 15 Zone 6 60 students
 16 90 total

17
 18 Summer 2017 Literacy Enrichment
 19 Zone 4 30 Rising 1st Graders
 20 Zone 6 60 Rising 1st Graders
 21 Zone 4 25 Rising 2nd Graders
 22 Zone 6 45 Rising 2nd Graders
 23 160 Total

24
 25 After School Programming
 26 Zone 4 25 1st Graders
 27 Zone 6 45 1st Graders
 28 70 Total

29
 30 Navigators
 31 *Five 0.5 FTE navigators working with an estimated 82 families*

32
 33 **Family Success Alliance**

34 **Kindergarten Readiness: Student Growth (graphs)**

35 ○ Summer 2015 Cohort 1 – 67 students

36
 37 Chair McKee asked if the content of the graphs could be explained.

38 Colleen Bridger, Health Department Director, said each school showed improvement,
 39 and at-risk children were targeted in this program.

40 Chair McKee asked if the number of children expected this summer is known.

41 Colleen Bridger said 90 students will come in as a new cohort while the 90 students in
 42 cohort 1 continue to receive programming. She said all students will be followed until they
 43 either go to college or get a job.

44 Colleen Bridger said the in-kind partnerships with the University of North Carolina and
 45 Frank Porter Graham Child Development Center are excellent resources, since they are
 46 nationally recognized evaluators in this field. She said the goal is to have a comprehensive
 47 plan completed by summer.

48 Commissioner Rich asked if the goal is to add 90 new students each year.

49 Colleen Bridger said yes, but also to expand these zones to other areas.

1
2 Travis Myren resumed the presentation:
3

- 4 ○ Healthy Homes Initiative
- 5 • Health Educator – 1.0 FTE – Funded with outside revenue
 - 6 • Started in FY 15-16 - Healthy Homes (HH) Pilot: 15 families served
 - 7 • Initially funded through Health Department Innovation Grant
 - 8 • 60+ Healthy Homes families, priority Medicaid & uninsured
 - 9 • 40+ local medical providers receive updates asthma training

10
11 **Healthy Homes Evaluation**

12 **Parent-Reported Asthma Morbidity**

13
14 **Human Services**

- 15 ○ Public Health
- 16 • Men's Health Program Update - \$75,000 non-County funds
 - 17 ○ 20 men referred between February 2016 and May 2016
 - 18 ○ 12 men made appointments
 - 19 ○ 10 attended appointments
 - 20 ○ Diagnoses included essential primary hypertension, major depressive and
 - 21 anxiety disorder, sexual dysfunction, scabies, asthma, cough, tobacco
 - 22 dependence and prostate issues
 - 23 ○ Average cost per patient: \$234
 - 24 • FY2016-17 Recommendation
 - 25 ○ Continue program (annual budget \$75,000 non-county funds)
 - 26 ○ Advertise
 - 27 ○ Add provider options (new contract with Duke)
 - 28 ○ Strengthen specialty referral process
 - 29 ○ Re-evaluate after one year

30
31
32 Chair McKee asked if the Men's Health Program fees will be operated on a sliding scale.

33 Colleen Bridger said yes. She said the Health Department screens the patient to
34 determine eligibility and then the private provider applies that information accordingly, billing
35 the Health Department for the remaining balance.

36
37 Travis Myren resumed the presentation:
38

39 **Human Services**

- 40 ○ Housing, Human Rights, and Community Development
- 41 • Urgent Repair Program - \$125,000
 - 42 ○ Recommended in draft Affordable Housing Strategic Plan
 - 43 ○ Older adults and residents with disabilities
 - 44 ○ Average median income under 50%
 - 45 ○ Eliminate waiting list
 - 46 • Homeownership and Rehabilitation Projects - \$84,150
 - 47 ○ Recommended in draft Affordable Housing Strategic Plan
 - 48 ○ Older adults and residents with disabilities
 - 49 ○ Average median income under 80%
- 50

- Total Affordable Housing Operating Budget - \$1,218,000
 - Achieves Board of Commissioner's goal to dedicate at least \$1.0 million of operating funds to affordable housing
- *Proposed Amendment: My Brother's Keeper operating funds - \$4,000*

Draft Affordable Housing Plan

- 1,000 units over 5 years
 - Acquisition, construction, urgent repair, assisted housing, and rehabilitation of the existing housing stock
 - Area Median Income (AMI) HUD Definitions
 - Durham Chapel Hill MSA AMI - \$74,900
 - Extremely low income – up to \$24,300 (30% AMI)
 - Very low income – up to \$35,350 (50% AMI)
 - Low income (Low/Moderate) – up to \$56,550 (80% AMI)
 - Draft Plan Recommendations
 - 250 units – Income of 0% to 50% AMI
 - 250 units – Special Needs
 - 500 units – Income of 50% to 80% AMI

Travis Myren referred to the yellow sheet at the Commissioners' places, *Annual Income by Occupation in Orange County*, and the green sheet, which showed comparative statistics on Housing and Affordability.

Commissioner Jacobs referred to the yellow sheet and asked if teachers should be included in this list.

Travis Myren said staff will research the average teacher salary for the Board.

Commissioner Jacobs said he also does not see Sheriff's Deputies or Police Officers on the list.

Travis Myren said staff will also get that information for the Board.

Chair McKee asked if this funding would cover the expenses of this program.

Travis Myren yes. He resumed the presentation:

- Low Income – 250 units
 - Target population – 0% to 50% AMI
 - Up to \$35,350 for family of four
 - Potential examples
 - New affordable units with affordability guarantee/incentive
 - Construction
 - Renovation
 - Acquisition with affordability guarantees
 - Increase availability of existing units
 - Housing locator staff person
 - Security deposit risk mitigation fund
- Example Projects – New Construction
 - DHIC - Greenfield Place, Chapel Hill
 - Town contributed 9 acres with assessed value of \$2 million
 - Low Income Housing Tax Credit Equity

- 1 ○ DHIC Loan - \$300,000
- 2 ○ Rental Production Program - \$1.0 million loan
- 3 ○ HOME loan - \$154,000

4
5 Chair McKee clarified that the DHIC project was a Chapel Hill project, to which the
6 County contributed and asked if the County were to execute a similar project, would the County
7 absorb all the cost.

8 Travis Myren said The Town of Chapel Hill contributed land and was able to access
9 other funding sources to make up the difference.

10 Audrey Spencer Horsley, Housing, Human Rights and Community Development
11 Director, said tax credits were worth approximately \$7.4 million.

12 Chair McKee asked if the County would pursue the private market to put up money in
13 order to acquire a tax credit, such as was done in the Eno Haven project.

14 Audrey Spencer Horsley said yes.

15 Travis Myren resumed the presentation.

16
17 ○ Example Projects – New Construction

- 18 • Habitat for Humanity: Tinnin Woods, Efland
- 19 9 out of 28 homes complete – 2015
- 20 • Orange County also provided \$125,278 in homeownership assistance

21
22 Commissioner Price said the cost to the County is more in the Efland project than in
23 Chapel Hill, and asked if that is because Chapel Hill is giving land and has other partners.

24 Travis Myren said yes.

25 Commissioner Price asked if Orange County is putting in more money because of the
26 impact fee reimbursement.

27 Travis Myren said yes. He resumed the presentation:

28
29 ○ Example Projects – New Construction

- 30 • Habitat for Humanity: Phoenix Place, Chapel Hill, 2014
- 31 • Orange County provided home ownership assistance to property owners
32 (\$885,455) and impact fee reimbursement

33
34 ○ Example Projects – Acquisition

- 35 • EmPOWERment , Inc
 - 36 ○ 2 BDR, 1 BA in the Northside Community in Chapel Hill
 - 37 ○ October 2014
 - 38 ○ Acquisition and Rehabilitation - Duplex in Carrboro, May and August 2013

39
40 ○ Special Needs – 250 units

- 41 • Target populations
 - 42 ○ Residents with disabilities
 - 43 ○ Older adults/Seniors
 - 44 ○ Residents experiencing homelessness
 - 45 ○ Victims of domestic violence
 - 46 • Potential examples
 - 47 ○ New affordable units supportive services
 - 48 ○ Repair and rehabilitation assistance
 - 49 ○ Emergency shelter
- 50

- Rapid Rehousing

- Example Projects – Rehabilitation/Supportive Housing
 - CASA – Pritchard Avenue
 - 5 duplexes, 10 units, Chapel Hill

Chair McKee asked if the Board would receive information regarding specific types of housing that would be available for certain groups of the population, such as the homeless or the disabled.

Audrey Spencer Horsley said all of these projects would include community partnerships with other agencies that specialize in services to various populations.

Chair McKee said he would like a general idea of what type of housing is available to serve specific populations in other locales, in order to gather ideas and best practices.

Commissioner Jacobs asked if it is known how many of the 250 units would be rentals versus owner occupied.

Audrey Spencer Horsley said there are no assumptions as of now and it is being recommended that there be some criteria as to what Orange County is looking for in affordable housing, followed by a review of proposals, and a selection made among the projects. She said a specific type of housing is not being targeted but rather to increase the supply of housing overall.

Commissioner Jacobs said the 2001 bond committee group had a similar approach, but he thought the group deviated from the approach. He said he assumes there will be further discussions about what is available in the community and what the needs are.

Chair McKee said he hoped all of these units would be blended into the general environment of affordable housing, versus being separate and potentially stigmatized.

Commissioner Jacobs asked if modular or mobile units fit in to the plan somewhere.

Audrey Spencer Horsley said this housing would fit into all categories and across the spectrum.

Commissioner Rich said it would be good to have a list of all of the affordable housing units built from the 2001 bond.

Travis Myren resumed the presentation:

- Example Projects – Supportive Housing New Construction
 - CASA - Salisbury Apartments
 - 10 units, Raleigh, 2009
- Example Projects – Supportive Housing New Construction
 - CASA – Denson 1, November 2014
 - 11 units, Durham, 2014
- Low to Moderate Income – 500 units
 - Target population
 - 50% to 80% AMI
 - Up to \$56,550 for family of four
 - Potential examples
 - New affordable units with affordability guarantee/incentive
 - Construction
 - Renovation
 - Acquisition with affordability guarantees

- 1 ▪ Repair and Rehabilitation
- 2 ○ Home Ownership Assistance
- 3 ▪ Down payment and closing cost assistance
- 4 ▪ Buy down interest rate with lender
- 5
- 6 ○ Example Projects – Down payment and closing cost assistance
- 7 • Community Home Trust (CHT)
- 8 ○ Townhome (1280 sq. ft.), Chapel Hill, May 2016
- 9

10 Commissioner Jacobs said the best way to focus the plan is to finish the analysis and
11 then adjust the units accordingly.

12 Commissioner Jacobs said the BOCC has not discussed the point, at which, it wants to
13 bring other governments into the conversation, but he would like for the Board to have fairly
14 extensive discussion before involving other governments who already have plans in place.

15 Commissioner Rich asked if this plan is being used as the priority, when the new HOME
16 group is given its new charge.

17 Travis Myren said Commissioner Jacobs was suggesting having further discussions
18 within the Board before giving any guidance to the multi-jurisdictional housing group.

19 Bonnie Hammersley said she would suggest bringing this discussion on affordable
20 housing back after the break.

21 Commissioner Rich asked if the new multi-jurisdictional group was supposed to meet
22 over the summer.

23 Bonnie Hammersley said she has not heard anything yet from the other jurisdictions
24 about meetings.

25 Commissioner Rich said she agreed and that flexibility is important going forward.

26 Travis Myren resumed the presentation:

- 27
- 28 ○ Capital Investment Plan – FY2016-17 Recommendations
- 29 • Affordable Housing Land Banking - \$1 million
- 30 ○ Added to existing \$1 million
- 31 • Affordable Housing Bond - \$2.5 million
- 32 ○ 1st draw of \$5 million proposed bond
- 33 ○ 2nd draw proposed to occur in FY2018-19
- 34 ○ May be advanced based on project schedule
- 35

36 Commissioner Price asked if anything has been done with the first \$1 million, which the
37 County allotted for landbanking.

38 Chair McKee said it is sitting there and the second million will be added to the financing
39 package.

40 Bonnie Hammersley said financing would not occur without having projects in place.
41 She said it is a placeholder.

42 Commissioner Jacobs said there should be clarified focus regarding the Board's
43 direction to address problems of the manufactured housing communities and the purpose of the
44 land being banked. He said the 1989 Low and Moderate Income Housing Task Force had
45 some interesting suggestions, including potential mobile home park standards. He said if
46 money is going to continue to be set aside, there must be a plan in place.

47 Commissioner Price said if there are needs and money set aside, there should be a plan
48 of action.

49 Commissioner Jacobs said there are a couple of examples: one is Charlottesville and
50 one is south of Garner. He said staff could go investigate the details in Garner.

1 Commissioner Price referred to the Economic Development Districts and asked if there
2 will be mobile home parks and owners that will be affected as these are built out.

3 Commissioner Rich clarified that this conversation was prompted by the mobile home
4 parks being pushed out on Martin Luther King Boulevard in Chapel Hill due to new construction,
5 and the County wanting to have funds in reserve for land banking.

6 Commissioner Rich said she thought it was important to partner with Chapel Hill and
7 Carrboro and to ask these Towns to land bank as well.

8 Chair McKee said he agreed regarding the history of this conversation and noted the
9 specific concern regarding mobile home parks in municipalities being pushed out and how the
10 County may help. He said the County could provide raw land and some infrastructure to
11 accommodate mobile homes and this was his understanding of the intent of the \$1 million.

12 Bonnie Hammersley said Chapel Hill has been land banking for some time.

13 Chair McKee said the conversations with the Towns should happen subsequent to the
14 Board's discussion.

15 Commissioner Pelissier said it is important keep in mind the need for access to
16 transportation, when considering land banking.

17 Chair McKee asked if there is enough time to get a plan and details in place before the
18 proposed \$2.5 million draw from bond funds in 2017.

19 Travis Myren said yes, if there are projects in place.

20 Bonnie Hammersley said the plan is to go out for the bond money in the spring of 2017.

21
22 Travis Myren resumed the presentation:

23
24 **Library Services (graph)**

25
26 **Human Services**

- 27 ○ Library Services
- 28 ● Cedar Grove Kiosk Materials and Operations - \$10,500
 - 29 ○ 350 items available 24/7
 - 30 ○ Books, DVDs, Audiobooks for all ages and hot spots
 - 31 ● Expanded Technology Offerings
 - 32 ○ Hotspot loaner pilot in collaboration with IT
 - 33 ■ 46 on-hold
 - 34 ○ Laptop Program – \$2,870
 - 35 ■ 6 laptops and 5 I-pads for use in-house

36
37 Commissioner Price suggested having someone available during the week to assist
38 residents with using the Kiosk. She added that the community is interested in having actual
39 books on the shelves, especially for children.

40 Lucinda Munger, Library Director, said there would be books and magazines, as well as
41 the Kiosk. She said she also hopes the community will donate gently used books.

42 Chair McKee said there seemed to be less angst about the Kiosk earlier this week, than
43 about a month ago. He said once a few residents start using the kiosk, comfort levels will
44 increase and word will spread about its benefits.

45
46 Travis Myren resumed the presentation:

- 47
48 ○ Library Services
- 49 ● Grant Funded Initiatives
 - 50 ○ Assistive Technology Grant - \$23,636

- Hearing and visually impaired
 - Board consideration in September
 - Strategic Planning Grant - \$40,00
 - Board consideration in September
 - Orange County Partnership for Young Children - \$120,496
 - 2 year time-limited grant to support outreach to childcare providers in Orange County
 - Maintain Current payment to Chapel Hill \$568,139
 - Include in double taxation study
 - *Proposed Amendment: Create 1.0 Outreach Librarian with the Orange County Partnership grant - \$10,000 County match*
- Maintenance of Effort Funding – Cardinal Innovations
 - \$1,355,973 Total Expenditure
 - \$300,000 Reallocated to County priorities
 - Criminal Justice Case Manager - CJRO
 - Integrated Behavioral Health position – Health Dept.
 - Emergency placement for foster children – Social Services
 - Trauma informed clinical specialist – Social Services
 - Other Changes
 - Club Nova – move funding to MOE
 - Increase by \$20,000 to \$95,000
 - Institute for Art Therapy – move to MOE - \$1,000
 - El Futuro - move to MOE
 - Increase by \$16,000 to \$43,500
 - Moved to Health Department for contract management
 - Serve an additional 18 residents
 - Non-Departmental Recommendations
 - Social Justice Reserve Fund – budgeted at \$350,000 for FY16-17.

Commissioner Jacobs said Paul Laughton, Finance and Administrative Services, provided the Board with information as to how the Social Justice Reserve Fund has been used previously. He asked if this information could be updated and re-sent to the Board.

Paul Laughton said there is currently \$450,000 in this fund.

Chair McKee clarified that this is not a cumulative fund.

Paul Laughton said in 2014-2015 the County used \$100,000 for the Family Success Alliance and \$350,000 towards childcare subsidy.

Travis Myren resumed the presentation:

Outside Agencies

- Outside Agency Spreadsheet
 - Application evaluation ranking
 - Funding request by local government jurisdiction

- Geographic service area
- Non-local government funding sources
- Percentage of funding from non-local government sources

Outside Agencies – Proposed Amendments

Agency	Proposed Increase
Food Council	\$16,030
Triangle Bikeworks	\$1,000
Hillsborough Arts Council	\$1,500/\$3,750
Historic Hillsborough Commission	\$500
Piedmont Wildlife	\$1,500
TABLE	\$1,500
Youth Community Project	\$4,000
Boys and Girls Club	\$5,000
Marion Cheek Jackson Center	\$1,000
Senior Care of Orange	\$2,500
Boomerang	\$5,000
Volunteers for Youth	\$5,000
Dispute Settlement Center	\$2,000
Fully Fund Requests of Previously Funded Agencies	\$107,827
Chapel Hill Meals on Wheels	\$3,000

Commissioner Burroughs said Communities in Schools of Orange County has folded and that is why she recommended deleting the proposed funding.

Chair McKee said he spoke with the Meals on Wheels program, which is asking for \$15,000. He said the Manager recommended \$10,000, but he is asking for an additional \$3000 due to the increased population they serve.

Commissioner Price asked if more information could be provided about the Food Council.

Bonnie Hammersley said the Food Council was listed under the United Way of the Triangle and she did not recommend funding. She said Commissioner Jacobs recommended funding the Food Council under the United Way of the Triangle.

Commissioner Price asked if the Food Council had been previously funded.

Commissioner Jacobs said no, this is a new agency.

Commissioner Price asked if there is specific rationale for funding the Food Council at its full request when other new agencies are not funded as much.

Commissioner Jacobs said the Food Council's request got lost in the shuffle but it has the most impact on agriculture in Orange County. He said it is a start-up and could have possibly been funded by Economic Development and perhaps still should be.

Commissioner Jacobs said it is an outside agency and it is directly related to sustainable agriculture.

Commissioner Price said she supported the Food Council but thought there was an unwritten policy about not fully funding brand new organizations.

Commissioner Jacobs said past boards have funded new entities if there was a need shown.

Commissioner Pelissier said criteria was developed a few years back on how to fund outside agencies and one criteria was if a non-profit was getting most of its money from government than it is not a non-profit. She said it now seems that government is funding most of these outside agencies and maybe the BOCC needs to re-visit its criteria. She said the

1 Manager has recommended funding some of these non-profits because they were the Board's
2 priority.

3 Commissioner Burroughs asked Janice Tyler if she could highlight the funding needs of
4 Senior Care of Orange.

5 Janice Tyler said this group is continuing to struggle and has about enough money for
6 one month of payroll. She said Veterans Affairs owes the agency about \$20,000. She said the
7 census fluctuates, which makes it difficult to plan. She said it is hard for this agency to meet
8 the living wage criteria this time but noted that this is the only day health program for seniors in
9 Orange County. She stressed the importance of this program.

10 Commissioner Rich referred to Behavioral Insights and asked if the County is providing
11 this service already and if so, why is any funding being offered at all.

12 Bonnie Hammersley said the \$4,000 was a recommendation of the Criminal Justice
13 Resource Manager who identified any duplicate services and determined that \$4,000 of
14 services is still being provided by Behavioral Insights.

15 Travis Myren said this funding is for staff to write sentencing plans.

16 Commissioner Rich asked if this task could be brought in-house.

17 Travis Myren said he does not believe the current staff has the skill set to do this task.
18 He said there is also a desire to start a Batterers Intervention Program; however, certification
19 was not received to start this program so this portion is not being funded.

20 Commissioner Price asked if this \$4,000 could be contracted out.

21 Bonnie Hammersley said the \$4,000 is for a contract and will be administered and
22 monitored by the Criminal Justice Resource Manager.

23 Commissioner Jacobs said another variable that is to be considered when determining
24 outside agency funding is how much an organization serves the residents of Orange County.
25 He said the Food Council serves 100% in Orange County.

26 Bonnie Hammersley said the spreadsheet did not cover the geographical service areas
27 and staff tried to incorporate as much as possible from the applications.

28 Commissioner Jacobs requested that next year more information be provided regarding
29 the agencies that are not funded, so that Commissioners can independently evaluate the
30 agency and see if they concur with the Manager's recommendation.

31 Commissioner Jacobs said the Board needs to acknowledge Commissioner Dorosin's
32 suggestion to fully fund previously funded agencies, and if so, then there would be no need for
33 further discussion on those agencies.

34 Bonnie Hammersley said if the Board wants to delay the mark-up-mark-down process
35 until the next meeting it can do so, as all amendments will be reviewed at that time.

36 Commissioner Jacobs suggested deferring this conversation about the outside agency
37 amendments until the next meeting due to Commissioner Dorosin's illness this evening.

38 Commissioner Price said she planned to propose more for the Hillsborough Art's
39 Council.

40 Chair McKee said he agreed with the decision to defer this discussion until the June 16th
41 meeting.

42 Commissioner Rich asked if Commissioner Dorosin's suggestion could be clearly
43 explained.

44 Bonnie Hammersley said Commissioner Dorosin's suggestion is to fully fund the
45 requests of previously funded agencies, as well as any new agencies that the Board of
46 Commissioners determined to fund.

47 Commissioner Rich said she had a question about non-departmentals and referred to
48 the Upper Neuse River Basin Association (URNBA) on page 378. She said funds are being
49 used to test water and she asked if it is expected that the cost to do this project will continually
50 increase.

1 David Stancil said that is yet to be determined and that there would be a maintenance
2 level through 2019. He said his understanding is that the dues will remain at this level for the
3 next two to three years, and then may start to come down.

4 Chair McKee said he would not assume these dues will be reduced as the water issues
5 are very complicated and the continued need to monitor the water quality is high.

6 Commissioner Price asked if other counties are paying the same dues.

7 Chair McKee said it is prorated and Wake County pays the biggest expense.
8

9 Travis Myren resumed the presentation:

10
11 **Public Safety**

12 ○ Emergency Services

- 13 ● Upgrade OC Alerts - \$6,333
 - 14 ○ Text Opt In
 - 15 ○ Report crime tips – text to OC Alerts
 - 16 ○ Synchronization with social media
 - 17 ○ 1,904 subscribers
 - 18 ○ 386 alerts sent since 2015
- 19 ● Critical Online Testing - \$6,000
 - 20 ○ Remote testing for Telecommunicator applicants
 - 21 ○ 4-5 Out of State applicants each hiring cycle
- 22 ● Tactical Medic Program - \$10,705
 - 23 ○ Purchase personal protective equipment
 - 24 ○ Support high risk law enforcement situations
 - 25 ○ Three trained paramedics
- 26 ● Equipment Replacement EMS – \$33,900
 - 27 ○ Automatic External Defibrillators (AEDs)
 - 28 ○ Medical Equipment

29
30
31
32 Commissioner Burroughs asked if there are enough telecommunicators and if turnover
33 is a problem.

34 Dinah Jeffries, Interim Emergency Services Director, said there will never be enough
35 telecommunicators. She said turnover is high nationwide due to the demands of the hours,
36 working on weekends and holidays, as well as the demand to keep up with technology. She
37 said the critical online testing does help in weeding out candidates who may not be best suited
38 to the job, but the County is competing with other counties for the same candidates.

39 Commissioner Burroughs asked if compensation for these positions should be higher.

40 Travis Myren said there is a recurring application process so as not to delay hiring.

41 Commissioner Jacobs said the turnover rate has been reduced compared to what it
42 used to be.

43 Dinah Jeffries said about 90-92% are retained, while five years ago it was around 72-
44 78%.

45 Chair McKee asked if all the recommendations of the Emergency Services Task Force
46 have been implemented.

47 Dinah Jeffries said every one of the recommendations from the Emergency Services
48 Task Force has been implemented.

1 Chair McKee asked if clarification could be given regarding the training of tactical EMS
2 staff and the types of situations in which they are being placed. He also asked if there is
3 coordination with the Sheriff's department's training program.

4 Kim Woodard said these medics are very finely selected and specially trained. She said
5 the medics train alongside the law enforcement special teams and are embedded within those
6 teams. She said the medics provide services to the law enforcement officers of those teams
7 and are trained to enter hot response zones, which may not be cleared or secured, but typically
8 do not go past the last point of cover and concealment.

9
10 Travis Myren resumed the presentation:

- 11 ○ Capital Investment Plan – FY2016-17 Recommendations
 - 12 ● Communication System Improvements - \$166,000
 - 13 ○ Completes replacement of radios for Emergency Services
 - 14 ○ Outfit all vehicles with dual band radios (800Mhz and VHF)
 - 15 ○ Create a small inventory of backup radios in the event of a disaster
 - 16 ● Emergency Services Substations - \$500,000
 - 17 ○ Colocation with Chapel Hill at new Hamilton Road Station
 - 18 ● Hardened 911 Center - \$980,000
 - 19 ○ Provides primary hardened facility at Meadowlands site
 - 20 ○ Approved equipment and installation is eligible for funding by 911 Board
- 21 ○ Sheriff's Office (graph)
 - 22 ● Staffing Capacity - \$168,211
 - 23 ○ 2.0 Deputy Sheriff I's
 - 24 ○ 1.0 Investigator

25
26
27
28 **Public Safety- graph**

29
30 **Public Safety- graph**

31
32 **Public Safety-graph**

33
34 Discussion ensued on graph information.

35 Chair McKee asked Sheriff Blackwood if his department's workload has increased, and
36 if he is in need of more employees.

37 Sheriff Blackwood said five employees have been added to his department since 2008,
38 and 39 have been added to EMS in the same timeframe. He said EMS has had an increased
39 workload during that timeframe. He said the tactical EMS personnel, which were discussed
40 previously, are trained at the same level as his staff, and he would feel comfortable entering
41 any scenario with any one of them.

42 Chair McKee said he imagines that the Sheriff department's workload has also
43 increased in the recent years.

44 Sheriff Blackwood said more personnel could be used, but it is his goal to provide the
45 highest level of service with the personnel that he has. He said he does not want to balance
46 the budget by sacrificing jobs.

47 Commissioner Price asked if the breakdown of salary versus benefits for new staff could
48 be provided for the next meeting.

49 Paul Laughton said that information could be found on page 40 of the Commissioners'
50 book.

1
2 Travis Myren resumed the presentation:
3

4 ○ Sheriff's Office

- 5 ● Training and Certification
6 ○ Basic Law Enforcement Training Academy - \$63,790
7 ○ Department and medical supplies - \$64,000
8 ○ Uniforms and Vests - \$100,000
9 ○ Printing and Duplicating - \$4,000
10
11 ● Jail Revenue
12 ○ Increase federal inmate reimbursement - \$200,000
13
14 ● Health and Safety Contract Revenue
15 ○ School Resource Officers in middle and high schools
16 ○ Reserve deputies in elementary schools - \$184,000 from Orange County
17 Schools
18
19 ● *Proposed Amendment: Add an additional Deputy Sheriff I - \$63,091*
20

21 Sheriff Blackwood said his department has 1,131 new tan shirts leftover from the old
22 style uniforms, which are being given to Animal Services.

23 Commissioner Price referred to OPC/Cardinal Innovations and said there was a
24 presentation yesterday at the Cardinal Innovations meeting. She said she understands there
25 are some agencies covering certain costs which the County appears to also be covering.

26 Travis Myren said some agencies receive money both through the maintenance of effort
27 funding and through the outside agency process.

28 Commissioner Price said she understood that if it was being paid through the
29 maintenance of efforts funds, then the County would not have to pay through outside agency
30 grants.

31 Travis Myren said there is a recommendation to fund the ARC of Orange County and
32 Freedom House from both sources.
33

34 A motion was made by Commissioner Rich, seconded by Commissioner Jacobs to
35 adjourn the meeting at 9:45 p.m.
36

37 VOTE: UNANIMOUS
38

39 Earl McKee, Chair

40 Donna Baker
41 Clerk to the Board
42

1
2
3 DRAFT

4 **MINUTES**
5 **ORANGE COUNTY BOARD OF COMMISSIONERS**
6 **Budget Work Session**
7 **June 16, 2016**
8 **7:00 p.m.**

9 The Orange County Board of Commissioners met in a budget work session on Thursday, June
10 16, 2016 at 7:00 p.m. at the Southern Human Services Center, in Chapel Hill, N.C.

11
12 **COUNTY COMMISSIONERS PRESENT:** Chair McKee and Commissioners Mia Burroughs,
13 Mark Dorosin, Barry Jacobs, Bernadette Pelissier, Renee Price and Penny Rich

14 **COUNTY COMMISSIONERS ABSENT:**

15 **COUNTY ATTORNEYS PRESENT:**

16 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy Manager Travis
17 Myren and Clerk to the Board Donna Baker (All other staff members will be identified
18 appropriately below)

19
20 Chair McKee called the meeting to order at 7:06 p.m.

21
22 **1. Discussion of Appropriate Level of General Fund Reserves**

23
24 **BACKGROUND:**

25 Orange County's current Fund Balance Policy states that, "The County will strive to maintain an
26 **unassigned** fund balance in the General Fund of 17 percent of budgeted general fund
27 operating expenditures each year. The amount of **unassigned** fund balance maintained during
28 each fiscal year should not fall below 8 percent of budgeted general fund operating
29 expenditures, as recommended by the North Carolina Local Government Commission."

30 Gary Donaldson, Chief Financial Officer, presented the following PowerPoint:

31
32 **Appropriate Level of Unassigned Fund Balance**
33 **Presentation to Orange County Board of County Commissioners**
34 **Gary Donaldson, Chief Financial Officer**
35 **June 16, 2016**

36
37 **Best Practices for Unassigned General Fund Balance**

- 38 ➤ The Government Finance Officers Association (GFOA) of U.S. and Canada:
39
- 40 • Updated the Best Practice on unassigned general fund balances in 2009
 - 41 • **At a minimum** an unassigned general fund balance of no less than 2 months of
42 regular general fund operating revenues or operating expenditures
 - 43 • **Equates to 16.7%** of either general fund operating revenues or operating
44 expenditures

45 **Appropriate Use of Unassigned General Fund Balance**

- 46 ➤ The essential uses of General Fund reserves:
47
- 48 • Mitigate risk attributed to revenue shortfalls or unanticipated non-recurring
49 expenditures
 - Provide a financial bridge during recessions or weak economic conditions

- 1 • Use for natural disasters and emergencies
- 2 • Cash Balance cushion

3 S&P Scorecard (graph)

4 Moody's Scorecard (graph)

5 The Ten 'AAA' Rated Counties of North Carolina (graph)

6 General Obligation Bond Rating Scale (graph)

7 Audited Unassigned Fund Balance as a Percent of Expenditures—General Fund (graph)

8 Commissioner Dorosin asked if these numbers are considered by the rating agencies
9 when rating the County.

10 Gary Donaldson said yes.

11 Commissioner Dorosin asked if the rating agencies consider the County's policy or the
12 funds that the County actually has available, when conducting its review, and rating the County.

13 Gary Donaldson said the agencies look at what is actually available; for example, if the
14 policy is 17%, but the County exceeds it and has 18.5%, then the rating agency would consider
15 the higher of the two numbers.

16 Commissioner Price asked if the rating is conducted at a particular time of year.

17 Gary Donaldson said the County is required to provide disclosures to the rating agency
18 at the end of the fiscal year. He said a full review is done when a county issues bonds.

19 Commissioner Jacobs asked if Gary Donaldson could identify the last time the County
20 did not have an overage in its fund balance.

21 Gary Donaldson said probably during the past recession. He resumed the presentation:

22 Best Practice Unassigned Fund Balance

23 ➤ In Summary

- 24 • **GFOA Recommends** Unassigned Fund Balance at 2 Months of Expenditures or
25 16.7%
- 26 • **North Carolina AAA Rated County Peers** Maintain at Least 2 Months; one
27 exception
- 28 • Strong Fund Balance provides Financial Bridge in Recession and Emergencies

29 General Fund Cash flow (chart)

30 Gary Donaldson said the low period for fund cash flow is usually during tax receipt
31 timeframes.

32 Commissioner Jacobs asked if there is a level of fluctuation in the fund balance that
33 would cause the rating agencies to take action.

34 Gary Donaldson said changes that are 2% or lower, and could be explained, would likely
35 not result in action being taken.

36 Commissioner Dorosin said Moody looks at a 5-year window.

37 Gary Donaldson said when considering the broader picture, the County is looking to
38 develop a 5-year plan, which the rating agencies favor.

39 Commissioner Rich asked if the rating agencies prefer counties to have a fund balance
40 policy.

1 Gary Donaldson said yes because this is seen as a best practice of sustainable
2 management.

3 Commissioner Dorosin asked if there was a policy prior to 2011.

4 Paul Laughton, Financial and Administrative Services, said there was a 15% policy prior
5 to 2011, and the Finance Director at that time did some comparative analysis with other
6 counties and decided to raise the threshold to 17%.

7
8 **2. Vehicle Replacement Schedule for FY 2016-17**

9 Paul Laughton reviewed the following background:

10
11 **BACKGROUND:**

12 In FY 2012-13, the Commissioner Approved Budget established a second Internal Service
13 Fund, for County vehicle purchases. Internal Service Funds are an accounting device used to
14 accumulate and allocate costs internally among the functions of the County. Historically, the
15 County has used an internal service fund to account for one activity - its employee dental
16 insurance program. With the creation of this Vehicle Replacement Fund, vehicles purchased
17 occur through this fund instead of the departments' operating budgets. The change centralizes
18 vehicle purchases, which increases the effectiveness of vehicle performance and cost
19 monitoring.

20
21 The current internal services fund is still being subsidized by the general fund. In the spring and
22 summer of 2016, staff will be working with a recognized fleet services consulting firm to fully
23 optimize the internal services fund model for Orange County. This optimization will influence
24 recommendations for the internal services fund starting in FY 17-18.

25
26 Recommendations for vehicle replacements are based on vehicle age, mileage, maintenance
27 costs, fuel efficiency, and departmental mission need. The average age and accumulated
28 mileage of the recommended replacements are 12 years and 161,754 miles, respectively. The
29 vehicle replacement process is a dynamic process that unfolds over the course of a year.
30 During the replacement cycle vehicles originally listed for replacement may ultimately not be
31 selected for replacement as other fleet vehicles become a higher priority for replacement.

32
33 The FY2016-17 recommendation involves public safety vehicles only in anticipation of the
34 significant structural optimization expected within the Fleet Internal Services Fund to be
35 recommended for FY2017-18 and beyond.

36
37 Attachment 1 outlines the recommended vehicle requests for FY 2016-17. Pricing is based
38 upon the current state contract rates. If the Board of Commissioners approve of this
39 recommended list, the financing amount of \$789,722 will be included in the FY 2016-17 Budget
40 Ordinance to allow these vehicles to be ordered and placed into service in the early fall of 2016.

41
42 Jeff Thompson, Asset Management Services, said the intention of the consultant study
43 is to have the internal service fund to be self-sustaining. He said the results of the study will be
44 presented to the Board of County Commissioners (BOCC) in the fall.

45 Commissioner Pelissier asked if there are any hybrid vehicles on the list.

46 Jeff Thompson said there are no hybrid vehicles that can meet the needs of the Sheriff's
47 department but hybrids and electric vehicles are being used for administrative needs.

48 Chair McKee asked if there are a typical number of vehicle replacements for the
49 Sheriff's office.

1 Jeff Thompson said 15 vehicles were replaced last year and the same will be done
2 again this year.

3 Commissioner Rich asked if there is a vehicle life expectancy in the Sheriff's office.
4 Jeff Thompson said there is a target of five to seven years and 100,000 to 120,000
5 miles.

6 Bonnie Hammersley said she and the Sheriff looked at the amount of money available,
7 not the number of fleet cars, as the Sheriff may be able to get more vehicles for this amount of
8 money.
9

FY 2016-17 Recommended Vehicles Department	Item Description	Cost
Animal Services	(1) Ford F250 Truck 4x4, includes aftermarket upfit costs Replaces: #668 - 2005 Chevrolet Silverado 1500	\$ 45,648
Emergency Services	(2) Dodge Durango SSV All Wheel Drive, 4X4 Replaces: #660 – 2006 Ford Expedition #661 – 2006 Ford Expedition	\$ 78,949
(1) Ambulances – Supplied by Horton Emergency Vehicles (Ambulance platform is built on Ford F550 Cab and chassis with 4x4) Replaces: #714 - 2007 Ford F-450 Ambulance		\$235,000
Sheriff	(15) Dodge Charger Police Package Rear Wheel Drive Replaces: 15 patrol vehicles to be identified later	\$430,125
FY 2016-17 Recommended Total:		\$789,722
FY 2016-17 Source of Funds: Short-term Installment Financing		(\$789,722)

10

11 Paul Laughton said this plan will be included in the budget ordinance on which the
12 BOCC will vote on June 21st.

13 Commissioner Dorosin referred to the comment at the bottom of the page, which noted
14 that this vehicle request does not reflect vehicle requests attached to new positions. He asked
15 if an anticipated number of new positions are known.

16 Paul Laughton said he knows of only one position, a Code Enforcement Officer in
17 Planning.
18

19 **3. Discussion of Budget Amendment List for FY2016-17 Operating Budget and**
20 **FY2016-21 Capital Investment Plan**

21 Bonnie Hammersley reviewed the following items, located in a blue folder at the
22 Commissioners' places:
23

- 1 - Lilac: amendments that came in for additional revenue
- 2 - Blue: amendments that came in throughout the County, since the last work session. The
- 3 Manager was able to find funding to fund all of these sets of amendments, and thus do
- 4 not affect the proposed budget.
- 5 - Yellow: outside agency amendments
- 6 - Green: education budget amendments
- 7 - Salmon: Capital Investment Plan (CIP) amendments
- 8 - Pink: other funds budget amendment list

9
10 A motion was made by Commissioner Jacobs, seconded by Commissioner Dorosin to
11 fully fund outside agencies recommended for funding in part 1 – (previously funded agencies)
12 with the exception of CIS; if the requested increase is greater than a 50% increase then they
13 will receive 50% increase; (included funds for Food Council - \$16,030) and eliminated funds for
14 Housing for New Hope (-\$22,500); that they increase funding for the schools by \$1.7 million
15 (utilize the available fund balance in excess of the 17% fund policy) with \$1 million to come for
16 the plus \$700,000 of the \$900,000 dollars was above the fund balance (line 1 - \$800,000 and
17 line 3- \$1 million).

18
19 Amended to \$1.8 million - use \$800,000 plus \$1 million the staff identified from the impact fees.

20
21 Commissioner Burroughs said this motion is a step in the right direction and the school
22 districts asked for over \$8 million combined. She said the Manager recommended \$2.6 million
23 and this motion still leaves the schools short by about \$3.6 million. She said this means that
24 Chapel Hill-Carrboro City Schools (CHCCS) teachers will get their raises, since the School
25 Board has already approved the raises. She said if CHCCS comes up short it will have to cut
26 positions. She said the Orange County Schools (OCS) have not locked in raises and this
27 amount that is short of the request, would have gone to teacher raises, and OCS will probably
28 have to cut positions. She said teachers matter.

29 Chair McKee said as of now it does leave the BOCC \$3.6 million short for the schools
30 but the discussion has just begun and there may be options as the process continues tonight.

31 Commissioner Dorosin said he does not think anyone here sees the schools as a
32 bloated bureaucracy. He said he has been talking a lot about changing the County fund
33 balance policy, and he thinks the 17% is too conservative. He suggested taking \$1 million out
34 of the fund balance without changing the fund policy at this time and putting it towards schools
35 as well. He said to put the fund balance policy discussion on the fall agenda as early as
36 possible. He proposed this as a friendly amendment.

37 Commissioner Jacobs said to put a motion on the June 21st agenda to make sure this
38 fund balance policy comes back for discussion in the fall.

39 Chair McKee asked if Commissioner Jacobs is asking the motion amendment maker to
40 drop the policy portion of the amendment, with the understanding it will come back on June 21st.

41 Commissioner Jacobs said yes.

42 Commissioner Dorosin said that would be acceptable.

43 Commissioner Jacobs said the fund balance policy change in 2011 was part of a
44 strategy to shrink the government. He said this was an internal game played by staff with the
45 Board. He said he is very conservative about spending money but he says there is merit to the
46 point that the BOCC is meant to be doing something with the money contributed by the public's
47 taxes, etc. He said it is good to review the policy especially with what the legislature is doing.

48 Commissioner Jacobs said the Board is now talking about \$2.8 million to the schools,
49 which will be the second highest per pupil amount in that last 30 years. He said it is wrong to
50 say that Orange County does not support schools. He said all involved need to do a better job

1 of communicating without animosity, and that the BOCC does value education and wants the
2 best for the schools and the students. He said he gladly accepts Commissioner Dorosin's
3 friendly amendment.

4 Chair McKee clarified the amendments made to the motion, noting that \$1 million will
5 come from impact fees; \$1 million from the fund balance reserve, and \$800,000 from the
6 excess above the 17% fund balance reserve, which leaves about \$200,000 for other projects.

7 Commissioner Rich said she did not support this action last year because there had not
8 been the level of discussions that has occurred over this past year. She said she feels the
9 Board is heading in the right direction. She said it is important to have a fund balance policy
10 and to allow the public to weigh in on it. She said she will vote this year to use funds from the
11 fund balance, knowing that the BOCC will have a full policy discussion in the fall.

12 Commissioner Pelissier said she would have rather voted on these items individually
13 and she is not sure if she wants to take \$1 million out of the fund balance. She said she would
14 like the conversation to explore other options.

15 Commissioner Pelissier said the General Assembly wants to cut taxes as well as
16 services which sends the message that taxes are bad. She said if the BOCC continues to not
17 raise taxes, it is promoting the same message. She said this will starve services at the County
18 level.

19 Commissioner Pelissier said the Board has only raised the ad valorem tax once in the
20 last seven years. She said people are not struggling because taxes are too high but rather due
21 to lack of livable wages. She said school staffs are the ones that recognize the services
22 children need and teachers must be supported. She said schools offer so much more than just
23 education. She said only half of what is being proposed is for teacher salary supplements, and
24 she wanted to talk about increasing the property tax.

25 Commissioner Burroughs apologized for her rhetoric and said the Board of County
26 Commissioners has supported the schools over the years.

27 Commissioner Burroughs said she will make a motion to increase property taxes, in
28 order to raise another \$1 million.

29 Commissioner Price said she is supportive of Commissioner Dorosin's motion and she
30 sees no problem taking funds from the fund balance. She said she does object to raising taxes
31 at this point. She said the residents are getting tax increases in other ways, and that is why she
32 is opposed to increasing the taxes. She said the revaluation is also coming in 2017.

33 Commissioner Dorosin referred to the suggestion of changing the fund balance policy,
34 and said if the money is in the "pot" at the start of the budget process, it is a more transparent
35 process. He said he wanted to change the policy to make this process fair and accessible.

36 Commissioner Dorosin referred to Commissioner Pelissier's comments about starving
37 the government, and said he does not agree. He said the taxes in Orange County are high. He
38 said putting funds in a savings account and then raising taxes is bad budgeting.

39 Commissioner Pelissier said she did not say that the BOCC is starving the government
40 now, but the County is shifting that way with the processes being implemented now.

41 Commissioner Jacobs said taxes were raised the first 10 years he was on the Board to
42 support the schools, then stopped at the recession. He said the Board has been responsive to
43 changing circumstances. He said with the effects of the revaluation next year, a new fund
44 balance policy, and the proposed bond, it is more than likely the Board will raise taxes soon.
45 He said he feels comfortable doing what is proposed and then working this next year, including
46 the schools, to come up with a 5-year comprehensive management plan.

47 Commissioner Burroughs said she supports Commissioner Jacobs' and Commissioner
48 Dorosin's motions. She said the County is doing a great deal of good and necessary things,
49 which she supports. She said if the Board is really concerned about raising taxes this year

1 because of possibly raising taxes in the future, then discussions need to occur about
2 addressing expenditures in the out years.

3 Commissioner Rich followed up on Commissioner Price's comments and said even
4 though there has been no county tax increase, there has been a tax increase. She said the
5 General Assembly has put taxes on many things, yet salaries are not going up. She said the
6 Board should look at where fees are going up and inform the public.

7 Chair McKee said he does not agree with changing the 17% threshold on the fund
8 balance policy, but as the County is sitting at an almost 18% fund balance, and projections
9 show an increase in taxes, etc., he is comfortable with the proposed motion on the table.

10 Chair McKee said he agreed with Commissioner Price and Commissioner Rich about
11 taxes. He said the impact of the recycling fee exceeds the tax bill of some residents. He said a
12 tax increase, at this point, may adversely affect the bond proceedings.

13 Chair McKee said he is glad to hear the need for discussion with the schools for long-
14 term plans. He said every year there is an "ask" from the schools and an expectation that the
15 Board of County Commissioners will approve it. He said he has never seen a revised request
16 from either school system and he said there needs to be more discussion and less "asking".

17
18 VOTE: AMENDED
19 UNANIMOUS

20
21 ADM funding to increase to \$270.5 (271) = \$5.4 million, \$3,863 per pupil.

22
23 A motion was made by Commissioner Burroughs, seconded by Commissioner Pelissier
24 to increase tax revenue to bring another \$1 million, that will bring gap from the ask to \$106
25 million short.

26 Paul Laughton said a 0.6% increase would equal \$1,006,415 million.

27 Chair McKee said would it be better to wait to see if the need exists after further
28 discussions. He asked Commissioner Burroughs to postpone.

29 Commissioner Burroughs agreed.

30
31 VOTE: DEFERRED UNTIL LATER IN MEETING

32
33 A motion was made by Commissioner Burroughs, seconded by Commissioner Jacobs to
34 approve the turquoise hand out: Operating Budget Amendment List recommended by the
35 Manager.

36 Bonnie Hammersley said the outside agency Housing for New Hope rescinded its
37 request for funding. She said the amendment intends to use the funding towards the new
38 SOAR position.

39
40 VOTE: UNANIMOUS

41
42 Bonnie Hammersley said at the last work session, the Food Council was inadvertently
43 left out of the Manager's recommended budget. She said the Food Council did a presentation
44 to the Board at the April 5, 2016 work session and did go through the outside agency process.

45 Bonnie Hammersley said Chair McKee asked for an increase for the Meals on Wheels,
46 as this agency expects a 4,000-meal increase.

47
48 **Yellow sheet: OUTSIDE AGENCIES**

49

1 Commissioner Dorosin said he suggested a proposal to broadly fund these agencies,
2 and clarified what he is proposing. He said the Board recognizes the work that these non-profit
3 agencies do in the community, and the Board discussed last year about raising the amount of
4 funding for outside agencies. He said the difference between the agencies requests and the
5 Manager's recommended budgets for those agencies is about \$108,000, less \$22,000 for
6 Housing for New Hope. He suggested as a show of a united front, that the Board allocates the
7 full amount to all of the agencies, for which the Manager recommended funding.

8 Commissioner Rich asked if the \$16,000 for the Food Council is in a particular pot at
9 this point.

10 Bonnie Hammersley said it is included as part of Commissioner Dorosin's proposal.

11 Paul Laughton said the difference is \$94,953 of what was requested for those that
12 received funding in 2015-2016. He said if the \$22,000 for Housing for New Hope is removed,
13 and the \$16,030 for the Food Council added back in, the total is \$88,483.

14 Commissioner Dorosin said this would fully fund all agencies in line item number 1, all of
15 which were Manager recommended for some funding.

16 Commissioner Rich said some of these would be really big jumps in funding and asked
17 if the Board is willing to go that far

18 Commissioner Dorosin said yes, since this is an extraordinary time for these non-profits
19 with the legislature. He said he is not recommending a policy change with the outside
20 agencies.

21 Commissioner Burroughs said she liked this proposal and suggested bringing back this
22 discussion of increasing the amount of funding for outside agencies. She said these are the
23 people she works with, and though she understands Commissioner Dorosin's rationale, she
24 would prefer just funding the Manager's recommendations as of now. She said the applications
25 were reviewed and funding decisions were made for a reason, and with careful thought.

26 Commissioner Price echoed Commissioner Rich's point that fully funding some of these
27 agencies would require a large jump from the Manager's recommended amount. She also
28 echoed Commissioner Burroughs' point of respecting the decision making process thus far.

29 Commissioner Jacobs said he is sympathetic to Commissioner Dorosin's proposal, but
30 the Board should agree not to raise any recommended funded agency more than 50% of its
31 request. He said that may make other Board members more comfortable and also honor the
32 process and the staff's work.

33 Commissioner Dorosin said that may be the way to proceed. He said the primary
34 reason these agencies do not get full funding is because there is a limited pot of funding.
35 He said if there is not support for his proposal, then he would defer to Commissioner Jacobs'
36 proposal.

37 Commissioner Pelissier appreciated Commissioner Dorosin's sentiment behind his
38 proposal, but the other major thing to her is that departments submitted requests, as well as
39 agencies and schools, and the staff and Commissioners must prioritize. She does not like
40 supporting a blanket proposal and preferred going through each one.

41 Commissioner Dorosin said that is inconsistent. He said if the point is to respect the
42 process, he can accept that; and if the point is that Commissioners want to pick numbers based
43 on their own knowledge or preference, he can respect that. He said all these agencies have
44 been recommended for funding, which means they have shown a level of merit. He said he
45 feels the primary reason agencies may not have been funded is a lack of money, and he
46 believes there is enough money.

47 Commissioner Pelissier said she does not think this is the reviewer's perspective, but
48 rather the reviewer considers the agency, its work and purpose, and an appropriate amount to
49 fund.

50 Commissioner Burroughs said she liked Commissioner Jacobs' compromise.

1 Commissioner Burroughs said as Communities in Schools (CIS) is dissolving, she has
2 withdrawn her amendments, and instead proposes giving the funds from OCS to CHCCS
3 instead.

4 Commissioner Jacobs said if policies are being considered, then perhaps there should
5 be a target for funding for outside agencies.

6 Commissioner Jacobs said the Board is going to fund one department's one position,
7 but many departments' requests did not get funding. He proposed seeing all the departments'
8 requests for positions and others items.

9 Bonnie Hammersley said there is a list of requests that were not recommended for
10 funding, on page 40 of the budget book. She said 24 positions were requested, and only 7
11 were funded.

12 Commissioner Jacobs suggested viewing and discussing these requests in future
13 budget discussions.

14 Commissioner Price said she liked Commissioner Jacobs' compromise for outside
15 agency funding.

16 Commissioner Price asked Commissioner Dorosin if he does not want to fund agencies
17 included in section 2.

18 Commissioner Dorosin said he would suggest discussing these individually as a Board
19 at this meeting. He said the whole budget is around \$200 million, and the Board is talking
20 about an \$80,000 portion.

21 Commissioner Rich said to take CIS out of the motion.

22
23 A motion was made by Commissioner Dorosin, seconded by Commissioner Jacobs, to
24 fully fund all agencies recommended for funding in section 1 (page 410), with the exception of
25 CIS, unless fully funding the agencies would increase the proposed amount more than 50%, in
26 which case they would receive the 50% increase.

27
28 VOTE: Ayes, 6; Nays, 1 (Commissioner Pelissier)

29
30 A motion was made by Commissioner Burroughs, seconded by Commissioner Jacobs to
31 add \$114,000, from former CIS funds, to the schools' funding, to be divided by ADM.

32 Commissioner Rich asked if these funds will recur every year in the general school
33 funding.

34 Bonnie Hammersley said it will go into the base operating funding per school, allowing the
35 funds to be recaptured and distributed evenly.

36 Paul Laughton said, by ADM, CHCCS would receive \$68,503 and OCS would receive
37 \$45,497.

38
39 VOTE: UNANIMOUS

40
41 A motion was made by Commissioner Jacobs, seconded by Commissioner Rich to re-
42 capture the notion of funding outside agencies, and to add this to a work session in the fall for
43 further discussion.

44
45 VOTE: UNANIMOUS

46
47 Commissioner Dorosin proposed a break in order to tally funds used thus far and
48 determine remaining funds.

49 *Meeting resumed at 9:29 p.m.*

50 Paul Laughton said there is \$147,338 remaining to be allocated.

1 Chair McKee said another white sheet was just put at the Commissioners' places, which
2 is four items that were inadvertently left out of blue folder for discussion tonight.

3 Commissioner Dorosin asked if changes in the outside agencies could be reviewed.

4 Paul Laughton said the total amount was \$52,662, which included the Food Council.

5 Bonnie Hammersley said all changes would be updated and brought to the June 21st
6 meeting.

7 Commissioner Dorosin asked if the total added to the Manager recommended
8 \$1,115,441 is \$52,662.

9 Paul Laughton said yes, and \$147,000 remains from \$200,000 to be allocated this
10 evening.

11
12 Chair McKee said the Board still needs to consider the four items on the white page just
13 received and the items on the second portion of page 410.

14 Bonnie Hammersley referred to the Piedmont Food and Agricultural Processing Center
15 (PFAPC) amendment, and said that is a County Manager amendment, and the \$17,000 is
16 already considered. She said the remaining three items on the white sheet are to be
17 considered.

18 Paul Laughton said the total of those three items is \$68,891.

19 Chair McKee referred to the Compton Pond amendment (\$1,800), and said he and
20 Commissioner Price met with residents from that area. He said staff was asked to talk with the
21 State to evaluate the pond and treat the whole pond, since it feeds into Lake Orange, which is
22 being treated. He said staff spoke with the State, and there are some contingency funds, but
23 the treatment would use that entire contingency, so he proposed the \$1,800 amendment to
24 fund this treatment.

25 Commissioner Rich said she is comfortable with all three proposed items, and asked if
26 the remaining balance could be given, if these three items were to be funded.

27 Paul Laughton said \$78,447 would remain.

28
29 A motion was made by Commissioner Rich, seconded by Commissioner Burroughs to
30 approve items on white sheet (Operating Budget Amendments), and use the remaining funds
31 for the discussion on section 2 of the outside agencies.

32
33 Commissioner Dorosin asked if there could be discussion about the proposed additional
34 deputy recommended by Chair McKee.

35 Chair McKee explained that several years ago the Board addressed Emergency
36 Services needs through a task force, but did not include any public safety staffing issues. He
37 said he felt one additional deputy in the Sheriff's department would provide additional coverage
38 in the rural areas.

39 Commissioner Jacobs referred to the Compton Pond and the hydrilla problem, and said
40 he hoped that staff would recommend the least harmful chemicals, as was done with the Eno
41 River years ago.

42 David Stancil, Department of Environment, Agriculture, Parks and Recreation Director,
43 said his understanding is that the same sort of treatment that was used in the Eno River will be
44 used again, and it may be even safer at this point, but he would double check.

45
46 VOTE: UNANIMOUS (on all three items on white sheet)

47
48 **Discussion of Outside Agencies – Page 410 in budget book**

49 The Board reviewed each of the following items, finalizing numbers:
50

	Funding
1 Outside Agency	
2 Behavioral Insights, Inc.	\$4,000
3 Boys and Girls Club of NC	\$5,000
4 Child Care Services Assoc.	-0- (duplication of DSS services)
5 Hillsborough Arts Council	\$7,500
6 Mental Health of America	\$5,000
7 Orange County Living Wage	\$16,750
8 WCOM	\$1,000
9 Rebuilding Together the Triangle	\$10,000
10 TABLE	\$5,000
11 Triangle Bikeworks	\$1,000
12 Volunteers for Youth	\$7,500
13 Youth Community Project	\$4,750

14
15 Commissioner Jacobs asked the Department of Social Services (DSS) to look at all of
16 these groups that serve children, to determine if there are duplicative services.

17 Paul Laughton said taking the above numbers into account, the remaining funds total
18 \$46,697.

19
20 A motion was made by Commissioner Burroughs, seconded by Commissioner Rich to
21 fund, as listed, all of the agencies on page 410, except the Orange County Living Wage and the
22 Hillsborough Arts Council.

23
24 VOTE: UNANIMOUS

25
26 Hillsborough Arts Council

27
28 A motion was made by Commissioner Price, seconded by Chair McKee to fund the
29 Hillsborough Arts Council at \$7,500.

30
31 VOTE: Ayes, 3 (Chair McKee, Commissioner Burroughs, Commissioner Price); Nays, 4
32 (Commissioner Dorosin, Commissioner Rich, Commissioner Jacobs, Commissioner Pelissier)

33
34 Motion Fails

35
36 A motion was made by Commissioner Jacobs, seconded by Commissioner Dorosin to
37 fund the Hillsborough Arts Council for \$5,000.

38
39 Commissioner Price asked if there is a reason this agency is seen differently than the
40 other outside agencies.

41 Commissioner Dorosin said the agencies earlier in the evening were all recommended
42 for funding, and the Arts Council was not.

43 Commissioner Price said the other agencies on the list were given at least 50% of their
44 request.

45 Commissioner Dorosin said he believes this agency will receive money from the Town of
46 Hillsborough.

47 Commissioner Price said most agencies receive funding from various sources.

48
49 VOTE: Ayes, 6; Nays, 1 (Commissioner Price)

50

1 Orange County Living Wage

2

3 Commissioner Price asked if she could hear more about this organization and why it
4 should be fully funded.

5 Travis Myren said this organization certifies private and public sector employers, who
6 are paying the living wage. He said it is a voluntary certification program. He said the County
7 is providing this agency with a vendor list to review which vendors are certified.

8 Commissioner Rich said this agency is doing the work that the County might be doing
9 and is doing it at a much lower rate than if it were done in house.

10 Commissioner Pelissier said the Manager's recommendations reflected the Board's
11 stated priorities. She said a discussion should be added to a work session regarding the
12 conditions under which the Board will almost fully fund a non-profit.

13 Commissioner Dorosin said policy discussion and guidelines are important, but there
14 also needs to be flexibility to fund new agencies that are in line with the Board's values.

15 Commissioner Jacobs said these comments could be equally applied to the
16 Hillsborough Arts Council, and, as such, he would like to reconsider his motion for the funding
17 to the Hillsborough Arts Council.

18

19 A motion was made by Commissioner Jacobs, seconded by Commissioner Price to fund
20 the Hillsborough Arts Council at \$7,500.

21

22 VOTE: Ayes, 5 (Chair McKee, Commissioner Dorosin, Commissioner Rich, Commissioner
23 Burroughs, Commissioner Jacobs); Nays, 2 (Commissioner Rich and Commissioner Pelissier)

24

25 MOTION PASSES

26

27 A motion was made by Commissioner Rich, seconded by Commissioner Burroughs to
28 fund the Orange County Living Wage at \$16,750.

29

30 VOTE: UNANIMOUS

31

32 Paul Laughton said this now leaves \$41,697.

33

34 A motion was made by Commissioner Burroughs, seconded by Commissioner Pelissier
35 to increase taxes by 0.6 percent (\$1,006,415) for the schools.

36

37 VOTE: Ayes, 2 (Commissioner Burroughs and Commissioner Pelissier); Nays, 5 (Chair McKee,
38 Commissioner Jacobs, Commissioner Dorosin, Commissioner Price, Commissioner Pelissier)

39

40 MOTION FAILS

41

- 42 • Operating Budget Amendment List and Decision Items for the County's FY2016-17
43 Annual Operating Budget
- 44 • Capital Investment Plan Budget Amendment List and Decision Items for FY2016-17 CIP
45 Funding

46

47 A motion was made by Commissioner Burroughs to delay Blackwood Farms Park by
48 one year (page 23 in CIP).

49

50 MOTION FAILED for lack of a second

1
2 Commissioner Dorosin referred to the salmon sheet and said there is a net reduction in
3 the CIP by approximately \$4.5 million. He said due to this reduction, he is not in favor of
4 delaying Blackwood Farms Park. He said if the land has been purchased, it is imperative that
5 the public be able to access it.

6 Commissioner Jacobs asked if Chair McKee could consult with John Roberts to find out
7 why the County's public properties are not accessible to the public.

8 David Stancil said staff is working on this.
9

- 10 • Other Funds Budget Amendment List and Decision Items for Other Funds FY2016-17
11 Budget

12
13 **4. Accept the FY2016-21 Capital Investment Plan and Approve the Intent to Adopt**
14 **Capital Funding for FY2016-17**

15
16 A motion was made by Commissioner Jacobs, seconded by Commissioner Rich to
17 approve the FY2016-21 Capital Investment Plan and Approve the Intent to Adopt Capital
18 Funding for FY2016-17.

19
20 VOTE: UNANIMOUS
21

22 **5. FY2016-17 Annual Operating Budget Decision Items**

- 23 • Approve the Amendments for the County's Annual Operating Budget

24
25 A motion was made by Commissioner Pelissier, seconded by Commissioner Rich to
26 approve the amendments for the County's Annual Operating Budget (pink sheet).

27
28 VOTE: UNANIMOUS
29

30 A motion was made by Commissioner Burroughs, seconded by Commissioner Jacobs to
31 approve the Manager's Recommendation for Long range and Recurring Capital for the local
32 school districts totaling \$3 million.

33
34 VOTE: UNANIMOUS
35

- 36 • Funding for Chapel Hill-Carrboro City Schools and Orange County Schools
37 Already voted on
- 38 • Tax Rate Decisions
 - 39 i. Ad Valorem Tax- shall remain at 87.8 cents per \$100.00 of assessed
40 valuation.
41 Already voted on.
 - 42 ii. Chapel Hill Carrboro City Schools Special District Tax - shall remain at the
43 current rate of 20.84 cents per \$100 of assessed valuation
44
45

46
47 A motion was made by Commissioner Burroughs, seconded by Commissioner Pelissier
48 to maintain the CHCCS Special District Tax rate of 20.84 cents per \$100 of assessed valuation.

49
50 VOTE: UNANIMOUS

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- a) The ad valorem property tax rate shall be set at 87.8 cents per \$100 of assessed valuation.
- b) The Chapel Hill-Carrboro City Schools District Tax shall be set at 20.84 cents per \$100 of assessed valuation.
- c) The Fire District and Fire Service District tax rates shall be set at the following rates (all rates are based on cents per \$100 of assessed valuation):

• Cedar Grove	7.36
• Greater Chapel Hill Fire Service District	15.00
• Damascus	10.30
• Efland	7.00
• Eno	7.99
• Little River	4.06
• New Hope	10.45
• Orange Grove	7.00
• Orange Rural	8.36
• South Orange Fire Service District	10.00
• Southern Triangle Fire Service District	10.30
• White Cross	11.00

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2) **County Employee Pay and Benefits Plan**

Provide a County employee pay and benefits plan that includes:

- a. A total wage increase of 3.0% for all permanent employees hired on or before June 30, 2016, with 2% effective July 1, 2016, and an additional 1% effective January 1, 2017.
- b. No In-Range adjustments for FY 2016-17.
- c. Meritorious Service Awards – recommends three levels as one-time performance bonuses, effective with employee Work Planning and Performance Review (WPPR) dates from July 1, 2016 to June 30, 2017:
 - o \$500 – proficient performance
 - o \$750 – superior performance
 - o \$1,000 – exceptional performance
- d. Compression Reduction Program – a total of \$500,000 for salary compression adjustments to affected employees, effective July 1, 2016.
- e. A Living Wage increase from \$12.76/hour to \$13.15/hour.
- f. Continue the \$27.50 per pay period County contribution to non-law enforcement employees’ supplemental retirement accounts and the County matching employees’ contributions up to \$63.00 semi-monthly (for a maximum annual County contribution of \$1,512) for all general (non-sworn law enforcement officer) employees, and continue the

- 1 mandated Law Enforcement Officer contribution of 5.0% of salary; and continue the
- 2 County's required contribution to the Local Governmental Employees' Retirement
- 3 System (LGERS) for all permanent employees.
- 4 g. Continue funding the Traditional and High Deductible Health Plans for employees and
- 5 pre-65 retirees with no changes to employee premiums for FY2016-17.
- 6 h. Continue funding the Dental Program for employees and pre-65 retirees with no
- 7 changes to employee premiums for FY2016-17.
- 8 i. Continue the voluntary furlough program.

10 3) **Modifications to County Manager's FY2016-17 Recommended Annual Operating**
 11 **Budget**

12
 13 The following modifications to the County Manager's Recommended Budget are made:
 14

Adjustments to the Manager's Recommended FY2016-17 Budget

On June 16, 2016, the Board of County Commissioners approved the following changes to the Manager's Recommended annual operating budget for the 2016-17 fiscal year. The information below summarizes changes made by the Board.

Revenues	Increase	Decrease
Manager's Recommended Revenue Budget	\$212,786,496	
Appropriate additional Fund Balance in excess of the 17% Financial Policy for Education and Outside Agencies	979,856	
Additional revenue for the administration of City of Mebane tax bills on the Orange County properties	5,000	
Replace tax supported debt service for school expansion projects with available ongoing impact fee revenue.	1,000,000	
Create revenue line in County Manager office for cost-sharing of studies.	\$30,000	
Appropriate additional General Fund fund balance to be used for Education	\$1,000,000	
Total Revenue Changes	\$3,014,856	\$0
Revised Revenue Budget	215,801,352	

Expenditures	Increase	Decrease
Manager's Recommended Expenditure Budget	\$212,786,496	
Provide funds for the My Brother's Keeper (MBK) initiative as a line item in the Human Rights appropriation	4,000	
Provide funds for an additional Sheriff Deputy 1.0 FTE	63,091	

Funds to hire a consultant to assist with the commercial appraisal services	20,000	
Create a SOAR case worker position to streamline the SSI/SSDI application process for people who are homeless.	20,000	
Provide funds to replace loss of State funds for the current Community Response program position for a six (6) month period to allow time to investigate other funding sources	20,500	
Create a 1.0 FTE Outreach Librarian with grant fund from Orange County Partnership for Young children	10,000	
The start date for the Website & Publication Coordinator will be effective October 1, 2016.		(\$13,961)
Remove funding for Communities in Schools for CHCCS as the organization is in the process of dissolving		(78,800)
Remove Outside Agency funding for OCS After School Program		(35,200)
Provide funds for Triangle Bikeworks Spoke'n Revolutions project	1,000	
Provide funds for Rebuilding Together of the Triangle	5,000	
Provide funds for Hillsborough Arts Council	7,500	
Provide funds for TABLE for emergency food aid for children in Chapel Hill and Carrboro	5,000	
Provide funds for the Youth Community Project to provide service to youth in Orange County.	4,750	
Provide funds to the Boys and Girls Club of Eastern Piedmont to serve youth in Orange County.	5,000	
Provide funds for Mental Health America of the Triangle	5,000	
Provide funds for Public Gallery of Carrboro (WCOM-LP Radio)	1,000	
Provide funds for Volunteers for Youth	2,500	
Provide funds to treat approximately a two acre area in the upper half of Compton's Pond, with two or possibly three herbicide treatments.	1,800	
Additional funding for Education	2,800,014	
Additional funding for Education, transfer of funds from Communities in Schools for CHCCS and the Non-Departmental allocation to OCS	114,000	
Fully fund all outside agencies recommended for funding in part 1 (previously funded agencies) with the exception of Communities in Schools. If their requested increase is greater than a 50% increase then they will receive a 50% increase. Includes addition of funds for Food Council (\$16,030) and eliminates funds for Housing for New Hope (-\$22,500)	52,662	
Total Expenditure Changes	\$3,142,817	(\$127,961)
Revised Expenditure Budget	\$215,801,352	

1
2
34) **Changes in Funding to Improve Service Delivery (Increase in FTE Approved)**

Department	Position	FTE
Health	Public Health Educator	1.000
Planning	Code Compliance Officer III	1.000
OPT	Transit Director - effective January 1, 2017	1.000
Tax	Office Assistant II - converting Time-Limited to Permanent	0.000
Aging	Office Assistant II	0.750
Sheriff	Deputy Sheriff I	1.000
Sheriff	Deputy Sheriff I	1.000
Sheriff	Deputy Sheriff I	1.000
Sheriff	Investigator	1.000
Social Services	Management Analyst (Child Welfare) - converting Time-Limited to Permanent	0.000
Social Services	Human Services Specialist - converting Time-Limited to Permanent	0.000
Social Services	Human Services Specialist - converting Time-Limited to Permanent	0.000
Social Services	Management Analyst - converting Time-Limited to Permanent	0.000
Social Services	SOAR Caseworker	1.000
Library	Outreach Librarian (Grant Project Fund)	1.000
Community Relations	Website & Publications Coordinator (effective October 1, 2016)	1.000
Totals		10.750

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8
95) **General Fund Appropriations for Local School Districts**

The following FY 2016-17 General Fund Appropriations for Chapel Hill-Carrboro City Schools and Orange County Schools are approved:

1 a) Current Expense appropriation for local school districts totals \$77,201,412 and equates
2 to a per pupil allocation of \$3,868

3
4 1) The Current Expense appropriation to the Chapel Hill-Carrboro City Schools is
5 \$46,388,977.

6
7 2) The Current Expense appropriation to the Orange County Schools is \$30,812,435.
8

9
10 b) Recurring Capital appropriation for local school districts totals \$3,000,000

11
12 1) The Recurring Capital appropriation to the Chapel Hill Carrboro City Schools totals
13 \$1,802,700.

14
15 2) The Recurring Capital appropriation to the Orange County Schools totals
16 \$1,197,300.

17
18 c) Long Range (Pay-As-You-Go) Capital appropriation for local school districts totals
19 \$3,799,346.

20
21 1) The Long-Range (Pay-As-You-Go) Capital appropriation to the Chapel Hill Carrboro
22 City Schools totals \$2,283,027.

23
24 2) The Long-Range (Pay-As-You-Go) Capital appropriation to the Orange County
25 Schools totals \$1,516,319.

26
27 d) School Related Debt Service for local school districts totals \$15,372,383.

28
29 e) Additional net County funding for local school districts totals \$3,354,000.

30
31 (1) School Resource Officers and School Health Nurses Contracts - Total appropriation
32 of \$3,354,000 to cover the costs of School Resource Officers in every middle and
33 high school, and a School Health Nurse in every elementary, middle, and high
34 schools in both school systems.

35
36 **6) County Fee Schedule**

37
38 To adopt the County Fee Schedule to include changes included in the FY2016-17 Manager's
39 Recommended Annual Operating Budget.

40
41 A motion was made by Commissioner Dorosin, seconded by Commissioner Price to
42 adopt the Resolution of Intent to Adopt the 2016-17 Orange County Budget.

43
44 VOTE: UNANIMOUS

45
46 Commissioner Burroughs commended the Manager and the Finance staff for the great
47 job on the budget process.

48
49 A motion was made by Commissioner Dorosin, seconded by Commissioner Burroughs
50 to adjourn the meeting at 11:34 p.m.

1
2 VOTE: UNANIMOUS
3
4
5 Donna Baker
6 Clerk to the Board
7
8

Earl McKee, Chair

1
2
3 DRAFT

4 **MINUTES**
5 **BOARD OF COMMISSIONERS**
6 **REGULAR MEETING**
7 **June 21, 2016**
8 **7:00 p.m.**

9 The Orange County Board of Commissioners met in regular session on Tuesday, June 21,
10 2016 at 7:00 p.m. at the Southern Human Services Building, in Chapel Hill, N.C.

11
12 **COUNTY COMMISSIONERS PRESENT:** Chair McKee and Commissioners Mia Burroughs,
13 Mark Dorosin, Barry Jacobs, Bernadette Pelissier, Renee Price and Penny Rich

14 **COUNTY COMMISSIONERS ABSENT:**

15 **COUNTY ATTORNEYS PRESENT:** John Roberts

16 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy County Manager
17 Travis Myren and Clerk to the Board Donna Baker (All other staff members will be identified
18 appropriately below)

19
20 Chair McKee called the meeting to order at 7:05 p.m.

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

- 23
24 - Pink sheet: updated abstract for item 5-b
25 - White sheet: updated page of resolution for item 7-a
26 - White sheet: updated page of budget ordinance for item 7-a
27 - White sheet: County fee update
28 - Salmon sheet: progress report for My Brother's Keeper's progress report
29 - Blue sheet: amendment to the Manager's employment agreement, added to the agenda in
30 item 5-l

31
32 A motion was made by Commissioner Dorosin, seconded by Commissioner Pelissier to
33 add item 5-l: Amendment to the County Manager's Employment Agreement, to the consent
34 agenda.

35
36 VOTE: UNANIMOUS

37
38 **PUBLIC CHARGE**

39
40 *Chair McKee dispensed with the reading of the Public Charge*

41
42 **2. Public Comments**

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

45 NONE

46
47 **b. Matters on the Printed Agenda**

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

1 **3. Announcements and Petitions by Board Members**

2 Commissioner Pelissier had no petitions.

3 Commissioner Jacobs asked if the Manager could work with the school systems to set
4 up a social event for the three Boards: Chapel Hill-Carrboro City Schools (CHCCS), Orange
5 County Schools (OCS), and the Board of County Commissioners (BOCC). He asked if this
6 could be scheduled after Labor Day.

7 Commissioner Jacobs said the BOCC has received many emails about erosion control.
8 He said it may be worth addressing the topic prior to the summer break.

9 Bonnie Hammersley said staff is drafting a response for the Chair to sign and send to
10 the concerned persons.

11 Craig Benedict said last year's budget added a half-year position, but the department
12 was not fully staffed until May 2016, and this new employee is in the process of being trained.
13 He said staff will work with the Town of Chapel Hill also to clarify expectation as related to
14 erosion control.

15 Commissioner Rich said there is a ribbon cutting for a Habitat for Humanity Home on
16 Friday, June 24th at 3:00 p.m., in Efland. She said the recipient is a County employee.

17 Commissioner Dorosin had no petitions.

18 Commissioner Burroughs had no petitions.

19 Commissioner Price said she asked previously about the salaries for law enforcement,
20 and hoped there could be a report in the fall. She said she forwarded an email about Durham
21 Tech receiving a grant from Duke Energy.

22 Commissioner Price said to John Roberts that the Board received a press release from
23 the State about expanding broadband, and she asked if John Roberts could research this
24 information for clarity and what it means for counties.

25 Commissioner Price asked if there is going to be a further discussion about the merger
26 of the Mental Health of America and Freedom House this evening.

27 Bonnie Hammersley said she responded by email about this merger, and also noted that
28 the woman with knowledge about this topic said she would come speak tonight, but has not yet
29 arrived.

30 Chair McKee had no petitions.

31 Chair McKee reviewed items at the Commissioners' places (noted above).

32
33 **4. Proclamations/ Resolutions/ Special Presentations**

34
35 **a. Proclamation Recognizing Carrboro High School Women's Soccer Team Winning**
36 **the 2016 State Championship**

37 The Board considered approving a proclamation recognizing the Carrboro High School
38 Women's Soccer Team for winning the 2016 State Championship, and authorizing the Chair to
39 sign.

40 Chair McKee read the proclamation:

41
42 **ORANGE COUNTY BOARD OF COMMISSIONERS**
43 **PROCLAMATION OF RECOGNITION ON**
44 **CARRBORO HIGH SCHOOL WOMEN'S SOCCER TEAM**
45 **WINNING THE 2016 STATE CHAMPIONSHIP**

46
47 **WHEREAS**, on May 28, 2016, the Carrboro High School Women's Soccer Team captured the
48 North Carolina High School Athletic Association's (NCHSAA) 2A State Women's
49 Soccer Championship; and
50

1 **WHEREAS**, under the guidance of Coach Jared Drexler, the Carrboro High School Women's
 2 Soccer Team earned its third NCHSAA State title, also winning the State title in
 3 2012 and 2015; and

4
 5 **WHEREAS**, the Lady Jaguars completed the season with a 21-1-2 record; and

6
 7 **WHEREAS**, through hard work, dedication, teamwork, and commitment, the Lady Jaguars
 8 brought honor upon themselves, Carrboro High School, the Chapel Hill / Carrboro
 9 City Schools District and Orange County;

10
 11 **NOW, THEREFORE**, be it proclaimed that the Orange County Board of Commissioners
 12 expresses its sincere appreciation and respect for the Carrboro High
 13 School Women's Soccer Team and Coach Drexler for the Jaguars'
 14 outstanding achievement and for their inspiration to youth across North
 15 Carolina through their dedication, teamwork, and athletic prowess.

16
 17 This the 21st day of June 2016.

18
 19 A motion was made by Commissioner Price, seconded by Commissioner Burroughs to
 20 approve the attached proclamation recognizing the Carrboro High School Women's Soccer
 21 Team for winning the 2016 State Championship and authorized the Chair to sign the
 22 proclamation on behalf of the Board.

23
 24 VOTE: UNANIMOUS

25
 26 **5. Consent Agenda**

- 27 • Removal of Any Items from Consent Agenda
 28 Commissioner Jacobs requested the removal of items e and h.
- 29
- 30 • Approval of Remaining Consent Agenda

31
 32 A motion was made by Commissioner Dorosin, seconded by Commissioner Rich to
 33 approve the remaining items on the Consent Agenda.

34
 35 VOTE: UNANIMOUS

- 36
- 37 • Discussion and Approval of the Items Removed from the Consent Agenda
- 38

39 **e. Orange County ABC Board Travel Policy**

40 The Board considered voting to approve the Orange County Alcoholic Beverage Control
 41 (ABC) Board's adoption and continued use of Orange County's travel policy.

42 Commissioner Jacobs said this policy does not address the role of advisory members
 43 traveling at the County's expense, and in the past ABC Board members had misused travel.
 44 He wanted clarification on this policy as related to his concern.

45 John Roberts asked if Commissioner Jacobs' concern was with the Orange County
 46 travel policy overall or just with the ABC Board using it.

47 Commissioner Jacobs said his concern stems from the ABC Board having had problems
 48 in the past.

1 John Roberts said the County can amend the policy to address advisory boards, but the
2 ABC Board is required by statute to have a travel policy. He said the ABC Board is not an
3 advisory board and has its own authority

4 Commissioner Jacobs said he understands this, but his concern arises from ABC
5 Boards having conventions in nice areas with desirable perks.

6 Commissioner Dorosin suggested amending the policy in Item 4, where it says
7 authorization, and add a line to say advisory boards or other County Boards must secure
8 approval of the Manager.

9 Commissioner Jacobs suggested adding the County Manager and the Advisory Board
10 Chair as approvers.

11 John Roberts said the BOCC can revise this policy right now, or at a later time.

12 Commissioner Rich clarified that the Board is changing the Orange County Travel Policy
13 to make sure the ABC Board is following the rules.

14 Commissioner Jacobs said the ABC Board is the most susceptible to misuse of the
15 prerogatives of the policy.

16 John Roberts said the change could be applicable just to the ABC Board.

17 Chair McKee asked if it would be more palatable to meet with all parties concerned,
18 before making a change.

19 Commissioner Price asked if this would apply to other County advisory boards.

20 John Roberts said the ABC Board is not an advisory board, and the BOCC is asking to
21 have the Orange County policy to apply to the ABC Board as well. He said if the ABC Board
22 adopts a policy, Orange County still has to approve it.

23 Commissioner Price asked if the BOCC is setting a precedent for other boards as well.
24 She said if the change only applies to the ABC Board, then it could be accomplished tonight.

25 John Roberts said the statute governing the ABC Board travel allowance states that if a
26 policy is not approved, then the ABC Board can follow the state travel plan.

27
28 A motion was made by Commissioner Dorosin, seconded by Commissioner Jacobs to
29 add a sentence in section 4 page 1- - overnight travel - and add – any advisory board member
30 – approval required would be the County Manager; and for the non-overnight travel - add a
31 sentence – for advisory board members is by the County Manager.

32
33 Commissioner Jacobs said to also add the Advisory Board Chair as one of the
34 approvers.

35 Bonnie Hammersley said the Advisory Board Chair could be the one to make the
36 request to the County Manager, thus keeping the connection between all parties.

37 Commissioner Jacobs said this change would apply to all boards.

38 Commissioner Dorosin amended the motion to add a sentence that says for travel
39 requests from all advisory board members will go through Board Chair and then to the County
40 Manager.

41 John Roberts said in order for this change to apply to the ABC Board, additional
42 language will be needed, as the ABC Board is not an advisory board. He said it will need to say
43 *an advisory board, or any board, that utilizes this policy by approval of the Commissioners.*

44
45 VOTE: UNANIMOUS

46
47 A motion was made by Commissioner Dorosin, seconded by Commissioner Price to
48 allow the ABC Board to use the travel policy as amended.

49
50 VOTE: UNANIMOUS

1
2 **h. Resolution of Approval – Conservation Easement for the Captain John S. Pope**
3 **Farm; and Approval of Budget Amendment #10-B**

4 The Board considered voting to approve a resolution for the purchase of and
5 acceptance by Orange County of an agricultural conservation easement for the Captain John S.
6 Pope farm; and approve Budget Amendment #10-B.

7
8 Commissioner Jacobs asked if the Popes were in attendance this evening.

9 David Stancil, Department of Environment, Agriculture, Parks and Recreation (DEAPR)
10 Director, said no.

11 Commissioner Jacobs said he wanted to highlight the leveraging of many sources of
12 funding for this acquisition. He said it protects prime farmland, and it is the type of multi-tasking
13 that the Lands Legacy is supposed to do. He commended the Popes and DEAPR staff.

14
15 A motion was made by Commissioner Jacobs, seconded by Commissioner Pelissier to
16 approve the Resolution of Approval – Conservation Easement for the Captain John S. Pope
17 Farm; and Approval of Budget Amendment #10-B.

18
19 VOTE: UNANIMOUS

20
21 **a. Minutes**

22 The Board approved the minutes from May 19, 23, 26 and June 2, 7, 2016 as submitted by the
23 Clerk to the Board.

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

25 The Board adopted a resolution, which is incorporated by reference, to release motor vehicle
26 property tax value for one (1) taxpayer with a total of one (1) bill that will result in a reduction of
27 revenue in accordance to NCGS.

28 **c. Renewal of Contract with Holcomb and Cabe, L.L.P. to Provide Legal Services to the**
29 **Department of Social Services**

30 The Board renewed a contract for legal representation for the Department of Social Services
31 and authorized the County Manager to sign.

32 **d. FY 2016-17 Home and Community Care Block Grant for Older Adults Funding Plan**

33 The Board approved the recommended Home and Community Care Block Grant (HCCBG) for
34 Older Adults Funding Plan for Fiscal Year 2016-17 and authorized the Chair to sign.

35 **f. Fiscal Year 2015-16 Budget Amendment #10**

36 The Board approved the budget, grant, and capital project ordinance amendments for fiscal
37 year 2015-16 for Department of Aging; Animal Services; Miscellaneous; Emergency Telephone
38 System Fund; Governing Management and Non-Departmental; Asset Management Services;
39 Health Department; and County Capital Project Ordinance.

40 **g. Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro**
41 **City Schools (CHCCS) and Contingent Approval of Budget Amendment #10-A Related**
42 **to CHCCS Capital Project Ordinances**

43 The Board approved an application to the North Carolina Department of Public Instruction
44 (NCDPI) to release proceeds from the NC Education Lottery account related to FY 2015-16
45 debt service payments for Chapel Hill – Carrboro City Schools (CHCCS), and to approve
46 Budget Amendment #10-A (amended School Capital Project Ordinances), contingent on the
47 NCDPI's approval of the application.

48 **i. Authorization to Award the Bid and Contract for Construction of the Fairview Park**
49 **Parking Expansion Project**

50 The Board authorized the County Manager to:

- 1 1. Award the bid and, upon County Attorney review, execute the construction contract
- 2 for the Fairview Park Parking Expansion Project during the summer break in an amount
- 3 not to exceed the project budget;
- 4 2. Approve project change orders for the project up to the project budget; and
- 5 3. Approve a resolution to preserve the County's ability to reimburse itself for initial
- 6 project costs from financing proceeds that may become available.

7 **j. Approval of Senior Lunch Caterer Contract with Nantucket Grill, Inc.**

8 The Board approved the food service caterer contract with Nantucket Grill, Inc. to provide noon
9 meals for the Home and Community Care Block Grant-funded Senior Lunch Program at the
10 Seymour and Passmore Centers for the period July 1, 2016 to June 30, 2017 with an optional
11 one year extension and authorized the Manager to sign.

12 **k. Contract Amendment to the Existing Interlocal Agreement between Orange County
13 and the Town of Chapel Hill for the "LAUNCH Chapel Hill" Small Business Incubator**

14 The Board amended the existing Interlocal Agreement between Orange County and the Town
15 of Chapel Hill enabling LAUNCH Chapel Hill to add space to the incubator facility's existing
16 office to accommodate more start-up companies, and thereby increase the County's shared
17 cost to support the facility and authorized the Manager to sign.

18
19 **6. Public Hearings**
20 NONE

21
22 **7. Regular Agenda**

23
24 **a. Approval of Fiscal Year 2016-17 Budget Ordinance, County Grant Projects, and
25 County Fee Schedule**

26 The Board considered approving the Fiscal Year 2016-17 Budget Ordinance, County
27 Grant Projects, and County Fee Schedule.

28 Paul Laughton, Budget Director, went into each of the replacement sheets at the
29 Commissioners' places.

30 Paul Laughton said there were some replacement pages at the Commissioners' places:
31 Attachment 1- replacement of page 2 of the Resolution of Intent to Adopt; and Attachment 2-
32 replacement of page 3, under section III of the revenues, of the budget ordinance. He said
33 when the impact of funding on outside agencies was reviewed by the BOCC on June 16th, staff
34 underestimated the impact on calculations and had to revise the amounts. He said that
35 changed the budget ordinance increase from the resolution of intent to adopt by \$42,460,
36 regarding outside agencies.

37 Paul Laughton referred to Attachment 4, the County Fee schedule, and noted there is a
38 replacement page for page 51 of the fee schedule. He said the Solid Waste Programs Fee was
39 inadvertently left out. He noted the fee has not changed. He said the Clean Wood Vegetative
40 Waste fee was also omitted, and should have been included as a fee change, moving from
41 \$18/ton to \$20/ton.

42 Commissioner Jacobs said not all of the outside agencies are listed and specifically
43 noted the Senior Care of Orange County, the Soltys Day center. He said it is struggling, and it
44 use to be part of Orange County government. He said he would like the Manager to come back
45 with updates regarding this program, to insure funding this day center going forward.

46 Chair McKee said this item could come back as a budget amendment, if necessary.

47 Commissioner Jacobs said there is no need, as this was a fully funded request.

48 Bonnie Hammersley said she and Department on Aging Director Janice Tyler have
49 talked about how Orange County can support this organization going forward in 2017-18.

50 Commissioner Rich asked if a decision was made about Mental Health America.

1 Paul Laughton said Mental Health America was funded at \$5,000 and Freedom House
2 at \$30,000.

3 Commissioner Rich asked if, since the two agencies are merging, \$35,000 is being
4 given, and services are potentially being duplicated.

5 Bonnie Hammersley said Ms. White, Mental Health of America, said services would not
6 be duplicated. She said funds were requested for the expansion of other services, which could
7 not be accomplished with the County funding.

8 Commissioner Rich said it would be good to have a follow up report.

9 Commissioner Rich said Mental Health of America was helping Family Success Alliance
10 zone 4, and she wanted to talk to the Health Department about what would happen to the
11 navigators from zone 4 without this support system. She said transportation is an issue in zone
12 4.

13 Commissioner Price said these two organizations are coming together but it will not lead
14 to a duplication of services. She said both organizations need funding. She said the services
15 have been expanded and 3 to 80 year olds are being served in a comprehensive care clinic.
16 She asked staff if there was room to increase the line item of Mental Health America.

17 Chair McKee said doing so would require a change to the Resolution of Intent, but the
18 issue can come back in the fall if the need should arise.

19 Commissioner Price said as long as it is understood that the organization can come
20 back and ask for more money.

21 Chair McKee said agencies can always make requests for the Board's consideration.

22 Commissioner Burroughs said Communities in Schools voted today to dissolve their
23 organization.

24 Commissioner Jacobs asked if there is an overarching statement, which is given to non-
25 profits, about applying for funding appropriations.

26 Bonnie Hammersley said there is an acknowledgement as to what Orange County has
27 adopted and instructions on reporting back on a quarterly basis, but she does not think there is
28 any statement about coming back throughout the year for additional funding. She said she
29 does get calls throughout the year from agencies, and there are budget amendments
30 considered on a monthly basis. She noted the social justice fund may be an appropriate
31 source.

32 Commissioner Jacobs said he is not encouraging agencies to ask for more funding, but
33 suggested having a set of guidelines.

34 Bonnie Hammersley said perhaps department heads can monitor outside agencies for
35 any concerns. She said this would allow more ongoing communication.

36 Paul Laughton said there are performance agreements with each agency after the
37 adoption of the budget. He said all agencies must provide quarterly reports in order to receive
38 the quarterly allocation.

39 Commissioner Rich asked if there is any additional information needed about this
40 merger of Freedom House and Mental Health of America, to insure that services are not being
41 duplicated. She said she is concerned about the growing number of non-profits who seem to
42 be doing the same thing. She said if these organizations worked together, more funds could be
43 allocated, and services likely improved.

44 Bonnie Hammersley said she would follow up.

45 Paul Laughton said Attachment 2 is the final budget ordinance:

46
47 **Fiscal Year 2016-17**
48 **Budget Ordinance**
49 **Orange County, North Carolina**
50

1 Be it ordained by the Board of Commissioners of Orange County
 2

3 **Section I. Budget Adoption**
 4

5 There is hereby adopted the following operating budget for Orange County for this fiscal year
 6 beginning July 1, 2016 and ending June 30, 2017, the same being adopted by fund and activity,
 7 within each fund, according to the following summary:
 8

Fund	Current Revenue	Interfund Transfer	Fund Balance Appropriated	Total Appropriation
General Fund	\$200,404,268	\$2,712,600	\$12,726,944	\$215,843,812
Emergency Telephone Fund	\$509,732	\$0	\$199,745	\$709,477
Fire Districts Fund	\$5,313,405	\$0	\$15,000	\$5,328,405
Section 8 (Housing) Fund	\$4,336,030	\$2,840	\$0	\$4,338,870
Community Development Fund	\$444,741	\$448,172	\$27,589	\$920,502
Efland Sewer Operating Fund	\$200,900	\$130,780	\$0	\$331,680
Visitors Bureau Fund	\$1,445,896	\$0	\$151,277	\$1,597,173
School Construction Impact Fees Fund	\$2,640,000	\$0	\$0	\$2,640,000
Solid Waste/Landfill Operations Enterprise Fund	\$9,895,615	\$0	\$2,094,340	\$11,989,955
Sportsplex Enterprise Fund	\$3,319,970	\$152,850		\$3,472,820
Community Spay/Neuter Fund	\$40,000		\$24,600	\$64,600
Article 46 Sales Tax Fund	\$3,390,532	\$0	\$0	\$3,390,532

9
 10 **Section II. Appropriations**

11 That for said fiscal year, there is hereby appropriated out the following:
 12

Function	Appropriation
General Fund	
Community Services	\$13,654,700
General Government	\$10,094,440
Public Safety	\$24,596,946
Human Services	\$37,249,977
Education	\$84,259,340
Support Services	\$14,058,009
Debt Service	\$26,211,196
Transfers to Other Funds	\$5,719,204
Total General Fund	\$215,843,812
Emergency Telephone System Fund	
Public Safety	\$709,477
Total Emergency Telephone System Fund	\$709,477
Fire Districts	
Cedar Grove	\$214,379

Greater Chapel Hill Fire Service District	\$278,550
Damascus	\$97,214
Efland	\$494,871
Eno	\$603,321
Little River	\$179,565
New Hope	\$619,421
Orange Grove	\$547,299
Orange Rural	\$1,110,723
South Orange Fire Service District	\$535,522
Southern Triangle Fire Service District	\$210,339
White Cross	\$437,201
Total Fire Districts Fund	\$5,328,405
Section 8 (Housing) Fund	
Human Services	\$4,338,870
Total Section 8 Fund	\$4,338,870
Community Development Fund (Urgent Repair Program)	
Human Services	\$273,328
Total Community Development Fund (Urgent Repair Program)	\$273,328
Community Development Fund (HOME Program)	
Human Services	\$528,131
Total Community Development Fund (HOME Program)	\$528,131
Community Development Fund (Homelessness Partnership Program)	
Human Services	\$119,043
Total Community Development Fund (Homelessness Partnership Program)	\$119,043
Total Community Development Fund Programs	\$920,502
Efland Sewer Operating Fund	
Community Services	\$331,680
Total Efland Sewer Operating Fund	\$331,680
Visitors Bureau Fund	
Support Services	\$1,597,173
Total Visitors Bureau Fund	\$1,597,173
School Construction Impact Fees	
Transfers to Other Funds	\$2,640,000
Total School Construction Impact Fees Fund	\$2,640,000
Solid Waste/Landfill Operations	
Solid Waste/Landfill Operations	\$11,989,955
Total Solid Waste/Landfill Operations	\$11,989,955
SportsPlex Enterprise Fund	
Community Services	\$3,472,820
Total Sportsplex Enterprise Fund	\$3,472,820

Community Spay/Neuter Fund	
Community Services	\$64,600
<i>Total Community Spay/Neuter Fund</i>	\$64,600
Article 46 Sales Tax Fund	
Community Services	\$3,390,532
<i>Total Article 46 Sales Tax Fund</i>	\$3,390,532

1
2
3
4

Section III. Revenues

The following fund revenues are estimated to be available during the fiscal year beginning July 1, 2016 and ending June 30, 2017, to meet the foregoing appropriations:

Function	Appropriation
General Fund	
Property Tax	\$149,498,811
Sales Tax	\$22,066,641
Licenses & Permits	\$328,000
Intergovernmental	\$15,787,579
Charges for Services	\$11,681,503
Investment Earnings	\$155,000
Miscellaneous	\$886,734
Transfers from Other Funds	\$2,712,600
Appropriated Fund Balance	\$12,726,944
<i>Total General Fund</i>	\$215,843,812
Emergency Telephone System Fund	
Charges for Services	\$509,732
Appropriated Fund Balance	\$199,745
<i>Total Emergency Telephone System Fund</i>	\$709,477
Fire Districts	
Property Tax	\$5,312,736
Investment Earnings	\$669
Appropriated Fund Balance	\$15,000
<i>Total Fire Districts Fund</i>	\$5,328,405
Section 8 (Housing) Fund	
Intergovernmental	\$4,336,030
From General Fund	\$2,840
<i>Total Section 8 Fund</i>	\$4,338,870
Community Development Fund (Urgent Repair Program)	
From General Fund	\$273,328
<i>Total Community Development Fund (Urgent Repair Program)</i>	\$273,328
Community Development Fund (HOME Program)	
Intergovernmental	\$350,885
Program Income	\$38,069
From General Fund	\$139,177
<i>Total Community Development Fund (HOME Program)</i>	\$528,131
Community Development Fund (Homelessness Partnership Program)	
Intergovernmental	\$55,787
From General Fund	\$35,667

Appropriated Fund Balance	\$27,589
<i>Total Community Development Fund (Homelessness Partnership Program)</i>	\$119,043
<i>Total Community Development Fund Programs</i>	\$920,502
Efland Sewer Operating Fund	
Charges for Services	\$200,900
From General Fund	\$130,780
<i>Total Efland Sewer Operating Fund</i>	\$331,680

1

Visitors Bureau Fund	
Occupancy Tax	\$1,212,706
Sales & Fees	\$500
Intergovernmental	\$232,590
Investment Earnings	\$100
Appropriated Fund Balance	\$151,277
Total Visitors Bureau Fund	
\$1,597,173	
School Construction Impact Fees Fund	
Impact Fees	\$2,640,000
Total School Construction Impact Fees Fund	
\$2,640,000	
Solid Waste/Landfill Operations	
Sales & Fees	\$7,386,396
Intergovernmental	\$248,000
Miscellaneous	\$121,500
Licenses & Permits	\$120,000
Interest on Investments	\$15,000
General Fund Contribution for Sanitation Operations	\$2,004,719
Appropriated Reserves	\$2,094,340
Total Solid Waste/Landfill Operations	
\$11,989,955	
Sportsplex Enterprise Fund	
Charges for Services	\$3,319,970
From General Fund	\$152,850
Appropriated Fund Balance	\$0
Total Sportsplex Enterprise Fund	
\$3,472,820	
Community Spay/Neuter Fund	
Animal Tax	\$29,000
Intergovernmental	\$0
Miscellaneous	\$11,000
Appropriated Fund Balance	\$24,600
Total Community Spay/Neuter Fund	
\$64,600	
Article 46 Sales Tax Fund	
Sales Tax Proceeds	\$3,390,532
Total Article 46 Sales Tax Fund	
\$3,390,532	

2

3

Section IV. Tax Rate Levy

4

There is hereby levied for the fiscal year 2016-17 a general county-wide tax rate of 87.8 cents per \$100 of assessed valuation. This rate shall be levied in the General Fund. Special district tax rates are levied as follows:

5

6

7

8

Cedar Grove	7.36
Greater Chapel Hill Fire Service District	15.00
Damascus	10.30
Efland	7.00
Eno	7.99

Little River	4.06
New Hope	10.45
Orange Grove	7.00
Orange Rural	8.36
South Orange Fire Service District	10.00
Southern Triangle Fire Service District	10.30
White Cross	11.00
Chapel Hill-Carrboro School District	20.84

1
2 **Section V. General Fund Appropriations for Local School Districts**

3 The following FY 2016-17 General Fund Appropriations for Chapel Hill-Carrboro
4 City Schools and Orange County Schools are approved:

- 5
6 a) Current Expense appropriation for local school districts totals \$77,201,412, and equates
7 to a per pupil allocation of \$3,868.
8 1) The Current Expense appropriation to the Chapel Hill-Carrboro City Schools is
9 \$46,388,977.
10 2) The Current Expense appropriation to the Orange County Schools is
11 \$30,812,435.
12 b) Recurring Capital appropriation for local school districts totals \$3,000,000
13 1) The Recurring Capital appropriation to the Chapel Hill-Carrboro City Schools
14 totals \$1,802,700.
15 2) The Recurring Capital appropriation to the Orange County Schools totals
16 \$1,197,300.
17 c) Long-Range (Pay-As-You-Go) Capital appropriation for local school districts totals
18 \$3,799,346
19 1) The Long-Range (Pay-As-You-Go) Capital appropriation to the Chapel Hill-
20 Carrboro City Schools totals \$2,283,027.
21 2) The Long-Range (Pay-As-You-Go) Capital appropriation to the Orange County
22 Schools totals \$1,516,319.
23 d) School Related Debt Service for local school districts totals \$15,372,383.
24 e) Additional County funding for local school districts totals \$3,354,000
25
26 (1) School Resource Officers and School Health Nurses Contracts - Total
27 appropriation of \$3,354,000 to cover the costs of School Resource Officers
28 in every middle and high school, and a School Health Nurse in every
29 elementary, middle, and high schools in both school systems.
30

31 **Section VI. Schedule B License**

32
33 In accordance with Schedule B of the Revenue Act, Article 2, Chapter 105 of the North Carolina
34 State Statutes, and any other section of the General Statutes so permitting, there are hereby
35 levied privilege license taxes in the maximum amount permitted on businesses, trades,
36 occupations or professions which the County is entitled to tax.
37

38 **Section VII. Animal Licenses**

39
40 A license costing \$10 for sterilized dogs and sterilized cats is hereby levied. A license for un-
41 sterilized dogs and a license for un-sterilized cats is \$30 per animal.

1
2 **Section VIII. Board of Commissioners' Compensation**
3

4 The Board of County Commissioners authorizes that:

- 5 • Salaries of County Commissioners will be adjusted by any wage increase and/or any
6 other general increase granted to permanent County employees. For fiscal year 2016-
7 17, the approved budget includes a total 3% wage increase, 2% effective July 1, 2016,
8 and an additional 1% effective January 1, 2017.
- 9 • Annual compensation for County Commissioners will include the County contribution for
10 health insurance, dental insurance and life insurance that is provided for permanent
11 County employees, provided the Commissioners are eligible for this coverage under the
12 insurance contracts and other contracts affecting these benefits.
- 13 • County Commissioners' compensation includes eligibility to continue to participate in the
14 County health insurance at term end as provided below:
- 15
- 16 ○ If the County Commissioner has served less than two full terms in office (less
17 than eight years), the Commissioner may participate by paying the full cost of
18 such coverage. (If the Commissioner is age 65 or older, Medicare becomes the
19 primary insurer and group health insurance ends.)
 - 20
 - 21 ○ If the County Commissioner has served two or more full terms in office (eight
22 years or more), the County makes the same contribution for health insurance
23 coverage that it makes for an employee who retires from Orange County after 20
24 years of consecutive County service as a permanent employee. If the
25 Commissioner is age 65 or older, Medicare becomes the primary insurer and
26 group health insurance ends. The County makes the same contribution for
27 Medicare Supplement coverage that it makes for a retired County employee with
28 20 years of service.
 - 29
 - 30 ○ Annual compensation for Commissioners will include a County contribution for
31 each Commissioner to the Deferred Compensation (457) Supplemental
32 Retirement Plan that is the same as the County contribution for non-law
33 enforcement County employees in the State 401 (k) plan. For fiscal year 2016-
34 17, the approved budget continues the County contribution of \$27.50 per pay
35 period and a County contribution match of up to \$63.00 semi-monthly.
 - 36

37 **Section IX. Budget Control**
38

39 General Statutes of the State of North Carolina provide for budgetary control measures
40 to exist between a county and public school system. The statute provides:

41
42 **Per General Statute 115C-429:**

43 (c) The Board of County Commissioners shall have full authority to call for, and the Board of
44 Education shall have the duty to make available to the Board of County Commissioners, upon
45 request, all books, records, audit reports, and other information bearing on the financial
46 operation of the local school administrative unit.

47
48 The Board of Commissioners hereby directs the following measures for budget administration
49 and review:

1 That upon adoption, each Board of Education will supply to the Board of County
 2 Commissioners a detailed report of the budget showing all appropriations by function and
 3 purpose, specifically to include funding increases and new program funding. The Board of
 4 Education will provide to the Board of County Commissioners a copy of the annual audit,
 5 monthly financial reports, copies of all budget amendments showing disbursements and use of
 6 local moneys granted to the Board of Education by the Board of Commissioners.

7
 8 The Board of Commissioners hereby approves the following financial policies:

- 9 1. The County will not initiate pay-as-you-go funding until October 1 of each fiscal year,
 10 and pending a review of the first quarter financial report, with the exception of County
 11 appropriations to the school districts and any other County Manager exceptions.
- 12 2. The County will initiate measures to recoup sales tax proceeds on school capital
 13 projects through the conveyance of school property to the County with the school
 14 property reverting back to the school districts at the end of the construction period.
- 15 3. The County will ensure that all monthly general ledger postings occur by the 10th work
 16 day of each month.
- 17 4. The County will ensure that monthly financial reports are available by the 15th work day
 18 of each month.
- 19 5. The County will not issue debt for a project until a bid award date and construction start
 20 date is established.

21
 22 **Section X. Internal Service Fund - Dental and Health Insurance Fund**

23
 24 The Dental Insurance Fund accounts for the receipt of premium payments from the County for
 25 its employees and from the employees for their dependents, and the payment of employee
 26 claims and administration expenses. Projected receipts from the County and employees for
 27 fiscal year 2016-17 are \$521,054 and projected expense for claims and administration for fiscal
 28 year 2016-17 is \$521,054.

29
 30 The Health Insurance Fund accounts for the receipt of premium payments from the County for
 31 its employees and from the employees for their dependents, and the payment of employee
 32 claims and administration expenses. Projected receipts from the County and employees for
 33 fiscal year 2016-17 is \$9,304,200 and projected expense for claims and administration for fiscal
 34 year 2016-17 is \$9,304,200.

35
 36 **Section XI. Internal Service Fund - Vehicle Replacement Fund**

37 The Vehicle Replacement Fund will centralize and account for the purchase and replacement of
 38 County vehicles purchased with revenues and funding provided by the Governmental Funds of
 39 Orange County (General Fund, Special Revenue and Grants Funds). Projected sources of
 40 revenues and funds for fiscal year 2016-17 will be \$789,722 of short-term installment financing
 41 and internal reserves, and the projected expenses for the purchase of vehicles for fiscal year
 42 2016-17 will be \$789,722.

43
 44 **Section XII. Agency Funds**

45
 46 These funds account for assets held by the County as an agent for other government units, and
 47 by State Statutes, these funds are not subject to appropriation by the Board of County
 48 Commissioners, and not included in this ordinance.

49
 50 **Section XIII. Other Post-Employment Benefits (OPEB) Trust Fund**

1
2 The Board of Commissioners approves the following resolution as a part of the Budget
3 Ordinance to formally establish an OPEB Trust Fund:
4

5 WHEREAS, the Local Government Other Post-Employment Benefits Fund (the "OPEB Fund")
6 established pursuant to North Carolina General Statutes ("NCGS") Section 147-69.4 consists of
7 contributions made by local governments, public authorities and other entities authorized to
8 make contributions to the OPEB Fund ("Participants"), which contributions are irrevocable;
9

10 WHEREAS, the assets of the OPEB Fund are not subject to the claims of creditors of any
11 Participants and may only be withdrawn by a Participant to provide other postemployment
12 benefits to individuals, who are former employees, or beneficiaries of former employees of the
13 Participant, and who are entitled to other post-employment benefits payable by the Participant
14 within the meaning of NCGS Section 147-69.4; and
15

16 WHEREAS, the **Commissioners of Orange County, North Carolina** has determined that it is
17 advisable and in the best interests of **Orange County, North Carolina** to make contributions to
18 the OPEB Fund, as provided in that certain Contribution Agreement between **Orange County,**
19 **North Carolina** and the Treasurer, the form of which has previously been made available to the
20 **Commissioners of Orange County, North Carolina** (the "Contribution Agreement").
21

22 NOW, THEREFORE, BE IT RESOLVED, that the **Commissioners** hereby acknowledges and
23 approves an initial contribution of \$250,000 to the OPEB Fund (the "Contribution") pursuant to
24 the terms and conditions of the Contribution Agreement between **Orange County, North**
25 **Carolina** and the Treasurer in the form presented to the **Commissioners**;
26

27 FURTHER RESOLVED, that the appropriate officers, managers, and representatives of
28 **Orange County, North Carolina** (the "Authorized Representatives") are hereby authorized and
29 directed to execute and deliver the Contribution Agreement, to take any other actions deemed
30 necessary or appropriate to consummate the transactions provided for therein, and to cause
31 the Contribution to be made;
32

33 FURTHER RESOLVED, that all actions heretofore taken by any of the Authorized
34 Representatives of **Orange County, North Carolina** acting on behalf of **the County** in
35 furtherance of the foregoing resolutions are hereby ratified, adopted, approved and confirmed in
36 all respects; and
37

38 FURTHER RESOLVED, that the Authorized Representatives of **Orange County, North**
39 **Carolina** acting on behalf of **the County** are hereby authorized to take all such other actions as
40 they may deem necessary or appropriate to give effect to the foregoing resolutions.
41

42 **Section XIV. Encumbrances**

43
44 Operating funds encumbered by the County as of June 30, 2016 are hereby reappropriated to
45 this budget.
46

47 **Section XV. Capital Projects & Grants Fund**

48
49 The County Capital Improvements Fund, Schools Capital Improvements Fund, Community
50 Development Fund and the Grant Projects Fund are hereby authorized. Appropriations made

1 for the specific projects or grants in these funds are hereby appropriated until the project or
2 grant is complete.

3
4 The County Capital Projects Fund FY 2016-17 budget, with anticipated fund revenues of
5 \$19,745,878 and project expenditures of \$19,745,878 is hereby adopted in accordance with
6 G.S. 159 by Orange County for the fiscal year beginning July 1, 2016, and ending June 30,
7 2017, and the same is adopted by project.

8
9 The School Capital Projects Fund FY 2016-17 budget, with anticipated fund revenues of
10 \$46,303,209, and project expenditures of \$46,303,209 is hereby adopted in accordance with
11 G.S. 159 by Orange County for the fiscal year beginning July 1, 2016, and ending June 30,
12 2017, and the same is adopted by project.

13
14 The County Grant Projects Fund FY 2016-17 budget, with anticipated fund revenues of
15 \$652,605, and project expenditures of \$652,605, is hereby adopted in accordance with G.S.
16 159 by Orange County for the fiscal year beginning July 1, 2016, and ending June 30, 2017,
17 and the same is adopted by project.

18
19 Any capital project or grant budget previously adopted, the balance of any anticipated, but not
20 yet received, revenues and any unexpended appropriations remaining on June 30, 2016, shall
21 be reauthorized in the FY 2016-17 budget.

22 23 **Section XVI. Contractual Obligations**

24
25 The County Manager is hereby authorized to execute contractual documents under the
26 following conditions:

- 27
- 28 1. The Manager may execute contracts for construction or repair projects that do not
29 require formal competitive bid procedures, and which are within budgeted departmental
30 appropriations, for which the amount to be expended does not exceed \$250,000.
 - 31 2. The Manager may execute contracts for general and/or professional services which are
32 within budgeted departmental appropriations, for purchases of apparatus supplies and
33 materials or equipment which are within the budgeted departmental appropriations, and
34 for leases of personal property for a duration of one year or less and within budgeted
35 departmental appropriations for which the amount to be expended does not exceed
36 \$89,999.
 - 37
38 3. Contracts executed by the Manager shall be pre-audited by the Financial Services
39 Director and reviewed by the County Attorney to ensure compliance in form and
40 sufficiency with North Carolina law.
 - 41
42 4. The Manager may sign intergovernmental service agreements in amounts under
43 \$90,000.
 - 44
45 5. The Manager may sign intergovernmental grant agreements regardless of amount as
46 long as no expenditure of County matching funds, not previously budgeted and
47 approved by the Board, is required. Subsequent budget amendments will be brought to
48 the Board of County Commissioners for revenue generating grant agreements not
49 requiring County matching funds as required for reporting and auditing purposes.
- 50

- 1 6. The Manager and Attorney will provide a quarterly report to the County Commissioners
2 showing the type and amount of each intergovernmental agreement signed by the
3 Manager.
4

5 This budget being duly adopted this 21th day of June 2016.
6

7 Commissioner Jacobs referred to page 13, section 5a, and asked if the per pupil
8 allocation is based on the County Manager's adjusted per pupil rate, or on the State formula per
9 pupil.

10 Paul Laughton said it is the per pupil rate based on the State formula. He said there are
11 19,959 budgeted students for both school districts, at the per pupil rate of \$3,868, totaling
12 \$77,201,412.

13 Commissioner Jacobs said he recalled discussing the idea of having an asterisk to
14 indicate that the State reporting formula did not reflect the total per pupil as adjusted by the
15 Manager's to eliminate the fair funding formula.

16 Paul Laughton said these references have been made in the education section.

17 Commissioner Jacobs asked if the percentage increase could be given.

18 Paul Laughton said, with the new appropriation amount recommendation through the
19 fair funding, as well as the Board's approved funding, the increase is approximately 4.6% from
20 last year. He said the total number of students decreased in both school systems, and debt
21 service is also less.
22

23 A motion was made by Commissioner Dorosin, seconded by Commissioner Rich to
24 adopt – Attachment 2 - the FY2016-17 Budget Ordinance Orange County, North Carolina.
25

26 VOTE: UNANIMOUS
27

28 A motion was made by Commissioner Dorosin, seconded by Commissioner Rich to
29 adopt Attachment 3 for the County Approved Grant projects FY 2016-17, totaling \$652,605.
30

31 VOTE: UNANIMOUS
32

33 A motion was made by Commissioner Pelissier, seconded by Commissioner Rich to
34 adopt Attachment 4, the FY 2016-17 County Fee Schedule.
35

36 VOTE: UNANIMOUS
37

38 **b. Approval of the Five-Year Capital Investment Plan and Approval of the Orange**
39 **County CIP Projects of \$68,533,166 for FY2016-17**

40 The Board considered accepting the FY2016-21 Orange County Five-Year Capital
41 Investment Plan, and to approve funding for FY2016-17, as stated in Attachment 2, Year 1
42 (FY2016-17) in the Capital Investment Plan (CIP); and adopt the FY2016-17 County Capital
43 projects as stated in Attachment 3 and FY2016-17 School Capital projects as stated in
44 Attachment 4.

45 Paul Laughton reviewed the 5-year CIP Investment Plan, and the Orange County CIP
46 Projects.
47

48 A motion was made by Commissioner Burroughs, seconded by Commissioner Pelissier
49 for the Board to approve the Orange County CIP projects of the FY2016-21 Orange County
50 Five-Year Capital Investment Plan in Attachment 2 totaling \$68,533,166 in FY2016-17.

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VOTE: UNANIMOUS

Commissioner Jacobs said the Southern Branch Library is being deferred at the request of the Town of Carrboro, and it is a mutually beneficial arrangement at this time.

Paul Laughton reviewed Attachment 3, on page 7.

A motion was made by Commissioner Jacobs, seconded by Commissioner Rich to adopt Attachment 3- County Capital projects totaling \$19,745,878 in FY2016-17.

VOTE: UNANIMOUS

Paul Laughton reviewed Attachment 4, on pages 8 and 9.

A motion was made by Commissioner Burroughs, seconded by Commissioner Rich to approve the School Capital Improvement Projects in Attachment 4 totaling \$46,303,209 in FY2016-17. (Assumes the November 2016 Bond Referendum is approved, and does not include Lottery proceeds of \$1,356,362; specific lottery funded projects will be presented to the Board of County Commissioners as part of separate budget amendments during FY2016-17).

VOTE: UNANIMOUS

Commissioner Jacobs asked the Chair or the Manager to communicate the Board's appreciation to all advisory boards for their advice, expertise, and work regarding recommendations for outside agency funding. He said the BOCC made some decisions that were different from these recommendations, but that should in no way reflect any disrespect.

Chair McKee asked if a formalized letter could be written to that effect.

Commissioner Dorosin agreed with Commissioner Jacobs' comments, and said he also wanted to commend the Board of County Commissioners for the work it did to fund the schools, outside agencies, as well as its own budget.

c. Bicycle Safety Task Force Amended Resolution, Appointments and Identification of Commissioner Liaison

The Board reviewed applicants to the Bicycle Safety Task Force, consider an amended Bicycle Safety Task Force Resolution, and make appointments.

Chair McKee said the Board of County Commissioners reviewed this item on June 7th, and asked that it be brought back tonight with an amended resolution.

Abigaile Pittman, Planner, said the OUTBoard reviewed and revised the resolution on June 15th.

Chair McKee said he attended the meeting on June 15th.

Commissioner Rich thanked staff for reviewing and clarifying this item.

ORANGE COUNTY BOARD OF COMMISSIONERS

Revised Resolution Authorizing the Creation of a Bicycle Safety Task Force, Charge, Term and Composition of Members to Serve on the Task Force

1 WHEREAS, the issue of bicycle safety has been a topic of interest by various County groups
 2 over the past several years, including discussions by the Orange Unified Transportation Board
 3 (OUTBoard), the Board of County Commissioners (BOCC), and citizen groups; and
 4

5 WHEREAS, a petition related to bicycle safety was brought forward at the BOCC's November
 6 6, 2014 meeting during Petitions by Board Members and subsequently reviewed by the
 7 Chair/Vice Chair/Manager agenda team; and
 8

9 WHEREAS, in response to the petition the Manager, Chair and Vice Chair discussed the topic
 10 with NCDOT at its regular quarterly meeting; and Planning staff worked with the OUTBoard and
 11 a subcommittee to develop recommendations; and
 12

13 WHEREAS, the BOCC received the OUTBoard's Bicycle and Pedestrian Safety Report,
 14 including recommendations, at its June 16, 2015 meeting; and
 15

16 WHEREAS, there exists a need to address bicycle safety in accordance with the
 17 recommendations of the OUTBoard's Bicycle and Pedestrian Safety Report; and
 18

19 WHEREAS, the creation of the Bicycle Safety Task Force and approval of the composition,
 20 charge and term to same is within the purview of the BOCC; and
 21

22 WHEREAS, it is the best interest of the citizens of Orange County to create a Bicycle Safety
 23 Task Force;
 24

25 NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Commissioners, by
 26 approval of this resolution, does authorize the creation of a Bicycle Safety Task Force with
 27 member composition in accordance with the following guidelines:
 28

29 A. Size and Composition –

- 30 1. No larger than **18** people total
 - 31 2. Stakeholders from each of the groups below would be included in the
 32 membership, and a Board of County Commissioner liaison:
 - 33 a. Law enforcement agencies (Sheriff's Department, Highway Patrol)
 - 34 b. School representatives
 - 35 c. Orange County Visitor's Bureau
 - 36 d. NCDOT staff
 - 37 e. County and regional planning staff
 - 38 f. County business
 - 39 g. A representative from the Hillsborough/Orange County Chamber
 40 of Commerce and the Chapel Hill/Carrboro Chamber of
 41 Commerce
 - 42 h. Bicycle advocacy groups
 - 43 i. Those who work with driver's education classes and traffic
 44 offenders
 - 45 j. Up to six (6) additional interested and concerned Orange County
 46 residents
 - 47 k. Two (2) OUTBoard members.
- 48

- 1 B. Appointment – The Bicycle Safety Task Force shall be appointed by the BOCC.
 2 The staff shall return to the BOCC in May with an OUTBoard recommended list
 3 of individuals to be appointed to the Task Force.
 4
- 5 C. Term – The Bicycle Safety Task Force shall operate for a term not to exceed one
 6 (1) year from the future appointment date of the Bicycle Safety Task Force.
 7
- 8 D. Charge – The charge of the Bicycle Safety Task Force shall be the following;
 9 1. Develop a campaign for bicycle safety education and research;
 10 2. Develop an implementation timetable with estimated funding request
 11 information within the first 5 meetings, and present it to the OUTBoard for
 12 review and recommendation, and review and approval by the BOCC; and
 13 3. Develop an implementation report and present it to the OUTBoard for review
 14 and recommendation, and review, approval and funding commitment by the
 15 BOCC.
 16

17 A motion was made by Commissioner Rich, seconded by Commissioner Pelissier for the
 18 Board to:

- 19 -Approve the amended Bicycle Safety Task Force Resolution (Attachment 3);
 20 -Review and appoint the 18 applicants that have been recommended by the OUTBoard
 21 (Attachment 1).
 22

23 VOTE: UNANIMOUS
 24

25 A motion was made by Commissioner Jacobs, seconded by Commissioner Rich to
 26 appoint Commissioner Price as the BOCC liaison to the Task Force.
 27

28 VOTE: UNANIMOUS
 29

30 A motion was made by Commissioner Rich, seconded by Commissioner Pelissier to
 31 select Heidi Perry as the Chair of the Bicycle Safety Task Force.
 32

33 Commissioner Price asked if the Task Force can decide who the chair would be.
 34 Commissioner Rich said she spoke to several members, and Heidi Perry is very
 35 passionate about bike safety.

36 Commissioner Jacobs said he agreed with Commissioner Price, but this group has 17
 37 members and it may save time having an experienced person take charge in running the
 38 meetings.

39 Commissioner Dorosin said the committee has members representing both sides of the
 40 issue, and, as such, it would be best to let the group pick their chair.

41 Commissioner Rich said she disagreed because everyone on this committee is in favor
 42 of bike safety, and the group is tasked to come back with bike safety guidelines.

43 Commissioner Dorosin said he respectfully disagreed.
 44

45 VOTE: Ayes, 4 (Chair McKee, Commissioner Jacobs, Commissioner Rich, Commissioner
 46 Pelissier); Nays, 3 (Commissioner Burroughs, Commissioner Dorosin, Commissioner Price)
 47

48 MOTION PASSES
 49
 50

1 **d. Addition of Wake County to the Renamed Triangle Tax District and Approval of**
 2 **the Wake County Transit Plan and Multiparty Interlocal Transit Agreement**

3 The Board considered voting to approve the addition of Wake County to the renamed
 4 Triangle Tax District and approval of the Wake County Transit Plan and Multiparty Interlocal
 5 Transit Agreement.

6 Bonnie Hammersley read a letter from Wake County-

7
 8 Western Triangle Tax District Partners:

9
 10 I am writing to provide you with an update on the Wake County Transit Plan and to request two
 11 actions from your organization to facilitate the expected addition of Wake County to the
 12 Triangle Tax District ("Special District"), the renamed and expanded district currently known as
 13 the Western Triangle Tax District. Wake County's participation in the Special District, if the
 14 funding is approved by Wake County voters through an advisory referendum, will allow our
 15 region to continue to work cooperatively to expand and improve transit options for our strongly
 16 linked communities. The actions requested are:

17
 18 1) Local Government Sales Tax Act ("the Act") N.C.G.S. 105-508, *et seq.* The Act requires that
 19 in the event of expansion of the Special District, existing members must approve the financial
 20 plan of any new member; and

21
 22 2) Approval & Execution of an *Agreement Setting Forth the Mutual Understanding of the Parties*
 23 *as to the Scope and Content of the Financial Plan Between Research Triangle Regional Public*
 24 *Transportation Authority ("GoTriangle"): Durham County; Orange County; Wake County,*
 25 *Capital Area Metropolitan Planning Organization; Durham, Chapel-Hill, Carrboro Metropolitan*
 26 *Planning Organization, and Burlington-Graham Metropolitan Planning Organization*
 27 *("Agreement").*

28
 29 The purpose of this Agreement is to set forth the formal approval of the Financial Plan for the
 30 Special District as required by the Act and a mutual understanding among the parties as to the
 31 financial terms and conditions governing the collection and expenditure of revenues for transit
 32 systems within the (expanded) Special District.

33
 34 In order for Wake County and its partners to remain on schedule for the anticipated November
 35 8, 2016 advisory referendum, Wake County is requesting final approval of both the Wake
 36 Transit Plan (incorporating the Wake County Financial Plan) and the proposed Agreement
 37 enclosed herein on or before August 12, 2016 by authorizing resolution from your Board of
 38 Commissioners or Executive Board.

39
 40 John Roberts said he had several conversations with the Wake County Attorney about
 41 this item, and he submitted a specific motion which the Board would need to make tonight. He
 42 passed out the motion.

43 Commissioner Dorosin asked if there is anything particularly special about this topic to
 44 require a specially worded resolution.

45 John Roberts said no, and that this motion will just cover all bases.

46 Commissioner Pelissier said she has been following this closely, and waiting for Wake
 47 County to do this so that plans can move forward. She expressed her support for the motion.

48 John Roberts said he is asking that the Manager be able to approve and execute the
 49 agreement once it is in its final form. He said he does anticipate any substantive changes in
 50 the final document, but it is not currently in its final form.

1 Karen Porter, GoTriangle Associate General Counsel, said the Board's consideration of
2 this item is appreciated.

3 Chair McKee said he is concerned with the Board is approving something, when it is not
4 in a final form.

5 John Roberts said the agreement does not contain about Orange County expending
6 funds at this time, and the comments noted in this evening's packet are primarily the types of
7 changes the Board would see in the final document.

8 Chair McKee said he watched the Orange County and Durham Plan change constantly
9 for months and months, so he is leery of anything involved in this process.

10 John Roberts agreed, and said he totally understands. He said Wake County is on a
11 short cycle right now and needs things to move quickly.

12 Commissioner Pelissier said there is no binding cost to the County in this motion. She
13 said when regional buses come in to play, there will be negotiations with Wake County
14 regarding cost share. She said this is the only item, under which, Orange County would have
15 any financial obligations.

16
17 A motion was made by Commissioner Pelissier, seconded by Commissioner Rich to:

- 18
19 a. Add Wake County to the Renamed Triangle Tax District.
20
21 b. Approve the Wake County Financial Plan (as set forth in the Wake County
22 Transit Plan) pursuant to NCGS 105-508.1.
23
24 c. Approve GoTriangle's conducting of a referendum in Wake County pursuant to
25 NCGS 105-509(b)(1).
26
27 d. Authorize the Orange County Manager to enter into an Agreement Setting Forth
28 the Mutual Understanding of the Parties as to the Scope and Content of the
29 Financial Plan upon final review of the County Attorney.
30

31 VOTE: UNANIMOUS
32

33 **8. Reports**
34 NONE
35

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

37 Bonnie Hammersley said the petitions that were submitted this evening will go forward,
38 and there will not be a chair-vice chair meeting until after the summer break. She said she will
39 check on Commissioner Price's inquiry about the Sheriff's department's salaries. She said
40 there will be some ongoing communication over the summer break, and questions from the
41 BOCC are always welcomed.
42

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

44 John Roberts said he would be sending the Board some General Assembly updates this
45 week. He said the local language needed for the lease has passed the Senate and is now
46 calendared in the House.
47

48 **11. Appointments**

- 49
50 a. **Appointments to the Orange County Criminal Justice Advisory Council**

1 The Board considered making/confirming appointments to the Criminal Justice Advisory
2 Council.

3
4 A motion was made by Commissioner Pelissier, seconded by Commissioner Jacobs to
5 appoint the following to the Criminal Justice Advisory Council:
6

Position Number	Special Representation	Appointee/Designee
1	Senior Resident Superior Court Judge or Designee (1)	Judge Carl Fox and/or Judge Alan Baddour
2	Chief District Court Judge or Designee (1)	Judge Joseph M. Buckner or Designee Pamela Weiden
3	District Attorney or Designee (1)	James "Jim" Woodall
4	Public Defender or Designee (1)	James E. Williams, Jr.
5	Clerk of Court or Designee (1)	James Stanford
6	Orange County Sheriff or Designee (1)	Sheriff Charles Blackwood
7	Chapel Hill Police Chief (1)	Chief Chris Blue
8	Carrboro Police Chief	Chief Walter Horton or Designee: Captain Chris Atack
9	Hillsborough Police Chief	Chief Duane Hampton
10	Chief Magistrate or Designee (1)	Tony Oakley
11	Department of Social Services Director (1)	Nancy Coston
12	Health Department Director (1)	Dr. Colleen Bridger
13	Mental Health representative (1)	Cardinal Innovations/OPC Executive Director Debra Farrington
14	Child Support Services Director (1)	Janet Sparks
15	Faith Community representative (1)	Orange County Correctional Institution Chaplain Jerry L. Love
16	Probation and Parole Chief	Aries E. Cox
17	Substance Abuse Provider (1)	Freedom House Counselor Troy Manns
18	Re-Entry Advocate and/or Individual Formerly Involved in the Criminal Justice System (1)	Clean Slate Project Attorney (SCSJ)
19	Juvenile Justice Chief Court Counselor	Bethan Eynon
20	OCS Representative (1)	Peggy Hamlett
21	CHCCS Representative (1)	Orange High Assistant Principal Will Okun
22/23	County Commissioners (2)	CHCCS Board Member Joal Broun
24	Mebane City Police Chief	Commissioner Jacobs Commissioner Pelissier Chief Terrance Caldwell

1
2 VOTE: UNANIMOUS
3

4 Commissioner Dorosin commended the efforts of Caitlin Fenhagen, Criminal Justice
5 Resource Manager.
6

7 **b. Adult Care Home Community Advisory Committee – Appointments**

8 The Board considered making appointments to the Adult Care Home Community
9 Advisory Committee.
10

11 A motion was made by Commissioner Rich, seconded by Commissioner Pelissier to
12 appoint the following to the Adult Care Home Community Advisory Committee:
13

- 14 • Appointment to a one (1) year training term (Position #1) “At-Large” representative for
15 Christine Cresha Cianciolo expiring 06/21/2017.
- 16 • Appointment to a second full term (Position #3) “At-Large” representative for Deborah
17 Rider expiring 06/30/2019.
- 18 • Appointment to a second full term (Position #10) “At-Large” representative for Dr.
19 Beverly Foster expiring 06/30/2019.
20

21 VOTE: UNANIMOUS
22

23 **c. Advisory Board on Aging – Appointments**

24 The Board considered making appointments to the Advisory Board on Aging.
25

26 A motion was made by Commissioner Price, seconded by Commissioner Jacobs to
27 appoint the following to the Advisory Board on Aging:
28

- 29 • Appointment to a partial term (Position #2) “At-Large” representative for Colin Austin
30 expiring 06/30/2017.
- 31 • Move member Teri Driscoll from (Position #2) “At-Large” representative to (Position #6)
32 “Hillsborough Town Limits” representative to replace Ed Flowers, III (second full term
33 expires 06/30/2016) expiring 06/30/2019.
- 34 • Appointment to a second full term (Position #10) “At-Large” representative for Dr.
35 Margaret Cohn expiring 06/30/2019.
- 36 • Appointment to a first full term (Position #11) “At-Large” representative for Heather
37 Altman expiring 06/30/2019.
38

39 VOTE: UNANIMOUS
40

41 **d. Bond Education Committee - Appointments**

42 The Board reviewed and considered an appointment to the Bond Education Committee.
43

44 A motion was made by Commissioner Price, seconded by Commissioner Jacobs to
45 appoint Sandra McKee to the Bond Education Committee.
46

47 VOTE: UNANIMOUS
48

49 **e. Nursing Home Community Advisory Committee – Appointments**

1 The Board considered making appointments to the Nursing Home Community Advisory
2 Committee.

3
4 A motion was made by Commissioner Rich, seconded by Commissioner Jacobs to
5 appoint the following to the Nursing Home Community Advisory Committee:

- 6
- 7 • Appointment to a partial term (Position #2) "At-Large" position for Molly Stein expiring
- 8 03/31/2018.
- 9 • Appointment to a second full term (Position #9) "At-Large" position for Susan Deter
- 10 expiring 06/30/2019.

11
12 VOTE: UNANIMOUS

13
14 **f. Orange County Board of Adjustment – Appointments**

15 The Board considered making appointments to the Orange County Board of
16 Adjustment.

17
18 A motion was made by Commissioner Rich, seconded by Commissioner Price to
19 appoint the following to the Orange County Board of Adjustment:

- 20
- 21 • Appointment to a first full term (Position #3) "At-Large" representative for Samantha
- 22 Cabe expiring 06/30/2019.
- 23 • Appointment to a partial term (Position #4) "At-Large Alternate" for Karen Raleigh
- 24 expiring 06/30/2017.

25
26 VOTE: UNANIMOUS

27
28 Discussion ensued about the Planning Board position on the Board of Adjustment that
29 has been vacant for three years, and whether it was a statutory position, or if the Board could fill
30 this position with an Orange County resident.

31 John Roberts said he would research this issue, and get back to the Board later in the
32 meeting.

33
34 **12. Board Comments**

35 Commissioner Price said the opening of the Cedar Grove Community Center was a
36 wonderful event.

37 Commissioner Burroughs had no comments.

38 Commissioner Dorosin said the 4th Circuit Court of Appeals in Richmond heard oral
39 argument on the North Carolina voting issues.

40 Commissioner Rich said tomorrow is the Triangle J Council of Government's (TJCOG)
41 Executive Director's review, and she is part of the review committee, and feels the Executive
42 Director has done an excellent job.

43 Commissioner Rich said the Community Home Trust was having an informative get
44 together tomorrow night at City Kitchen, and everyone was invited to attend.

45 Commissioner Jacobs said is there a meeting on the Mountain to Sea Trail (MST) on
46 Monday, June 27th. He asked if confirmation could be provided regarding the location. He said
47 the first meeting of the Firearms Safety Committee is tomorrow night, and he and Chair McKee
48 would be attending.

1 Commissioner Pelissier said there are some letters in the agenda packets from the
2 Mayor of Hillsborough on the train station. She said the GoTriangle staff is seeking updates
3 regarding this station.

4 Commissioner Pelissier referred to the Light Rail Project, and said the Federal Transit
5 Administration has been asked to delay rating the project until the status of the funding cap is
6 known.

7 Commissioner Pelissier said if the cap is lifted, the state funding would not be what was
8 expected in the plan. She said GoTriangle is proactively looking at other sources for funding.

9 Commissioner Jacobs thanked Max Bushell, Town Hillsborough Transportation Planner,
10 for his responses to his questions about the rail.

11 Bonnie Hammersley said the MST meeting is not yet scheduled, but staff is considering
12 June 30th at Grady Brown Elementary School. She said there is a MST discussion scheduled at
13 the Orange Water and Sewer Association (OWASA) Board meeting on June 23rd.

14 Commissioner Jacobs said on June 30th the Chamber has their annual event to honor
15 the local elected leaders.

16 Bonnie Hammersley said staff would look for another date.

17 Chair McKee asked if John Roberts found anything on the Board of Adjustment (BoA).

18 John Roberts said there is no statutory requirement for a Planning Board representative
19 on the BoA, but is limited by the BoA's adopted County policies and procedures, and also by
20 the Unified Development Ordinance (UDO). He said the Board of County Commissioners can
21 appoint who it wants and can amend the BoA document.

22 Chair McKee asked Craig Benedict, Planning Director, if this was a position that could
23 be filled soon, in order to have a Planning Board representative on the BoA.

24 Craig Benedict said he would share this with the Planning Board at their next meeting.

25 Commissioner Dorosin said he does not have a strong interest in having a Planning
26 Board representative on the BoA. He does not see a benefit to having a person serve on two
27 boards.

28 Commissioner Rich said given this discussion, it may be good to send out a notice in
29 order to garner more interested residents.

30 John Roberts cautioned that the Planning Board is a policy board, and BoA is a quasi-
31 judicial board, and a Planning Board member would need insure that policy opinions would not
32 influence their actions on the BoA.

33 Commissioner Jacobs asked Craig Benedict to communicate to the Planning Board that
34 if it does not fill this position, then the Planning Board will lose the opportunity.

35 Chair McKee said he would be very interested in hearing more about the alternative
36 financing for GoTriangle, and he requested that Commissioner Pelissier get this information to
37 share with the BOCC.

38 Commissioner Pelissier said she would do so. She said many other locations around
39 the country have spoken to her about the need to "cobble" resources together as funding is so
40 difficult.

41 Chair McKee said the Board had discussed a pilot program for Connect Orange with
42 Durham Tech, and asked Commissioner Price to consult with Commissioner Jacobs,
43 Commissioner Dorosin, and the newly appointed BOCC representative to Durham Tech, Mr.
44 Lee Storrow, over the summer break, and bring back a recommendation in the fall.

46 13. Information Items

- 48 • June 7, 2016 BOCC Meeting Follow-up Actions List
- 49 • Tax Collector's Report – Numerical Analysis
- 50 • Tax Collector's Report – Measure of Enforced Collections

- 1 • Tax Assessor's Report – Releases/Refunds under \$100
- 2 • Memorandum Regarding Rogers Road Community Development Block Infrastructure
- 3 (CDBG-I) Application
- 4 • Memorandum Regarding Hillsborough Train Station Funding and the Proposed 2016
- 5 Appropriations Act
- 6 • BOCC Chair Letter Regarding Petitions from June 7, 2016 Regular Meeting

7
8 **14. Closed Session**
9 NONE

10
11 **15. Adjournment**

12
13 A motion was made by Commissioner Rich, seconded by Commissioner Price to
14 adjourn the meeting at 9:08 p.m.

15
16 VOTE: UNANIMOUS

17
18 Earl McKee, Chair

19 Donna Baker
20 Clerk to the Board

21

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: Motor Vehicle Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

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 value for ten (10) taxpayers with a total of twenty (20) bills that will result in a reduction of revenue.

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

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

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

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

FINANCIAL IMPACT: Approval of these release/refund request will result in a net reduction of \$4,806.62 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2016-2017 is \$4,806.62.

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-2016-052

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 _____, 2016.

Clerk to the Board of Commissioners

BOCC REPORT - REGISTERED MOTOR VEHICLES SEPTEMBER 6, 2016

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Adderholdt, Harold	32877371	2016	11,010	11,010	(110.12)	Situs error (illegal tax)
Ciriacks, Kevin	32732784	2016	9,460	0	(188.53)	County changed to Chatham (illegal tax)
Hall, Leon	27301014	2015	32,400	32,400	(275.34)	Situs error (illegal tax)
Hilton, Robert Lyle	32290923	2015	14,740	14,740	(174.81)	Military exempt (illegal tax)
Hilton, Robert Lyle	32291020	2015	16,500	16,500	(195.68)	Military exempt (illegal tax)
Martin, Dwina Lynn	27509952	2014	18,020	18,020	(166.44)	Situs error (illegal tax)
Piedmont Electric Membership Corp.	31911299	2015	29,967	29,967	(288.16)	Exempt property (illegal tax)
Piedmont Electric Membership Corp.	31911349	2015	29,967	29,967	(288.16)	Exempt property (illegal tax)
Piedmont Electric Membership Corp.	31911695	2015	29,967	29,967	(288.16)	Exempt property (illegal tax)
Piedmont Electric Membership Corp.	31911807	2015	29,967	29,967	(288.16)	Exempt property (illegal tax)
Piedmont Electric Membership Corp.	31911845	2015	29,967	29,967	(288.16)	Exempt property (illegal tax)
Piedmont Electric Membership Corp.	31912605	2015	29,967	29,967	(288.16)	Exempt property (illegal tax)
Piedmont Electric Membership Corp.	32233746	2015	29,822	29,822	(286.77)	Exempt property (illegal tax)
Piedmont Electric Membership Corp.	32233727	2015	33,942	33,942	(326.39)	Exempt property (illegal tax)
Piedmont Electric Membership Corp.	32233694	2015	29,622	29,622	(284.84)	Exempt property (illegal tax)
Piedmont Electric Membership Corp.	32506508	2016	43,633	43,633	(419.58)	Exempt property (illegal tax)
Shue, Robert	33152088	2016	11,786	500	(107.39)	Antique plate (appraisal appeal)
Spell, Oscar Glenn III	32307915	2015	19,200	500	(175.41)	Antique plate (appraisal appeal)
Walters, Charles Milton	18406407	2015	47,243	33,828	(216.02)	Value adjustment (appraisal appeal)
Williams, Myra Miller	32487839	2015	16,850	16,850	(150.34)	Situs error (illegal tax)
					(4,806.62)	TOTAL

Adjustment Descriptions
<i>Clerical error G.S. 105-381(a)(1)(a): e.g. when there is an actual error in mathematical calculation.</i>
<i>Illegal tax G.S. 105-381(a)(1)(b): e.g. when the vehicle should have been billed in another county, an incorrect name was used, or an incorrect rate code was used.</i>
<i>Tax levied for an illegal purpose G.S. 105-381(a)(1)(c): e.g. charging a tax that was later deemed to be impermissible under State law.</i>
<i>Appraisal appeal G.S. 105-330.2(b): e.g. reduction in value due to excessive mileage or vehicle damage.</i>

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: September 6, 2016

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

SUBJECT: Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

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 value for sixteen (16) taxpayers with a total of seventeen (17) bills that will result in a reduction of revenue.

BACKGROUND: The Tax Administration Office has received seventeen (17) 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 these changes will result in a net reduction in revenue of \$56,400.54 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 that 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-2016-053

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 _____, 2016.

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 SEPTEMBER 6, 2016

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Andrews Michael J. Jr.	1054256	2014	58,000	58,000	(155.53)	Assessed in error (clerical error)
AroundCampus Group, LLC	231519	2016	126,390	126,390	(203.54)	Assessed in error (clerical error)
Bellevue Mill	1058731	2016	845,500	422,750	(6,586.45)	Exempt property (illegal tax)
Capps, Jimmy	176536	2015	121,664	98,570	(273.87)	Incorrect value (clerical error)
Crabtree Bane, LLC	263863	2016	778,400	727,900	(483.74)	Incorrect value (illegal tax)
Greene, Elizabeth	172180	2015	4,930	0	(113.58)	Double billed (illegal tax)
Leasing Associates of Barrington Inc.	306720	2016	390,722	333,973	(913.88)	Assessed in error (clerical error)
McDevitt Construction & Electric Inc.	257195	2016	14,336	0	(137.32)	Assessed in error (illegal tax)
McGhee, Betty Ann	151816	2016	21,470	0	(207.83)	Incorrect value (clerical error)
McHale, James	223912	2016	66,920	51,430	(148.96)	Assessed in error (clerical error)
PTA Thrift Shop	180471	2016	347,556	0	(5,824.35)	Exempt property (illegal tax)
QNP Gateway Village, LLC	138136	2016	2,372,670	0	(39,966.20)	Exempt property (illegal tax)
Quian, Ye	1059428	2015	5,490	0	(106.09)	Assessed in error (clerical error)
Quian, Ye	1059428	2014	6,370	0	(133.36)	Assessed in error (clerical error)
Stillson, Michael D.	301701	2016	351,660	275,100	(725.78)	Incorrect value (clerical error)
Stiver, Edward G.	219737	2016	447,900	428,000	(190.62)	Incorrect value (clerical error)
United States of America	210835	2015	23,807	0	(229.44)	Exempt property (illegal tax)
					(56,400.54)	Total

**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 6, 2016**

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

SUBJECT: Applications for Property Tax Exemption/Exclusion

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Exempt Status Resolution
Spreadsheet
Requests for Exemption/Exclusion

INFORMATION CONTACT:

Dwane Brinson, Tax Administrator,
(919) 245-2726

PURPOSE: To consider sixteen untimely applications for exemption/exclusion from ad valorem taxation for sixteen bills for the 2016 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.

Twelve of the applicants are applying for homestead exclusion based on NCGS 105-277.1, which allows exclusion of the greater of \$29,500 or 50% of the appraised value of the residence.

One applicant is applying for Circuit Breaker exclusion based on NCGS 105-277.1B which allows for tax relief based on income. The Circuit Breaker exclusion is a tax deferral program.

Three of the applicants are applying for exclusion based on NCGS 105-277.1C, which allows for an exclusion of \$45,000 for an honorably discharged Disabled American Veteran.

Including these sixteen applications, the Board will have considered a total of sixteen untimely applications for exemption of 2016 taxes since the 2016 Board of Equalization and Review adjourned on May 26th. Taxpayers may submit an untimely application for exemption of 2016 taxes to the Board of Commissioners through December 31, 2016.

Based on the information supplied in the application and based on the above-referenced General Statutes, the application may be approved by the Board of County Commissioners. NCGS 105-282.1(a1) permits approval of such application if good cause is demonstrated by the taxpayer.

FINANCIAL IMPACT: The reduction in the County's tax base associated with approval of the exemption application will result in a reduction of FY 2016/2017 taxes due to the County, municipalities, and special districts in the amount of \$22,062.95.

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 2016/2017 exemption.

NORTH CAROLINA

RES-2016-054

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 2016 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 2016 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 _____, 2016.

Clerk to the Board of Commissioners

Late exemption/exclusion application - GS 105-282.1(a1)

**BOCC REPORT - REAL/PERSONAL
SEPTEMBER 6, 2016**

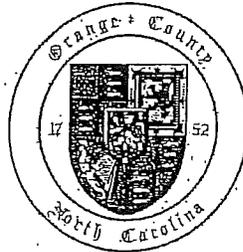
NAME	ABSTRACT NUMBER	BILL YEAR	ORIGINAL VALUE	TAXABLE VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Breeze, Willie	128778	2016	231,000	186,000	(432.72)	Late application for exemption G.S. 105-277.1 C (Disabled Veteran)
Clark, Oliver C.	199417	2016	147,965	102,965	(701.10)	Late application for exemption G.S. 105-277.1 C (Disabled Veteran)
Elliott, Betty Viola	258653	2016	134,009	67,004	(1,079.03)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Farrar, Erma D.	305810	2016	160,392	80,196	(1,291.48)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Futch, Ethelene W.	175440	2016	190,520	95,260	(912.50)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Gifford, Allen	313134	2016	273,409	228,409	(701.10)	Late application for exemption G.S. 105-277.1 C (Disabled Veteran)
Hicks, James Warren	211236	2016	67,331	33,665	(524.52)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Koontz, Vicki	278330	2016	291,369	145,684	(2,346.11)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Mandell, Martha	25790	2016	430,657	215,928	(3,598.43)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
McTigue, Patrick John	128372	2016	140,171	98,070	(415.95)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Rogers, Betty S.	242549	2016	162,812	81,406	(771.73)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Shepherd, Rita	81777	2016	108,317	54,158	(872.18)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Singleton, Judith S.	246892	2016	92,726	46,363	(722.34)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Stevens, Phyllis	266215	2016	493,502	493,502	(5,799.56)	Late application for exemption G.S. 105-277.1 B (Circuit Breaker)
Tsuzaki, Mari	189459	2016	157,845	78,922	(1,270.98)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
Wiles, Judith	255705	2016	161,657	98,578	(623.22)	Late application for exemption G.S. 105-277.1 (Homestead Exemption)
				Total	(22,062.95)	

June 3, 2016 thru August 17, 2016

FILED

JUN 17 2016

ORANGE COUNTY
TAX ADMINISTRATION



Request for Tax Relief Late Application Filing

Date: 6/13/16

To Whom It May Concern:

I, (PRINT NAME) Willie Breeze, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9853741741.

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 ^{applied} available to me.
- I just found out about the Property Tax Relief Program.
- Other (please explain)

I ~~did~~ thought I made to much money.
Calling to tax expert, I thought I might be after all

Thank you

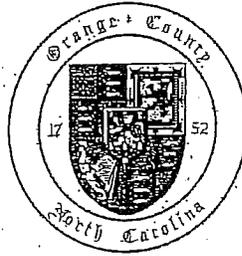
Willie Breeze
(Signature)

How did you learn of this exemption?

Searching Veterans on NC website

JUN 20 2016

ORANGE COUNTY
TAX ADMINISTRATION



Request for Tax Relief
Late Application Filing

Date: 6-20-2016

To Whom It May Concern:

I, (PRINT NAME) Oliver C. Clark, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9863789210.

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.

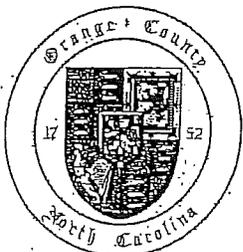
- I was not aware that this exemption was available to me.
- I just found out about the Property Tax Relief Program.
- Other (please explain)

Thank you,

Oliver C. Clark
(Signature)

How did you learn of this exemption?

Listing form



FILED

JUL 11 2016

ORANGE COUNTY
TAX ADMINISTRATION

Request for Tax Relief Late Application Filing

Date: 7/2/16

To Whom It May Concern:

I, (PRINT NAME) Betty Viola Elliott, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9799762599.

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)

I had heard of this program last year, but then a friend told me I could not qualify. Then, this June I checked again and was told by a county office I might qualify and to go ahead and apply. It was already past June 1.
Thank you,

Betty V Elliott
(Signature)

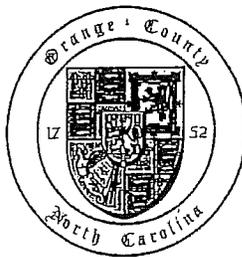
How did you learn of this exemption?

From the back of the Tax Listing page

FILED

AUG 11 2016

ORANGE COUNTY
TAX ADMINISTRATION



Request for Tax Relief
Late Application Filing

Date: 8/5/16

To Whom It May Concern:

I, (PRINT NAME) Erma D Farrar, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9788094680.

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 on to the 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,

Erma Farrar
(Signature)

How did you find out about this exemption?

Tax Office



FILED
AUG 08 2016
ORANGE COUNTY
TAX ADMINISTRATION

Request for Tax Relief Late Application Filing

Date: 8/8/16

To Whom It May Concern:

I, (PRINT NAME) Ethelene W. Futch, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9882548030.

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 on to the 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,

Ethelene W. Futch
(Signature)

How did you find out about this exemption?

read it on back of tax bill



FILED

JUL 14 2016

ORANGE COUNTY TAX ADMINISTRATION

Request for Tax Relief Late Application Filing

Date: 7/12/16

To Whom It May Concern:

I, (PRINT NAME) Allen and Megan Gifford, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9873454619.

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 on to the 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. Did not realize we could use in Hillsborough (city limits) as opposed to city.
I just found out about the Property Tax Relief Program.

Other (please explain) Our daughter has cystic fibrosis and was hospitalized in May. Shortly after, we learned that her brother has stage IV neuroblastoma. In the confusion,

Thank you, our completed packet ended up between the seats of our car. We thought it had been mailed. I delivered it in person when I found it.

Signature: Megan Gifford

How did you find out about this exemption? We have had it on our other residence (1300 Meadow Ln) for years and need to transfer to our new residence in Hillsborough (907 Kennesaw Ct).

FILED

JUN 30 2016

**ORANGE COUNTY
TAX ADMINISTRATION**



**Request for Tax Relief
Late Application Filing**

Date: 6/22/16

To Whom It May Concern:

I, (PRINT NAME) JAMES WARREN HICKS, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9865600605.

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,

James W. Hicks
(Signature)

How did you learn of this exemption?

A FRIEND WHO APPLIED AND RECEIVED RELIEF



Request for Tax Relief Late Application Filing

Date: 7-9-16

To Whom It May Concern:

I, (PRINT NAME) Vicki O. Koontz, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9880022813.

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 on to the 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,

Vicki Koontz
(Signature)

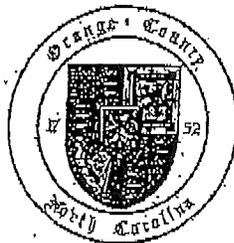
How did you find out about this exemption?

read this information on back of 2016 Property Tax and Fee Bill

FILED

JUN 03 2016

ORANGE COUNTY
TAX ADMINISTRATION



Request for Tax Relief
Late Application Filing

Date: 6/3/16

To Whom It May Concern:

I, (PRINT NAME) Martha Mandell, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9778589628.

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,

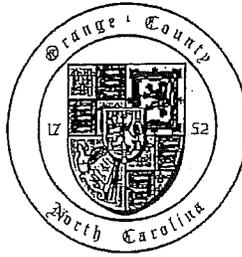
Martha R. Mandell
(Signature)

How did you learn of this exemption?

read about it on back of tax bill

AUG 09 2016

ORANGE COUNTY
TAX ADMINISTRATION



Request for Tax Relief
Late Application Filing

Date: AUG 9, 2016

To Whom It May Concern:

I, (PRINT NAME) Patrick John McTigue, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9748876910.

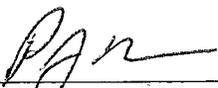
In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of "good cause" for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies on to the property taxes levied by the 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,

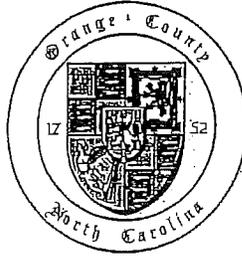

(Signature)

How did you find out about this exemption?

Friend

AUG 16 2016

ORANGE COUNTY
TAX ADMINISTRATION



Request for Tax Relief
Late Application Filing

Date: 8-16-16

To Whom It May Concern:

I, (PRINT NAME) Betty S. Rogers, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2014 on Parcel Identification Number (PIN) # 9835482964.

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 on to the 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,

Betty S. Rogers
(Signature)

How did you find out about this exemption?

By reading tax bill I just received



Request for Tax Relief
Late Application Filing

Date: 06-28-2016

To Whom It May Concern:

I, (PRINT NAME) RITA SHEPHERD, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9799137408.050.

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 on to the 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,

Rita Shepherd
(Signature)

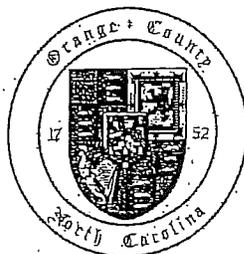
How did you find out about this exemption?

on line - -

FILED

JUN 03 2016

ORANGE COUNTY
TAX ADMINISTRATION



Request for Tax Relief Late Application Filing

Date: 6/2/16

To Whom It May Concern:

I, (PRINT NAME) Judith S Singleton, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9864550494.

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)

I found out about this program
when I came to pay my taxes

Thank you,

Judith S. Singleton
(Signature)

How did you learn of this exemption?

When I came in to pay my taxes

FILED

JUL 11 2016

ORANGE COUNTY
TAX ADMINISTRATION

Request for Tax Relief Late Application Filing

Date: 7/8/16

To Whom It May Concern:

I, (PRINT NAME) Phyllis Stevens, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9798658735.

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 on to the 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)
I have trouble with my memory and put the application in a file, then forgot it. I'm sorry.

Thank you,

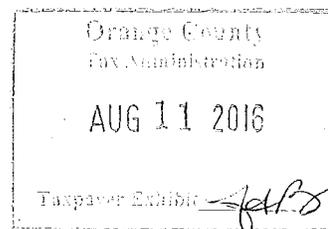
Phyllis Stevens
(Signature)

How did you find out about this exemption?

I have participated in the circuit-breaker program for years and can't remember how I learned about it.



Request for Tax Relief
Late Application Filing



Date: 8 - 9 - 2016

To Whom It May Concern:

I, (PRINT NAME) MARI TSUZAKI, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9799762970.

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,

Mari Tsuzaki
(Signature)

How did you learn of this exemption?

I read back of 2016 property tax bill about program(s).

FILED²⁰

JUL 14 2016

ORANGE COUNTY
TAX ADMINISTRATION



Request for Tax Relief Late Application Filing

Date: 7/11/16

To Whom It May Concern:

I, (PRINT NAME) Judith H. Wiles, wish to be considered for Property Tax Relief Exemption or Exclusion for the year 2016 on Parcel Identification Number (PIN) # 9738509811.

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 on to the 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,

Judith H. Wiles
(Signature)

How did you find out about this exemption?

Online - County Website

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: Tax Collector's Annual Settlement for Fiscal Year 2015-16

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Resolution
Reports (5)
Order to Collect
Report of Delinquent Property Taxes
(provided to Clerk on CD)

INFORMATION CONTACT:

T. Dwane Brinson, Director,
919-245-2726

PURPOSE: To receive the tax collector's annual settlement on current and delinquent taxes, approve by resolution the accounting thereof, and upon acceptance of the reports, issue the Order to Collect for Fiscal Year 2016-2017.

BACKGROUND: The annual settlement provides in detail the collection for the County, all fire and special districts, and the Towns of Carrboro, Chapel Hill, and Hillsborough during Fiscal Year 2015-2016.

For fiscal year ended June 30, 2016, Orange County's overall current year tax collection percentage was 99.18%. The overall collection percentage can be broken down further into three property classifications: real property, personal property, and motor vehicles. Orange County's fiscal year 2015-2016 current year tax collection percentage for real property was 99.18%, personal property was 99.10%, and motor vehicles was 99.09%.

The amount of the annual registered motor vehicle levy is at a minimal amount. The levy will continue to remain at a very minimal amount for the infrequent residual bills that must be calculated by the County rather than the State, and will be combined with personal property totals for future tax collector's annual settlements. This is due to the fact that the state-wide "Tag and Tax Together" program was implemented for vehicle registration renewals that were due in September 2013 and impacted the levy beginning with registered motor vehicle bills that were due January 1, 2014. The State is now collecting these ad valorem taxes at the time of registration and is submitting them to the County on a monthly basis.

The tax collector is required by North Carolina General Statute (NCGS) 105-373 to give an annual settlement to the governing body. It is the intent of the Machinery Act to create a direct relationship of responsibility and accountability between the tax collector and governing body.

Furthermore, NCGS 105-373 requires the tax collector to furnish a sworn report to the governing body showing a list of property owners whose taxes remain unpaid for the preceding fiscal year.

There are four sections to the report: real property owners, business personal property owners, individual personal property owners and public personal property owners. By acceptance of the resolution the Board designates said list to be entered into the minutes. The tax claim is not discharged or written off. These accounts are recharged to the collector as delinquent accounts, and the collector has full authority to use levy and garnishment to affect their collection. Lists have been provided to the Clerk to the Board for the permanent record of all outstanding tax by property classification.

Two settlement reports for tax are included.

- The first shows all taxes charged for collection for the 2015-2016 fiscal year. All uncollected taxes allowed as credits in a settlement are recharged to the tax collector. Per NCGS 105-373(3)(b) the tax collector is credited with (paraphrased):
 1. All sums representing taxes collected and deposited;
 2. Releases approved by the governing body;
 3. The principal amount of taxes constituting liens on real property;
 4. Amount shown on the insolvent list;
 5. Discounts as allowed by law;
 6. Commissions (if any) lawfully payable to the tax collector as compensation;
 7. Outstanding Property Tax Commission appeals.
- The second settlement report shows all prior years' taxes collected during the 2015-2016 fiscal year. NCGS 105-378 limits the tax collector's use of enforced collection remedies to ten years from the due date of the tax. As such, for fiscal year 2015-2016 the tax collector was charged with collecting remaining taxes from the years 2006-2014, in addition to current year 2015 taxes.

Additional reports are included for review by the governing board:

- One provides details of all other miscellaneous revenue charged to the Tax Collector for collection during fiscal year 2015-2016. The receipt of the annual Medicaid Reimbursement for Emergency Services for the current year is higher than normal. The reimbursement for 2014-2015 was received late, and therefore is included in this year's Non-Tax Revenue Total, along with the 2015-2016 reimbursement amount.
- An additional report shows the accounts receivable information for 2015 taxes at the beginning of the 2016 fiscal year.
- The final report is a minimal bill report that provides the number of bills and amount of taxes waived in accordance with a resolution approved by the governing board on July 26, 1995. NCGS 105-321(f) states, in part, that the governing body of a taxing unit may direct its tax assessor and tax not to collect minimal taxes where the total principal amount does not exceed five dollars.

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

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

- Receive the Tax Collector's annual settlement, approve and authorize the Chair to sign the resolution accepting it as reported for entry into the minutes; and
- Approve, authorize the Chair to sign, and issue the Order to Collect to the Tax Collector for Fiscal Year 2016-2017.

**RESOLUTION APPROVING THE
TAX COLLECTOR'S ANNUAL SETTLEMENT
FOR THE CURRENT YEAR 2015
AND PRIOR YEARS**

BE IT RESOLVED by the Board of Commissioners of Orange County that the following documents attached hereto are received and approved, consisting of the following:

1. Settlement of 2015 Tax Accounts
2. Settlement of Prior Years (2006-2014) Tax Accounts
3. Tax Collector's Report of 2015 Unpaid Taxes
4. Tax Collector's Report of Minimal Property Tax Bills
5. Report of Collections of Non-Tax Revenue and Miscellaneous Taxes

ADOPTED this the 6th day of September, 2016.

Earl McKee
Chair, Board of County Commissioners

Attest:

Clerk to the Board of County Commissioners

**Settlement for 2015 Tax Accounts
Orange County, Fire and Special Districts
Towns of Carrboro, Chapel Hill, and Hillsborough
for Fiscal Year 2015-2016**

	Orange County	Fire & Special Districts	Town of Carrboro	Town of Chapel Hill	Town of Hillsborough	Grand Total
CHARGES						
Adjusted Levy-Real	131,669,316.40	25,500,798.19	11,324,684.50	33,748,714.45	4,708,230.11	206,951,743.65
Adjusted Levy-Personal	6,012,885.45		263,485.94	1,429,935.92	512,748.34	8,219,055.65
Adjusted Levy-Motor Vehicles	1,615.25		-	141.98	-	1,757.23
Adjusted Levy--Personal & Motor Vehicles		895,180.99				895,180.99
Adjusted Levy-Vehicle Fees			-	90.00	-	90.00
Interest & Penalties	288,918.90	50,251.36	17,300.08	66,244.31	11,666.07	434,380.72
Total	137,972,736.00	26,446,230.54	11,605,470.52	35,245,126.66	5,232,644.52	216,502,208.24
CREDITS						
Real Uncollected	1,080,579.55	169,862.78	88,304.67	130,090.93	61,283.53	1,530,121.46
Personal Uncollected	54,119.73		2,802.36	13,408.95	1,026.74	71,357.78
Motor Vehicles Uncollected	14.65		-	-	-	14.65
Personal & Motor Vehicles Uncollected		9,210.49				9,210.49
Motor Vehicle Fees Uncollected			-	-	-	-
Cash Deposited	136,838,022.07	26,267,157.27	11,514,363.49	35,101,626.78	5,170,334.25	214,891,503.86
Total	137,972,736.00	26,446,230.54	11,605,470.52	35,245,126.66	5,232,644.52	216,502,208.24
COLLECTION CREDIT						
Cash Deposited	136,838,022.07	26,267,157.27	11,514,363.49	35,101,626.78	5,170,334.25	214,891,503.86
Prop Tax Appeals Pending Credit	-	-	-	-	-	-
Total Collection Credit	136,838,022.07	26,267,157.27	11,514,363.49	35,101,626.78	5,170,334.25	214,891,503.86
COLLECTION PERCENTAGE						
Real	99.18%	99.33%	99.22%	99.61%	98.70%	
Personal	99.10%		98.94%	99.06%	99.80%	
Motor Vehicles	99.09%			100.00%		
Personal & Motor Vehicles		98.97%				
Motor Vehicle Fees				100.00%		
Total	99.18%	99.32%	99.21%	99.59%	98.81%	

Collection Percentage Reported in the CAFR and to the LGC	99.20%	Combined County, Fire & Special District	Overall Collection	99.26%
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Timothy Dwane Brinson, Tax Collector for Orange County, Towns of Carrboro, Chapel Hill, and Hillsborough, and applicable fire/special districts, being duly appointed, respectfully reports that he has made a diligent effort within the time permitted by law to collect the taxes due from persons listed out of their personal property and by other means available to him for collection of such taxes.

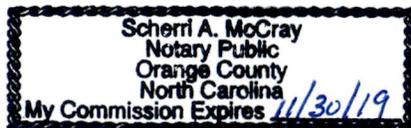
Sworn to and subscribed before me this the 22 day of August, 2016.

Scherri A. McCray
Scherri A. McCray

Notary Public

My commission expires Nov. 30, 2019


T. Dwane Brinson, Tax Collector



**SETTLEMENT OF UNPAID TAXES
FOR THE YEARS 2006-2014**
Orange County, Fire and Special Districts
Towns of Carrboro, Chapel Hill, and Hillsborough

		Adjusted Levy	Total Collections	Uncollected Balance (Accounts Receivable)	Interest Collected
Orange County		3,396,049.34	1,198,902.99	2,197,146.35	
Downtown Revitalization		6,754.01	4,273.03	2,480.98	
Cedar Grove Fire		12,969.73	6,238.15	6,731.58	
Chapel Hill Fire		121.76	51.24	70.52	
Damascus Fire		1,301.69	900.92	400.77	
Efland Fire		22,815.97	8,069.53	14,746.44	
Eno Fire		12,554.32	4,175.54	8,378.78	
Little River Fire		4,992.28	1,944.74	3,047.54	
New Hope Fire		8,238.12	3,952.83	4,285.29	
Orange Fire		38,296.55	15,740.40	22,556.15	
Orange Grove Fire		10,052.80	4,531.00	5,521.80	
South Orange Fire		16,428.98	7,328.01	9,100.97	
South Triangle Fire		3,396.35	1,801.82	1,594.53	
White Cross Fire		19,508.31	7,043.70	12,464.61	
CH Carrboro School District		311,638.75	114,944.79	196,693.96	
Total County, Fire, and Special Districts		3,865,118.96	1,379,898.69	2,485,220.27	211,231.10
Town of Carrboro	Real	175,174.79	67,756.32	107,418.47	
	Motor Vehicle and Other Personal Property	164,671.67	5,628.25	159,043.42	
	Total	339,846.46	73,384.57	266,461.89	14,325.65
Town of Chapel Hill	Real	238,573.34	130,634.10	107,939.24	
	Motor Vehicle and Other Personal Property	283,952.95	21,425.49	262,527.46	
	Total	522,526.29	152,059.59	370,466.70	22,633.86
Town of Hillsborough	Real	169,323.90	70,442.26	98,881.64	
	Motor Vehicle and Other Personal Property	55,950.38	4,153.19	51,797.19	
	Total	225,274.28	74,595.45	150,678.83	13,481.14

Timothy Dwane Brinson, Tax Collector for Orange County, Towns of Carrboro, Chapel Hill, and Hillsborough, and applicable fire/special districts, being duly appointed, respectfully reports, in accordance with G.S. 105-373(b), the amount of taxes remaining unpaid for years 2006 through 2014, that he has made a diligent effort within the time permitted by law to collect such taxes out of the personal property of such taxpayers, or by other means available to him for collection of such taxes.

Sworn and subscribed before me on this the 22 day of August, 2016

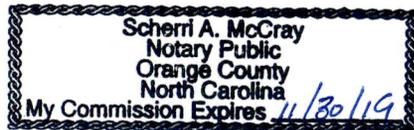


T. Dwane Brinson, Tax Collector

Scherri A. McCray
Scherri A. McCray

Notary Public

My commission expires Nov. 30, 2019



2015-2016 COLLECTIONS OF NON-TAX REVENUE

EMS Ambulance Fees not inclusive of Medicaid Reimbursement	1,923,261.99
*Medicaid Reimbursement for EMS	\$ 918,435.00
Schedule B Licenses	\$ 645.00
Beer & Wine Licenses	\$ 12,077.00
Rental Vehicle Gross Receipts Tax	\$ 69,997.00
Emergency Mgmt Collections (all other charges but ambulance)	\$ 52,197.95
Solid Waste Programs Fee Collection	\$ 6,347,303.93
Waste Center Fee Collection	\$ 93,403.48
3R Fee Collection	\$ 56,879.54
Occupancy Tax Collections	\$ 1,491,793.29
TOTAL	\$ 10,965,994.18

2015-2016 COLLECTION OF RENTAL VEHICLE GROSS RECEIPT TAX FOR MUNICIPALITIES

Chapel Hill	\$ 52,332.39
Hillsborough	\$ 8,091.50
Carrboro	\$ -
TOTAL	\$ 60,423.89

2015-2016 COLLECTION OF STORMWATER FEES FOR MUNICIPALITIES

Chapel Hill	\$ 1,969,912.78
TOTAL	\$ 1,969,912.78

**NOTE: This total includes the 2014-2015 amount of \$423,489 which was received 7/12/15, and the 2015-2016 amount of \$494,946 which was received 4/29/16.*

COLLECTIONS OF MISCELLANEOUS AD VALOREM TAXES & MOTOR VEHICLE TAG FEES

Note: Registered Motor Vehicle taxes are now collected at the State level. Collection information for both Durham and Mebane will eventually dwindle to zero.

	Fiscal Year 2015-2016				All Prior Years			
	Adjusted Levy	Total Collected	Amount Uncollected	Collection Percentage	Adjusted Levy	Total Collected	Amount Uncollected	Collection Percentage
Town of Mebane, Motor Vehicle Taxes	78.88	70.70	8.18	89.63%	5,259.77	642.22	4,617.55	12.21%
City of Durham, Motor Vehicle Taxes	-	-	-	0.00%	212.26	-	212.26	0.00%
City of Durham, Motor Vehicle Tag Fees	-	-	-	0.00%	60.00	-	60.00	0.00%



ORANGE COUNTY TAX ADMINISTRATION
228 S CHURTON STREET, SUITE 200, PO BOX 8181
HILLSBOROUGH, NORTH CAROLINA 27278
Telephone (919) 245-2100 Fax (919) 644-3091
T. Dwane Brinson, Director

State of North Carolina
County of Orange

Tax Collector's Report of FY 2015-2016
Accounts Receivable—Real/Personal Property

Timothy Dwane Brinson, Tax Collector for Orange County, Towns of Carrboro, Chapel Hill, and Hillsborough, and applicable Fire Districts being duly appointed, deposes and says:

A complete list of persons owning real and personal property whose tax remain unpaid and the principal amount due has been filed with the Clerk to the Board of County Commissioners and is available for inspection. The principal amount of 2015 real and personal property as of July 1, 2016 is \$1,610,704.38.

Timothy Dwane Brinson
Orange County Tax Collector

Sworn to and subscribed before me this
the 22 day of August, 2016.

Notary Public

My Commission expires Nov. 30, 2019



**TAX COLLECTOR'S REPORT
OF MINIMAL PROPERTY TAX BILLS
Fiscal Year 2015-2016**

North Carolina General Statute 105-321(f) is a provision authorizing the governing board of a taxing unit that collects its own taxes to adopt a resolution foregoing the collection of bills that do not exceed a specified amount, up to five dollars (\$5.00). The Orange County Board of Commissioners has adopted, by resolution effective July 26, 1995, a policy change to permit the County Assessor and Tax Collector to waive the billing and collection of tax notices that do not exceed five dollars (\$5.00), and that the tax collector keep record of such and report the total amount as part of annual settlement.

There were no motor vehicle notices that were less than five dollars (\$5.00). The total number of real estate and personal property notices less than five dollars (\$5.00) is 2086. The total amount of taxes waived is \$4,437.43.



Timothy Dwane Brinson
Orange County Tax Administrator

**ORDER OF THE BOARD OF COUNTY COMMISSIONERS
IN ACCORDANCE WITH G.S. 105-321**

**State of North Carolina
County of Orange**

**ORDER OF THE BOARD OF COUNTY COMMISSIONERS
IN ACCORDANCE WITH G.S. 105 – 373 and 105 – 321**

**To: Timothy Dwane Brinson
Tax Collector of Orange County, Towns of Carrboro, Chapel Hill, and
Hillsborough, and applicable Fire Districts**

You are hereby authorized, empowered, and commanded to collect the taxes remaining unpaid as set forth in the 2007 through 2016 tax records filed in the office of the Tax Collector, and in the tax receipts herewith delivered to you in the amounts and from the taxpayers likewise therein set forth. You are further authorized, empowered, and commanded to collect the 2007 through 2016 taxes charged and assessed as provided by law for adjustments, changes, and additions to the tax records and tax receipts delivered to you which are made in accordance with law. Such taxes are hereby declared to be a first lien on all real property of the respective taxpayers in Orange County, Town of Carrboro, Town of Chapel Hill, Town of Hillsborough, Town of Mebane, Fire Districts of Orange, Efland, South Orange, New Hope, Eno, Orange Grove, Greater Chapel Hill, Little River, Cedar Grove, Southern Triangle, Damascus, and White Cross, and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real and personal property, and attach wages and/or other funds, of such taxpayers, for and on account thereof, in accordance with law.

You are further authorized to call upon the Sheriff to levy upon and sell personal property under execution for the payment of taxes.

Within available funds in the budget ordinance and personnel positions established, the Tax Collector may hire employees, and they shall have the authority to perform those functions authorized by the Machinery Act of Chapter 105 of North Carolina General Statutes and other applicable laws for current and previous years' taxes. County personnel presently in the Tax Collector's office will continue to serve in their respective collection positions.

Witness my hand and official seal, this 6th day of September, 2016

Earl McKee
Chair, Board of County Commissioners

Attest:

Clerk to the Board of County Commissioners

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: Relief from Collecting Debts

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Relief from Collecting Debts Report
Memorandum of Explanation
Statutes Regarding Relief from
Collecting Debts

INFORMATION CONTACT:

Dwane Brinson, Tax Administrator,
919-245-2726

PURPOSE: To release ad valorem property tax and fee debts owed to Orange County in excess of 10 years that are no longer collectible.

BACKGROUND: Under North Carolina General Statute (NCGS) 105-373 (g), the Board of County Commissioners "...may, in its discretion, relieve the tax collector of the charge of taxes owed by persons on the insolvent list that are five or more years past due when it appears to the governing body that such taxes are uncollectible."

Presented as part of this abstract is a listing by year, beginning with 2000 through 2006, of ad valorem personal property tax and fee bills that have been worked extensively and can no longer be collected using enforced collection techniques.

NCGS 105-373 (h) speaks to the relief from collection of taxes on classified motor vehicles. To remain uniform, attached to this abstract is a listing by year, beginning with 2000 through 2006, of Classified Registered Motor Vehicles tax and fee bills that have been worked extensively and can no longer be collected using enforced collection techniques.

NCGS 105-378 (a) specifically bars the use of enforced collections unless the procedure was instituted within 10 years from the date the tax first became due.

After discussion with the Financial Services Department, there is agreement that good accounting practice would be to release this debt from the charge and system maintained by the Tax Administration Department.

FINANCIAL IMPACT: There is no impact to the County's balance sheet or fund balance from releasing the 2000-2006 accounts. Due to the age of these account balances, the accounts have been adjusted off of the County's accounts receivable balance as part of the allowance for doubtful accounts (bad debt) computation. The bad debt computation is required pursuant to

generally accepted accounting principles for financial reporting purposes. For informational purposes, the total amount of personal property and registered motor vehicle ad valorem property tax being submitted for relief from collecting debt from the years 2000 through 2006 in is \$758,317.37.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board approve and direct the Financial Services Director and the Tax Administrator to account for and release all debts charged for the purpose of Ad Valorem Personal Property and classified Motor Vehicle tax in excess of 10 years from the record.

SUMMARY OF PROPERTY TAX 2000-2006 FOR RELEASE OF COLLECTING DEBTS

YEAR	RMV	INDIVIDUAL	BUSINESS	FEE ONLY	GRAND TOTAL
2000	108,506.06	4,613.11	4,797.31		\$ 117,916.48
2001	90,040.92	4,186.51	23,578.72		\$ 117,806.15
2002	97,676.65	3,813.53	35,089.17		\$ 136,579.35
2003	84,711.41	3,593.13	7,821.87		\$ 96,126.41
2004	92,637.43	5,354.29	11,664.32	184.13	\$ 109,840.17
2005	80,449.22	6,791.92	4,308.40	344.21	\$ 91,893.75
2006	75,598.86	7,912.06	4,402.85	241.29	\$ 88,155.06
TOTAL	\$ 629,620.55	\$ 36,264.55	\$ 91,662.64	\$ 769.63	\$ 758,317.37

NOTE: These write-offs include all unsecured taxes from 2000-2006. In addition, sold waste 3R Fees are included in the writeoffs. Secured (real property) taxes are not included in the write-offs.



ORANGE COUNTY
NORTH CAROLINA
TAX ADMINISTRATION

Dwane Brinson, Director | dbrinson@orangecountync.gov | 228 S. Churton Street, Suite 200, Hillsborough, NC 27278 | 919.245.2100

To: Board of County Commissioners
Bonnie Hammersley, Manager

Subject: Request for Relief from Collecting Debts

Date: August 22, 2016

After discussion with the Financial Services Director Gary Donaldson, I am bringing forward a request to release specific types of debt older than 10 years from the current taxation system.

Real property liabilities are not dischargeable and are not included in the total amount brought forward for release. The \$68,832.26 currently in real property liability older than 10 years remains a lien to the real property.

North Carolina General Statute 105-378 (g) specifically speaks to the tax collector being barred from any type of enforced collection methods after a period of ten years. Additionally North Carolina General Statute 105-373 (g) & (h) speak to the relief of the charge of taxes owed from the collector for unsecured debt of personal property and of registered motor vehicles. Copies of both statutes have been attached for your review.

Over the past 10 years these debts have been worked extensively in an endeavor to resolve their collection. Though the statutes do allow for relief earlier than 10 years, the recommendation is to continue to pursue collection until the 10 year deadline because of the active collections program in place.

Therefore, as the Tax Administrator I submit to resolve issues from an accounting standpoint that authorization be given to release the debts older than 10 years for all unsecured debt. All real property debt will continue to be reflected in the tax management system.

Respectfully submitted,

T. Dwane Brinson, Tax Administrator

§ 105-373. Settlements.

(g) Relief from Collecting Insolvents. - The governing body of any taxing unit may, in its discretion, relieve the tax collector of the charge of taxes owed by persons on the insolvent list that are five or more years past due when it appears to the governing body that such taxes are uncollectible.

(h) Relief from Collecting Taxes on Classified Motor Vehicles. The board of county commissioners may, in its discretion, relieve the tax collector of the charge of taxes on classified motor vehicles listed pursuant to G.S. 105-330.3(a)(1) that are one year or more past due when it appears to the board that the taxes are uncollectible. This relief, when granted, shall include municipal and special district taxes charged to the collector. (1939, c. 310, s. 1719; 1945, c. 635; 1947, c. 484, ss. 3, 4; 1951, c. 300, s. 1; c. 1036, s. 1; 1953, c. 176, s. 2; 1955, c. 908; 1967, c. 705, s. 1; 1971, c. 806, s. 1; 1983, c. 670, s. 22; c. 808, ss. 5-7; 1987, c. 16; 1991, c. 624, s. 3; 1991 (Reg. Sess., 1992), c. 961, s. 10; 1993, c. 539, s. 726; 1994, Ex. Sess., c. 24, s. 14(c); 1997-456, s. 27; 2006-30, s. 7.)

§ 105-378. Limitation on use of remedies.

(a) Use of Remedies Barred. - No county or municipality may maintain an action or procedure to enforce any remedy provided by law for the collection of taxes or the enforcement of any tax liens (whether the taxes or tax liens are evidenced by the original tax receipts, tax sales certificates, or otherwise) unless the action or procedure is instituted within 10 years from the date the taxes became due.

(b) Not Applicable to Special Assessments. - The provisions of subsection (a), above, shall not be construed to apply to the lien of special assessments.

(c) Repealed by Session Laws 1998-98, s. 26, effective August 14, 1998.

(d) Enforcement and Collection Delayed Pending Appeal. - When the board of county commissioners or municipal governing body delivers a tax receipt to a tax collector for any assessment that has been or is subsequently appealed to the county board of equalization and review or the Property Tax Commission, the tax collector may not seek collection of taxes or enforcement of a tax lien resulting from the assessment until the appeal has been finally adjudicated. The tax collector, however, may send an initial bill or notice to the taxpayer. (1933, c. 181, s. 7; c. 399; 1945, c. 832; 1947, c. 1065, s. 1; 1949, cc. 60, 269, 735; 1951, cc. 71, 306, 572; 1953, cc. 381, 427, 538, 645, 656, 752, 775, 1008; 1955, c. 1087; 1957, cc. 53, 678, 1123; 1959, cc. 373, 608; 1961, cc. 542, 695, 885; 1965, cc. 129, 294; 1967, c. 242; c. 321, s. 1; c. 422, s. 1; 1969, c. 96; 1971, c. 806, s. 1; 1998-98, s. 26; 2006-30, s. 6; 2011-3, s. 3(b).)

**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 6, 2016**

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

SUBJECT: Back-Up 9-1-1 Call Processing Equipment

DEPARTMENT: Emergency Services

ATTACHMENT(S):

- 1) 9-1-1 Call Processing Equipment
Quote Wireless Communications
- 2) Contract for Equipment

INFORMATION CONTACT:

Kevin Medlin, 919-245-6139
Dinah Jeffries, 919-245-6123

PURPOSE: To approve and authorize the Manager to sign the contract and any other related documents for the purchase of VESTA geo-diversify 9-1-1 call processing equipment (CPE) to provide portable phone answering equipment which would operate in any facility in the event that the primary 9-1-1 Center cannot be utilized.

BACKGROUND: The NC 911 Board has mandated that all 9-1-1 Public Safety Answering Points (PSAPs) in the state of North Carolina have an approved backup plan by July 2016 and implemented by July 2017. This contract for the call processing equipment would provide backup server and portable phone answering equipment allowing backup 9-1-1 service to operate in any location. The equipment would also provide a Backup 9-1-1 service for severe weather events, a catastrophic event at the Emergency Services Building, or to staff additional personnel during major events.

Funding for this purchase was approved from the Emergency Telephone Fund as part of the Capital Investment Plan (CIP) on June 16, 2015 and does not require any money from the General Fund. The new equipment allows Orange County to meet the mandate of the NC 911 Board, §143B-1400(4,6,7) that all 9-1-1 Public Safety Answering Points (PSAPs) have a backup plan submitted by July 2016, and implemented by July 2017.

FINANCIAL IMPACT: The total cost of this purchase is \$211,717.55 and is an approved expenditure by the NC 9-1-1 Board. This amount is currently available in the Emergency Telephone Fund Balance.

SOCIAL JUSTICE IMPACT: The following two Orange County Social Justice Goals are 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.

RECOMMENDATION(S): The Manager recommends that the Board approve and authorize the Manager to proceed with the purchase of the Vesta geo-diversity 9-1-1 call processing equipment and execute the contract and any other related documents.



Date February 5, 2016
Customer Orange County
Quote Geo-Diverse Vesta 911

VESTA® 9-1-1 - Side A

Qty.	Part No.	Description	Price
		VESTA® 9-1-1	
1	870899-0104R6.0U	VESTA 9-1-1 L/D/M UPGD	\$0.00
1	870891-66301	VESTA 9-1-1 R6 SMS LIC	\$0.00
1	873099-03002U	R4 CAD INTF LIC UPGD	\$0.00
1	04000-01751	TS-4 PORT TERMINAL SVR	\$810.00
2	65000-00182	CBL RJ45-10P/DB25M 4FT	\$52.50
		ESInet Interface Module (EIM)	
		<i>Note: Customer to move (1) of the EIM Firewalls from Side A to new Side B</i>	
		SMS Equipment	
		<i>Note: Customer is responsible for Text Control Center (TCC) services and network charges. SMS functionality will be available in VESTA 9-1-1 Release 6. Note: Customer to utilize the EIM Firewalls for SMS functionality</i>	
		VM Server Bundles	
		VM Medium Server Bundle	
		<i>Note; Customer to move (1) server from side A to new Side B. Transfer support for V-SVR - current through 9/2016</i>	
VESTA® 9-1-1 Subtotal			\$862.50

VESTA® 9-1-1 - Side B

Qty.	Part No.	Description	Price
		VESTA® 9-1-1	
1	870899-0104R6.0U	VESTA 9-1-1 L/D/M UPGD	\$0.00
1	870891-66301	VESTA 9-1-1 R6 SMS LIC	\$0.00
1	6400C-20027	HARD DRIVE PORTABLE 1TB	\$83.75
1	873099-03002U	R4 CAD INTF LIC UPGD	\$0.00
1	809800-35064	SYS DIVERSIFICATION FEE	\$625.00
1	04000-01751	TS-4 PORT TERMINAL SVR	\$810.00
2	65000-00182	CBL RJ45-10P/DB25M 4FT	\$52.50
		ESInet Interface Module (EIM)	
		<i>Note: Customer to move (1) of the EIM Firewalls from Side A to new Side B</i>	
48	809800-17101	FIELD ENG-PRIMARY	\$6,000.00
		SMS Equipment	
		<i>Note: Customer is responsible for Text Control Center (TCC) services and network charges. SMS functionality will be available in VESTA 9-1-1 Release 6. Note: Customer to utilize the EIM Firewalls for SMS functionality</i>	
1	871499-01210	M&R 3.0 IP DEVICES LIC	\$88.75
		<i>Note: Includes (1) Mgt/Node</i>	
1	809800-16166	M&R 3.0 IP DEV SRVC 1YR	\$450.00
		VM Server Bundles	

Qty.	Part No.	Description	Price
VM Medium Server Bundle			
<i>Note: Customer to move (1) server from side A to new Side B. Transfer support for V-SVR - current through 9/2016</i>			
1	61000-409605MGT	WKST MGMT ESXI	\$1,262.50
1	04000-05135	ADPTR DP (M) TO VGA (F)	\$31.25
1	863014-00103	PERIPHERAL VIRTUAL KIT	\$4,118.75
Network Equipment			
1	03800-03030	FIREWALL- MODEM 60CM	\$722.50
1	03800-03031	WARR FIREWALL F/W-M 1Y	\$252.50
1	809800-00201	VPN CFG SVCS	\$250.00
2	04000-29616	SWITCH 2960 + CBL 24-PORT	\$2,400.00
2	04000-29611	WAR 2960 24P 1YR NBD	\$265.00
Peripherals & Gateways			
2	2213937-1-SR1	FXO GATEWAY 8-PORT	\$3,297.50
2	04000-00176	SW SPT ANALOG GATEWAY 1YR	\$150.00
Rack & Peripheral Equipment			
1	06500-55053	7FT EQUIPMENT RACK 19IN	\$343.75
1	Synnex	19IN Monitor	\$184.11
1	04000-004B4	KEYBOARD KVM	\$552.50
1	04000-00607	CBL KVM USB CONSOLE	\$172.50
4	04000-60611	CBL KVM USB 10FT	\$415.00
1	04000-RMM19	BRKT 19IN RACK MTG/ARBIT	\$40.00
1	Wireless	1st Year Warranty Service	\$4,607.53
VESTA® 9-1-1 Subtotal			\$27,175.39

VESTA® 9-1-1 CommandPOST System

Qty.	Part No.	Description	Price
VESTA® 9-1-1 CommandPOST System			
VESTA® 9-1-1 Prime Standard Operations			
7	PS-OPR-VSSL	VPRIME PER SEAT LIC	\$48,125.00
7	SS-OPR-VSSL-1Y	SPT VPRIME 1YR	\$8,662.50
Geo Diverse Add On License			
7	PA-MGD-VSSL	GEO-DIV LIC	\$6,562.50
CommandPOST Hardware			
7	61050-G409602	LAPTOP ZBOOK15 G2 W7	\$15,828.75
7	04000-00490	ADV DOCK STATION 230W	\$3,517.50
7	64021-10025	KYBD/MOUSE BNDL	\$385.00
7	64007-50021	KEYPD 24K 12F USBCBL CP24	\$953.75
7	853004-00401	SAM EXT SPKR KIT	\$1,470.00
7	65000-00124	CBL PATCH 15FT	\$122.50
7	853004-00301	CPOST SAM HDWR KIT	\$19,967.50
7	809800-35109	R4 IWS CFG	\$1,750.00
7	809800-35108	R4 IWS STG FEE	\$2,625.00
ESinet Interface Module (EIM)			
7	873090-11102	R4 LIC EIM RFAI MOD	\$1,750.00
7	809800-01116	R4 LIC EIM RFAI SPT 1YR	\$315.00
VESTA® 9-1-1 IRR Module			
7	873099-00502	R4 IRR LIC/DOC/MED	\$8,706.25
7	809800-35110	R4 IRR SW SPT 1YR	\$1,566.25
VESTA® 9-1-1 CDR Module			
7	873099-01102	R4 CDR PER SEAT LIC	\$787.50
VESTA® 9-1-1 CommandPOST System Subtotal			\$123,095.00

24x7 Remote Monitoring Service

Qty.	Part No.	Description	Price
		Side A	
		Monitoring & Response License & Support Fees	

		<i>Move (1) Server License from Side A for DDS-B Server, Move (1) Workstation License and Support for Virtual Machine, Move (1) IP License and support for MDS-B server.</i>	
1	871499-01210	M&R 3.0 IP DEVICES LIC <i>Note: Includes (1) Mgt/Node</i>	\$88.75
1	809800-16166	M&R 3.0 IP DEV SRVC 1YR	\$450.00
Side B			
Monitoring & Response License & Support Fees			
		<i>Move (1) Server License from Side A for DDS-B Server, Move (1) Workstation License and Support for Virtual Machine, Move (1) IP License and support for MDS-B server.</i>	
1	871499-01211	M&R 3.0 WKST LIC <i>Note: Includes (1) Management Console,</i>	\$88.75
1	809800-16161	M&R 3.0 WKST SRVC 1YR	\$450.00
7	871499-01210	M&R 3.0 IP DEVICES LIC <i>Note: Includes (4) Gateways, (1) Firewall, (2) Cisco Switches,</i>	\$621.25
7	809800-16166	M&R 3.0 IP DEV SRVC 1YR	\$3,150.00
Remote Monitoring Services Subtotal			\$4,848.75

Services

Qty.	Part No.	Description	Price
1	Wireless	Shipping	\$1,172.20
2	Wireless	Training	\$1,448.00
1	Wireless	Installation	\$17,131.54
48	809800-17005	Field Engineering Services FIELD ENG REMOTE SVCS <i>Note: FE time applies to standard switch configuration in accordance with VESTA 911 IP Network Config Guide. Extensive WAN troubleshooting will require additional units.</i>	\$6,000.00
152	809800-17101	Services to Support SMS FIELD ENG-PRIMARY <i>Note: Field Engineering to perform the configuration of SMS. Services include: 60D Firewall configuration, VESTA 911/VESTA SMS configuration, import of VESTA SMS VM's (if applicable), upgrade of VESTA Analytics (if applicable), and preparation of screen layouts. Customer is responsible for the installation of any hardware, VESTA SMS configuration changes, workstation upgrades, system testing, and TCC services. Field Engineering Services for the configuration of SMS is required for customers that have not been certified in the installation of SMS for VESTA 911 R6.</i>	\$19,000.00
1	Spectracom	NetClock Command Center Package	\$10,984.17
			\$55,735.91

Quote Summary

\$211,717.55

Sales Agreement

THIS SALES AGREEMENT dated this 31 day of May, 2016

BETWEEN:

Wireless Communications, Inc. of 4800 Reagan Drive, Charlotte,
Mecklenburg County, North Carolina
(the 'Seller')

OF THE FIRST PART

- AND -

Orange County, 200 S. Cameron Street, PO Box 8181,
Hillsborough, NC 27278-8181 (the 'Purchaser')

OF THE SECOND PART

IN CONSIDERATION OF THE COVENANTS and agreements contained in this Sales Agreement, the parties to this Agreement agree as follows:

Sale of Goods

1. The Seller will deliver the Vesta 9-1-1 system/network, work stations, hardware, software, and related equipment and materials as more particularly described in Exhibit A, (Statement of Work) attached hereto and incorporated herein by reference and hereinafter mutually referred to as "Goods", and will set up and install the same, test the Vesta 9-1-1 system and work stations for errors and defects, correct any errors and defects in the Vesta 9-1-1 system, work stations, software and related materials and equipment, and have the Vesta 9-1-1 VoIP system and integrated work stations ready for training of Licensee's personnel no later than 120 days from date of contract signing. In addition to the foregoing Seller shall also cause the foregoing to be provided to Purchaser free of any errors or defects in operation, capable of providing Beneficial Use to the Purchaser as defined herein not later than 150 days from the date of contract signing. Purchaser is responsible for providing a site that is ready to receive the equipment.

Purchase Price

2. The Purchaser will pay for the Goods with the sum of two hundred eleven thousand seven hundred seventeen dollars and fifty five cents (\$211,717.55) USD.

Side A Upgrade for Geo-diversity	\$ 862.50
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Side B Backroom Equipment	\$ 27,175.39
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7 CommandPost units	\$123,095.00
24x7 Remote Monitoring	\$ 4,848.75
Airbus Field Engineering Services	\$ 25,000.00
Turnkey Installation	\$ 17,131.54
Employee Training	\$ 1,448.00
Shipping	\$ 1,172.20
Spectracom Netclock	\$ 10,984.17
Total Price	\$211,717.55

3. The Seller and the Purchaser both acknowledge the sufficiency of this consideration. In addition to the purchase price specified in this Agreement, the amount of any present or future sales, use, excise or similar tax applicable to the sale of the Goods will be paid by the Purchaser, or alternatively, the Purchaser will provide the Seller with a tax exemption certificate acceptable to the applicable taxing authorities.
4. Payment for the Goods will be made in accordance with the Payment Terms of Clause 23 of this Agreement.

Delivery of Goods

5. The Goods will be delivered to the Purchaser. Delivery will be considered complete for the sole purpose of making payment according to the terms of provision 23 herein, upon arrival of all equipment and hardware at a Wireless Communications, Inc. designated location for setup and staging. Wireless Communications will provide the Orange County with a complete packing list and the opportunity to inspect the equipment upon arrival. The method of shipment will be within the discretion of the Seller.

Risk of Loss

6. The risk of loss from any casualty to the Goods, regardless of the cause, will be on the Seller until the Goods have been delivered into the physical exclusive possession of Purchaser at the designated location for such delivery and inventoried jointly by a representative from both the Seller and Purchaser. Wireless Communications, Inc. will maintain insurance responsibility for goods until delivered to the Orange County Office.

Final Acceptance upon delivery of Beneficial Use

7. Anything to the contrary herein notwithstanding, Seller shall notify Purchaser when the hardware and software have been installed and the integrated Vesta 9-1-1 VoIP system and Vesta work stations have been tested and are ready for Purchaser to begin training as provided for herein. If errors are encountered in the Vesta 9-1-1 system, work stations or software during the set up and installation, Seller shall promptly correct those errors. If Seller is unable to correct such errors or defects which prevent the Beneficial Use of the Goods by Purchaser within a "commercially reasonable time", which term as used herein shall not be construed in any event to exceed 30 days beyond the otherwise required performance of Seller's duties hereunder within 120 days of executing this Agreement, then this contract shall automatically terminate at 11:59PM of the 150th day from the date of contract signing without any need for notice to either party thereof. If such termination shall occur, Seller shall refund within 180 days of the execution of this Agreement to Purchaser, all payments by it for the Vesta 9-1-1 system, work stations, software and related equipment and materials. In the event of termination pursuant to this provision, Purchaser agrees to cooperate in good faith with Seller in providing access to and coordinating with Seller the uninstallation and return of all Goods that were delivered to Purchaser prior to such termination, the costs of which including but not limited to the cost of any uninstallation, packaging, and/or shipping shall be paid solely by Seller. The warranties provided for herein will begin as of the date Purchaser receives Beneficial Use of the equipment. The term "Beneficial Use" as used herein shall be defined as: reception of true and actual 911 calls which includes the delivery of Automatic Number Identification (ANI), Automatic Location Identification (ALI), a mapping data stream, and successful interface of data with the CAD System for a minimum uninterrupted and error free period of 7 days following the completion of installation and training of personnel, provided however that any such interruptions suffered in reception which can be positively attributed to a source not caused by Seller or the Goods shall not qualify as an interruption for purposes of the foregoing definition.

Warranties

8. The Seller warrants that (1) the Seller is the legal owner of the Goods; (2) the Goods are free from all liens and encumbrances; (3) the Seller has the right to sell the Goods; and (4) the Seller will warrant and defend the title of the Goods against any and all claims and demands of all persons.
9. The Seller warrants that the Goods will be fit for the purpose for which such goods are ordinarily intended.
10. The Seller warrants that the Goods are now free and at the time of delivery will be free from any security interest or other lien or encumbrance, except the security interest created in this Agreement until the Seller is paid in full.
11. The Seller warrants that the Goods will be delivered free of the rightful claim of any person arising from patent or trademark infringement, and that in the event

of such a claim Seller will defend against and otherwise shall indemnify the County against any loss or damages sustained by the County as a result of said claim.

12. Wireless Communications, Inc. agrees to provide with the included additional consideration, around the clock 24 hour a day, 7 days a week, parts and labor support on all furnished equipment and software for a period of one year from date of acceptance.
13. Seller agrees to represent the Manufacturer's Warranty. All Manufacturer warranties shall apply.
14. EXCEPT FOR THE ABOVE WARRANTIES, NO OTHER WARRANTY (WHETHER EXPRESSED, IMPLIED OR STATUTORY) IS MADE BY THE SELLER REGARDING THE GOODS.

Title

15. Title to the Goods will remain with the Seller until delivery to and actual physical receipt of the Goods by the Purchaser or, in the alternative, the Seller delivers a document of title or registrable Bill of Sale of the Goods, bearing any necessary endorsement, to the Purchaser. Notwithstanding anything to the contrary herein, Seller shall insure against any loss or damage to the Goods for so long as it maintains title to the goods as provided hereinabove.

Security Interest

16. The Seller retains a security interest in the Goods until paid in full.

Inspection

17. Inspection upon the physical delivery of the Goods into Purchaser's exclusive custody will be made by Purchaser at the time and place of such delivery to Purchaser's emergency communications center, or other delivery location identified by Purchaser for delivery. If such inspection yields an issue of Purchaser with the Goods as provided, Purchaser and Seller shall work together in good faith to resolve any such issue, and in no event shall Purchaser be required to tender payment for any invoices received from Seller for such disputed Goods, provided however Purchaser shall pay the remaining balance of any such invoice to the extent the amounts are charged for other Goods to which there is no dispute.

Claims

18. Purchaser and Seller may consent in writing to the resolution or provision of certain items not otherwise resolved or provided by signing a written punch list of such items which shall set forth the estimated date of resolution or provision

for each item identified therein. The Purchaser's failure to notify Seller in writing of any issue with or rejection of any item identified on such a punch list and resolved or provided pursuant thereto within 10 days following such resolution or provision thereof shall constitute acceptance of the item as provided and shall constitute a waiver by Purchaser of all claims with respect to such items thereafter. Notwithstanding anything to the contrary contained herein Purchaser may require actual express acceptance of certain items if deemed advisable in its sole discretion to effect an acceptance thereof and neither party shall be required to enter into an extension of this Agreement or the provision of any Goods, services, or other performance provided for herein by such a punch list, and may further restrict the terms of such an extension at the time such punch list is created and signed which shall act as a written modification to this Agreement provided it conforms with the modification provision of this Agreement if any.

Excuse for Delay or Failure to Perform

19. The Seller will not be liable in any way for any delay, non-delivery or default in shipment due to labor disputes, transportation shortage, delays in receipt of materials, fires, and accidents. If the Seller, will be prevented because of the foregoing matter from delivering the Goods at the time specified or within 90 days after the date of this Agreement, then either the Seller or the Purchaser will have the right to terminate this Agreement by notice in writing which, in the case of the Seller, will be accompanied by full refund of all sums paid by the Purchaser under this Agreement, or in the case of the Purchaser shall require a full refund by Seller of all sums paid by Purchaser under this Agreement, and the obligation upon Purchaser to work with Seller in good faith to allow access to Seller for any uninstallation, packaging, and/or shipping which may be required to effect a return of any Goods for which any consideration was paid hereunder, the additional costs of which if any shall be Seller's sole responsibility.

Remedies

20. The Purchaser's exclusive remedy and the Seller's limit of liability for any and all losses or damages resulting from defective goods or from any other cause will be for the purchase price of the particular delivery with respect to which losses or damages are claimed, plus any transportation charges actually paid by the Purchaser. Notwithstanding anything herein to the contrary, in no event shall either Party's liability to the other party arising out of this Contract in any way exceed the total cost of the Goods as set forth herein.

Cancellation

21. The unilateral right to cancel this Agreement is reserved in favor of:
1. The Seller:

1. if the Purchaser fails to pay for any shipment when due without claiming an issue or rejection of such shipment within 10 days of inspecting such shipment as provided for herein. In the event such an issue or rejection is claimed, this cancellation provision shall not apply and the parties shall work together in good faith to resolve any such issues or disputes;
 2. in the event of the Purchaser's insolvency or bankruptcy; or
2. The Purchaser:
1. if the Seller fails to deliver the hardware, software, materials, and any other equipment or Goods as provided in this sales agreement together with any attachments hereto;
 2. in the event of the Seller's insolvency or bankruptcy.

Notices

22. Any notice to be given or document to be delivered to either the Seller or Purchaser pursuant to this Agreement will be sufficient if delivered personally or sent by prepaid registered mail to the address specified below. Any written notice or delivery of documents will have been given, made and received on the day of delivery if delivered personally, or on the date of mailing if sent by prepaid registered mail:

SELLER: 4800 Reagan Drive, Charlotte, Mecklenburg County, North Carolina, 28206

PURCHASER: Orange County Emergency Services, Attn: Director, 510 Meadowland Drive, PO Box 8181, Hillsborough, NC 27278-8181

Additional Provisions

23. Payment Terms:

Customer agrees to make the following payments:

25% of Project Total is due with purchase order and written notice to proceed or soon thereafter. .

25% of Project Total is due upon physical delivery to Wireless Communications, Inc.

20% of Project Total is due upon physical delivery to Orange County.

20% of Project Total is due upon physical installation at Orange County.

Final 10% of Project Total is due upon final acceptance by an Orange County representative.

General Provisions

24. The rule of construction against the drafter of a legal instrument shall not apply to this Agreement which has been negotiated at arms-length between the parties hereto.
25. Headings are inserted for convenience only and are not to be considered or relied upon when interpreting or construing the meaning of the terms of this Agreement. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.
26. All representations and warranties of the Seller contained in this Agreement will survive the closing of this Agreement.
27. This Agreement including the rights and duties hereunder shall not be assignable in whole or in part by either party without the prior written consent of the non-assigning party thereto, and any attempted assignment hereof shall be void.
28. This Agreement cannot be modified in any way except in writing signed by all the parties to this Agreement, and in such event shall be effective as against the Purchaser only if executed by a duly authorized representative of Orange County.
29. This Agreement will be governed by and construed in accordance with the laws of the State of North Carolina, including the North Carolina Uniform Commercial Code and the Seller and the Purchaser hereby attorn to the jurisdiction of the Courts of the State of North Carolina.
30. Except where otherwise stated in this Agreement, all terms employed in this Agreement will have the same definition as set forth in the Uniform Commercial Code in effect in the State of North Carolina on the date of execution of this Agreement.
31. If any clause of this Agreement is held unconscionable by any court of competent jurisdiction, arbitration panel or other official finder of fact, the clause will be deleted from this Agreement and the balance of this Agreement will remain in full force and effect.
32. This Agreement will inure to the benefit of and be binding upon the Seller and the Purchaser and their respective successors and assigns.
33. This Agreement may be executed in counterparts.
34. Time is of the essence in this Agreement.
35. This Agreement constitutes the entire agreement between the parties and there are no further items or provisions, either oral or otherwise.

36. This contract has been pre-audited in accordance with the provisions of North Carolina law.
37. Standing & Authority: Seller represents to Purchaser that Seller is a Corporation duly organized, validly existing, and in good standing under the laws of the State of North Carolina. Seller is qualified to transact the business contemplated herein within the state of North Carolina, and has full power and authority to execute, deliver, and perform this Contract, and doing so will not violate any provision of law or contravene any provisions of its internal governing documents. This Contract and the performance thereof by Seller have been duly authorized by Seller to the extent that no further authorization of any third party is necessary to legally bind Seller hereto, and this Contract together with any accompanying documents being executed by Seller, have been duly executed on behalf of Seller and constitute the legal, valid, and binding obligation of Seller, enforceable in accordance with the terms of this Contract.
38. Alternative Dispute Resolution: The parties hereby acknowledge and agree that any and all controversy, claim, dispute, or conflict whatsoever arising out of or relating to this Contract, or the breach thereof, shall first be submitted to a process of non-binding dispute resolution called Mediation (as further defined hereinbelow).
- a. Mediation is that process which is described by North Carolina in its Alternative Dispute Resolution Program through the Dispute Resolution Commission. The parties agree that they will attempt to agree on a North Carolina Certified Superior Court Mediator with the understanding that this list is maintained by the North Carolina Dispute Resolution Commission. Should the parties be unable to agree, then that mediator who is next to be assigned on a case by Court Administration in Orange County will be used as the mediator. The parties shall share the costs of mediation equally and the parties agree to mediate in good faith.
39. Cumulative Remedies. Each right, power, and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and concurrent and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise.
40. Waiver. The failure of any party to seek redress for violation of or to insist upon the strict performance of any covenant or condition of this Agreement shall not waive such party's right to seek redress at a later date in the absence of written consent to such waiver.

41. Duplicate Execution: This Agreement may be executed in duplicate copies each of which shall be deemed an original copy of this Agreement.
42. Compliance with Laws. Provider shall at all times remain in compliance with all applicable local, state, and federal laws, rules, and regulations including but not limited to all anti-discrimination laws. By executing this Agreement, Provider affirms Provider is in compliance with Article 2 of Chapter 64 of the North Carolina General Statutes and certifies that they have not been identified nor utilized the services of any subcontractor on the list created by the State Treasurer pursuant to G.S. 147-86.58. Where applicable, failure to maintain compliance with the requirements of Chapter 64, Article 2 or §147-86.58 of the North Carolina General Statutes constitutes Provider's breach of this Agreement.
43. Non-Appropriation. Provider acknowledges that County is a governmental entity, and the validity of this Agreement is based upon the availability of public funding under the authority of its statutory mandate. In the event that public funds are unavailable and not appropriated for the performance of County's obligations under this Agreement, then this Agreement shall automatically expire without penalty to County immediately upon written notice to Provider of the unavailability and non-appropriation of public funds. It is expressly agreed that County shall not activate this non-appropriation provision for its convenience or to circumvent the requirements of this Agreement, but only as an emergency fiscal measure during a substantial fiscal crisis. In the event of a change in the County's statutory authority, mandate and/or mandated functions, by state and/or federal legislative or regulatory action, which adversely affects County's authority to continue its obligations under this Agreement, then this Agreement shall automatically terminate without penalty to County upon written notice to Provider of such limitation or change in County's legal authority.
44. Signatures. This Agreement together with any amendments or modifications may be executed electronically. All electronic signatures affixed hereto evidence the intent of the Parties to comply with Article 11A and Article 40 of North Carolina General Statute Chapter 66.

IN WITNESS WHEREOF the parties on the day and year first written above have caused this Sales Agreement to be executed in their corporate names and capacities intending for the terms hereof to legally bind their corporations thereto, and further intending the placement of their signatures on this document to constitute the placement of their respective corporations legal SEAL hereupon conveying therewith all the rights and remedies that the placement thereof shall have under the laws of the state of North Carolina.

[SIGNATURE PAGE TO FOLLOW]

ORANGE COUNTY:

WIRELESS COMMUNICATIONS:

By: _____
Bonnie Hammersley, County Manager
Orange County, North Carolina

By:  _____
Dennis Draney, Director CFC
Printed Name and Title

Attest: _____
Melissa Allison (Orange County
Manager's Office)

[SEAL]

Orange County, NC

VESTA E9-1-1 System Geo-Diverse Upgrade

Detailed Statement of Work

Overview

This document describes the supplied equipment and a detailed statement of work (SOW) which will be provided by Wireless Communications, Inc. (“Wireless”) to perform a hardware upgrade to the existing single site VESTA 9-1-1 telephone switch to create a Geo-Diverse 9-1-1 switch for the Orange County, NC (“Orange County”) Communications Center. This document and other supporting information will become attached as an addendum to a contract between Wireless and Orange County for the stated improvements, subject to the terms and conditions described in this document.

Equipment / Services

The following sections provide general descriptions of the equipment and services provided under this contract, and the functionality of each. Where relevant, brief descriptions of implementation details are also provided.

VESTA Enhanced (E9-1-1) Switch

The existing VESTA 9-1-1 telephone switch will be upgraded to a Geo-Diverse operating system by relocating and reconfiguring one-half of the existing server hardware to the backup PSAP communications equipment room.

The new VESTA Geo-Diverse 9-1-1 side “B” equipment rack and associated hardware will be installed in the backup PSAP equipment room. New cabling will be used between the FXO Gateways and their respective punch blocks.

Additional VESTA system hardware to be provided and installed at the backup PSAP consists of the follows:

- Redundant power supplies;
- New FXS Gateways;
- New Cisco or HP switches;
- New Firewall.

Workstations

The existing VESTA workstations will be used and will require no modifications.

Optional Equipment

GPS Time Standard

The Spectracom NetClock GPS Master Clock synchronizes computer networks and emergency dispatch systems. Master Clock meets NENA PSAP Master Clock standard (#04-002).

One (1) new Spectracom NetClock GPS Master Clock will be supplied and installed at Orange County's backup Communications Center to provide system timing.

The basic Spectracom NetClock GPS Master Clock assembly consists of the following:

- One (1) NetClock/GPS Time Server/Master Clock Model 9483 with Opt 05 OCXO Oscillator for GPS Back-up;
- One (1) GPS Outdoor Antenna Model 8225;
- One (1) GPS Antenna Surge Protector Model 8226;
- One (1) Outdoor GPS Antenna Cable CAL7100, 100 ft.

Portable Answering Position

In addition to the primary VESTA E9-1-1 system, the VESTA CommandPost product, a single position E9-1-1 operating position uses a VPN connection to operate as a remote 9-1-1 public safety answering point ("PSAP") as a supplementary position to handle call overflow in a high traffic situation, or in the event of a need to evacuate the Communications Center.

The operator position for the CommandPost consists of a laptop PC computer workstation, operating with Windows 7 Professional operating system and the VESTA CommandPost Remote Answering Position software.

Seven (7) CommandPost call answering units will be supplied and installed at the backup PSAP. These units will comprise the following items:

- One (1) CommandPost laptop computer, with suitable memory and disk space to support the needs of the E9-1-1 software suite;
- Microsoft Windows 7 Professional operating system.

Implementation

The implementation of the Orange County E9-1-1 system upgrade will be accomplished by Wireless Communications factory-trained and experienced technicians. A project manager will be assigned to the

project to provide a single point of contact for Orange County, and to schedule and coordinate activities relevant to the implementation.

Project Management

A project manager will be assigned by Wireless Communications to facilitate and oversee the complete project, and will be a single contact point for Orange County for all items concerning the implementation of this project. The Project Manager will provide the following services toward maintaining an organized and orderly project implementation:

- Inventory of all equipment upon arrival, and deliver equipment inventory list to Orange County;
- Determine and coordinate any customer provided site improvements required to ensure the final system operates reliably, according to the manufacturer's specifications, and consistent to Orange County's expectations. This includes the upgrade of the grounding system to meet manufacturer's specifications;
- Schedule, coordinate, and facilitate the installation of all equipment;
- Provide responses and coordination with Orange County personnel on any areas that are in question during system installation and acceptance;
- Project scheduling; and,
- Generation and distribution of progress reports throughout the project duration.

The assigned Project Manager will have the power to make significant decisions relevant to the project, and will have direct access to Wireless Communications' top management for resolving problems beyond the Project Manager's direct authority.

The Project Manager will be on site during critical points of the installation of this system, and will perform the following tasks:

- Review all specifications and familiarize himself/herself with the requirements of the project;
 - Schedule the delivery, and keep Orange County informed at all times of the delivery schedule of all equipment pertaining to this project;
 - Coordination of any required engineering;
 - Perform all site visitations with a Orange County representative;
 - Coordinate all site preparation required for the successful installation of this system;
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- Provide to Orange County all installation documentation, wiring diagrams and as-built documentation;
- Will be on site during the installation of the fixed equipment installation and provide or arrange for additional information and assistance as required by the installation personnel and/or Orange County;
- Coordinate the entire optimization effort of this system until accepted by Orange County;
- Coordinate training and cutover schedules with Orange County;
- Resolve all punch list items to the satisfaction of Orange County prior to final acceptance of the system;
- Schedule and attend monthly or weekly meetings, depending on the status and progress of the project, during the system installation, to keep Orange County up to date on the status of the system installation.

E9-1-1 Equipment Rack Assembly

The next step in the implementation will be the installation of side “B” equipment into the new equipment rack. This installation will include several tasks and subprojects.

Punch Blocks

Punch blocks will be installed onto a plywood board mounted to the wall of the backup PSAP equipment room, near the planned equipment rack location. The punch block interfaces for the VESTA system, and additional punch blocks as needed to provide appropriate industry-standard connection points for other interconnected equipment, will be mounted to the board. All inbound telco circuits will terminate on this board. Cable management devices (e.g., spools, U-rings) will be installed on the board to provide clean routing for cabling and jumpers.

VESTA Geo-Diverse Upgrade Installation

New VESTA Geo-Diverse 9-1-1 hardware will be installed in the backup PSAP equipment room. New cabling will be used between the FXO and FXS Gateways and their respective punch blocks.

The 9-1-1 trunk interface modules will be configured and jumpers installed to the telco interface punch blocks, as appropriate. Preliminary alignment will be performed on the trunk interfaces to work with connected 9-1-1 trunks.

Cutover

Once the VESTA Geo-Diverse switch hardware has been installed and tested the system will be ready for cutover. Cutover will be conducted in

a manner that has minimal impact to the live operations of the 9-1-1 call answering functions.

At this time the seven (7) new VESTA Command Post units will be installed, configured and tested. Each VESTA Command Post will be installed at an operator position and connected to the network.

If any major incident or disaster occurs, or at any time as directed by authorized Orange County personnel, the implementation will stop. If this occurs during a testing or alignment cycle, Wireless technicians will stabilize the system as quickly as possible and cease operations until notified by authorized Orange County personnel that implementation may continue.

Final Acceptance

Once all equipment is installed and working, Orange County will be invited to submit a “punch list” to Wireless Communications of any problems, deficiencies, or other unsatisfactory conditions.

Wireless Communications will commit a time period to resolve all punch list items, and will act to clear up any identified issues.

When the punch list is completely resolved, the Orange County representative will be asked to sign a Final Acceptance Completion Certificate. By signing this certificate, Orange County will acknowledge that Wireless Communications, Inc. has satisfied the deliverables described in this statement of work, and has completed the contractual obligations for this project. At such time, the project will be considered as complete, and the warranty period will begin.

System Warranty and Service

Following system acceptance, a one-year warranty period with 7x24 service will begin for all equipment provided under this contract. This agreement is subject to the service agreement terms and conditions included with this document.

Orange County’s Responsibilities

The following items are the responsibility of Orange County, or its agents:

- High speed internet (DSL preferred with Static IP address) access for remote maintenance access; if DSL is PPPoE a router for authentication will be required;
 - IP Network connectivity between the primary PSAP equipment room and backup PSAP equipment room. Network shall meet Plant CML end-to-end QoS requirements for bandwidth, delay, jitter and loss. Layer 2 with priority queuing. Airbus Communications, Inc. highly recommends dual IP Network connectivity;
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- Appropriately sized conduit or cable raceway between 911 equipment room and dispatch room to facilitate installation of VESTA workstation to VESTA switch cables;
- Two (2) dedicated single outlet 20A circuit to the equipment room, within six (6) cable feet of the VESTA equipment rack. The termination for this circuit will be with a receptacle TBD and at location to be specified by Wireless. Power should be sourced via emergency generator-backed uninterruptible power supply (“UPS”);
- One (1) dedicated 15A circuit into two (2) duplex 5-15R receptacles at each workstation area, at locations specified by Wireless. Power should be sourced via emergency generator-backed uninterruptible power supply (“UPS”);
- A sufficiently sized ground bus cable installed between building electrical entrance ground and designated 911 equipment rooms;
- One (1) RS-232 interface cable, terminated into a DB-9 male connector, from the CAD system for ANI/ALI transfer. Orange County is also responsible for coordination with CAD vendor for clarification, testing, and modification (if necessary) of CAD communications protocols;
- Adequate wall space to mount a finished 4' x 4', 3/4" plywood board within six feet (6') of the VESTA equipment rack location.
- Provide required manufacturer approved Netclock system timing;
- Provide and/or order the necessary telco facilities, including (but not limited to):
 - 911 trunks,
 - admin lines, and

The 911 trunks, ALI circuits shall terminate on an RJ-21 block mounted to the plywood board within six feet (6') of the VESTA equipment rack location. Admin lines shall terminate on a separate Type-66 block mounted to the plywood board within six feet (6') of the VESTA equipment rack location.

Wireless will assist in the identification of these circuits;

- Coordinate scheduling and provide compensation for participants in administrative and telecommunicator end-user training sessions;
 - Disposal of excess equipment and old 9-1-1 system;
 - Provide parking for at least two (2) mid-sized vans for equipment delivery, and one (1) mid-sized service van for the implementation period;
-

- Provide Wireless Communications personnel with timely and accurate decisions and responses to requests for technical, operational, and other information.

Terms and Conditions

The following terms and conditions apply to this project and associated contract:

A. General

- A.1. The "Customer" is the end-user or owner of the equipment affected by this Statement of Work, and who will receive the direct benefits from the items in this quotation. The "Client" is the contractor who will provide payment to Wireless Communications, Inc.
- A.2. This is a non-union Statement of Work.
- A.3. Wireless Communications, Inc. is an Equal Opportunity Employer.
- A.4. A Professional Engineer's stamp will not be required by the Customer or Client on any drawings.

B. Limits to Quotation and Statement of Work

- B.1. Pricing is valid only for those items stated within the Statement of Work. Any modifications to the equipment or the statement of work for the original quote must be re-negotiated.
- B.2. Equipment not described or not stated within this Statement of Work that later requires installation and maintenance will require an additional quote, and the associated costs will be borne by Customer or Client.
- B.3. Pricing is valid for 90 days from the date of any quote, and will be invalid if the installation does not commence within six months from the date of the quote. When conditions dictate an excessive delay in a system installation then a re-negotiated quote may be required.
- B.4. Unless specified, this Statement of Work does not include Customer training.
- B.5. No additional equipment will be installed, other than that listed on the provided equipment list or as described in this Statement of Work.
- B.6. No costs are included to relocate equipment, other than as specified in the Statement of Work. The impact of any modifications, improvements, relocations, or enhancements to the site, to site furniture, or to other equipment, is outside the scope of this Statement of Work, unless specified.
- B.7. This Statement of Work does not include project management, or related tasks (e.g., inventory, project oversight, engineering, etc.), unless such services are specifically enumerated in this Statement of Work.
- B.8. This Statement of Work does not include any spare or backup equipment or services, unless specified in the Statement of Work.

C. Site Readiness and Accessibility

- C.1. All construction, including painting, flooring, ceiling, wall treatments, electrical, and plumbing, will be complete prior to commencement of installation activities.
 - C.2. Wireless Communications will not be responsible for additional trips to ascertain the status of work by others. Site visits precipitated by indications of site readiness from either the Customer or Client, where preconditions for installation have not been met, will be billed to the appropriate party at the prevailing rate.
 - C.3. Installation areas will be dry, well-lit, clear of debris, and secure from unauthorized trespass.
 - C.4. Customer will be required to provide on-site parking for at least one Ford "Econoline" type van.
 - C.5. Installers are to have free access to all work areas either by keys or a Customer escort to stay with them at all times. The Customer bears sole responsibility for compensation of Customer escort(s).
 - C.6. Statement of Work is based on access to all sites as required by Wireless Communications and their assigned subcontractor(s). Deviations to the specified site locations will require revised pricing.
 - C.7. All installation schedules and work will be based upon local weather conditions.
 - C.8. Any stated response time(s) is/are based on access to all sites. Wireless Communications Service Center will not be responsible for delays or additional costs
-

which arise due to inaccessible sites.

- C.9. Clear, clean, unobstructed space is provided by the Client or Customer in which to install and mount all equipment.
- C.1 Connections for all cabling is readily accessible (as defined in the 2002 National Electrical Code) to technicians during installation.

D. Customer/Client Responsibilities

- D.1. Customer is to furnish all AC power and phone lines, and is responsible for all recurrent costs for power and telco service.
- D.2. The Customer or Client will obtain and provide any required telephone, power, and grounding terminations within four feet of equipment as applicable to make the system operational. Power will include both utility and emergency power.
- D.3. Cable raceways, conduit, and cable support structures (e.b., cable ladders, ice bridges) required by the NEC and by local codes for cable routing and installation are the responsibility of the Client or Customer, unless specifically included in the Statement of Work.
- D.4. Penetrations and seals of walls, roofs, flooring (e.g., core drilling), and other barriers as required for cable entry and routing are the responsibility of the Client or Customer, unless specifically included in the Statement of Work.
- D.5. All permits and/or licenses required for the duration of the contract will be the responsibility of the Customer or Client.
- D.6. It is assumed that all data provided by the Customer, the Client, their agents, and their vendors, is accurate and reliable. Costs incurred as a result of inaccurate information will be billed to the Client at the prevailing rates.
- D.7. All documentation will be based upon visual observation of current facilities and upon information documented by Customer or Client.
- D.8. Additional testing as required by the Customer or Client for acceptance, other than that specified herein, will be charged on a time and material basis, and payment will be the sole responsibility of the Client.
- D.9. All equipment, hardware, parts, and supplies are the responsibility of the Customer and/or the Client, unless specifically provided for in this Statement of Work.

E. Software, Firmware, and Data Entry

- E.1. This Statement of Work does not include creation of any software or manipulation of any spreadsheets or databases, unless specifically enumerated in this Statement of Work.
- E.2. Determination of the compatibility, reliability, and appropriateness for the intended use, of any and all versions of software, firmware, or other programs or databases, either affected by, used in, or modified as a result of this statement of work, is the responsibility of the Customer or Client.
- E.3. The validity of data provided to Wireless Communications, Inc., and subsequently entered into any Customer-owned databases, spreadsheets, or other software applications will be the responsibility of the Customer or the Client.

F. Intellectual Property

- F.1. The statement of work contained herein, and all technical information related to this quotation, is proprietary and confidential to Wireless Communications, and may not be disclosed publicly, privately, or in any manner, to anyone other than the indicated Customer or Client, without the express written permission of Wireless Communications, Inc.
- F.2. This statement of work, and all attached addenda or documentation, is copyrighted by Wireless Communications, Inc., effective the date shown on the statement of work.

G. Payment Schedule

- G.1. Unless otherwise specified in this SOW, payment to Wireless for the equipment and/or services as described in this SOW will be made per the following milestone schedule: 25% with Customer purchase order, or upon written notice to proceed, with written order, or upon award, as applicable; 25% upon physical delivery to Wireless Communications Inc.; 20% upon physical delivery of equipment to Customer; 20% upon physical installation at Customer premise; and, 10% upon the Customer's final acceptance of the

system.

- G.2. Payments are due at completion of each milestone.
- G.2. Multiple milestone payments may be made simultaneously, so long as both (or all) payments are made at the time the earliest payment is due.

Terms and Conditions Revised 10/18/2002

Equipment List

The following is a complete list of the equipment which will be supplied by Wireless Communications, Inc. under this contract. Incidental materials, such as screws, mounting hardware, wire, and similar items are not included in this list.

VESTA 9-1-1 - Side A

Qty.	Part No.	Description
11	PA-MGD-VSSL	VESTA 9-1-1 Geo Diverse Add On License GEO-DIV LIC

VESTA 9-1-1 - Side B

Qty.	Part No.	Description
1	809800-35064	VESTA 9-1-1 Customer will move TL601 from Side A SYS DIVERSIFICATION FEE
2	04000-01751	TS-4 PORT TERMINAL SVR
4	65000-00182	CBL RJ45-10P/DB25M 4FT
		VM Server Bundles <i>Customer will move DDS-B and MDS-B to new PSAP</i> <i>Support for V SVR Basic will move from Side A and is current through 7/17/2015</i>
2	06500-00501	2-POST 5U RACK MNT KIT
1	64040-60019	VESTA 9-1-1 Admin Printer PRNTR USB/ETHERNET COLOR <i>Note: Inkjet Color printer. Recommended monthly volume, 7,500 pages.</i>
1	65000-03133	CBL USB SHLD M/M 10FT
		Network Equipment
1	03800-03030	FIREWALL- MODEM 60CM
1	03800-03031	WAR FIREWALL 60CM 1YR
1	809800-00201	VPN CFG SVCS
2	04000-29616	SWITCH 2960 + CBL 24-PORT
2	04000-29611	WAR 2960 24P 1YR NBD
		Peripherals & Gateways

2	2213937-1-SR1	FXO GATEWAY 8-PORT
2	2213939-1-SR1	FXS GATEWAY 8-PORT
4	04000-00176	SW SPT ANALOG GATEWAY 1YR
Rack & Peripheral Equipment		
<i>Customer provides Monitor and will move (1) TS4 from Side A</i>		
1	61000-409605MGT	WKST MGMT ESXI
1	Synnex	19In Monitor
1	863014-00103	PERIPHERAL VIRTUAL KIT
1	06500-55053	EQUIPMENT RACK 19IN
1	64021-10025	KYBD/MOUSE BNDL
1	04000-004B4	KVM 4-PORT SWITCH
1	04000-00607	CBL KVM USB CONSOLE
4	04000-60611	CBL KVM USB 10FT
1	04000-RMM19	BRKT 19IN RACK MTG/ARBTR

VESTA 9-1-1 CommandPOST System

Qty.	Part No.	Description
		VESTA 9-1-1 CommandPOST System
		VESTA Prime - Standard Operations
7	PS-0PR-VSSL	VPRIME PER SEAT LIC
7	SS-0PR-VSSL-1Y	SPT VPRIME 1YR
Geo Diverse Add On License		
7	PA-MGD-VSSL	GEO-DIV LIC
CommandPOST Hardware		
7	61050-G409601	LAPTOP ZBOOK15 W7
7	04000-00486	LAPTOP DOCKING STATION
7	Synnex	22in Touchscreen Monitors
7	64021-10025	KYBD/MOUSE BNDL
7	64007-50016	KEYPAD 24KEY USB 12FT CBL
7	853004-00301	CPOST SAM HDWR KIT
7	809800-35109	R4 IWS CFG
7	809800-35108	R4 IWS STG FEE
ESInet Interface Module (EIM)		
7	873090-11102	R4 LIC EIM RFAI MOD
7	809800-01116	R4 LIC EIM RFAI SPT 1YR
2	03800-03040	FIREWALL MODEM 60D
2	03800-03041	WAR FIREWALL 60D 1YR
2	809800-00200	CFG NTWK DEVICE
40	809800-17101	FIELD ENG-PRIMARY
VESTA 9-1-1 IRR Module		

7	873099-00502	R4 IRR LIC/DOC/MED
7	809800-35110	R4 IRR SW SPT 1YR
7	873099-01102	VESTA 9-1-1 CDR Module R4 CDR PER SEAT LIC

Managed Services

Qty.	Part No.	Description
		Monitoring & Response Activation Fee <i>At Side A</i>
		Monitoring & Response License Fees
		Move (1) Server License from Side A for DDS-B Server, Move (1) Workstation License and Support for Virtual Machine, Move (1) IP License and support for MDS-B server.
1	871499-01211	M&R 3.0 WKST LIC <i>Note: Includes (1) Management Console</i>
10	871499-01210	M&R 3.0 IP DEVICES LIC <i>Note: Includes (4) Gateways, (1) Firewall, (2) Firewalls for EIM, (1) 2TB NAS Device, (2) Cisco Switches,</i>
		Monitoring & Response Support Fees (1) Server support, (1) Workstation Support and (1) IP Support will transfer from Side A and are current until 7/17/2015.
1	809800-16161	M&R 3.0 WKST SRVC 1YR
10	809800-16166	M&R 3.0 IP DEV SRVC 1YR

Wireless Communications Services

Qty.	Part No.	Description
1	Wireless	Shipping
1	Wireless	Installation
64	809800-17101	FIELD ENG-PRIMARY
1	Spectracom	NetClock Command Center Package

ORD-2016-027

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: Fiscal Year 2016-17 Budget Amendment #1

DEPARTMENT: Finance and Administrative
Services

ATTACHMENT(S):

Attachment 1. Budget as Amended
Spreadsheet

Attachment 2. Year-To-Date Budget
Summary

INFORMATION CONTACT:

Paul Laughton, (919) 245-2152
Gary Donaldson, (919) 245-2453

PURPOSE: To approve budget and capital project ordinance amendments for fiscal year 2016-17.

BACKGROUND:

Department on Aging

1. The Department on Aging has deferred revenue/in-flows for the following programs:
 - **Master Aging Plan Initiatives (MAP)** - As of June 30, 2016, \$72,919 from the Carol Woods Community Donation was earmarked as deferred revenue/in-flows, for use in FY 2016-17.
 - **Senior Health Insurance Information Program (SHIIP)** – As of June 30, 2016, \$682 in State funding was earmarked as deferred revenue/in-flows, for use in FY 2016-17.

This budget amendment provides for the receipt of these additional funds in FY 2016-17.
(See Attachment 1, column 1)

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with these items.

County Manager's Office

2. The County Manager's Office has received additional revenue for the following programs:
 - **Drug Treatment Court** – receipt of an additional \$5,000 from the ABC Board to support drug treatment court program expenses.

- **Continuum of Care Grant** – receipt of an additional \$6,750 to the Community Development Fund, from the United States Department of Housing and Urban Development. The Orange County Partnership to End Homelessness will use the funds to support the development and implementation of a resource database and framework to coordinate homelessness services and resources.

This budget amendment provides for the receipt of these additional funds. (See *Attachment 1, column 2*)

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

- **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.
- **GOAL: CREATE A SAFE COMMUNITY**
The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

Department of Environment, Agriculture, Parks and Recreation

3. The Department of Environment, Agriculture, Parks and Recreation (DEAPR) has deferred revenue/in-flows for the following programs:
 - **NC Matching Grant** - As of June 30, 2016, the department collected \$ 3,815 for the Soil and Water division's NC Matching Grant; funds were earmarked as deferred revenue/in-flows, for use in FY 2016-17. Matching funds are used for office and educational supplies, staff training and certification costs and award sponsorship.
 - **Little River Park Donations** – As of June 30, 2016, the department had received Little River Park donations of \$12,898; these funds were earmarked as deferred revenue/in-flows, for use in FY 2016-17.

This budget amendment provides for the receipt of these additional funds. (See *Attachment 1, column 3*)

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

Library Services

4. The Department of Library Services anticipates the following additional revenues:
 - **Federal Library Services Technology Act (LSTA) Grants** – receipt of two grants in the amounts of \$28,636 and \$40,000 awarded by the State Library. These two grants will be used to support assistive technology, training, and programming for those with disabilities of hearing and vision loss, as well as, support strategic planning and creation of the Library's 2016-2019 strategic plan, respectively.

- **Friends of the Library** – receipt of \$3,336 in additional funds. These additional funds will be used to for prizes and refreshments for the strategic plan focus groups.

This budget amendment provides for the receipt of these additional funds. (See *Attachment 1, column 4*)

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

- **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.

The Assistive Technology Grant was awarded to the library for technology, training and programming to address the segment of the population with disabilities, specifically in loss of hearing and vision. This creates a culture that rejects oppression and inequality.

- **GOAL: CREATE A SAFE COMMUNITY**

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

The Assistive Technology Grant was awarded to the library for technology, training and programming to address the segment of the population with disabilities, specifically in loss of hearing and vision. Having these technologies and staff trained in their use creates a safer and more accessible community.

- **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

The Strategic Planning Grant was awarded to the library to work with Floricane, a Richmond-based strategic consulting firm to develop and produce its 2016-2019 strategic plan. The new plan will build upon the work the library completed as outlined in its 2013-2016 plan. During the Strategic Planning process, focus groups will be held and community survey will be conducted to allow for wide spread community input into a vision for our library.

Department of Social Services

5. The Department of Social Services has received notification of additional funds in the following programs:

- **Smart Start Subsidized Child Care program** – receipt of \$191,599 in additional funds from the N.C. Division of Child Development and Early Education. These additional funds will be used to pay program funds directly to childcare providers.

- **Child Day Care program** - receipt of \$1,147,820 in additional funds from the N.C. Division of Child Development and Early Education. These additional funds will be used to provide childcare services and subsidies to low-income families.
6. The Department of Social Services opened Café 113 (Orange Works) on July 1, 2016. Café 113 (Orange Works) provides on-the-job training and work experience for individuals in the youth employment and training programs. The department anticipates an additional \$21,000 in revenue for sale of goods in FY 2016-17. These funds will be used to purchase additional items for resale and supplies.

This budget amendment provides for the receipt of these additional funds. (See *Attachment 1, columns 5 and 6*)

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

- **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.

To promote economic self-sufficiency by providing job training and experience. To promote self-sufficiency to low income families by providing the Day Care funding necessary for continued employment, school enrollment, or training activities.

Animal Services Department

7. The Animal Services Department has received the following additional revenues:
- **Community Giving Fund** – an additional \$2,400 from the Community Giving Fund to cover the cost of veterinary treatments and medication for heartworm positive animals that are adopted.

This budget amendment provides for the receipt of these additional funds. (See *Attachment 1, column 7*)

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with these items.

Health Department

8. The Health Department has received notification of additional revenue for the following programs:
- **Ebola/Zika Preparedness** – an additional \$5,000 from the North Carolina Department of Health and Human Services for use in Zika virus educational campaigns.

This budget amendment provides for the receipt of these additional funds. (See *Attachment 1, column 8*)

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

- **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.

9. The Health Department has received additional funds totaling \$355,840 related to 2014 Medicaid Cost Settlement funds. These funds will be allocated in the Medicaid Maximization Capital Project.

This budget amendment provides for the receipt of these funds and amends the following Capital Project Ordinance for the receipt of the additional \$355,840 in the Medicaid Maximization Capital Project.

Medicaid Maximization Capital Project (\$355,840) - Project # 30012

Revenues for this project:

	Current FY 2016-17	FY 2016-17 Amendment	FY 2016-17 Revised
Medicaid Maximization Funds	\$6,098,365	\$355,840	\$6,454,205
Total Project Funding	\$6,098,365	\$355,840	\$6,454,205

Appropriated for this project:

	Current FY 2016-17	FY 2016-17 Amendment	FY 2016-17 Revised
Medicaid Maximization Project	\$6,098,365	\$355,840	\$6,454,205
Total Costs	\$6,098,365	\$355,840	\$6,454,205

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

- **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.

School Capital Project Ordinances – Orange County Schools

10. Orange County Schools has requested a re-purposing of capital project funds between two of their School Capital Projects. This budget amendment provides for the re-purposing of these funds and amends the following School Capital Project Ordinances:

Classroom/Building Improvements (-\$36,000) – Project # 51025

Revenues for this project:

	Current FY 2016-17	FY 2016-17 Amendment	FY 2016-17 Revised
Alternative Financing	\$254,100	\$0	\$254,100
QSC Bonds	\$2,946,819	\$0	\$2,946,819
From General Fund	\$1,385,888	(\$36,000)	\$1,349,888
Total Project Funding	\$4,586,807	(\$36,000)	\$4,550,807

Appropriated for this project:

	Current FY 2016-17	FY 2016-17 Amendment	FY 2016-17 Revised
Construction	\$4,586,807	(\$36,000)	\$4,550,807
Total Costs	\$4,586,807	(\$36,000)	\$4,550,807

Technology Plan (\$36,000) – Project # 51011

Revenues for this project:

	Current FY 2016-17	FY 2016-17 Amendment	FY 2016-17 Revised
From Other Capital Projects	\$244,099	\$0	\$244,099
From General Fund	\$2,991,313	\$36,000	\$3,027,313
Total Project Funding	\$3,235,412	\$36,000	\$3,271,313

Appropriated for this project:

	Current FY 2016-17	FY 2016-17 Amendment	FY 2016-17 Revised
Technology Plan	\$3,235,412	\$36,000	\$3,271,313
Total Costs	\$3,235,412	\$36,000	\$3,271,313

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

Solid Waste Enterprise Fund

11. The Board of Commissioners has approved debt financing on two separate occasions for the construction of Eubanks Road Waste and Recycling Center - Limited Obligation Bonds in 2012 (\$1,775,535 remaining from the original \$3,000,000 for Convenience Centers), and Limited Obligation Bonds in 2015 (\$1,097,012), towards the construction of the Eubanks Road Waste and Recycling Center, for a total of \$2,872,547 in financing proceeds. Since construction on the Eubanks Road project was not performed as of June 30, 2016, these proceeds rolled into fund balance within the Solid Waste Enterprise Fund at the end of FY 2015-16. Also, the department had \$303,311 remaining from the completed and under budget landfill closure project back in FY 2014-15, which also rolled into fund balance. This budget amendment provides for the appropriation of fund balance from the Solid Waste Enterprise Fund of \$3,175,858 from the received financing proceeds and the landfill closure project budgeted savings, in order to budget for the necessary expenditures anticipated during FY 2016-17. (See Attachment 1, column 9)

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

Sportsplex Enterprise Fund

12. The Board of Commissioners approved Limited Obligation Bonds in 2015 of \$950,000 associated with the Pool Mezzanine Fitness project at the Orange County Sportsplex. It was decided during the Capital Investment Plan discussion of the overall Field House project, that this project would achieve project construction efficiencies if it was included with the overall Field House project, scheduled in FY 2016-17. Since construction on the Fitness project was not performed as of June 30, 2016, these proceeds of \$950,000

rolled into fund balance within the Sportsplex Enterprise Fund. A Financing Package in Fall 2016 is anticipated to finance the remaining \$2,800,000 for the Field House project. This budget amendment provides for the appropriation of fund balance from the Sportsplex Enterprise Fund of \$950,000 from the received financing proceeds, in order to budget for the necessary expenditures anticipated during FY 2016-17. (See Attachment 1, column 10)

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

FINANCIAL IMPACT: Financial impacts are included in the background information above. This budget amendment provides for the receipt of these additional funds and increases the FY 2016-17 budget in the General Fund by \$1,535,105; increases the Community Development Fund (Partnership to End Homelessness Grant Program) by \$6,750; and increases the County Capital Fund by \$355,840.

RECOMMENDATION(S): The Manager recommends the Board approve budget and capital project ordinance amendments for fiscal year 2016-17.

	Original Budget	Encumbrance Carry Forwards	Budget as Amended	#1. Deferred Revenues/In-flows from the Department of Aging: Master Aging Plan Initiatives (\$72,919) and Senior Health Insurance Information Program (\$682)	#2. Receipt of ABC Board funds (\$5,000) for the Criminal Justice Resource Office and Continuum of Care Grant funds (\$6,750) related to the Partnership to End Homelessness program within the Community Development Fund.	#3. Deferred Revenues/In-flows from the Department of Environment, Agriculture, and Parks and Recreation: NC Matching Grant funds (\$3,815) within the Soil & Water division, and Little River Park donations (\$12,898)	#4. Receipt of a LSTA Literacy & Lifelong Learning Grant (\$26,636) and a LSTA Planning Grant (\$40,000) by Library Services, as well receipt of matching funds (\$3,336) from the Friends of Orange County Library	#5. Receipt of Smart Start Subsidized Child Care Program funds (\$191,589) and Child Day Care Program funds (\$1,147,820) by the Department of Social Services.	#6. Department of Social Services' anticipated revenue of \$21,000 from the Café 113 (Orange Works) from the sale of goods in FY 2016-17.	#7. Animal Services - receipt of Community Giving Funds (\$2,400) to cover the cost of veterinary treatments and medication for heartworm positive animals that are adopted	#8. Health Department - additional revenues for Zika education	#9. Fund Balance appropriation of \$3,175,858 from the Solid Waste Enterprise Fund for the construction of the Eubanks Road Waste and Recycling Center project in FY 2016-17.	#10. Fund Balance appropriation of \$950,000 from the SportsPlex Enterprise Fund for the construction of the fitness facility section as part of the overall Field House project.	Budget as Amended Through BOA #1	
General Fund															
Revenue															
Property Taxes	\$ 149,498,811	\$ -	\$ 149,498,811	\$ -											\$ 149,498,811
Sales Taxes	\$ 22,066,641	\$ -	\$ 22,066,641	\$ -											\$ 22,066,641
License and Permits	\$ 328,000	\$ -	\$ 328,000	\$ -											\$ 328,000
Intergovernmental	\$ 15,787,579	\$ -	\$ 15,787,579	\$ 682	\$ -	\$ 3,815	\$ 68,636	\$ 1,339,419				\$ 5,000			\$ 17,205,131
Charges for Service	\$ 11,681,503	\$ -	\$ 11,681,503	\$ -					\$ 21,000						\$ 11,702,503
Investment Earnings	\$ 155,000	\$ -	\$ 155,000	\$ -											\$ 155,000
Miscellaneous	\$ 886,734	\$ -	\$ 886,734	\$ 72,919	\$ 5,000	\$ 12,898	\$ 3,336			\$ 2,400					\$ 983,287
Transfers from Other Funds	\$ 2,712,600	\$ -	\$ 2,712,600	\$ -											\$ 2,712,600
Fund Balance	\$ 12,726,944	\$ -	\$ 12,726,944	\$ -											\$ 12,726,944
Total General Fund Revenues	\$ 215,843,812	\$ -	\$ 215,843,812	\$ 73,601	\$ 5,000	\$ 16,713	\$ 71,972	\$ 1,339,419	\$ 21,000	\$ 2,400	\$ 5,000	\$ -	\$ -	\$ -	\$ 217,378,917
Expenditures															
Support Services	\$ 14,058,009	\$ -	\$ 14,058,009	\$ -											\$ 14,058,009
General Government	\$ 20,933,253	\$ -	\$ 20,933,253	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,938,253
Community Services	\$ 13,654,700	\$ -	\$ 13,654,700	\$ -											\$ 13,673,813
Human Services	\$ 37,249,977	\$ -	\$ 37,249,977	\$ 73,601	\$ -	\$ -	\$ 71,972	\$ 1,339,419	\$ 21,000	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ 38,760,969
Public Safety	\$ 24,596,946	\$ -	\$ 24,596,946	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24,596,946
Education	\$ 99,631,723	\$ -	\$ 99,631,723	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 99,631,723
Transfers Out	\$ 5,719,204	\$ -	\$ 5,719,204	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,719,204
Total General Fund Appropriation	\$ 215,843,812	\$ -	\$ 215,843,812	\$ 73,601	\$ 5,000	\$ 16,713	\$ 71,972	\$ 1,339,419	\$ 21,000	\$ 2,400	\$ 5,000	\$ -	\$ -	\$ -	\$ 217,378,917
Solid Waste Fund															
Revenues															
Sales & Fees	\$ 7,386,396	\$ -	\$ 7,386,396	\$ -											\$ 7,386,396
Intergovernmental	\$ 248,000	\$ -	\$ 248,000	\$ -											\$ 248,000
Miscellaneous	\$ 121,500	\$ -	\$ 121,500	\$ -											\$ 121,500
Licenses & Permits	\$ 120,000	\$ -	\$ 120,000	\$ -											\$ 120,000
Interest on Investments	\$ 15,000	\$ -	\$ 15,000	\$ -											\$ 15,000
From General Fund (Sanitation Opers)	\$ 2,004,719	\$ -	\$ 2,004,719	\$ -											\$ 2,004,719
Appropriated Fund Balance	\$ 2,094,340	\$ -	\$ 2,094,340	\$ -								\$ 3,175,858	\$ -	\$ -	\$ 5,270,198
Total Revenues	\$ 11,989,955	\$ -	\$ 11,989,955	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,175,858	\$ -	\$ -	\$ 15,165,813
Expenditures															
General Services	\$ 11,989,955	\$ -	\$ 11,989,955	\$ -								\$ 3,175,858	\$ -	\$ -	\$ 15,165,813
Community Development Fund (Homelessness Partnership)															
Revenues															
Intergovernmental	\$ 55,787	\$ -	\$ 55,787	\$ -	\$ 6,750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 62,537
Appropriated Fund Balance	\$ 27,589	\$ -	\$ 27,589	\$ -											\$ 27,589
Transfer from General Fund	\$ 35,667	\$ -	\$ 35,667	\$ -											\$ 35,667
Total Revenues	\$ 119,043	\$ -	\$ 119,043	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125,793
Expenditures															
Homelessness Partnership Program	\$ 119,043	\$ -	\$ 119,043	\$ -	\$ 6,750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125,793
SportsPlex Enterprise Fund															
Program Fees															
Program Fees	\$ 3,319,970	\$ -	\$ 3,319,970	\$ -											\$ 3,319,970
Transfer from General Fund	\$ 152,850	\$ -	\$ 152,850	\$ -											\$ 152,850
Transfer from County Capital Projects	\$ -	\$ -	\$ -	\$ -											\$ -
Appropriated Fund Balance	\$ -	\$ -	\$ -	\$ -								\$ 950,000	\$ -	\$ -	\$ 950,000
Grant Funds	\$ -	\$ -	\$ -	\$ -											\$ -
Total SportsPlex Enterprise Fund Revenues	\$ 3,472,820	\$ -	\$ 3,472,820	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 950,000	\$ -	\$ -	\$ 4,422,820
Expenditures															
SportsPlex Operations	\$ 3,472,820	\$ -	\$ 3,472,820	\$ -								\$ 950,000	\$ -	\$ -	\$ 4,422,820

Year-To-Date Budget Summary

Fiscal Year 2016-17

General Fund Budget Summary

Original General Fund Budget	\$215,843,812
Additional Revenue Received Through Budget Amendment #1 (September 6, 2016)	
Grant Funds	\$75,787
Non Grant Funds	\$1,459,318
General Fund - Fund Balance for Anticipated Appropriations (i.e. Encumbrances)	
General Fund - Fund Balance Appropriated to Cover Anticipated and Unanticipated Expenditures	
Total Amended General Fund Budget	\$217,378,917
Dollar Change in 2016-17 Approved General Fund Budget	\$1,535,105
% Change in 2016-17 Approved General Fund Budget	0.71%

Authorized Full Time Equivalent Positions

Original Approved General Fund Full Time Equivalent Positions	873.375
Original Approved Other Funds Full Time Equivalent Positions	89.450
Total Approved Full-Time-Equivalent Positions for Fiscal Year 2016-17	962.825

ORD-2016-028

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

Action Agenda

Item No. 6-i

SUBJECT: Application for North Carolina Education Lottery Proceeds for Chapel Hill – Carrboro City Schools (CHCCS) and Contingent Approval of Budget Amendment #1-A Related to CHCCS Capital Project Ordinances

DEPARTMENT: Finance and Administrative Services

ATTACHMENT(S):

Attachment 1. CHCCS – Lottery Proceeds Debt Service Application

INFORMATION CONTACT:

Paul Laughton, (919) 245-2152
Gary Donaldson, (919) 245-2453

PURPOSE: To approve an application to the North Carolina Department of Public Instruction (NCDPI) to release proceeds from the NC Education Lottery account related to FY 2016-17 debt service payments for Chapel Hill – Carrboro City Schools (CHCCS), and to approve Budget Amendment #1-A (amended School Capital Project Ordinances), contingent on the NCDPI's approval of the application.

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

Currently, the accumulated available lottery proceeds for Chapel Hill – Carrboro City Schools (CHCCS) is \$95,443. The attached application requests NCDPI to release lottery proceeds in the amount of \$95,000 to cover debt service for projects previously financed for the Chapel Hill – Carrboro City School system.

Budget Amendment #1-A provides for the receipt of the Lottery Proceeds, contingent on NCDPI's approval of the application, and substitutes the amount of Lottery Proceeds approved for debt service as additional Pay-As-You-Go (PAYGO) funds for FY 2016-17 for CHCCS long-range capital needs and projects, and amends the budgets for the following CHCCS capital projects:

Chapel Hill – Carrboro City Schools (\$95,000):

Classroom/Academic Improvements (\$50,000) – Project # 53025 (Funds will be used for stage improvements at McDougle Middle School's cafeteria)

Revenues for this project:

	Current FY 2016-17	FY 2016-17 Amendment	FY 2016-17 Revised
Alternative Financing	\$250,000	\$0	\$250,000
From General Fund (PAYG)	\$1,275,607	\$50,000	\$1,325,607
Total Project Funding	\$1,525,607	\$50,000	\$1,575,607

Appropriated for this project:

	Current FY 2016-17	FY 2016-17 Amendment	FY 2016-17 Revised
Construction	\$1,525,607	\$50,000	\$1,575,607
Total Costs	\$1,525,607	\$50,000	\$1,575,607

Mechanical Systems (\$45,000) – Project # 54006 (Funds will be used to install a new chair lift at Frank Porter Graham Elementary School)

Revenues for this project:

	Current FY 2016-17	FY 2016-17 Amendment	FY 2016-17 Revised
From General Fund (PAYG)	\$1,774,246	\$45,000	\$1,819,246
Lottery Proceeds	\$959,247	\$0	\$959,247
Alternative Financing	\$264,088	\$0	\$264,088
Total Project Funding	\$2,997,581	\$45,000	\$3,042,581

Appropriated for this project:

	Current FY 2016-17	FY 2016-17 Amendment	FY 2016-17 Revised
Equipment	\$2,997,581	\$45,000	\$3,042,581
Total Costs	\$2,997,581	\$45,000	\$3,042,581

FINANCIAL IMPACT: The total Lottery Proceeds requested from the NCDPI for Chapel Hill–Carrboro City Schools is \$95,000.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board approve, and authorize the Chair to sign, the application for North Carolina Education Lottery Proceeds; and approve Budget Amendment #1-A receiving the Lottery Proceeds and the amended CHCCS Capital Project Ordinances, contingent on NCDPI's approval of the application.

**APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY**

Approved: _____

Date: _____

County: Orange County

Contact Person: Gary Donaldson

LEA: Chapel Hill-Carrboro City Schools

Title: Chief Financial Officer

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

Phone: (919) 245-2453

Project Title: FY 2016-17 Debt Service (2015 Modification Agreement to Fall 2006 Private Placement)

Location: _____

Type of Facility: _____

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

- (3) No county shall have to provide matching funds...
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

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

Short description of Construction Project: Debt Service associated with the 2015 Modification Agreement issued September 2015 from the original Fall 2006 Private Placement for CHCCS(Carrboro High School)

Estimated Costs:

Purchase of Land	_____	\$	_____
Planning and Design Services	_____		_____
New Construction	_____		_____
Additions / Renovations	_____		_____
Repair	_____		_____
Debt Payment / Bond Payment	_____		95,000.00
TOTAL	_____	\$	95,000.00

Estimated Project Beginning Date: July 2016

Est. Project Completion Date: June 2017

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

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 95,000.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115C-546.

(Signature — Chair, County Commissioners)

(Date)

(Signature — Chair, Board of Education)

(Date)

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: Changes in BOCC Regular Meeting Schedule for 2016

DEPARTMENT: County Commissioners

PUBLIC HEARING: (Y/N)

No

ATTACHMENT (S):

INFORMATION CONTACT:

Donna Baker, 245-2130
Clerk to the Board

PURPOSE: To consider changes to the County Commissioners' regular meeting calendar for 2016.

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

- To add a joint social event for an informal gathering/networking for the Board of Commissioners, Orange County Schools Board of Education and the Chapel Hill-Carrboro City Schools Board of Education for Thursday, September 22, 2016 from 5:00pm-7:00pm at the Blackwood Farm Park, Hwy Old 86, in Chapel Hill.

RECOMMENDATION(S): The Manager recommends the Board amend its regular meeting calendar for 2016:

- To add a joint social event for an informal gathering/networking for the Board of Commissioners, Orange County Schools Board of Education and the Chapel Hill-Carrboro City Schools Board of Education for Thursday, September 22, 2016 from 5:00pm-7:00pm at the Blackwood Farm Park, Hwy Old 86, in Chapel Hill.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: Orange Unified Transportation Board (OUTBoard) Rules and Procedures

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Proposed Revision to OUTBoard Rules and Procedures

INFORMATION CONTACT:

Abigaile Pittman, Transportation/Land Use Planner, 919-245-2567
Tom Altieri, Comprehensive Planning Supervisor, 919-245-2579
Craig Benedict, Planning Director, 919-245-2592

PURPOSE: To consider an amendment to the OUTBoard-specific Rules and Procedures to revise its meeting time.

BACKGROUND: On June 15 the OUTBoard unanimously recommended revising the starting time of its meetings from 7:00 p.m. to 6:30 p.m., reducing the lag time between the end of the typical work day at 5:00 p.m. and the start of the meeting, and allowing members to get home earlier. The Board did not feel that moving the meeting time up by half an hour would negatively impact civic participation.

To revise the meeting time, a revision to Section IV.C.1 of the Board's adopted Rules and Procedures must be approved by the Board of County Commissioners (BOCC). Planning staff has prepared a proposed amendment that would revise the meeting time from 7:00 p.m. to 6:30 p.m. (Attachment 1).

The OUTBoard's Rules and Procedures were last amended on January 21, 2016 to add a seventh (7th) at-large position to encourage membership with expertise or interest in Public Health.

FINANCIAL IMPACT: There is no financial impact associated with amending the OUTBoard-specific Rules and Procedures.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is associated with this 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.

The revision of the OUTBoard's regular meeting time will result in positive outcomes related to eliminating barriers to volunteer member participation, and will not negatively impact attendance by Orange County residents.

RECOMMENDATION(S): The Manager recommends that the Board approve the proposed amendment to the OUTBoard Rules and Procedures.

Orange Unified Transportation (OUT) BOARD POLICIES AND PROCEDURESAmendment Note:

Proposed deletions to existing text are ~~struck through~~. Proposed additions to existing text are depicted in red and underscored.

SECTION IV. MEETINGS

A. Staffing

1. Orange County staff may serve a support function to the OUT Board upon the approval of the Orange County Manager.

B. Agendas

1. Items for agendas shall be approved by the OUT Board Chair and Orange County staff.

C. Date, Time, and Location of Regular Meetings

1. Regular meetings of the OUT Board shall be held as needed to address items that require Board action consistent with its Charge and Duties identified herein. Meetings are held on the third Wednesday of the month. The start time and location of the meeting shall be included on the agenda and shall typically be ~~7:00~~ 6:30 p.m. at the Orange County West Campus Office Building located at 131 West Margaret Lane, Hillsborough. The OUT 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.

**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 6, 2016**

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

SUBJECT: Orange County/City of Durham Utility Service Agreement Amendment

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Original Agreement
2. First Amendment
3. Proposed Second Amendment
4. Eno EDD Map with New Focus Area

INFORMATION CONTACT:

Craig Benedict, Planning, 919-245-2592
Kevin Lindley, Planning, 919-245-2583
James Bryan, Attorney's Office, 919-245-2319

PURPOSE: To amend the deadline for construction to begin in the current utility service agreement from January 31, 2017 to June 30, 2018.

BACKGROUND: In late 2011 and January 2012 Orange County and the City of Durham developed and approved an interlocal agreement (Attachment 1):

"Interlocal Agreement between Orange County and the City of Durham for Construction and Operation of Water and Sewer Facilities in the Eno Economic Development Zone of Orange County"

This request is to amend the deadline for construction to begin as noted in the Second Amendment (Attachment 3). The design process is under way, with CDM Smith set to begin field surveying in mid-September 2016. Based on the current estimate of design, permitting, and bidding processes provided by CDM Smith, construction is estimated to begin near the end of 2017. Unfortunately, the deadline in the current agreement for construction to begin is January 31, 2017. The Second Amendment as proposed would extend the deadline for construction to begin until June 30, 2018. This should give an adequate time buffer if there are any deviations from the schedule and help to ensure the deadline will not have to be amended again.

The purpose of the interlocal agreement was to develop a more formal utility service area within Orange County's Eno Economic Development District (EDD) area and within the City of Durham's urban service area (also known as their suburban tier). Typically, utility extensions would be solely the responsibility of developers, but in order to promote the EDD, Orange County will be funding some improvements. The agreement set forth parameters of water and sewer service, feasibility, design, construction and operation of Orange County funded utility investments. Future Capital Investment Plan (CIP) projects were programmed for investment in the area.

This agreement was a necessary preamble to begin economic development infrastructure investment in the area funded by Article 46 Sales Tax revenue. The County wanted to ensure that the City of Durham would assume operational responsibility of new infrastructure once

installed in this jointly designated Orange County and Durham City economic development area. This area has been designated for Transitional land use since the early 1980's.

A lengthy engineering feasibility analysis of what area could be served and at what cost was conducted by a jointly approved outside firm (CDM Smith) starting in late 2012. The findings of the study showed that the costs for a large 796 acre EDD-wide solution were prohibitive at this time due to high off-site (i.e. Durham area) infrastructure costs. This was noted in County CIP work sessions in early 2014.

However, a smaller area (see Preliminary Project Map in Attachment 4) in the northeast corner of the EDD, nearest to Durham's existing utilities, was subsequently studied. The results were included in the CDM Smith Final Master Plan Report dated March 2016. The Interlocal Agreement with the City was extended with the First Amendment (Attachment 2) to the agreement in December 2014 to allow time for this study (approved by BOCC at the December 1, 2014 regular meeting). Based on this First Amendment, the current deadline for construction to begin is January 31, 2017.

Joint staff discussions have found this amendment reasonable.

Once approved by the BOCC, this Second Amendment will be signed by Orange County and transmitted to the City of Durham for signatures since we are the requesting party.

FINANCIAL IMPACT: The cost of this project has been accounted for in the current CIP five year plan (FY 2016-21) and sufficient budget has been allocated to cover any expected costs for the current FY2016-17.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal associated with this item.

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

1. Approve the amendment and authorize the County Manager to sign on behalf of Orange County, and
2. Authorize staff to forward the signed amendment to the City of Durham for its review, approval and signature.

INTERLOCAL AGREEMENT
BETWEEN ORANGE COUNTY AND THE CITY OF DURHAM
FOR CONSTRUCTION AND OPERATION OF WATER AND SEWER FACILITIES
IN THE ENO ECONOMIC DEVELOPMENT ZONE OF ORANGE COUNTY

This agreement is dated, made, and entered into as of the 20th day of January, 2012, by the City of Durham, a North Carolina municipal corporation ("Durham") and Orange County, a North Carolina political subdivision ("Orange").

Purposes. The purposes of this agreement are (1) to further the economic development potential of land identified by Orange County and the City of Durham in their respective planning documents as particularly suitable for industrial development, as well as to promote the public health and safety of residents within the area, and (2) to accomplish the design, construction, and operation of water and sewer services within the Eno Economic Development District.

1. Definitions

Year – July 1 – June 30

Zone – The Eno Economic Development District located at the eastern boundary of Orange where U.S. Highway 70 and Interstate Highway 85 intersect, shown in greater detail by the map titled "Eno Economic Development Zone Utility Service Boundary" and attached as Exhibit A. The Zone does not include land in Durham County.

2. Design. Durham will solicit and receive proposals for the design of water and sewer infrastructure to serve the Zone. Before awarding contracts for such design, Durham will provide Orange with the proposals and other responses to the request for proposals so that Orange may review and comment to Durham regarding the selection of the designer(s). Durham will then proceed to negotiate the professional fees with the designer(s). The fees must be satisfactory to Orange. Durham will not select any designer to which Orange objects based on the qualifications and/or professional fees. If Orange does not object within a reasonable time to a designer and its proposed fee structure, Durham may award a contract to the designer for such design in which the proposed fee structure applies. Orange will reimburse Durham for all payments that Durham is required to pay under the contracts. Therefore, Durham will invoice Orange as invoices are received from the selected designer(s) for payments made or required to be made under the design contracts. Orange will pay each invoice within thirty (30) days after it receives it.

3. Construction. Durham will solicit bids for the construction of the infrastructure. Durham will share the proposals with Orange. Orange may comment to Durham as to which contractor(s) the award should be made. If Durham concurs, and if Durham determines it appropriate to do so, Durham will award the contract(s) to those contractor(s) and execute contract(s) with them. If Durham does not concur, or if Durham otherwise finds it appropriate to rebid, Durham will rebid and continue the process described in this paragraph until Durham makes an award unless the Durham City Manager and the Orange County Manager jointly agree to suspend or abandon the process. By authorizing their respective managers to sign this agreement, the parties' governing bodies authorize them to agree to suspend or abandon the

process if they jointly determine it is prudent to do so. If the managers do not jointly agree it is prudent to suspend or abandon the process, it is agreed that suspension or abandonment will not be effective unless the parties' governing bodies jointly agree to suspend or abandon.

4. Payment. For each construction contract, Orange will select payment option A or payment option B and will notify Durham of its selection within twenty days after Durham shall have executed the construction contract. *Payment option A:* Durham will invoice Orange from as invoices are received from the selected construction contractor for payments made or required to be made under the construction contracts. Orange will pay each invoice within thirty (30) days after it receives it. *Payment option B:* Orange will reimburse Durham for payments made or required to be made under the construction contracts over a 10-year period, beginning on substantial completion, at an annual interest rate of 5%. The remainder of this paragraph applies to both payment options. [Provided however Orange shall not be required to pay for services that were not appropriately authorized or ratified by Durham or which Durham did not find to be satisfactorily performed by the contractor, provided that Durham will not be liable to Orange for making a finding of satisfactory performance. Durham will insert in the construction contracts a provision stating, "Orange County, a N. C. political subdivision, is a third-party beneficiary of this contract."
5. Construction Standards. In all respects except to the extent otherwise stated in this contract, the construction will be done in accordance with (i) Durham standards, requirements, and procedures, including approvals of plans, conducting inspections, requiring tests and certifications, and requiring as-built drawings, and (ii) any applicable federal and state standards.
6. Ownership of and Responsibility for Infrastructure. Durham will be the owner of and responsible for the operation and maintenance of the infrastructure constructed under the construction contracts. All construction contracts shall provide for the indemnification and defense by the contractors of both Orange and Durham.
7. Fees and Charges. As long as a particular property is located outside Durham's corporate limits, Durham will impose, process, and collect all fees and charges with respect to that particular property, including acreage fees, connection charges, frontage charges, capacity charges, and utility rates, as Durham charges on other locations outside Durham's corporate limits. Except to the extent specified otherwise, Orange will have no right to any of those fees and charges, and nothing in this agreement will affect the use or disposition of those fees and charges.
8. Reduction in Payments from Orange. The acreage fees and frontage charges collected by Durham from the Zone will be used towards payment of the design and the construction of the infrastructure (collectively, the "Dedicated Receipts"). ("Acreage fees" means impact fees (as defined in Durham City Code sections 30-81 et seq.) that are based on area.) No other fees or charges collected by Durham, such as capacity and connection charges, will be used for that purpose. The amounts to be paid by Orange to Durham under paragraph 4 above in a particular Year will be reduced by the Dedicated Receipts received by Durham in that Year. If the Dedicated Receipts received by Durham in that Year exceed the amounts to

be paid by Orange under paragraph 4 in that Year, the excess Dedicated Receipts will be carried forward and used similarly to reduce the amounts to be paid by Orange under paragraph 4 in the following Years. The Dedicated Receipts received only during the ten Years beginning on the first July 1 after substantial completion of the relevant infrastructure will be applied in this manner. Nevertheless, the ten Year period shall end on or before the expiration of fifteen Years beginning on the first July 1 after the date of this contract. Nothing herein means that Durham will make any payment to Orange on the ground that the Dedicated Receipts exceed, in any Year or Years, the amounts to be paid by Orange under paragraph 4. If Durham is required by a court of competent jurisdiction to refund any acreage fees or frontage charges that were used towards payment of the design and the construction of the infrastructure by means of the Dedicated Receipts process described above in this paragraph, Orange shall reimburse Durham (i) to the extent the amounts paid by Orange to Durham under paragraph 4 above in a particular Year were reduced by the Dedicated Receipts attributable to the amounts refunded, and (ii) for interest associated with the refunds of the acreage fees or frontage charges that Durham is required to pay by a court of competent jurisdiction.

9. Nondiscriminatory Policies. Durham will not establish policies that impose a level of water and sewer service in the Zone that is inferior to that provided to similarly situated users of Durham water and sewer services.
10. Annexation. Durham may enter into agreements with developers and property owners that they will comply with requirements that Durham desires related to annexation, including that they will not seek annexation by any municipality other than Durham; that they will petition for annexation when requested by Durham; and that they will be subject to remedies for violating the annexation-related provisions.
11. Regulations. Durham shall have the authority to protect and regulate the water and sewer systems and its users in the Zone, including water use restrictions and regulations respecting introduction of pollutants into the wastewater system.
12. Duration. This agreement shall be perpetual, unless terminated earlier by mutual agreement. Nevertheless, this contract shall terminate if construction of the infrastructure has not begun within three (3) years of the date of this agreement. On such termination, all obligations that are still executory on both sides are discharged but any right based on prior breach or performance survives. The governing body of each party hereto has determined the duration provided in this paragraph to be reasonable.
13. Appointment of Personnel. The City Manager shall designate persons to carry out Durham's obligations under this agreement. The County Manager shall designate persons to carry out Orange's obligations under this agreement.
14. Amendment and Termination. This agreement may be amended or terminated by agreement of the parties. An amendment is not valid unless signed by both parties and otherwise in accordance with requirements of law. An amendment is not enforceable against Durham unless it is signed by its City Manager, or a deputy or assistant City Manager. An

INTERLOCAL AGREEMENT BETWEEN ORANGE COUNTY AND THE CITY OF DURHAM FOR CONSTRUCTION AND OPERATION OF WATER AND SEWER FACILITIES IN THE ENO ECONOMIC DEVELOPMENT ZONE OF ORANGE COUNTY, page 4

amendment is not enforceable against Orange unless signed by the County Manager or Chair of the Board of County Commissioners.

15. Notice.

- (a) All notices and other communications required or permitted by this agreement shall be in writing and shall be given either by personal delivery, UPS, Federal Express, or certified United States mail, return receipt requested, addressed as follows. The parties are requested to send a copy by email.

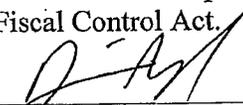
To Durham:
Mr. Thomas J. Bonfield
City Manager
City of Durham
101 City Hall Plaza
Durham, NC 27701-3329
Email: tom.bonfield@durhamnc.gov

To Orange:
Frank Clifton
Orange County Manager
200 S. Cameron Street
P.O. Box 8181
Hillsborough, NC 27278
Email: felifton@co.orange.nc.us

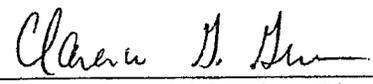
(b) Change of Address. Date Notice Deemed Given. A change of address, fax number, or person to receive notice may be made by either party by notice given to the other party. Any notice or other communication under this agreement shall be deemed given and sent at the time of actual delivery, if it is personally delivered. If the notice or other communication is sent by United States mail, it shall be deemed received upon the third calendar day following the day on which such notice or other communication is deposited with the United States Postal Service or upon actual delivery, whichever first occurs.

16. No Third Party Rights Created. This agreement is intended for the benefit of the two parties and not any other person and no rights or benefits are created for or granted to any third party by this agreement.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.



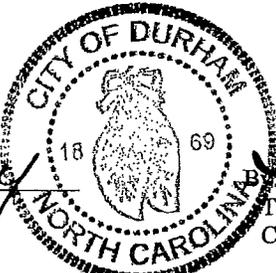
Durham Finance Director



Orange Financial Services Director

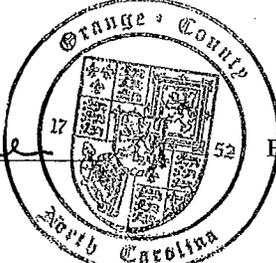
INTERLOCAL AGREEMENT BETWEEN ORANGE COUNTY AND THE CITY OF DURHAM FOR CONSTRUCTION AND OPERATION OF WATER AND SEWER FACILITIES IN THE ENO ECONOMIC DEVELOPMENT ZONE OF ORANGE COUNTY, page 5

ATTEST: D. Ann Gray
 City Clerk

 CITY OF DURHAM

Thomas J. Bonfield
 City Manager

ATTEST: Frank Clifton, Jr.
 Orange County Clerk

 COUNTY OF ORANGE

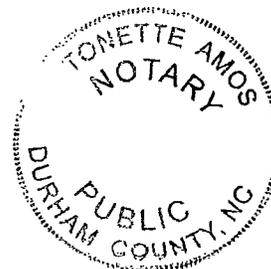
By: Frank Clifton, Jr.
 County Manager

NORTH CAROLINA ACKNOWLEDGMENT OF CITY OF DURHAM
COUNTY of Durham

I, a Notary Public in and for the aforesaid County and State certify that D. Ann Gray personally appeared before me this day, and acknowledged that he or she is the City Clerk of the City of Durham, a municipal corporation, and that by authority duly given and as the act of the City, the foregoing agreement with the County of Orange was signed in its corporate name by its City Manager, sealed with its corporate seal, and attested by its said City Clerk or Deputy City Clerk. This the 20 day of January, 20 12

Tonette Amos
Notary Public

My commission expires: 07-17-2012

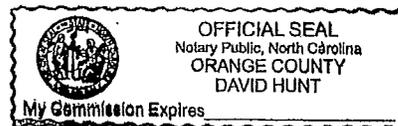


NORTH CAROLINA ACKNOWLEDGMENT OF COUNTY OF ORANGE
COUNTY of Orange

I, a Notary Public in and for the aforesaid County and State certify that Donna S. Baker personally appeared before me this day, and acknowledged that he or she is the Orange County Clerk of the City of Orange, a North Carolina political subdivision, and that by authority duly given and as the act of the County, the foregoing agreement with the City of Durham was signed in its corporate name by its Orange County Manager, sealed with its corporate seal, and attested by its said County Clerk or Deputy County Clerk. This the 11th day of October, 20 11

David Hunt
Notary Public

My commission expires: June 7, 2014



Approved as to form and legal sufficiency.

JR
County Attorney

Attachment 2

FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT
BETWEEN ORANGE COUNTY AND THE CITY OF DURHAM
FOR CONSTRUCTION AND OPERATION OF WATER AND SEWER FACILITIES
IN THE ENO ECONOMIC DEVELOPMENT ZONE OF ORANGE COUNTY

The City of Durham, a North Carolina municipal corporation ("Durham") and Orange County, a North Carolina political subdivision ("Orange") entered into an "Interlocal Agreement Between Orange County and the City of Durham for Construction and Operation of Water and Sewer Facilities in the Eno Economic Development Zone of Orange County" ("Original Agreement") on January 20, 2012. As a result of the November 2013 Draft Master Plan Report prepared by CDM Smith, Durham and Orange would like to amend the Original Agreement through this First Amendment to allow for additional time to study alternative design options. Through this First Amendment the Original Agreement is only modified as indicated below and the remaining portions of the Original Agreement shall remain in full force and effect. This First Amendment is dated, made, and entered into as of the 31st day of January, 2015.

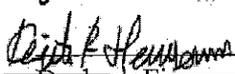
Paragraph 12 of the Original Agreement is modified as follows:

- 12. Duration. This agreement shall be perpetual, unless terminated earlier by mutual agreement. Nevertheless, this contract shall terminate if construction of the infrastructure has not begun by January 31, 2017. On such termination, all obligations that are still executory on both sides are discharged but any right based on prior breach or performance survives. The governing body of each party hereto has determined the duration provided in this paragraph to be reasonable.

This amendment is made pursuant to Paragraph 14 of the Original Agreement.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

This instrument has been pre-audited in a manner required by the Local Government Budget and Fiscal Control Act.



Durham Finance Director
Keith R. Herrmann, Finance Officer

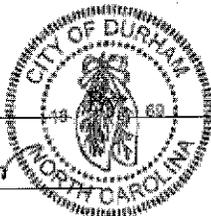


Orange Financial Services Director

CITY OF DURHAM

ATTEST:

Attest:



City Clerk *Diana Lynn Schreiber*
Deputy City Clerk

City Manager
Thomas J. Bonfield
City Manager

Type or print name person signing for the City:

ACKNOWLEDGMENT BY CITY OF DURHAM

Name of other party to the contract: _____

Title of the contract: _____

I, _____, a notary public, certify:

(Type or print name of Notary Public)

(1) _____ personally appeared before me

(Type or print name of City Clerk or Deputy City Clerk who attested)

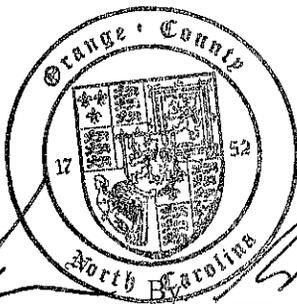
in Durham County, N. C. on this day; (2) I have personal knowledge of her identity; and (3) she acknowledged that by authority duly given and as the act of the City of Durham, the foregoing document was signed in its corporate name by its _____ City Manager, sealed with its corporate seal, and attested by its said City Clerk or Deputy City Clerk.

This the _____ day of _____, 20_____.

My commission expires: _____

Notary Public

ORANGE COUNTY



ATTEST:

Donna Baker
Donna Baker
Orange County Clerk

Bonnie B. Hammersley
Bonnie B. Hammersley
County Manager

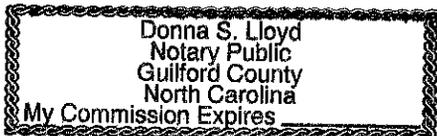
ACKNOWLEDGEMENT OF ORANGE COUNTY

NORTH CAROLINA
COUNTY OF ~~ORANGE~~ **GUILFORD**

I, a Notary Public in and for the aforesaid County and State certify that Donna S. Baker personally appeared before me this day and acknowledged that she is the County Clerk of Orange County, a North Carolina political subdivision, and that by authority duly given and as the act of the County, the foregoing agreement with the City of Durham was signed in its corporate name by the Orange County Manager, sealed with its corporate seal and attested by its said County Clerk or Deputy County Clerk, this the 23rd day of Jan., 2015.

Donna S. Lloyd
Notary Public

My commission expires:
10-10-2015



SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT
BETWEEN ORANGE COUNTY AND THE CITY OF DURHAM
FOR CONSTRUCTION AND OPERATIAON OF WATER AND SEWER FACILITIES
IN THE ENO ECONOMIC DEVELOPMENT ZONE OF ORANGE COUNTY

The City of Durham, a North Carolina municipal corporation (“Durham”) and Orange County, a North Carolina political subdivision (“Orange”) entered into an “Interlocal Agreement Between Orange County and the City of Durham for Construction and Operation of Water and Sewer Facilities in the Eno Economic Development Zone of Orange County” (“Original Agreement”) on January 20, 2012. The agreement was subsequently amended with the First Amendment in 2015, which extended the date for construction to begin in order to pursue alternative design options. The November 2013 Draft Master Plan Report prepared by CDM Smith has been updated as a result of additional studies of the area and the Final Master Plan Report was submitted in March 2016. Durham and Orange have contracted with CDM Smith to begin design and permitting for a proposed sewer extension project, but would like to amend the Original Agreement through this Second Amendment to allow for additional time to complete design, permitting and bidding and begin construction. Through this Second Amendment the Original Agreement is only modified as indicated below and the remaining portions of the Original Agreement shall remain in full force and effect. This Second Amendment is dated, made, and entered into as of the ___day of _____, 2016.

Paragraph 12 of the Original Agreement is modified as follows:

12. Duration. This agreement shall be perpetual, unless terminated earlier by mutual agreement. Nevertheless, this contract shall terminate if construction of the infrastructure has not begun by June 30, 2018. On such termination, all obligations that are still executory on both sides are discharged but any right based on prior breach or performance survives. The governing body of each party hereto has determined the duration provided in this paragraph to be reasonable.

This amendment is made pursuant to Paragraph 14 of the Original Agreement.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Durham Finance Director

Orange Financial Services Director

CITY OF DURHAM

ATTEST:

_____ By: _____

City Clerk

City Manager

Type or print name person signing for the City:

ACKNOWLEDGMENT BY CITY OF DURHAM

Name of other party to the contract: _____

Title of the contract:

I, _____, a notary public, certify:

(Type or print name of Notary Public)

(1) _____ personally appeared before me

(Type or print name of City Clerk or Deputy City Clerk who attested)

in Durham County, N. C. on this day; (2) I have personal knowledge of her identity; and (3) she acknowledged that by authority duly given and as the act of the City of Durham, the foregoing document was signed in its corporate name by its _____ City Manager, sealed with its corporate seal, and attested by its said City Clerk or Deputy City Clerk.

This the _____ day of _____, 20_____.

My commission expires: _____

Notary Public

ORANGE COUNTY

ATTEST:

Donna Baker
Orange County Clerk

By: _____
Bonnie B. Hammersley
County Manager

ACKNOWLEDGEMENT OF ORANGE COUNTY

NORTH CAROLINA
COUNTY OF ORANGE

I, a Notary Public in and for the aforesaid County and State certify that Donna S. Baker personally appeared before me this day and acknowledged that she is the County Clerk of Orange County, a North Carolina political subdivision, and that by authority duly given and as the act of the County, the foregoing agreement with the City of Durham was signed in its corporate name by the Orange County Manager, sealed with its corporate seal and attested by its said County Clerk or Deputy County Clerk, this the ___ day of ____, 20__.

Notary Public

My commission expires:

I-85

PIPE 3

PIPE 3

PIPE 2

Byrd

Orangewood

PIPE 1

PIPE 1

Eno Trailer

US-70

Old Hillsborough

Hillsborough

anrose

Legend

- Proposed Gravity Sewer
- Existing Gravity Sewer
-  Existing Sewer Manhole
-  Parcel Boundary
-  County Boundary



FIGURE 1: PROPOSED GRAVITY SEWER

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: Comprehensive Plan and Unified Development Ordinance (UDO) Amendment
Outline and Schedule – Erosion Control & Stormwater

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Comprehensive Plan and Unified
Development Ordinance (UDO)
Amendment Outline Form

INFORMATION CONTACT:

Howard W. Fleming, Jr., PE,
Engineering/Stormwater Supervisor,
(919) 245-2586
Craig Benedict, Planning Director,
(919) 245-2575
John Roberts, County Attorney,
(919) 245-2326

PURPOSE: To consider and approve process components and schedule for an upcoming government-initiated Unified Development Ordinance (UDO) amendment for the February 2017 Quarterly Public Hearing that addresses necessary revisions to procedures and technical provisions in the UDO pertaining to erosion & sedimentation control and stormwater regulations.

BACKGROUND: These proposed text amendments to Orange County's UDO seek to bring the County's processes and terminology into alignment with regulatory reform initiatives currently in process at the North Carolina Department of Environmental Quality (DEQ), as well as historical standard operating procedures of both DEQ and the Planning & Inspections Department. Coincident with this goal, Orange County's Engineering/Stormwater Division seeks to refine the processes associated with the implementation phase of the Land Management Central Permitting Software (LMCPS), define more simplified procedures, incorporate more concise text, eliminate duplication, correct inaccuracies and correct former misplacements of requirements.

Orange County's UDO currently regulates erosion & sedimentation control for non-farm land disturbing activity, as well as stormwater runoff from new development, under the general oversight of DEQ. The DEQ's Division of Energy, Mineral and Land Resources (DEMLR) staff members provide Orange County Engineering / Stormwater Division with regulatory oversight and technical assistance related to erosion and sedimentation control and stormwater management. For these areas of environmental regulation, the DEMLR staff are subordinate to the Sedimentation Control Commission (SCC) and the Environmental Management Commission (EMC).

The [Sedimentation Control Commission](#) (SCC) was created to administer the state's Sedimentation Control Program pursuant to the [N.C. Sedimentation Pollution Control Act of 1973](#). The commission is charged with adopting rules, setting standards and providing

guidance for implementation of the law. All members are appointed by the Governor. Orange County's "delegated local erosion and sedimentation control program (hereinafter, 'local program')" operates under a Memorandum of Agreement (MOA) with the SCC. The latest update was approved by the BOCC on January 22, 2015 and fully executed by the Chair of the SCC on March 11, 2015. The MOA requires the SCC to review the County's "local program ordinance" and for Orange County to submit its ordinance for such review and updates, as necessary, which infers that this would include proposed edits to the previously approved ordinance.

The EMC is a 15-member Commission appointed by the Governor, the Senate Pro Tempore and the Speaker of the House. The Commission is responsible for adopting rules for the protection, preservation and enhancement of the state's air and water resources. The commission oversees and adopts rules for several divisions of the DEQ, including the Division of Air Quality, Land Resources, and Water Resources. One of the sub-divisions of DEMLR is "Stormwater", whose staff reviewed Orange County's UDO amendments in 2012 when the County's stormwater regulations were last amended to incorporate the Falls Lake / Jordan Lake new development stormwater rules. A similar review will be required with this amendment of the County's "stormwater" regulations and, if significant enough, they may be referred to the EMC at the discretion of the DEMLR staff.

Attachment 1 contains additional information and analysis regarding the proposed amendment.

FINANCIAL IMPACT: Consideration and approval will not create the need for additional funding for the provision of County services. Additional revenue will be realized from the fees to be charged for annual maintenance inspection reviews of Stormwater Control Measures (SCM's) and quality assurance field inspections to be conducted once every 5 years. Costs for the required legal advertisement for the text amendment will be paid from FY2016-17 Departmental funds budgeted for this purpose. Existing Planning staff included in the Departmental staffing budget will accomplish the work required to process this amendment.

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

- **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.
- **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 form and direct staff to proceed accordingly.

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

UDO / Zoning-2016-12

Erosion Control and Stormwater

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): 2.18: Land Disturbing Permits (Procedures)
 2.19: Soil Erosion And Sedimentation Control Plans (Procedures)
 2.21 Stormwater Management (Procedures)
 6.14 Stormwater Management (Development Standards)
 10.1: Definitions
 Table 6.15.7.B.3: Undisturbed Area

Additional sections may be identified as work proceeds.

- Other:

B. RATIONALE

1. Purpose/Mission

- | |
|---|
| a) To bring the UDO into conformance with State regulations, as well as historical standard operating procedures of both the NC Department of Environmental Quality (DEQ) regulators and the Planning & Inspections Department. |
| b) Refine processes associated with the implementation phase of the Land Management Central Permitting Software (LMCPS), defined by more simplified procedures and described by more concise text. |
| c) Eliminate duplication and correct inaccuracies and former misplacements of requirements. |

2. Analysis

2.18.4 Erosion Control Plan Required (Procedures related to land disturbing permits) – This paragraph is a near duplicate of and actually, more correct than 2.19.1, which is where this information should be located (Section 2.19 is where detailed soil erosion and sedimentation control plan procedures reside). It is proposed that 2.18.4 be repealed in its entirety and much of its text be incorporated in 2.19.1 to correct erroneous information therein.

2.19.1 Generally – This paragraph will be corrected to contain the proper land disturbance thresholds.

2.19.2 Application Requirements – This paragraph will be corrected to reflect both electronic submittals that will be an integrated option when the new LMCPS goes live and current submittal practices by the Orange County Erosion Control group.

2.19.3 Components of Complete Erosion Control Plan – The language in this paragraph will be improved to clarify that an application package is more than just a “plan”.

2.21.1 Stormwater Management Plan (Procedures) – Incorporate language being promoted by NC DEQ to be more generic by utilizing “Licensed Professional” rather than Professional Engineer, as the State allows other Design Professionals to prepare and certify Stormwater Management Plans, as long as they are performing services within their area of competence.

6.14.10 Operation and Maintenance of Structural Stormwater Measures (Development Standards)

- Similar generic License Professional text amendment, as well as broadening and genericizing the current UDO reference to “detention pond” to “stormwater control measure (SCM)”. This SCM terminology needs amending throughout the Section 6.14 of UDO to provide consistency within the UDO and with trending terminology at the NC Division of Environmental Quality (DEQ).
- Amend “Watershed Protection Compliance Permit” to “Certification”, to conform to current County practice.
- Update reference to this “certification” being required prior to a building permit, as it is impractical for certain development scenarios (i.e. campus settings). Staff is currently working with DEQ to establish an acceptable procedure.
- Substitute the Planning Director for Board of County Commissioners wherever practicable. Many if not all of these procedures are ministerial and do not need to be elevated to the BOCC level.

- Clarify that the annual maintenance “inspection” fee is actually an “inspection/review” fee, as the owner of the stormwater control measure (SCM) is required to inspect or have the SCM inspected each year and Engineering/Stormwater staff needs to review that inspection report and perhaps follow up with an inspection of any repairs. In addition the ordinance incorporates a quality assurance physical inspection at least once every 5 years.
- Establish a two-tiered fee schedule for this annual stormwater control measure annual inspection/review fee, as this is not currently collected.
- Clarify when this fee is to be collected.

6.14.11 Amendments to Approved Plans and Specifications

- Clarify language, requirements and simplify the amendment procedures.

Table 6.15.7.B.3: Undisturbed Area

- Make it clear that it is the pervious area that needs to remain undisturbed during construction.
- Correct terminology referring to a “grading permit”, as that nomenclature is not utilized in the UDO.

Various

- Bring conformity and uniformity to the use of the title “County Engineer” in lieu of “Staff Engineer” in multiple chapters.
- Address any other related variances or inconsistencies that may be found in other sections during this editing process.

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

Applicable principles, as adopted by the BOCC for the Comprehensive Plan

1. Efficient and Fiscally Responsible Provision of Public Facilities and Services
2. Encouraging Sustainable Growth and Development
6. Water Resource Preservation

Chapter 5: Land Use Element - Section 5.6 GOALS

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.

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.

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

Chapter 6: Natural and Cultural Systems Element - Section 6.3 GOALS

Natural and Cultural Systems Overarching Goal: A sustainable balance and appreciation of natural, cultural and agricultural resources.

Natural & Cultural Systems Goal 6: Sustainable quality and quantity of ground and surface water resources.

Chapter 8: Services and Community Facilities Element – Section 8.3 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.

5.7: Land Use Element OBJECTIVES

Objective LU-2.3:

Require non-residential and higher-density residential developments within Transition Areas to use Best Management Practices (BMP's) for stormwater control, as outlined within the Orange County Zoning Ordinance and Sedimentation Control Ordinance, to ensure that potential adverse impacts on the water quality of existing and proposed reservoir sites are avoided. (See also Erosion Control EC-1 and Natural Areas Objective NA-4.)

Objective LU-2.5:

Adopt and implement policies that specify appropriate land uses and intensities of development in Protected and Critical Water Resource Areas that will not have potential adverse impacts on water resources. (See also Water and Wastewater Objective WW-15.)

Objective LU-2.6:

Protect prime reservoir sites from adverse development impacts and ensure that regulations for these areas are appropriate.

Objective LU-2.8:

Develop performance standards for development on lands with non-renewable resources to ensure a sufficient level of environmental protection for these resources.

Objective LU-6.1:

Undertake a comprehensive effort to inform and involve the citizens of Orange County in the land use planning process.

Objective LU-6.2:

Maintain a cooperative joint planning process among the County municipalities and those organizations responsible for the provision of water and sewer services to guide the extension of service in accordance with the Comprehensive Plan, the Orange County-Chapel Hill-Carrboro Joint Planning Agreement and Land Use Plan, and the policies of the municipalities. (See also Water and Wastewater Objective WW-4.)

6.4.5.3. Natural & Cultural Systems Element OBJECTIVES**Objective WR-1:**

Preserve natural resources such as grasslands, woodlands and wetlands to allow for water recharge of ground water and water quality protection. (See also Natural Areas Objective NA-1.)

Objective WR-7:

Promote land use patterns that preserve the natural hydrologic system and maintain a sustainable “carrying capacity” balance for the future between ground water and surface water resources (See also Land Use Objective LU-2.9.)

Objective WR-20:

Promote Best Management Practices for new developments which minimize stormwater runoff. (See also Land Use Objective LU-2.3 and Erosion Control Objective EC-1.)

8.4.2.3. Services and Community Facilities Element OBJECTIVES**Objective EC-1:**

Continue to use Best Management Practices (BMP's) for stormwater control, as outlined within the Orange County Zoning Ordinance, Stormwater Ordinance, and Sedimentation Control Ordinance, to minimize potential adverse impacts on the water quality. (See also Land Use Objective LU-2.3, Natural Areas Objective NA-4 and Water Resources Objective WR-20.)

Objective EC-2:

Protect and maintain the chemical, physical, and biological quality and integrity of water supply reservoirs.

Objective EC-7:

Prevent flood damage to public and private property.

4. New Statutes and Rules

N.A.

C. PROCESS

1. TIMEFRAME/MILESTONES/DEADLINES

- a. BOCC Authorization to Proceed

September 6, 2016

- b. Quarterly Public Hearing

February, 2017 (Date to be determined.)

- c. BOCC Updates/Checkpoints

December 7, 2016 – Ordinance Review Committee (receive materials)

January 4, 2017 – Planning Board Recommendation (receive materials)

- d. Other:

Various 2016 – Review by appropriate DEMLR staff at the North Carolina Department of Environmental Quality (DEQ)

2. PUBLIC INVOLVEMENT PROGRAM

Mission/Scope: Public Hearing process consistent with NC State Statutes and Orange County ordinance requirements.

- a. Planning Board Review:

December 7, 2016 – Ordinance Review Committee

January 4, 2017 – Planning Board Recommendation

- b. Advisory Boards:

N/A

- c. Local Government Review:

- Towns of Chapel Hill and Carrboro in accordance with the Joint Planning Agreement
- Town of Hillsborough - courtesy review
- City of Mebane - courtesy review

- d. Notice Requirements

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

- e. Outreach:

General Public: Advertised meeting with Home Builders Association of Durham, Orange & Chatham Counties. Date TBD.

Small Area Plan Workgroup: N/A

Other: N/A

3. **FISCAL IMPACT**

Consideration and approval will not create the need for additional funding for the provision of County services. Additional revenue will be realized from the fees to be charged for annual maintenance inspection reviews and quality assurance field inspections to be conducted once every 5 years. Costs for the required legal advertisement will be paid from FY2016-17 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**

This amendment will result in clarification of the County's requirements and efficiency of operations.

E. **SPECIFIC AMENDMENT LANGUAGE**

Will be available at a later date, if staff is authorized to proceed with the amendment.

Primary Staff Contact:

Howard W. Fleming, Jr., PE
 Planning & Inspections Department
 Engineering/Stormwater Division
 919-245-2586
 hfleming@orangecountync.gov

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

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

SUBJECT: Rogers Road Sewer Project – Accepting Sewer Easement Across County-Interest Property

DEPARTMENT: Planning

ATTACHMENT(S):

1. Deed of Easement (Easement Plat Included)

INFORMATION CONTACT:

Travis Myren, Deputy County Manager,
(919) 245-2308
John Roberts, County Attorney, (919)
245-2318
Craig Benedict, Planning and
Inspections Director (919) 245-2583

PURPOSE: To consider accepting an easement for sewer installation and maintenance on County-Interest property (i.e., a prior granted public drainage easement) that will be part of the Rogers Road Sewer Project.

BACKGROUND: When a subdivision (now in Carrboro) was approved in Orange County in the 1980's, a drainage easement was reserved by the plat and held by Orange County in public interest. The underlying property owner, Stadler, has signed granting the sewer easement. When another use (such as a sewer easement) of the drainage easement area is requested, Orange County has the responsibility to accept or deny said new use/easement, taking into consideration the effect upon the public drainage interest.

The sewer easement will not have any deleterious effect on the drainage easement. More often than not, sewer easements parallel drainage ways to provide downhill 'gravity' flow. Therefore the easement requested in Attachment 1 is acceptable.

FINANCIAL IMPACT: There is no financial impact related to granting the sewer easement.

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

- **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.

RECOMMENDATION(S): The Manager recommends that the Board accept the easement for the sewer line and authorize the Chair to sign the easement deed on behalf of the County.

Attachment 1

PIN: 9870432502
 NORTH CAROLINA
 ORANGE COUNTY
 Temporary Easement Agreement

AGREEMENT

THIS AGREEMENT is made and entered by and between Gary L. Stadler & Stephanie C. Stadler, hereinafter referred to as OWNER, and a body politic and corporate of Orange County, North Carolina, with its principal office at 200 South Cameron Street, Hillsborough, North Carolina, 27278 referred to as ORANGE COUNTY.

W I T N E S S E T H:

WHEREAS, ORANGE COUNTY proposes to construct a public sewage system for the use of citizens of Orange County, and for that purpose to construct, operate, and maintain lines of pipe and mains necessary for the proper transmission of sewage; and

WHEREAS, temporary access to and use of OWNER's property is needed in order to construct, maintain, repair, or continue operation of ORANGE COUNTY's sewer collection system, OWNER's real property being part of that real property conveyed to it by a deed recorded in Book 655, Page 582, Orange County Registry, and located in Chapel Hill Township, Orange County, North Carolina.

NOW, THEREFORE, in consideration of the mutual benefits recited herein, and other good and valuable consideration, the receipt of all of which is hereby fully acknowledged, the parties have agreed and do hereby agree as follows:

1. ORANGE COUNTY, by and through its employees, agents, contractors, successors and assigns may enter OWNER'S said property, and thereupon may install any such temporary facilities as may be necessary to construct, maintain, repair, or continue operation of ORANGE COUNTY's sewer collection system, within the temporary easement where and as shown in Exhibit Plat attached.
2. ORANGE COUNTY will not remove trees within the temporary easement for the purpose of construction of these facilities unless the parties

otherwise agree. However, ORANGE COUNTY may excavate the area within the easement as necessary to install the temporary facilities.

- 3. Upon completion of the construction project involving replacement of the sewage system, ORANGE COUNTY will remove the temporary facilities
- 4. This agreement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto. Said easement is to be freely and fully transferable by the ORANGE COUNTY to its heirs, successors, assigns, agents and/or contractors without prior notice, written or otherwise, to the OWNER.

AND IN CONSIDERATION OF the sum of One and No/100 (\$1.00) paid to State Employees' Credit Union, hereinafter referred to as LENDER, secured creditor as defined under Chapter 45, Article 4 of the North Carolina General Statutes, the receipt of which is hereby acknowledged, the said LENDER does hereby release the foregoing described sanitary sewer easement from the lien and operation of the deed of trust from Gary L. Stadler & Stephanie C. Stadler signed January 11, 2002 and recorded in Book 2483, at Page 590, Registry of Orange County, and the said temporary construction easement herein above conveyed to ORANGE COUNTY shall henceforth be paramount to the lien and operation of the above mentioned deed of trust.

This the 23 day of June, 2016

BY: Gary L. Stadler
Gary L. Stadler

BY: Stephanie C. Stadler
Stephanie C. Stadler

BY: _____
ORANGE COUNTY
Name: _____
Title: _____

BY: Stacie Walker
State Employees' Credit Union
Name: Stacie Walker
Title: Senior Vice President

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, ERNEST C. LANE JR, a Notary Public of the County and State aforesaid, certify that Gary L. Stadler, personally appeared before me this day and acknowledge the due execution of the foregoing instrument for the purposes herein expressed.

Witness my hand and seal this 23RD day of JUNE, 2016.

Ernest C Lane Jr
Notary Public



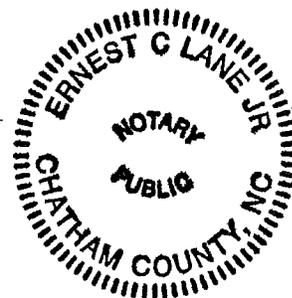
My commission expires: 052020

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, ERNEST C. LANE JR, a Notary Public of the County and State aforesaid, certify that Stephanie C. Stadler, personally appeared before me this day and acknowledge the due execution of the foregoing instrument for the purposes herein expressed.

Witness my hand and seal this 23RD day of JUNE, 2016.

Ernest C Lane Jr
Notary Public



My commission expires: 052020

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that _____, personally appeared before me this day and acknowledged he/she is the authorized official of ORANGE COUNTY, and that he/she signed the foregoing instrument on behalf of ORANGE COUNTY for the purposes herein expressed.

Witness my hand and seal this _____ day of _____, 20_____.

Notary Public

My commission expires: _____

STATE OF NORTH CAROLINA

COUNTY OF Wake

I, Brandy Wright, a Notary Public of the County and State aforesaid, certify that Stacie Walker, personally appeared before me this day and acknowledged he/she is the authorized official of State Employees' Credit Union, and that he/she signed the foregoing instrument on behalf of State Employees' Credit Union for the purposes herein expressed.

Witness my hand and seal this 25 day of May, 2016.

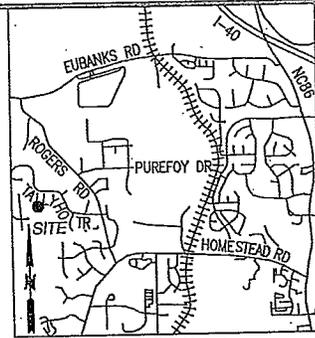
Brandy Wright
Notary Public

My commission expires: 4-30-20

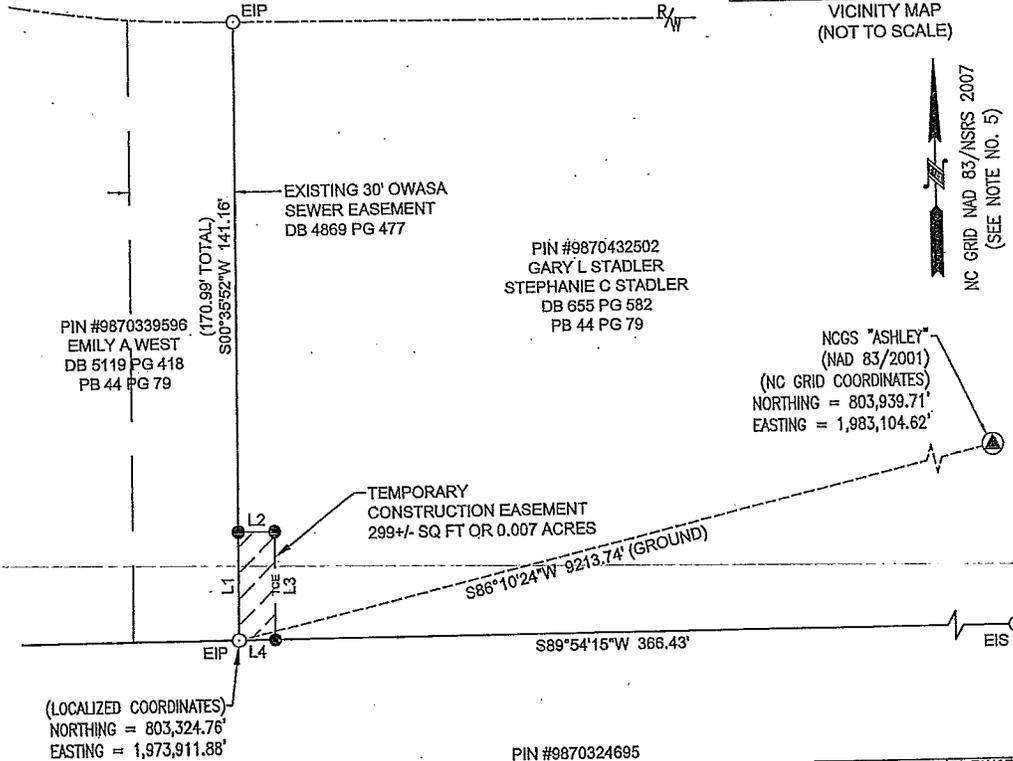


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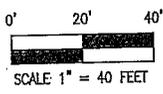
1. THIS EXHIBIT IS FOR ILLUSTRATIVE PURPOSES ONLY. IT DOES NOT CONSTITUTE A DEDICATION OR CONVEYANCE OF EASEMENTS.
2. AREAS COMPUTED BY COORDINATE METHOD.
3. ALL DISTANCES SHOWN ON THIS PLAT ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
4. THE INFORMATION CONTAINED HEREON IS SUBJECT TO THE FINDINGS OF A COMPLETE AND ACCURATE OPINION OF TITLE, AND TO THOSE EXCEPTIONS AND EASEMENTS OF RECORD, IF ANY, NOTED THEREON.
5. THE DATUM DESCRIBED AND COORDINATES SHOWN HEREON WERE ESTABLISHED BY USING THE N.C. REAL TIME NETWORK, KNOWN PUBLISHED MONUMENTS WERE TIED TO VERIFY ACCURACY.
- 6) THE PROJECT POINT OF LOCALIZATION HAS A NORTHING OF 804,264.72' AN EASTING OF 1,976,764.51' AND AN ELEVATION OF 545.16'. THE PROJECT COMBINED FACTOR IS 0.999927563



TALLYHO TRAIL - SR 2213
(50' PUBLIC R/W)



LINE	BEARING	DISTANCE
L1	N00°35'52"E	29.83'
L2	S89°40'44"E	10.00'
L3	S00°26'36"W	29.75'
L4	S89°54'15"W	10.08'



- LEGEND**
- ▲ CONTROL POINT
 - COMPUTED POINT
 - EIP ○ EXISTING IRON PIPE OR PIN
 - EIS ○ EXISTING IRON STAKE
 - ⊙ EXISTING SEWER MANHOLE
 - EXISTING PROPERTY LINE SURVEYED
 - LINE COMPUTED FROM RECORDS
 - SAN - SEWER EASEMENT
 - TCE - TEMPORARY CONSTRUCTION EASEMENT
 - DB PG DEED BOOK, PAGE
 - PB PG PLAT BOOK, PAGE

STATE OF NORTH CAROLINA, COUNTY OF ORANGE

I, JEFFERY S. MUNN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION AND FROM RECORDED DOCUMENTS AS REFERENCED; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS EXHIBIT IS FOR ILLUSTRATIVE PURPOSES ONLY. THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 9TH DAY OF MARCH, 2016.

Jeffery S. Munn
JEFFERY S. MUNN, PLS NC L-3946

THIS EXHIBIT IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THE INTENT OF THIS EXHIBIT IS TO ILLUSTRATE THE LOCATION OF THE PROPOSED UTILITY EASEMENT AS SHOWN.

CH ENGINEERING
3220 GLEN ROYAL RD. RALEIGH, NC 27617
TEL. (919) 788-0224 FAX (919) 788-0232
CORPORATE LICENSE # P-0189

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT PREPARED FOR
ORANGE WATER & SEWER AUTHORITY
PROPERTY OF
GARY L. STADLER & STEPHANIE C. STADLER
ORANGE COUNTY CHAPEL HILL TOWNSHIP NORTH CAROLINA
FEBRUARY 29, 2016 SCALE 1" = 40'

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

Action Agenda

Item No. 6-o

SUBJECT: North Carolina Department of Transportation Rural Operating Assistance Program (ROAP) Grant Application for FY 2017

DEPARTMENT: Orange Public Transportation

ATTACHMENT(S):

1. ROAP Application
2. Certified Statement

INFORMATION CONTACT:

Peter Murphy, Transportation
Administrator, 919-245-2002

PURPOSE: To approve the annual FY 2017 ROAP grant application and certified statement and accept the funds.

BACKGROUND: The North Carolina Department of Transportation, Public Transportation Division designates Rural Operating Assistance Program (ROAP) funds each fiscal year to Orange County. ROAP consolidates the Elderly/Disabled Transportation Assistance Program (EDTAP), the Employment Program (EMPL), and the Rural General Public (RGP) Program into a single application package. These ROAP funds allow Orange County to continue providing the above mentioned programs from July 1, 2016 through June 30, 2017. The amounts being made available for each respective program for FY 2017 are:

Program	Amount
Elderly/Disabled Transportation Assistance Program (EDTAP)	\$83,466
Employment Transportation Assistance Program (EMPL)	\$30,946
Rural General Public Program (RGP)	\$71,537
TOTAL	\$185,949

Orange Public Transportation (OPT) is the lead agency for public and human services transportation in central and rural Orange County. The EDTAP allocation of \$83,466 will allow OPT to continue to provide medical appointment transportation for elderly (age 60+) and disabled residents of Orange County. To the extent possible, medical appointment trips are grouped by geographic area per weekday, and the destination is the closest provider. All EDTAP service recipients are required to provide a copay/fare of \$3.00 per one-way trip. Copayments are utilized to fund additional eligible trips beyond those that are supported by the State EDTAP grant.

The majority of the \$30,946 allocation for the Employment Transportation Assistance Program will be made available for the Department of Social Services' use in assisting former Work First participants or other low-income persons certified for Medicaid or Food Stamps with employment-related transportation. The funds may be used to fund transportation to a qualified

recipient's workplace, job interviews, job fairs, job readiness activities, or GED classes. The funds may also be used to transport the children of a qualified recipient to child care.

OPT has provided rural general public transportation on a seat-available basis for many years on three (3) deviated fixed-routes (one Hillsborough area route and two transfer routes from the Chapel Hill area) that are also designed to provide transportation to work opportunities and programs for persons with developmental disabilities. The FY 2017 RGP allocation is \$71,537.

The period of performance for FY 2017 Rural Operating Assistance Program funds is July 1, 2016 through June 30, 2017.

FINANCIAL IMPACT: The RGP segment of the ROAP funding allocation requires a 10% local match (\$7,153.70), which OPT has incorporated into its FY 2016-17 budget. OPT estimates the anticipated amount to be received in preparation for upcoming budget years, but traditionally does not apply for and receive the funding until October or November of the subject budget year/period of performance. For FY2017 the initial application was submitted August 22, 2016 and the signed application is due September 7, 2016. Funding will be disbursed quarterly. Orange County was awarded a total of \$168,933 for FY 2015-16, which results in a \$17,016 increase in ROAP funding from FY 2015-16 to FY 2016-17.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are associated with this item:

- **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 ROAP grant application gives Orange County access to funding that supports valuable transportation services specifically for elderly persons and persons with disabilities, populations that tend to have fewer transportation options than other segments of the population. The services provided that will make use of the funding will also provide an inexpensive alternative to travel by personal vehicle that will help facilitate economic self-sufficiency by expanding transportation options for populations exhibiting the greatest need.

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

1. Approve the application for Rural Operating Assistance Program and accept funding totaling **\$185,949** for FY 2017; and
2. Authorize the County Manager and County Finance Officer to sign the Certified Statement of Participation.

Application for Transportation Operating Assistance

FY2017 Rural Operating Assistance Program Funds

Name of Applicant (County)	Orange County
County Manager	Bonnie Hammersley
County Manager's Email Address	bhammersley@orangecountync.gov
County Finance Officer	Gary Donaldson
CFO's Email Address	gdonaldson@orangecountync.gov
CFO's Phone Number	919 245-2453
Person Completing this Application	Peter Murphy
Person's Job Title	Transportation Administrator
Person's Email Address	pmurphy@orangecountync.gov
Person's Phone Number	919 245-2002
Community Transportation System	Orange County Public Transportation
Name of Transit Contact Person	Peter Murphy
Transit Contact Person's Email Address	pmurphy@orangecountync.gov

Application Completed by: _____ Date: _____
Signature

I certify that the content of this application is complete and accurately describes the county's administration of the ROAP Program, and the use of the ROAP funds in accordance with applicable state guidelines. I certify and understand that if the quarterly milestone reports are not submitted on or before the due dates that ½ of 1 percent per business day, beginning the day after the due date until the date the report is received, will be deducted from the following quarter's disbursement. I certify and understand that any quarterly unspent funds will be deducted from the following quarter's allocation and the total amount of unspent funds at the end of the period of performance will be deducted from the following year's allocation.

County Manager: _____ Date: _____
Signature

County Finance Officer: _____ Date: _____
Signature

Application Instructions

County officials should read the ROAP Program Administration Guide which contains guidance on the administration of the ROAP Program and information about the preparation of grant applications.

- The application must be completed by an official of the county or his/her designee.
- Click on the **gray rectangle** and type each answer. If necessary, the text will automatically wrap to the next row. The answer may wrap to the next page if necessary.
- If the county wishes to explain their response to any questions or provide more information, the county may include additional pages with this application form. All the pages of the application and any pages added by the applicant should be scanned into the same file.
- If there are questions regarding this application, contact the NCDOT-PTD Mobility Development Specialist assigned to the area served by the transit system.

FY2017 ROAP Program Schedule

Application Deadline	August 22, 2016
Quarter 1 Disbursement	September 15, 2016
Quarter 1 Milestone Report due	October 31, 2016
Quarter 2 Disbursement	December 15, 2016
Quarter 2 Milestone Report due	January 31, 2017
Quarter 3 Disbursement	March 15, 2017
Quarter 3 Milestone Report due	April 30, 2017
Quarter 4 Disbursement	May 15, 2017
Quarter 4 Milestone Report due	July 31, 2017

County's Management of ROAP Funds

County governments or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with municipalities or counties served) are the only eligible applicants for ROAP funds. As a recipient of ROAP funds, the county must implement administrative processes that will ensure the following:

- ROAP funds are expended on needs identified through a public involvement and/or planning process
- ROAP funds are expended on only eligible activities
- Supporting documentation of expenditures is maintained
- Service recipients meet eligibility requirements and their eligibility is documented
- Trips funded with ROAP funding are monitored and evaluated throughout the period of performance
- An accounting of trips and expenditures is provided in quarterly reports to NCDOT
- ROAP funds received and expended are included in the local annual audit

Transportation Needs and Public Involvement in Funding Decisions	Yes	No
A. Did the county ask the Community Transportation Advisory Board (TAB), which is affiliated with the Community Transportation System, to recommend how the ROAP funds should be sub-allocated?	Yes	
B. Were outreach efforts conducted to inform agencies about the availability of ROAP funds and to discuss transportation needs BEFORE the county decided how to sub-allocate the ROAP funds?	Yes	
C. Is the method used to sub-allocate the ROAP funds fair and equitable? Open and transparent?	Yes	

ATTACHMENT 1

Financial Management of ROAP Funds	Yes	No
D. Does the county pass through any ROAP funds to agencies or organizations that are not county governmental departments or agencies?		No
E. If yes, does the county have a written agreement with these agencies that addresses the proper use, return and accountability of these funds? <i>(Include a sample agreement with application)</i>		
F. Do any of the organizations or departments receiving ROAP funds plan to use private transit contractors to provide the ROAP funded trips? <i>(Their procurement practices will need to meet all federal and state requirements for procurement of professional services.)</i>		No
G. Are ROAP funds being deposited in an interest bearing account?	Yes	
H. Does the county provide any local funds for transportation operating assistance to any of the ROAP sub-recipients in addition to the state ROAP funds?	Yes	
I. Is supporting documentation maintained for all ROAP grant financial transactions for five years? IMPORTANT: Yes is the only correct answer.	Yes	
Monitoring and Oversight Responsibilities	Yes	No
J. Does the county require the subrecipients of ROAP funds to provide progress reports and statistical data about the trips provided with ROAP funds?	Yes	
K. If progress reports and/or operating statistical reports are required by the county, how frequently are these provided to the county for evaluation? Quarterly		
L. Does the county require the subrecipients of ROAP funds to use the coordinated transportation services of the federally funded Community Transportation System operating in the county?	Yes	
Accountability to North Carolina Taxpayers	Yes	No
M. Is the county prepared to provide documentation that an eligible citizen was provided an eligible service or trip on the billed date, by whatever conveyance, at the specified cost?	Yes	

Elderly and Disabled Transportation Assistance Program

The Elderly and Disabled Transportation Assistance Program (EDTAP), originally enacted by legislation in the 1989 Session of the North Carolina General Assembly (Article 2B, 136-44.27), provides operating assistance funds for the transportation of the state's elderly and disabled citizens. This transportation assistance allows the elderly and disabled to reside for a longer period in their homes, thereby enhancing their quality of life.

Organizations or Departments Receiving EDTAP Funds	How will the transportation services be provided	Name of Transportation Provider	EDTAP Suballocation	Estimated One Way	Avg. Cost of
Orange Public Transp	Public transportation	Orange Public	\$ 83466	17,000	\$ 6.15
			\$		\$
			\$		\$
			\$		\$
			\$		\$
			\$		\$
			\$		\$
			\$		\$
			\$		\$
			\$		\$
TOTAL			\$		
Elderly and Disabled Transportation Assistance Program Questions					
<p>N. What will be the purposes of the trips provided with EDTAP funds? <i>(Check all that apply)</i></p> <p><input checked="" type="checkbox"/> Personal care activities, medical appointments, pharmacy pick-up, shopping, bill paying, meetings, classes, banking</p> <p><input type="checkbox"/> Job interviews, job fair attendance, job readiness activities or training, GED classes</p> <p><input type="checkbox"/> Transportation to workplace</p> <p><input type="checkbox"/> Group field trips/tours to community special events (Federal charter regulations apply to transit.)</p> <p><input type="checkbox"/> Overnight trips to out-of-county destinations (Federal charter regulations apply to transit)</p> <p><input type="checkbox"/> Human service agency appointments</p>					
Elderly and Disabled Transportation Assistance Program Questions (con't)			Yes	No	
O. Does the federally funded Community Transportation System operating in your county receive a sub-allocation of EDTAP funds?			Yes		
<p>P. Will any of the subrecipients use their EDTAP sub-allocation as matching funds for any of the following programs? <i>(Matching funds for operating assistance or purchase of service only.)</i></p> <p style="padding-left: 40px;">5310 – Elderly Individuals and Individuals with Disabilities Program</p> <p style="padding-left: 40px;">5311 - Non-urbanized Area Formula Program</p> <p style="padding-left: 40px;">5316 – Job Access and Reverse Commute Program (JARC)</p> <p style="padding-left: 40px;">5317 – New Freedom Program</p>				No	
Q. Will any of the subrecipients of EDTAP funds charge a fare for an EDTAP funded trip?			Yes		
R. EDTAP funded trips are expected to be provided throughout the entire year. If the EDTAP funds are expended in less than a year, will the county provide county funds to prevent the discontinuation of transportation trips?			Yes		

Rural General Public Program

The Rural General Public Program assistance funds are intended to provide transportation services for individuals from the county who do not have a human service agency or organization to pay for the trip. The county, in consultation with the Community Transportation System, must determine the RGP services to be provided with the RGP funds. RGP funds are only available to Coordinated Transportation Systems offering general public transportation in the non-urbanized area of the county.

Organizations or Departments Receiving RGP Funds	How will the transportation services be provided	Name of Transportation Provider	RGP Suballocation	Estimated One Way Trips	Avg. Cost of Trip
Orange County	Public transportation	Orange County	\$ 71537	18,000	\$ 4.43
			\$		\$
			\$		\$
			\$		\$
			\$		\$
			\$		\$
			\$		\$
			\$		\$
			\$		\$
			\$		\$
TOTAL			\$		\$

Rural General Public Transportation Program Questions		
Z. What will be the trip purposes of the transportation services provided with RGP funds? <i>(Check all that apply)</i> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Personal care activities, medical appointments, pharmacy pick-up, shopping, bill paying, meetings, classes, banking <input checked="" type="checkbox"/> Job interviews, job fair attendance, job readiness activities or training, GED classes <input checked="" type="checkbox"/> Transportation to workplace (Scheduled by the individual only. No agency scheduled trips.) <input checked="" type="checkbox"/> Child(ren) of working parent transported to child care <input type="checkbox"/> Group field trips/tours to community special events (Federal charter regulations apply to transit.) <input type="checkbox"/> Overnight trips to out-of-county destinations (Federal charter regulations apply to transit.) <input checked="" type="checkbox"/> Human service agency appointments 		
AA. Will RGP trips be provided for citizens who need transportation but don't have a human service agency or organization to pay for the trip?	Yes	
Rural General Public Program Questions (con't)		
	Yes	No
AB. Since the subrecipient can only use RGP funds to pay for 90% of the cost of a trip, will the Community Transportation System use fare revenue to generate the local 10% match requirement for RGP funds?	Yes	
AC. Will RGP funded trips be coordinated on vehicles with human service agency trips?	Yes	
AD. Will the Community Transportation System use any of their RGP sub-allocation as matching funds for any of the following programs? <i>(Matching funds for operating assistance or purchase of service only)</i> <ul style="list-style-type: none"> 5310 – Elderly Individuals and Individuals with Disabilities Program 5311 - Non-urbanized Area Formula Program 5316 – Job Access and Reverse Commute Program (JARC) 5317 – New Freedom Program 		No
AE. Is any part of the county in an urbanized area according to the 2010 census?	Yes	
AF. RGP funded trips are expected to be provided throughout the entire year. If the RGP funds are expended in less than a year, will the county provide county funds to prevent the discontinuation of transportation trips?	Yes	

CERTIFIED STATEMENT
FY2017
RURAL OPERATING ASSISTANCE PROGRAM
County of Orange

WHEREAS, the state-funded, formula-based Rural Operating Assistance Program (ROAP) administered by the North Carolina Department of Transportation, Public Transportation Division provides funding for the operating cost of passenger trips for counties within the state;

WHEREAS, the county uses the most recent transportation plans (i.e. CCP, CTIP, LCP) available and other public involvement strategies to learn about the transportation needs of agencies and individuals in the county before determining the sub-allocation of these ROAP funds;

WHEREAS, the county government or regional public transportation authorities created pursuant to Article 25 or Article 26 of Chapter 160A of the General Statutes (upon written agreement with the municipalities or counties served) are the only eligible recipients of Rural Operating Assistance Program funds which are allocated to the counties based on a formula as described in the Program Guidelines included in the ROAP State Management Plan. NCDOT will disburse the ROAP funds only to counties and eligible transportation authorities and not to any sub-recipients selected by the county;

WHEREAS, the county finance officer will be considered the county official accountable for the administration of the Rural Operating Assistance Program in the county, unless otherwise designated by the Board of County Commissioners;

WHEREAS, the passenger trips provided with ROAP funds must be accessible to individuals with disabilities and be provided without discrimination on the basis of national origin, creed, age, race or gender (FTA C 4702.1A, FTA C 4704.1, Americans with Disabilities Act 1990); and

WHEREAS, the period of performance for these funds will be July 1, 2016 to June 30, 2017 regardless of the date on which ROAP funds are disbursed to the county.

NOW, THEREFORE, by signing below, the duly authorized representatives of the County of Orange North Carolina certify that the following statements are true and accurate:

- The county employed a documented methodology for sub-allocating ROAP funds that involved the participation of eligible agencies and citizens. Outreach efforts to include the participation of the elderly and individuals with disabilities, persons with limited English proficiency, minorities and low income persons in the county's sub-allocation decision have been documented.
- The county will advise any sub-recipients about the source of the ROAP funds, specific program requirements and restrictions, eligible program expenses and reporting requirements. The county will be responsible for invoicing any sub-recipients for unexpended ROAP funds as needed.
- The county will monitor ROAP funded services routinely to verify that ROAP funds are being spent on allowable activities and that the eligibility of service recipients is being properly documented. The county will maintain records of trips for at least five years that prove that an eligible citizen was provided an eligible transportation service on the billed date, by whatever conveyance at the specified cost.
- The county will be responsible for monitoring the safety, quality and cost of ROAP funded services and assures that any procurements by subrecipients for contracted services will follow state and federal guidelines.
- The county will conduct regular evaluations of ROAP funded passenger trips provided throughout the period of performance.

- The county will only use the ROAP funds to provide trips when other funding sources is not available for the same purpose or the other funding sources for the same purpose have been completely exhausted.
- The county assures that the required matching funds for the FY2017 ROAP can be generated from fares and/or provided from local funds.
- The county will notify the Mobility Development Specialist assigned to the county if any ROAP funded services are discontinued before the end of the period of performance due to the lack of funding. No additional ROAP funds will be available.
- The county will provide an accounting of trips and expenditures in quarterly milestone reports to NCDOT – Public Transportation Division or its designee.
- Any interest earned on the ROAP funds will be expended for eligible program uses as specified in the ROAP application. The County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.
- The county is applying for the following amounts of FY2017 Rural Operating Assistance Program funds:

State-Funded Rural Operating Assistance Program	Allocated	Requested
Elderly & Disabled Transportation Assistance Program (EDTAP)	83,466	83,466
Employment Transportation Assistance Program (EMPL)	30,946	30,946
Rural General Public Program (RGP)	71,537	71,537
TOTAL	185,949	185,949

WITNESS my hand and county seal, this ____ day of _____, 20____.

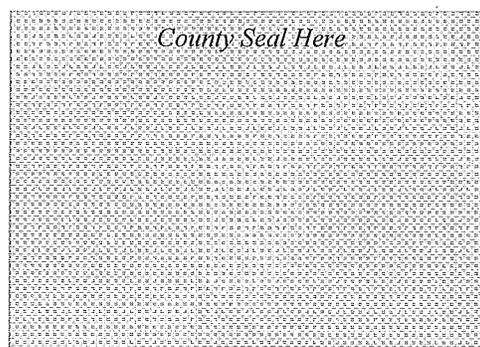
Signature of County Manager/Administrator

Signature of County Finance Officer

Printed Name of County Manager/Administrator

Printed Name of County Finance Officer

State of North Carolina County of _____



**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: September 6, 2016**

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

SUBJECT: Marketing Communications Management Agreement with Clean Design

DEPARTMENT: Economic Development/Visitors
Bureau

ATTACHMENT(S):
2016-17 Renewal Agreement between
the Chapel Hill/Orange County Visitors
Bureau and Marketing Agency, Clean
Design

INFORMATION CONTACT:
Laurie Paolicelli 919-245-4322

PURPOSE: To approve a professional services agreement for tourism marketing and advertising with Clean Design.

BACKGROUND: The Visitors Bureau maintains an advertising agency contract to accomplish its mission of marketing Orange County to grow demand for tourism assets and boost jobs, taxes and economic impact. Clean Design has been the agency of contract since 2012/13, beginning with an original \$300,000 media plan. The contract grew to \$450,000 in 2014. In 2015, the Visitors Bureau again committed \$300,000. At the Visitors Bureau Board's direction, this contract was augmented by fund balance expenditures of \$285,198 to introduce a new website, social media plan, and add an LGBT tourism campaign. As it ended its fiscal year, the results of these marketing efforts grew tourism by nearly 8% across all key metrics.

This current agreement is a renewal for 12 months and reflects a dollar amount of \$398,239, which reflects continued creative development, on-line marketing and advertising in newspaper, magazine and on-line sources. The website and social media plan initiated in previous years are now active.

In the spring of 2017 the Visitors Bureau Advisory Board is prepared to issue a request for proposals (RFP) to accept bids for 2017-18 tourism marketing and advertising.

FINANCIAL IMPACT: A total of \$398,239 in Visitors Bureau funds have been budgeted for 2016-2017 Fiscal Year

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

- **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.

Tourism is a clean and green industry that fuels the economy leading to the economic self-sufficiency of Orange County residents.

RECOMMENDATION(S): The Manager recommends the Board approve the proposed agreement and authorize the Chair to sign the agreement subject to final review by the County Attorney and that the funds be encumbered out of 2016-2017 Visitors Bureau budget as originally budgeted.

[Departmental Use Only]
 TITLE
 FY

NORTH CAROLINA

**SERVICES AGREEMENT OVER \$90,000.00
 RFP/RFQ**

ORANGE COUNTY

This Services Agreement (hereinafter "Agreement"), made and entered into this 1st day of July, 2016, ("Effective Date") by and between Orange County, North Carolina a political subdivision of the State of North Carolina (hereinafter, the "County") and Clean Design, Inc., (hereinafter, the "Provider").

WITNESSETH:

That the County and Provider, for the consideration herein named, do hereby agree as follows:

1. Services

a. Scope of Work.

- i) This Services Agreement ("Agreement") is for professional services to be rendered by Provider to County with respect to (*insert type of project*): Marketing and Communications Management
- ii) By executing this Agreement, the Provider represents and agrees that Provider is qualified to perform and fully capable of performing and providing the services required or necessary under this Agreement in a fully competent, professional and timely manner.
- iii) Time is of the essence with respect to this Agreement.
- iv) The services to be performed under this Agreement consist of Basic Services, as described and designated in Section 3 hereof. Compensation to the Provider for Basic Services under this Agreement shall be as set forth herein.

2. Responsibilities of the Provider

- a. Services to be provided. The Provider shall provide the County with all services required in Section 3 to satisfactorily complete the Project within the time limitations set forth herein and in accordance with the highest professional standards.
- b. Standard of Care.
 - i) The Provider shall exercise reasonable care and diligence in performing services under this Agreement in accordance with the highest generally accepted standards of this type of Provider practice throughout the United States and in accordance with applicable federal, state and local laws and regulations applicable to the

performance of these services. Provider is solely responsible for the professional quality, accuracy and timely completion and/or submission of all work related to the Basic Services.

- ii) Provider shall be responsible for all errors or omissions of its agents, contractors, employees, or assigns in the performance of the Agreement. Provider shall correct any and all errors, omissions, discrepancies, ambiguities, mistakes or conflicts at no additional cost to the County.
- iii) The Provider shall not, except as otherwise provided for in this Agreement, subcontract the performance of any work under this Agreement without prior written permission of the County. No permission for subcontracting shall create, between the County and the subcontractor, any contract or any other relationship.
- iv) Provider is an independent contractor of County. Any and all employees of the Provider engaged by the Provider in the performance of any work or services required of the Provider under this Agreement, shall be considered employees or agents of the Provider only and not of the County, and any and all claims that may or might arise under any workers compensation or other law or contract on behalf of said employees while so engaged shall be the sole obligation and responsibility of the Provider.
- v) If activities related to the performance of this Agreement require specific licenses, certifications, or related credentials Provider represents that it and/or its employees, agents and subcontractors engaged in such activities possess such licenses, certifications, or credentials and that such licenses certifications, or credentials are current, active, and not in a state of suspension or revocation.

3. Basic Services

a. Basic Services.

- i) The Provider shall perform as Basic Services the work and services described herein and as specified in the County's Request for Proposals or Request for Qualifications (the "RFP") "RFP Number 5177 for "Tourism Marketing" issued April 21, 2011, and the Provider's proposal, which are fully incorporated and integrated herein by reference together with Attachments N/A (designate all attachments). In the event a term or condition in any document or attachment conflicts with a term or condition of this Agreement the term or condition in this Agreement shall control. Should such conflict arise the priority of documents shall be as follows: This Agreement, the County's RFP together with attachments, Provider's Proposal together with attachments.
- ii) The Basic Services will be performed by the Provider in accordance with the following schedule: (Insert task list and milestone dates)

<u>Task</u>	<u>Milestone Date</u>
1. Media Plan research/recommendations	July 2016
2. Development of Media Plan	July 2016

- 2016-17
3. Create graphic designs for ads, publications, swag throughout
 4. Provide concepts for special promotions throughout 2016-17
 5. Produce or arrange for production of advertising throughout 2016-17
 6. Place and/or arrange placement of media mix throughout 2016-17
 7. Meeting with Orange County rep on mutually agreed basis throughout 2016-17
 8. Provide updates to Visitors Bureau Board of Directors throughout
- 2016-17
- 9.
 - 10.

- iii) Should County reasonably determine that Provider has not met the Milestone Dates established in Section 3(a)(ii), County shall notify Provider of the failure to meet the Milestone Date. The County, at its discretion may provide the Provider seven (7) days to cure the breach. County may withhold the accompanying payment without penalty until such time as Provider cures the breach. In the alternative, upon Provider's failure to meet any Milestone Date the County may modify the Milestone Date schedule. Should Provider or its representatives fail to cure the breach within seven (7) days, or fail to reasonably agree to such modified schedule, County may immediately terminate this Agreement in writing, without penalty or incurring further obligation to Provider. This section shall not be interpreted to limit the definition of breach to the failure to meet Milestone Dates.

4. Duration of Services

- a. Term. The term of this Agreement shall be from July 1, 2016 to June 30, 2017.
- b. Scheduling of Services
 - i) The Provider shall schedule and perform its activities in a timely manner so as to meet the Milestone Dates listed in Section 3.
 - ii) Should the County determine that the Provider is behind schedule, it may require the Provider to expedite and accelerate its efforts, including providing additional resources and working overtime, as necessary, to perform its services in accordance with the approved project schedule at no additional cost to the County.
 - iii) The Commencement Date for the Provider's Basic Services shall be July 1, 2016.

5. Compensation

- a. Compensation for Basic Services. Compensation for Basic Services shall include all compensation due the Provider from the County for all services under this Agreement. The maximum amount payable for Basic Services is Three Hundred and Ninety-Eight Thousand Two Hundred and Thrity-Nine Dollars (\$398,239). In the event the amount stated on an invoice is disputed by the County, the County may withhold payment of all or a portion of the amount stated on an invoice until the parties resolve the dispute. Payment for Basic Services shall become due and payable in direct proportion to

satisfactory services performed and work accomplished. Payments will be made as percentages of the whole as Project milestones as set out in Section 3(a)(ii) are achieved. *(For example, if there are 10 Project Tasks with Milestone Dates then Provider may invoice for the first 10% of the whole upon County's acknowledgement of the satisfactory completion of Task one. Upon the County's acknowledgement that the second Task has been satisfactorily completed Provider may invoice for the next 10% of the whole.)*

- b. Additional Services. County shall not be responsible for costs related to any services in addition to the Basic Services performed by Provider unless County requests such additional services in writing and such additional services are evidenced by a written amendment to this Agreement.

6. Responsibilities of the County

- a. Cooperation and Coordination. The County has designated (*Laurie Paolicelli*) to act as the County's representative with respect to the Project and shall have the authority to render decisions within guidelines established by the County Manager and/or the County Board of Commissioners and shall be available during working hours as often as may be reasonably required to render decisions and to furnish information.

7. Insurance

- a. General Requirements. Provider shall obtain, at its sole expense, Commercial General Liability Insurance, Automobile Insurance, Workers' Compensation Insurance, and any additional insurance as may be required by County's Risk Manager as such insurance requirements are described in the Orange County Risk Transfer Policy and Orange County Minimum Insurance Coverage Requirements (each document is incorporated herein by reference and may be viewed at http://www.orangecountync.gov/departments/purchasing_division/contracts.php. If County's Risk Manager determines additional insurance coverage is required such additional insurance shall consist of N/A (if no additional insurance required mark N/A as being not applicable). Provider shall not commence work until such insurance is in effect and certification thereof has been received by the County's Risk Manager.

8. Indemnity

- a. Indemnity. The Provider agrees to defend, indemnify and hold harmless the County from all loss, liability, claims or expense, including attorney's fees, arising out of or related to the Project and arising from bodily injury including death or property damage to any person or persons caused in whole or in part by the negligence or misconduct of the Provider except to the extent same are caused by the negligence or willful misconduct of the County. It is the intent of this provision to require the Provider to indemnify the County to the fullest extent permitted under North Carolina law.

9. Amendments to the Agreement

- a. Changes in Basic Services. Changes in the Basic Services and entitlement to additional compensation or a change in duration of this Agreement shall be made by a written Amendment to this Agreement executed by the County and the Provider. The Provider

shall proceed to perform the Services required by the Amendment only after receiving a fully executed Amendment from the County.

10. Termination

- a. Termination for Convenience of the County. This Agreement may be terminated without cause by the County and for its convenience upon seven (7) days prior written notice to the Provider.
- b. Other Termination. The Provider may terminate this Agreement based upon the County's material breach of this Agreement; provided, the County has not taken all reasonable actions to remedy the breach. The Provider shall give the County seven (7) days' prior written notice of its intent to terminate this Agreement for cause.
- c. Compensation After Termination.
 - i) In the event of termination, the Provider shall be paid that portion of the fees and expenses that it has earned to the date of termination, less any costs or expenses incurred or anticipated to be incurred by the County due to errors or omissions of the Provider.
 - ii) Should this Agreement be terminated, the Provider shall deliver to the County within seven (7) days, at no additional cost, all deliverables including any electronic data or files relating to the Project.
- d. Waiver. The payment of any sums by the County under this Agreement or the failure of the County to require compliance by the Provider with any provisions of this Agreement or the waiver by the County of any breach of this Agreement shall not constitute a waiver of any claim for damages by the County for any breach of this Agreement or a waiver of any other required compliance with this Agreement.
- e. Suspension. County may suspend the Basic Services and this Agreement at any time for County's convenience and without penalty to County upon three (3) days' notice to Provider. Upon any suspension by County, Provider shall discontinue the Basic Services and shall not resume the Basic Services until notified to proceed by County.

11. Additional Provisions

- a. Limitation and Assignment. The County and the Provider each bind themselves, their successors, assigns and legal representatives to the terms of this Agreement. Neither the County nor the Provider shall assign or transfer its interest in this Agreement without the written consent of the other.
- b. Governing Law. This Agreement and the duties, responsibilities, obligations and rights of respective parties hereunder shall be governed by the laws of the State of North Carolina.
- c. Compliance with Laws. Provider shall at all times remain in compliance with all applicable local, state, and federal laws, rules, and regulations including but not limited

to all state and federal anti-discrimination laws, policies, rules, and regulations and the Orange County Anti-Discrimination Policy. Any violation of this requirement is a breach of this Agreement and County may immediately terminate this Agreement without further obligation on the part of the County. This paragraph is not intended to limit and does not limit the definition of breach to discrimination. By executing this Agreement Provider affirms that Provider and any subcontractors of Provider are and shall remain in compliance with Article 2 of Chapter 64 of the North Carolina General Statutes. By executing this Agreement Provider certifies that Provider has not been identified, and has not utilized the services of any agent or subcontractor, on the list created by the State Treasurer pursuant to G.S. 147-86.58.

- d. Dispute Resolution. Any and all suits or actions to enforce, interpret or seek damages with respect to any provision of, or the performance or non-performance of, this Agreement shall be brought in the General Court of Justice of North Carolina sitting in Orange County, North Carolina. It is agreed by the parties that no other court shall have jurisdiction or venue with respect to such suits or actions. Binding arbitration may not be initiated by either Party, however, the Parties may agree to nonbinding mediation of any dispute prior to the bringing of a suit or action.
- e. Entire Agreement. This Agreement, together with the RFP and its attachments and the Proposal and its attachments, represents the entire and integrated agreement between the County and the Provider and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both parties. Modifications may be evidenced by facsimile signatures.
- f. Severability. If any provision of this Agreement is held as a matter of law to be unenforceable, the remainder of this Agreement shall be valid and binding upon the Parties.
- g. Ownership of Work Product. Should Provider's performance of this Agreement generate documents, items or things that are specific to this Project such documents, items or things shall become the property of the County and may be used on any other project without additional compensation to the Provider. The use of the documents, items or things by the County or by any person or entity for any purpose other than the Project as set forth in this Agreement shall be at the full risk of the County.
- h. Non-Appropriation. Provider acknowledges that County is a governmental entity, and the validity of this Agreement is based upon the availability of public funding under the authority of its statutory mandate.

In the event that public funds are unavailable and not appropriated for the performance of County's obligations under this Agreement, then this Agreement shall automatically expire without penalty to County immediately upon written notice to Provider of the unavailability and non-appropriation of public funds. It is expressly agreed that County shall not activate this non-appropriation provision for its convenience or to circumvent the requirements of this Agreement, but only as an emergency fiscal measure during a substantial fiscal crisis.

In the event of a change in the County's statutory authority, mandate and/or mandated functions, by state and/or federal legislative or regulatory action, which adversely affects County's authority to continue its obligations under this Agreement, then this Agreement shall automatically terminate without penalty to County upon written notice to Provider of such limitation or change in County's legal authority.

- i. Signatures. This Agreement together with any amendments or modifications may be executed electronically. All electronic signatures affixed hereto evidence the intent of the Parties to comply with Article 11A and Article 40 of North Carolina General Statute Chapter 66.
- j. Notices. Any notice required by this Agreement shall be in writing and delivered by certified or registered mail, return receipt requested to the following:

Orange County
 Attention: Laurie Paolicelli
 P.O. Box 8181
 Hillsborough, NC 27278

Provider's Name & Address
 Clean Design, Inc.
 6601 Six Forks Rd., Ste 430
 Raleigh, NC 27615

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Parties, by and through their authorized agents, have hereunder set their hands and seal, all as of the day and year first above written.

ORANGE COUNTY:

PROVIDER:

By: _____
Earl McKee, Chair
Orange County Board of Commissioner

By: _____
Jeff Burkel, COO/CFO
Printed Name and Title

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2106

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

SUBJECT: Performance Agreement Between the Town of Chapel Hill and Visitors Bureau

DEPARTMENT: Economic Development/Visitors
Bureau

ATTACHMENT(S):

2016-17 Performance Agreement
Between the Town of Chapel Hill and
the Chapel Hill/Orange County Visitors
Bureau for Annual Funding

INFORMATION CONTACT:

Laurie Paolicelli, 919-245-4322

PURPOSE: To ratify the Manager's signature approving the 2016-2017 performance agreement between the Town of Chapel Hill and the Visitors Bureau.

BACKGROUND: Pursuant to the Chapel Hill/Orange County Visitors Bureau's annual performance agreement with the Town of Chapel Hill for tourism promotion, \$200,000 has been allocated to the Visitors Bureau for Fiscal Year 2016-17. In addition, the Town will pay 50% of any additional revenues collected in the event the hotel/motel occupancy receipts exceed the Town's budgeted amount of \$1,000,000. This is an increase over the allocation received since 2012-13 of \$175,000 appropriation and 50% of any town occupancy tax revenues collection over \$985,000.

In the first year of this agreement, FY 2012-2013, occupancy receipts exceeded the Town's budget by \$26,000, whereby the Town gave an additional \$13,000 to the Bureau. For Fiscal Year 2013-14, receipts exceeded the Town's budget by approximately \$87,500 and the Town gave the Bureau an additional \$43,750. In Fiscal Year 2014-15 occupancy receipts exceeded the Town's budgeted amount by \$115,478 and the town gave the Visitors Bureau \$57,739. The Bureau expects to exceed the Town's budgeted amount in FY 2015-16 by approximately \$115,000, resulting in an additional \$57,500 in funding to the Visitors Bureau.

FINANCIAL IMPACT: The Town of Chapel Hill will provide \$200,000 to the Chapel Hill/Orange County Visitors Bureau, plus 50% of any additional revenues collected in the event the hotel/motel occupancy receipts exceed the Town's budgeted amount of \$1,000,000.

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

- **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.

Tourism is a clean and green industry that fuels the economy leading to the economic self-sufficiency of Orange County residents.

RECOMMENDATION(S): The Manager recommends that the Board ratify the Manager's signature approving the 2016-2017 performance agreement between the Town of Chapel Hill and the Visitors Bureau.

**STATE OF NORTH CAROLINA
COUNTY OF ORANGE**

PERFORMANCE AGREEMENT

This Agreement is made and entered into by and between the "Town of Chapel Hill", herein "Town", and the Chapel Hill/Orange County Visitors Bureau, 501 West Franklin Street, Suite 104, Chapel Hill, NC 27516, herein "Contractor" for services hereinafter described for the Town of Chapel Hill.

WITNESSETH

That for and in consideration of the mutual promises and conditions set forth below, the Town and Contractor agree:

WHEREAS, Contractor agrees to provide a comprehensive visitor services program targeted toward providing services to potential visitors to Chapel Hill and Orange County; and

WHEREAS, the Contractor shall use Town funds for general operational support and to provide visitor services; and

WHEREAS, it is in the interest of the Town that said program be assisted by the Town and thereby be available to the residents and visitors of the Town;

NOW, THEREFORE, in consideration of the above and the mutual covenants and conditions hereinafter set forth, the Town and Contractor agree as follows:

1. Duties of the Contractor: The Contractor agrees to perform those duties described in the Work Statement of this Agreement attached hereto and incorporated herein by reference.
2. Duties of the Town: The Town appropriated the sum of Two Hundred Thousand Dollars (\$200,000) to the Contractor for the fiscal year 2016-2017. The Town will also pay the Contractor 50% of any additional revenues collected in the event that hotel/motel occupancy receipts exceed the budgeted amount of \$1,000,000 during the Town's fiscal year 2016-2017. The Town does not obligate itself to provide any other support to Contractor this fiscal year or in succeeding years.
3. Fee Schedule and Maximum Sum: Contract amount not to exceed \$200,000, unless Town occupancy receipts exceed \$1,000,000 (See paragraph 1). Payments of \$50,000 each will be made on or after the following dates: July 1, 2016; October 1, 2016; January 1, 2017; and April 1, 2017. The Town's obligation to make each payment is contingent upon receiving satisfactory documentation and accounting of expenditures as detailed in the attached Work Statement.
4. Work Statement: Contractor agrees to provide those services described in the Work Statement attached hereto and incorporated herein by reference, to residents and visitors of Chapel Hill and to maintain a high level of professionalism in the provision of these services.

5. Billing and Payment: The Contractor shall submit a bill to the Town for work performed under the terms of this Agreement. The Contractor shall bill and the Town shall pay the rates set forth therein. Payment will be made by the Town within thirty (30) days of receipt of an accurate invoice, approved by the contact person or his/her designee.
5. Indemnification and Hold Harmless: The Contractor agrees to indemnify and hold harmless the Town of Chapel Hill and its officers, agents and employees from all loss, liability, claims or expense (including reasonable attorneys' fees) arising from bodily injury, including death or property damage to any person or persons caused in whole or in part by the negligence or willful misconduct of the Contractor except to the extent same are caused by the negligence or misconduct of the Town.
6. Financial Records: Contractor agrees to allow the Town to inspect its financial books and records upon reasonable notice during normal working hours.
7. Termination for Cause: In the event that Contractor shall cease to exist as an organization or shall enter bankruptcy proceedings, or be declared insolvent, or liquidate all or substantially all of its assets, or shall significantly reduce its services or accessibility to Chapel Hill residents during the term of this Agreement; or in the event that Contractor shall fail to render a satisfactory accounting as provided herein, then and in that event the Town may terminate this Agreement and Contractor will return all payments already made to it by the Town for services which have not been provided or for which no satisfactory accounting has been rendered.
8. Insurance Provisions: The Town requires evidence of Contractor's current valid insurance (if applicable) in the amounts stated below during the duration of the named project and further requires that the Town be named as an additional insured for Comprehensive General Liability and Business Automobile policies. The required coverage limits are: 1) Comprehensive General Liability and Business Automobile - \$1,000,000 per occurrence and 2) Workers' Compensation - \$100,000 for both employer's liability and bodily injury by disease for each employee and \$500,000 for the disease policy limit.
7. Voluntary Agreement Not to Discriminate: The Contractor contractually agrees to administer all functions pursuant to this Agreement without discrimination because of race, creed, sex, national origin, age, economic status, sexual orientation, gender identity or gender expression.
8. Federal and State Legal Compliance: The Contractor must be in full compliance with all applicable federal and state laws, including those on immigration.
9. E-Verify: The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, should Contractor utilize a sub-Contractor(s), Contractor shall require the sub-Contractor(s) to comply with the requirements of Article 2, Chapter 64 of the General Statutes. Pursuant to North Carolina General Statute § 143-

133.3 (c)(2), Agreements solely for the purchase of apparatus, supplies, materials, and equipment are exempt from this E-Verify provision.

10. Amendment: This Agreement may be amended in writing by mutual agreement of the Town and Contractor.
11. Termination: Either party may terminate this Agreement at any time by giving the other party thirty (30) days written notice of termination prior to the end of the term as described herein.
12. Interpretation/Venue: This Agreement shall be construed and enforced under the laws of North Carolina. The courts and the authorities of the State of North Carolina shall have exclusive jurisdiction over all controversies between the parties which may arise under or in relation to this Agreement. In the event of any dispute between the parties, venue is properly laid in Orange County, North Carolina for any state court action and in the Middle District of North Carolina for any federal court action. Contrary to any provision that may be contained in any exhibit attached hereto the Town shall not consent to 1) resolving any dispute by means of arbitration and/or 2) waiver of a trial by jury.
13. Preference: In the event that the terms of the Work Statement attached hereto are not consistent with the terms of this Agreement, this Agreement shall have preference; provided that where either any Work Statement attached hereto or this Agreement establishes higher standards for performance by either party, the higher standard, wherever located, shall apply.
14. Severability: The parties intend and agree that if any provision of this Agreement or any portion thereof shall be held to be void or otherwise unenforceable, all other portions of this Agreement shall remain in full force and effect.
15. Assignment: This Agreement shall not be assigned without the prior written consent of the parties.
16. Entire Agreement: This Agreement shall constitute the entire agreement of the parties and no other warranties, inducements, considerations, promises, or interpretations shall be implied or impressed upon this Agreement that are not expressly addressed herein. All prior agreements, understandings and discussions are hereby superseded by this Agreement.
17. Term: This Agreement, unless amended as provided herein, shall be in effect until June 30, 2017.

[SIGNATURES ON FOLLOWING PAGE.]

This Performance Agreement is between the Town of Chapel Hill and Orange County by and for its Chapel Hill/Orange County Visitor's Bureau for operation of a visitor's center in Chapel Hill.

IN WITNESS WHEREOF, the parties hereto cause this agreement to be executed in their respective names.

ORANGE COUNTY by and for its CHAPEL HILL/ORANGE COUNTY VISITOR'S BUREAU

[Signature]
SIGNATURE

Powrie B. Hammon
PRINTED NAME & TITLE Co. Manager

Melissa S. Allison
WITNESS

Melissa S. Allison
PRINTED NAME & TITLE Executive Assistant

TOWN OF CHAPEL HILL

[Signature]
DEPARTMENT HEAD OR DEPUTY/TOWN MANAGER

Jim Orr Parks and Recreation
PRINTED NAME & DEPARTMENT



ATTEST BY TOWN CLERK:

[Signature]
TOWN CLERK

TOWN SEAL

Town Clerk attests date this the 20th day of July, 2016.

Approved as to Form and Authorization

[Signature]
TOWN LEGAL STAFF

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act

[Signature]
FINANCE OFFICER

7/18/16
DATE

WORK STATEMENT

For the Contractor:

- I. Contractor provides a comprehensive visitor services program targeted toward providing services to potential visitors to Chapel Hill and Orange County.
- II. The Contractor will participate in discussions with the Town's Economic Development Committee to define the appropriate roles and responsibilities of the Contractor in the Town's economic development strategy in consideration of this payment.
- III. Town funds may be utilized for office supplies, postage, telephone, training materials, advertising, printing and duplicating, staff time, and marketing.
- IV. Contractor will provide the Town with a final financial report which should be directed to Bill Webster, Planning and Development Manager, Parks and Recreation Department. The report will include a budget breakdown showing expenditures of Town appropriations. The Report is due on August 1, 2017.
- V. Contractor will provide an annual report of activities supported by the funding provided under this performance agreement including specific program outcomes. This report should be submitted with the financial report.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

**Action Agenda
Item No. 7-a**

SUBJECT: Agreement with United States Marshals Service on Federal Inmate Reimbursement

DEPARTMENT: County Manager and Sheriff

ATTACHMENT(S):

INFORMATION CONTACT:

Sheriff Blackwood, 919-245-2308
Bonnie Hammersley, 919-245-2300

PURPOSE: To authorize the County Manager and other appropriate County officials to execute an agreement with the U.S. Marshals Service for housing federal inmates in the Orange County Detention Facility from a current reimbursement rate of \$66 per day to a negotiated rate of \$93 per day for a term of three years.

BACKGROUND: The Orange County Sheriff has historically provided secure housing for federal inmates under a contract with the U.S. Marshals Service. The Marshals Service is responsible for housing and transporting federal prisoners from the time they enter federal custody until they are either acquitted or convicted and sentenced to a designated federal Bureau of Prisons facility. During the time that court proceedings are underway, the Marshals Service relies on state and local governments to provide secure housing for federal prisoners. The Marshals Service reimburses these state and local detention facilities for the cost of housing based on facility costs and other factors through a negotiated rate determination process. A reimbursement rate of \$66 per day has been in place since 2008.

The County engaged a consultant to determine the daily cost of housing an inmate in the Orange County detention facility. That cost study calculated daily cost of housing an inmate to be \$111.02 based on FY 2015 costs to operate the detention facility. This rate was submitted to the U.S. Marshals Service to begin the negotiation process. Although the initial rate offer from the Marshals Service was \$77 per day, staff was able to negotiate a final rate of \$93.00 per day for a period of three years. Near the end of that initial three year term, the County may submit a request to renegotiate the rate based on the cost of housing at that time. Given the current construction schedule for the new detention facility, the County will likely have a different cost profile by that time in the new facility.

The primary reason the Marshals Service did not authorize a full cost reimbursement rate is due to the rates being paid to other counties in the region. Alamance County is receiving \$66 per day. Person County is paid \$55 per day. Caswell receives \$60.05 per day, and Durham is compensated at \$52 per day.

The total amount of revenue collected from housing federal inmates depends on the daily rate and the number of inmates housed during the fiscal year. The number of federal inmates housed in the jail has been declining in recent years from an average daily population of 66 in 2012 to an average daily population of 37 for FY 2015-16. The Sheriff's Office believes that the average daily population will stabilize at approximately 35 federal inmates per day. Assuming an average daily population of 35 federal inmates, the County will receive approximately \$1.19 million in total revenue or an increase of \$345,000 over a twelve month period compared to the current rate of \$66 per day.

FINANCIAL IMPACT: The FY2016-17 Budget contemplated an increase in revenue, so no additional action is required to adjust revenue projections.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this 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.

Assisting the U.S. Marshals Service in housing federal inmates promotes public safety and the efficient operation of the criminal justice system.

RECOMMENDATION(S): The Manager recommends that the Board authorize the County Manager and other appropriate County officials to execute a contract with the U.S. Marshals Service to house federal inmates at a daily rate of \$93 for a term of three years pending final contract review by the County Attorney.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

**Action Agenda
Item No. 8-a**

SUBJECT: School Impact Fee Studies – Receive Draft Reports

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Draft School Impact Fee Study for Chapel Hill – Carrboro City Schools
2. Draft School Impact Fee Study for Orange County Schools
3. Table Showing Maximum Supportable Impact Fees at Various Percentage Levels
4. Current School Impact Fees

INFORMATION CONTACT:

Craig Benedict, Planning Director, 245-2592
Perdita Holtz, Planner III, 245-2578

PURPOSE: To receive the draft School Impact Fee Studies for both school districts, hear a presentation by the consultant and staff, and authorize the next steps towards adopting updated school impact fees.

BACKGROUND: In the summer of 2015, Orange County contracted with TischlerBise, Inc. to perform school impact fee studies for both school districts. TischlerBise completed its work in the summer of 2016 and the resultant draft reports are attached.

The draft reports were sent to school district and municipal staffs on August 17, 2016. Impact fees were last updated in 2008 and were adopted at the levels shown in Attachment 4.

The recently completed studies disaggregate dwelling types by the number of bedrooms a unit contains and also break out smaller sized (less than 800 square feet) detached units. Additionally, the study includes information on Age Restricted Units, which was a topic of discussion at the May 12, 2015 BOCC work session. Attachment 3 summarizes the maximum supportable impact fees (MSIF) calculated for each school district, shows potential fee levels at various percentages of the MSIF, as well as the percentage change from the current fee levels, if the updated fees were adopted at 60% of the MSIF (as has been the case in the past two update cycles).

It should be noted that the Student Generation Rates (SGR) calculated in the current studies are different from the rates adopted for Schools Adequate Public Facilities Ordinance (SAPFO) purposes. This is because the rates adopted for SAPFO purposes are based only on ten years of recently constructed housing while the rates for the impact fee studies must be based on the entire housing stock. There is no proposal to change the SAPFO-adopted SGRs as a result of

these studies. In essence, the Educational Facilities Impact Fee Ordinance and SAPFO are distinct and separate ordinances.

Since 1995, Orange County has offered an impact fee reimbursement program for school impact fees paid on affordable housing units. From FY2009-10 through FY2015-16, \$606,318 in collected impact fees was reimbursed for the 77 affordable single-family housing units and one apartment building containing 6 affordable multi-family units constructed in that time period.

Ordinance provisions, including fee levels, pertaining to the educational facilities (aka, "school") impact fee are found in Article 2 of Chapter 30 of the Orange County Code of Ordinances (the Ordinance). Updating the provisions would require that the BOCC hold a public hearing to provide interested parties an opportunity to be heard. After the public hearing, the BOCC can adopt updates to the Ordinance.

Proposed Steps in Process

The following progression illustrates the potential steps in the process of updating the Code of Ordinances, as it pertains to school impact fees:

August 17, 2016	Draft reports sent to School Districts, BOCC, municipal Managers, and municipal Planning Directors.
September 6, 2016	Draft reports on BOCC agenda for formal receipt of reports and authorization of next steps.
September 21, 2016	Display ad to run in Chapel Hill News and News of Orange to advertise public information meeting.
September 21 and 28, 2016	Legal ad runs in News of Orange and Durham Herald-Sun advertising October 4 public hearing.
September 26, 2016	Public Information Meeting to be held at the Whitted Meeting Facility. 6:00 p.m. start time. Consultant and Planning staff to present information.
September 29, 2016	School Impact Fee Studies scheduled to be a topic for discussion at the Joint BOCC/School Boards meeting. Consultant to be in attendance to address any technical questions.
October 4, 2016	Public Hearing on proposed Ordinance amendments. Consultant to finalize studies, incorporating any relevant information received during the meetings held from September 6 through the public hearing. Possible adoption of Ordinance amendments.
October 18, 2016	BOCC considers adoption of Ordinance amendments, including updated impact fee levels, if not adopted on October 4.

FINANCIAL IMPACT: There is no financial impact in receiving the reports. The consultant's contract for the work/analysis is \$71,340. Future residential growth is likely to result in a greater number of students entering the school systems. School impact fees can recover much of the capital costs needed to provide additional school capacities. The level of impact fee to be charged will be determined at a future date.

SOCIAL JUSTICE IMPACT: The following Orange County 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 that the Board:

1. Receive the draft studies;
2. Hear the presentation by the consultant and Planning staff;
3. Discuss the topic as desired;
4. Direct staff to proceed with the schedule outlined above and Ordinance updates; and
5. Set a public hearing for the October 4, 2016 BOCC meeting.



SCHOOL IMPACT FEE STUDY

DRAFT

Prepared for

Orange County, North Carolina

August 15, 2016



**4701 Sangamore Road, Suite S240
Bethesda, MD 20816
800-424-4318
www.tischlerbise.com**

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Executive Summary

OVERVIEW

TischlerBise was retained by Orange County, North Carolina, to calculate impact fees for public schools to meet the demands generated by new residential development for school facilities in the county. The County has been granted authority by the State to implement impact fees for schools.¹ The purpose of the legislation is to “help defray the costs to the county of constructing certain capital improvements, the need for which is created in substantial part by the new development that takes place within the county.”²

Impact fees are one-time payments used to defray the cost impacts of school facilities necessary to accommodate new development. The payment amount represents new growth’s fair share of capital facility needs. TischlerBise evaluated possible methodologies and documented appropriate demand indicators by type of development for the fee amounts. Specific capital costs have been identified using local data and current dollars. Level-of-Service (LOS) standards and cost factors are presented in this report and are the basis for the calculations. It should be noted that although growth affects both capital and operating expenses incurred by schools, the impact fee analysis addresses new development’s impact on *capital* facilities only. It is further limited to capital improvements that provide additional capacity as opposed to maintenance or rehabilitation.

Orange County is served by two school systems, Orange County Schools (OCS) and Chapel Hill-Carrboro City Schools (CHCCS). TischlerBise analyzed and calculated school impact fees for each school system. This report details the results of the CHCCS impact fees. The OCS report is issued under separate cover.

IMPACT FEE METHODOLOGIES

There are three basic *methodologies* used to calculate impact fees. The **incremental expansion method** documents the current LOS for each type of public facility in both quantitative and qualitative measures. The intent is to use fee revenue to expand or provide additional facilities, as needed to accommodate new development, based on the current cost to provide capital improvements. The **plan-based method** is commonly used for public facilities that have adopted plans or engineering studies to guide capital improvements, such as utility systems. A third approach, known as the **cost recovery method**, is based on the rationale that new development is paying for its share of the useful life and remaining unused capacity of an existing facility or land.

¹ S.L. 1987-460 (“An Act Making Sundry Amendments Concerning Local Governments In Orange And Chatham Counties, Title VI: Orange County Impact Fees”). In addition to schools, other community service facility categories are allowed such as: the acquisition of land for open space and greenways, capital improvements to public streets, bridges, sidewalks, bikeways, on- and off -street surface water drainage ditches, pipes, culverts, other drainage facilities, water and sewer facilities and public recreation facilities. (See Appendix B for a copy of the applicable section of the Act.)

² Ibid, Sec. 17 (b) (1).

Maximum supportable school impact fees for CHCCS are derived using the incremental expansion approach. For school capital improvements, the most common methodology employed is typically the incremental expansion method when future capacity needs are anticipated. This approach allows for the greatest flexibility in providing future capacity improvements. Under this methodology, the fees are based on current LOS standards and project costs for each type of school facility (i.e., elementary, middle, and high), support facilities, portable classrooms, and buses. Land for school sites is not a component of the fee, since the draft 2016 *Orange County, NC Schools Adequate Public Facilities Ordinance Annual Report* indicates “renovation and expansion to existing facilities may delay construction of new schools further into the future.”³ Therefore, new land acquisition is not required at this time. These LOS standards are documented and the intent is to use fee revenue to provide additional or expanded public school and related facilities as needed to accommodate new development.

The current LOS and capital costs for new or expanded facilities are used to derive a cost per student for each type of school facility. Using the cost per student and the average CHCCS student generation rate by type of unit, a cost by type of residential unit is derived. The term “student generation rate” refers to the average number of public school students per housing unit in the CHCCS system. Further discussion on student generation rate calculations is provided in the body of this report and in Appendix A.

A general requirement common to impact fee calculations is the evaluation of *credits*. Two types of credits should be considered: **future revenue credits** and **site-specific credits**. Revenue credits are necessary to avoid potential double payment situations arising from the payment of a one-time impact fee plus the payment of other revenues that may also fund growth-related capital improvements. Revenue credits are dependent upon the fee methodology used in the cost analysis. To avoid this potential double payment situation, future revenue credits are integrated into the fee to account for outstanding debt on CHCCS school facilities. A credit is necessary since new residential units that will pay the fee will also contribute to future principal payments on this remaining debt through property taxes. A credit is not necessary for interest payments because interest costs are not included in the costs.

The second type of credit, a **site-specific credit**, is for system improvements that have been included in the fee calculations. Policies and procedures related to site-specific credits for system improvements should be addressed in the ordinance that establishes the County’s impact fees. However, the general concept is that developers may be eligible for site-specific credits or reimbursements *only if they provide system improvements that have been included in the fee calculations*. Project improvements normally required as part of the development approval process are not eligible for credits against impact fees.

MAXIMUM SUPPORTABLE SCHOOL IMPACT FEES

Figure 1 provides the schedule of *maximum supportable school impact fees* for CHCCS in Orange County, North Carolina. For a single-family detached housing unit, the maximum supportable fee amount is \$13,114 for a 0-3 bedroom unit, \$25,139 for a 4+ bedroom unit, and \$3,848 for a unit with less than 800

³ SAPFOTAC, 2016 *Orange County, NC Schools Adequate Public Facilities Ordinance* (draft), p. iii.

square feet; for a single family attached unit, the amount is \$10,266 for a 0-2 bedroom unit and \$16,414 for a 3+ bedroom unit; for a multifamily unit, the fee is \$4,441 for a 0-2 bedroom unit and \$18,914 for a 3+ bedroom unit ; and for a manufactured home, the amount fee is \$6,999. Additionally, age-restricted units (those units in developments that restrict the number of units with occupants aged under 55 years old) have a maximum fee amount of \$756. All fees should be collected when building permits are issued.

School impact fees are applied only to residential development and are per housing unit, reflecting the proportionate demand by type of unit. The amounts shown are “maximum supportable” amounts based on the methodologies, LOS, and costs for the capital improvements identified herein. The fees represent the highest amount feasible for each type of applicable development, which represent new growth’s fair share of the capital costs as detailed in this report. The County can adopt amounts that are lower than the maximum amounts shown. However, a reduction in fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in LOS.

Figure 1. Maximum Supportable School Impact Fees: CHCCS

MAXIMUM ALLOWABLE SCHOOL IMPACT FEES: Chapel Hill-Carrboro City Schools				
Impact Fee per Housing Unit	Elementary	Middle	High	TOTAL
Single Family Detached				
0-3 Bedrooms	\$5,530	\$3,541	\$4,043	\$13,114
4+ Bedrooms	\$9,512	\$6,995	\$8,632	\$25,139
Single Family Detached Average	\$6,968	\$4,809	\$5,715	\$17,492
Single Family Detached (<800 Sq. Ft.)				
	\$1,769	\$1,574	\$505	\$3,848
Single Family Attached				
0-2 Bedrooms	\$5,825	\$2,536	\$1,905	\$10,266
3+ Bedrooms	\$9,291	\$3,585	\$3,538	\$16,414
Single Family Attached Average	\$8,258	\$3,279	\$3,071	\$14,608
Multifamily				
0-2 Bedrooms	\$2,396	\$918	\$1,127	\$4,441
3+ Bedrooms	\$8,701	\$5,159	\$5,054	\$18,914
Multifamily Average	\$3,502	\$1,661	\$1,827	\$6,990
Manufactured Unit				
	\$3,244	\$1,967	\$1,788	\$6,999
Age-Restricted Unit				
				\$756

As another option, the County could choose to adopt fees that consolidate bedroom count subcategories within a broader housing unit category. For instance, Single Family Detached homes, which the proposed fee schedule currently divides into two subcategories (0-3 Bedrooms and 4+ Bedrooms), could be charged a single fee regardless of size. If the County decides to pursue this alternative option, the average impact fee by type of unit provided in this report would be the impact fee amount on the adopted schedule.

A note on rounding: Calculations throughout this report are based on an analysis conducted using Excel software. Most results are discussed in the report using one, two, and three digit places, which represent

rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore, the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown in the report (due to the rounding of figures shown, not in the analysis).

General Impact Fee Requirements

Impact fees are one-time payments used to fund capital improvements necessitated by new growth. This type of fee has been utilized by local governments in various forms for at least 50 years. Impact fees have limitations and should not be regarded as the total solution for infrastructure financing needs. Rather, they should be considered one component of a comprehensive portfolio to ensure adequate provision of public facilities with the goal of maintaining current LOS in a community in the face of new growth. Any community considering impact fees should note the following limitations:

- Impact fees can only be used to finance capital infrastructure and cannot be used to finance ongoing operations and/or maintenance and rehabilitation costs;
- Impact fees cannot be deposited in the local government’s General Fund: the funds must be accounted for separately in individual accounts and earmarked for the capital expenses for which they were collected; and
- Impact fees cannot be used to correct existing infrastructure deficiencies unless there is a funding plan in place to correct the deficiency for all current residents and businesses in the community.

LEGAL FRAMEWORK

U.S. Constitution. Like all land use regulations, development exactions—including impact fees—are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is the protection of public health, safety, and welfare by ensuring that development is not detrimental to the quality of essential public services.

There is little federal case law specifically dealing with impact fees, although other rulings on other types of exactions (e.g., land dedication requirements) are relevant. In one of the most important exaction cases, the U. S. Supreme Court found that a government agency imposing exactions on development must demonstrate an “essential nexus” between the exaction and the interest being protected (see *Nollan v. California Coastal Commission*, 1987). In a more recent case (*Dolan v. City of Tigard, OR*, 1994), the Court ruled that an exaction also must be “roughly proportional” to the burden created by development. However, the *Dolan* decision appeared to set a higher standard of review for mandatory dedications of land than for monetary exactions such as impact fees.

REQUIRED FINDINGS

There are three reasonable relationship requirements for impact fees that are closely related to “rational nexus” or “reasonable relationship” requirements enunciated by a number of state courts. Although the

term “dual rational nexus” is often used to characterize the standard by which courts evaluate the validity of impact fees under the U.S. Constitution, we prefer a more rigorous formulation that recognizes three elements: “impact or need,” “benefit,” and “proportionality.” The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S. Supreme Court in the *Dolan* case. The reasonable relationship language of the statute is considered less strict than the rational nexus standard used by many courts. Individual elements of the nexus standard are discussed further in the following paragraphs.

Demonstrating an Impact. All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the supply of facilities is not increased to satisfy that additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on improvement needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific facilities, based on applicable level-of-service standards.

Demonstrating a Benefit. A sufficient benefit relationship requires that fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. Procedures for the earmarking and expenditure of fee revenues are typically mandated by the State enabling act, as are procedures to ensure that the fees are expended expeditiously or refunded. All of these requirements are intended to ensure that developments benefit from the fees they are required to pay. Thus, an adequate showing of benefit must address procedural as well as substantive issues.

Demonstrating Proportionality. The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the *Dolan* case (although the relevance of that decision to impact fees has been debated) and is logically necessary to establish a proper nexus. Proportionality is established through the procedures used to identify development-related facility costs, and in the methods used to calculate impact fees for various types of facilities and categories of development. The demand for facilities is measured in terms of relevant and measurable attributes of development. For example, the need for school improvements is measured by the number of public school-age children generated by development.

METHODOLOGIES AND CREDITS

Any one of several legitimate methods may be used to calculate impact fees. The choice of a particular method depends primarily on the service characteristics and planning requirements for the facility type being addressed. Each method has advantages and disadvantages in a particular situation, and to some

extent can be interchangeable, because each allocates facility costs in proportion to the needs created by development.

Reduced to its simplest terms, the process of calculating impact fees involves two main steps: (1) determining the cost of development-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities. The following paragraphs discuss three basic methods for calculating impact fees and how those methods can be applied.

Plan-Based Fee Calculation. The plan-based method allocates costs for a specified set of improvements to a specified amount of development. The improvements are identified by a facility plan and development is identified by a land use plan. In this method, the total cost of relevant facilities is divided by total demand to calculate a cost per unit of demand. Then, the cost per unit of demand is multiplied by the amount of demand per unit of development (e.g. housing units or square feet of building area) in each category to arrive at a cost per specific unit of development (e.g., single family detached unit).

Cost Recovery Fee Calculation. The rationale for the cost recovery approach is that new development is paying for its share of the useful life and remaining capacity of facilities already built or land already purchased from which new growth will benefit. This methodology is often used for systems that were oversized, such as sewer and water facilities. To calculate a fee using the cost recovery approach, the facility cost is divided by ultimate number of demand units the facility will serve.

Incremental Expansion Fee Calculation. The incremental expansion method documents the current LOS for each type of public facility in both quantitative and qualitative measures, based on an existing service standard (such as square feet per student). The LOS standards are determined in a manner similar to the current replacement cost approach used by property insurance companies. However, in contrast to insurance practices, the fee revenues would not be for renewal and/or replacement of existing facilities. Rather, revenue will be used to expand or provide additional facilities, as needed, to accommodate new development. An incremental expansion cost method is best suited for public facilities that will be expanded in regular increments, with LOS standards based on current conditions in the community.

Credits. Regardless of the methodology, a consideration of “credits” is integral to the development of a legally valid impact fee methodology. There are two types of “credits” each with specific, distinct characteristics, but both of which should be addressed in the development of impact fees. The first is a credit due to possible double payment situations. This could occur when contributions are made by the property owner toward the capital costs of the public facility covered by the impact fee. This type of credit is integrated into the impact fee calculation. The second is a credit toward the payment of a fee for dedication of public sites or improvements provided by the developer and for which the impact fee is imposed. This type of credit is addressed in the administration and implementation of an impact fee program.

Chapel Hill-Carrboro City Schools Impact Fee Overview

Orange County has seen significant residential growth over the past several years and with it increased enrollment in both school systems. Growth is expected to continue in the future. Appendix A provides detail on land use and demographic assumptions and projections. To ensure that CHCCS have adequate capacity to accommodate growth, Orange County is considering implementation of updated impact fees for schools. The County has been granted authority by the State to implement impact fees for Schools.⁴ The purpose of the legislation is to “help defray the costs to the county of constructing certain capital improvements, the need for which is created in substantial part by the new development that takes place within the county.”⁵

Orange County is served by two school systems, OCS and CHCCS. TischlerBise analyzed and calculated school impact fees for each school system. This report details the results of the CHCCS impact fees. The report for OCS is issued under separate cover. The reports comply with relevant requirements for calculation of impact fees.

CHCCS impact fees are derived using the incremental approach. This approach determines current LOS standards for school buildings (elementary, middle, and high), portable classrooms, support facilities, and buses. Land for school sites is not a component of the fee, since the draft 2016 *Orange County, NC Schools Adequate Public Facilities Ordinance Annual Report* indicates “renovation and expansion to existing facilities may delay construction of new schools further into the future.”⁶ Therefore, new land acquisition is not required at this time. LOS standards are derived using the adopted standards per the County’s Schools Adequate Public Facility Ordinance (SAPFO) and are expressed as follows:

- School buildings: Square feet per student by type of school,
- Portable classrooms: Classrooms per student by type of school;
- Support facilities: Square feet per student; and
- Buses/other vehicles: Number of vehicles per student.

A credit is included in the impact fee to account for outstanding debt on CHCCS improvements. Further detail on the approach, LOS, costs, and credits is provided in the body of this report.

⁴ S.L. 1987-460 (“An Act Making Sundry Amendments Concerning Local Governments In Orange And Chatham Counties, Title VI: Orange County Impact Fees”). In addition to schools, other community service facility categories are allowed such as: the acquisition of land for open space and greenways, capital improvements to public streets, bridges, sidewalks, bikeways, on- and off-street surface water drainage ditches, pipes, culverts, other drainage facilities, water and sewer facilities and public recreation facilities. (See Appendix B for a copy of the applicable section of the Act.)

⁵ *Ibid*, Sec. 17 (b) (1).

⁶ SAPFOTAC, 2016 *Orange County, NC Schools Adequate Public Facilities Ordinance* (draft), p. iii.

Student Generation Rates

Demand for additional school capacity will come from new residential development. To determine the level of this demand, student generation rates are used. The term “student generation rate” refers to the number of public school students per housing unit in the CHCCS system.⁷ Public school students are a subset of school-aged children, which includes students in private schools and home-schooled children.

Student generation rates are important demographic factors that help account for variations in demand for school facilities by type of housing. Students per housing unit are held constant over the projection period since the impact fees represent a “snapshot approach” of current LOS and costs.

TischlerBise obtained student generation data for each school system in the county from Orange County. The student generation rates were calculated using 2013-2014 student address data geocoded to Orange County land records tracking housing unit types. These data were analyzed for units built during two different time periods: prior to 2004, and from 2004 through 2013. Data were collated for these two discrete periods in order to evaluate whether new development patterns and demand trends in the residential market had impacted student generation rates for recently built units. Student generation rates for units constructed from 2004 to 2013 were drawn from an earlier TischlerBise study, finished in May 2015. In some cases, these data from these two periods are combined due to availability limitations, as detailed in Appendix A.

Rates are provided for each of the five housing unit types used in the impact fee analysis for each level of school facility: (1) Elementary; (2) Middle; and (3) High. For single family detached homes, separate rates are included for 0-3 bedroom and 4+ bedroom units. For single family attached and multifamily units, separate rates are provided for 0-2 bedroom and 3+ bedroom units. Rates for single family detached (less than 800 square feet) units and manufactured homes are not segmented by bedroom count given the smaller square footage of these types of units. Student generation rates for CHCCS are shown below in Figure 2.

⁷ Student generation rates are calculated separately for each school system in the County. (See Appendix A for more detail.)

Figure 2. Student Generation Rates: CHCCS

Type of Unit	School Level			Total
	Elementary (K-5)	Middle (6-8)	High (9-12)	
Single Family Detached				
0-3 Bedrooms	0.150	0.081	0.104	0.336
4+ Bedrooms	0.258	0.160	0.222	0.640
Total	0.189	0.110	0.147	0.446
Single Family Detached (< 800 Sq. Ft.)	0.048	0.036	0.013	0.096
Single Family Attached				
0-2 Bedrooms	0.158	0.058	0.049	0.265
3+ Bedrooms	0.252	0.082	0.091	0.425
Total	0.224	0.075	0.079	0.378
Multifamily				
0-2 Bedrooms	0.065	0.021	0.029	0.115
3+ Bedrooms	0.236	0.118	0.130	0.485
Total	0.095	0.038	0.047	0.180
Manufactured	0.088	0.045	0.046	0.179

As shown above, a 0-3 bedroom single family detached unit is estimated to generate a total of 0.336 students (with 0.150 in elementary grades, 0.081 in middle school grades, and 0.104 in high school grades), a 4+ bedroom single family detached unit is estimated to generate a total of 0.640 students, and a single family detached unit with less than 800 square feet generates a total of 0.096. For single family attached, a 0-2 bedroom unit is estimated to generate a total of 0.265 students and a 3+ bedroom unit is estimated to generate a total of 0.425; for multifamily units, a 0-2 bedroom unit is estimated to generate a total of 0.115 students and 3+ bedroom unit is estimated to generate 0.485; and a manufactured home is estimated to generate a total of 0.179 students per unit.

Additionally, TischlerBise calculated a generation rate for age-restricted units (those units in developments that restrict the number of units with occupants aged under 55 years old) based on data provided by Epcon Communities. This type of community is relatively new to the development landscape in the Raleigh-Durham-Chapel Hill region. Figure 3 shows available data, which yields a student generation rate of 0.019. As these developments reach maturity and other age-restricted communities come to market, TischlerBise recommends updating the student generation rate calculation for age-restricted units.

Figure 3. Age-Restricted Unit Generation Rates

Development	Location	Homes	Head of Household <55 y.o.	School Age Children
Courtyards at Culp Arbor	Durham, NC	69	2	0
Courtyards at Cary	Cary, NC	15	0	0
Courtyards at Okelly-Chapel	Cary, NC	22	2	0
Villas at Maple Creek	Westerville, OH	52	2	3
		158	6	3

Student Generation Rate	0.019
--------------------------------	--------------

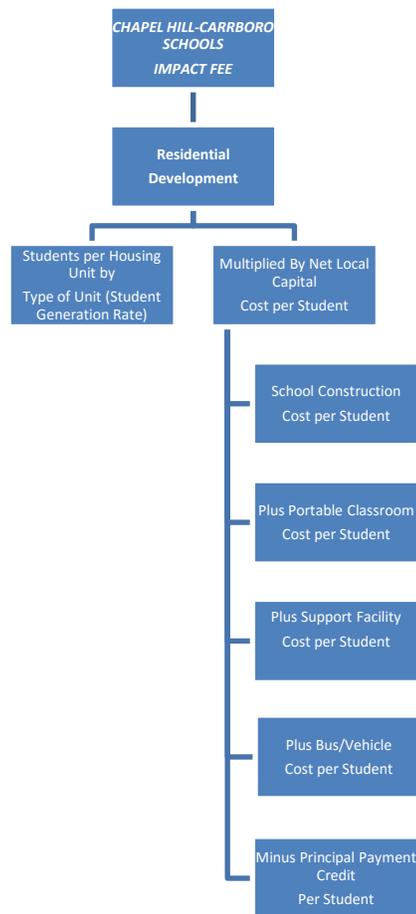
Source: Epcon Communities

Impact Fees: Chapel Hill-Carrboro City Schools

METHODOLOGY

The CHCCS impact fee methodology is based on current average public school student generation rates, LOS standards, and local costs. Figure 4 illustrates the methodology used to calculate the fee. The school impact fees use an incremental expansion approach, which documents the current LOS for public facilities in both quantitative and qualitative measures. The intent is to use impact fee revenue to expand or provide additional facilities, as needed to accommodate new development, based on the current LOS and cost to provide capital improvements. All school levels are included in the fees. Costs for school buildings, portable classrooms, support facilities, and buses/vehicles are included in the fee. The costs are adjusted to account for estimated State funding for capacity projects; therefore, the fees reflect the County’s share of the total costs. Finally, a credit for future principal payments on existing debt is included.

Figure 4. Impact Fee Methodology Chart: CHCCS



BUILDING LEVEL OF SERVICE STANDARDS

This section provides current inventories of elementary, middle, and high schools in the CHCCS system. The data contained in these tables are used to determine infrastructure standards for school buildings on which the impact fees are based. The draft 2016 *Orange County, NC Schools Adequate Public Facility Ordinance Annual Report* provides current adopted LOS by school type that are used for the impact fee study. LOS means the amount of students that can be accommodated at a certain school system level. Figure 5 provides the adopted LOS standards.

Figure 5. LOS Standards: CHCCS

LEVEL OF SERVICE STANDARDS	CHCCS
Elementary (K-5)	105%
Middle (6-8)	107%
High (9-12)	110%

Source: Orange County, NC, Schools Adequate Public Facilities Ordinance Annual Report 2016 (Draft)

CHCCS Elementary Schools

The inventory and current LOS for CHCCS elementary schools are shown below in Figure 6. Elementary school buildings have a total of 860,440 square feet of floor area and 27 portable classrooms. Total enrollment in all elementary schools is 5,501. LOS factors for CHCCS elementary schools are also shown in Figure 6. The adopted LOS standards (based on 105 percent capacity) for school buildings and portables are shaded in the figure below. As shown, the LOS factors on which the impact fees are based are 140.58 square feet and 0.0044 portable classrooms per student. It should be noted that the capacity figures reflect mandated reduced class size for Grades K-3 from 1:23 to 1:21, reflecting actual current LOS and the standards by which new schools will be planned and built.

Figure 6. CHCCS Elementary Schools

ELEMENTARY SCHOOLS (K-5) Inventory, Enrollment, and Utilization Facility	Building Square Feet	Portable Classrooms	Official SY 15-16 Enrollment [1]	Capacity [2]	Level of Service
Carrboro Elementary	61,562	1	502	533	94%
Ephesus Elementary	73,096	7	440	448	98%
Estes Hills Elementary [3]	57,989	2	485	527	92%
Glenwood Elementary	55,372	2	531	538	99%
F.P. Graham Elementary	68,513	5	454	423	107%
McDougle Elementary	99,920	2	499	564	88%
Morris Grove Elementary	90,221	0	558	585	95%
Northside Elementary	97,423	0	485	585	83%
Rashkis Elementary	95,729	0	517	585	88%
Scroggs Elementary	92,900	2	505	575	88%
Seawell Elementary	67,715	6	525	466	113%
TOTALS	860,440	27	5,501	5,829	94%

Elementary School Levels of Service	Demand Units (Students)	Building SF	Portables
LOS per Student based on Current Enrollment	5,501	156.42	0.0049
LOS per Student based on Capacity	5,829	147.61	0.0046
LOS based on Adopted LOS Standard (105%)	6,120	140.58	0.0044

[1] Does not include CHCCS students attending the Hospital School or pre-K students.

[2] Capacity reflects class size for Grades K-3 of 1:21; Grades 4-5 of 1:26. Max capacity per school by policy resolution is 585 students.

Source: Orange County; CHCCS

CHCCS Middle Schools

The inventory and current LOS for CHCCS middle schools are shown below in Figure 7. As indicated below, middle school buildings have a total of 506,160 square feet of floor area and two portable classrooms. Total enrollment in all middle schools is 2,844. LOS factors for CHCCS middle schools are shown in Figure 7. The adopted LOS standards (based on 107 percent capacity) for school buildings and portables are shown highlighted in the figure below. As shown, the LOS factors on which the impact fees are based are 160.68 square feet and 0.0006 portable classrooms per student.

Figure 7. CHCCS Middle Schools

MIDDLE SCHOOLS (6-8) Inventory, Enrollment, and Utilization Facility	Building Square Feet	Portable Classrooms	Official SY 15-16 Enrollment [1]	Capacity	Level of Service
Culbreth Middle	122,467	0	716	774	93%
McDougle Middle	138,141	2	689	732	94%
Phillips Middle	109,498	0	642	706	91%
Smith Middle	136,054	0	797	732	109%
TOTALS	506,160	2	2,844	2,944	97%

Middle School Levels of Service	Demand Units (Students)	Building SF	Portables
LOS per Student based on Current Enrollment	2,844	177.97	0.0007
LOS per Student based on Capacity	2,944	171.93	0.0290
LOS based on Adopted LOS Standard (107%)	3,150	160.68	0.0006

[1] Does not include CHCCS students attending the Hospital School.

Source: Orange County; CHCCS

CHCCS High Schools

The inventory and current LOS for CHCCS high schools are shown below in Figure 8. As indicated below, high school buildings have a total of 693,283 square feet of floor area and 22 portable classrooms. Total enrollment in all high schools is 3,701. LOS factors for CHCCS high schools are shown in Figure 8. The adopted LOS standards (based on 110 percent capacity) for school buildings and portables are shown highlighted in the figure below. As shown, the LOS factors on which the impact fees are based are 162.65 square feet and 0.0052 portable classrooms per student.

Figure 8. CHCCS High Schools

HIGH SCHOOLS (9-12) Inventory, Enrollment, and Utilization Facility	Building Square Feet	Portable Classrooms	Official SY 15-16 Enrollment [1]	Capacity	Level of Service
Carrboro High	165,976	0	824	800	103%
Chapel Hill High	254,551	14	1,471	1,520	97%
East Chapel Hill High	267,549	8	1,373	1,515	91%
Phoenix Academy High [2]	5,207	0	33	40	83%
TOTALS	693,283	22	3,701	3,875	96%

High School Levels of Service	Demand Units (Students)	Building SF	Portables
LOS per Student based on Current Enrollment	3,701	187.32	0.0059
LOS per Student based on Capacity	3,875	178.91	0.0057
LOS based on Adopted LOS Standard (110%)	4,263	162.65	0.0052

[1] Does not include CHCCS students attending the Hospital School.

[2] Co-located with Lincoln Center administration and support building

Source: Orange County; CHCCS

SCHOOL CONSTRUCTION COSTS

TischlerBise analyzed costs for school construction in the CHCCS system. Costs for completed and planned school projects in CHCCS were provided by the Orange County Finance Office and CHCCS. TischlerBise adjusted previous costs to current (2016 Q1) dollars, where appropriate, using the Turner Building Index, a well-known and widely available construction price index. Current school costs represent the average costs to construct elementary, middle, and high schools in the CHCCS System. As shown in Figure 9, construction costs average between \$252 and \$288 per square foot. Specifically, the costs are as follows—elementary: \$277 per square foot; middle: \$287 per square foot; and high: \$252 per square foot.

Figure 9. School Project Costs

School	Year	Cost	Index Factor	Adjusted Cost [1]	Square Feet	Cost per SF	Capacity	Cost per Seat
Morris Grove Elementary	2008	\$24,342,000	107%	\$26,004,119	90,221	\$288	585	\$44,451
Northside Elementary	2013	\$23,158,000	112%	\$25,999,144	97,423	\$267	585	\$44,443
			<i>Elem. Subtotal</i>	<i>\$52,003,262</i>	<i>187,644</i>	<i>\$277</i>	<i>1,170</i>	<i>\$44,447</i>
<i>Middle School Prototype (per seat) [2]</i>	-	\$46,179	-	\$46,179	160.68	\$287	1	\$46,179
Carrboro High [3]	2007, 2011	\$36,778,860	114%	\$41,774,583	165,976	\$252	800	\$52,218
		\$84,325,039		\$93,824,025	353,781	\$265	1,971	\$47,602

[1] Adjusted using the Turner Building Cost Index, 2016 First Quarter Forecast.

[2] Derived as a percentage of the OCS cost per sq. ft. for middle schools. TischlerBise defined a) the relationship between CHCCS and OCS of the average cost per sq. ft. for all recent school projects and b) the relationship between OCS's middle school and its elementary and high schools. These two percentages are then multiplied by OCS's cost per sq. ft. for middle schools to derive the average CHCCS cost.

[3] Includes Cultural Arts addition in 2011. Cost indexed using 2007 figures.

PORTABLE CLASSROOM COSTS

CHCCS currently uses portable classrooms for additional classroom capacity with a total of 73 classrooms currently in use. The cost for each portable classroom is \$78,000, per Orange County staff.

SUPPORT FACILITIES

The impact fees also include costs to provide additional support facilities such as administrative office space, maintenance facilities, and bus garages to accommodate future growth in enrollment. For CHCCS, support facilities include office space and gymnasium at Lincoln Center, a maintenance building, and the Transportation Center. The joint use Transportation Facility serves both school systems in the county and, therefore, costs are allocated to current enrollment in *both districts* (see Appendix A). Costs were confirmed with CHCCS staff. The following two figures reflect current LOS and cost factors for these facilities.

Figure 10. Support Facilities – CHCCS

Facility	Square Feet
Transportation Center	5,089
Lincoln Center, Main Building	27,726
Gymnasium	10,162
Maintenance Building	26,957
Total	69,934

Current Total CHCCS Enrollment	12,046
LOS (sq. ft. per student)	5.81
Cost per Square Foot	\$225
Cost per Student	\$1,306.26

Source: CHCCS; TischlerBise

Figure 11. Support Facilities – Serving OCS and CHCCS

Facility	Square Feet	Cost Per Sq Ft	Total Cost
Transportation Facility*	11,704	\$200	\$2,340,800
Total	11,704	\$200	\$2,340,800

Current Total CHCCS and OCS Enrollment	19,572
LOS (sq. ft. per student)	0.5980
Cost per Student	\$119.60

* Serves both OCS and CHCCS Districts

Source: Orange County Schools

BUS / VEHICLE COSTS

Another infrastructure component included in the impact fee is buses and vehicles. New buses and vehicles will need to be purchased to accommodate increased enrollment. In Orange County, OCS owns and maintains all regular buses (i.e., non-activity buses). Nevertheless, new development in CHCCS District must pay its fair share of costs for bus service, so bus costs are included as a component in this fee, to be remitted to OCS. Total current value of the CHCCS fleet is estimated at approximately \$9.6 million, which equates to a current cost of approximately \$797 per student. LOS and costs for the CHCCS fleet are provided below in Figure 12.

Figure 12. Buses / Vehicles Levels of Service and Costs: CHCCS

Type	Number of Units	Cost/Bus	Total Cost
CHCCS Buses	82	\$83,690	\$6,862,580
CHCCS Activity Buses	20	\$84,144	\$1,682,880
Other Vehicles	35	\$30,000	\$1,050,000
Total	137	\$70,040	\$9,595,460

Source: CHCCS

Current Total CHCCS Enrollment	12,046
Buses/Vehicles per Student	0.011
Cost per Student	\$796.57

ADJUSTMENT FOR NON-LOCAL FUNDING

To adequately reflect the local share of capacity costs, the impact fees need to be adjusted to account for State funding for capacity improvements. Orange County estimates that the County receives one percent of the costs for capacity improvements from the State. Therefore, the local share is adjusted to represent 99 percent of the total. (Other contributions from the State are used for maintenance and other non-capacity related improvements.)

CREDIT FOR FUTURE PRINCIPAL PAYMENTS ON SCHOOL IMPROVEMENTS

Because the County debt-financed a portion of recent school capacity expansion construction costs, a credit is included for future principal payments on outstanding debt. A credit is necessary since new residential units that will pay the impact fee will also contribute to future principal payments on this remaining debt through property taxes. A credit is not necessary for interest payments because interest costs are not included in the costs.

Information on outstanding debt for CHCCS was provided by Orange County Finance Department staff. School improvements and applicable bond issues are indicated in Figure 13 below. As shown, total outstanding debt from school capacity expansion projects for CHCCS is estimated at approximately \$65.3 million. Annual principal payments are divided by student enrollment in each year (projected beyond 2018 using an historical growth rate of 1% annually) to get a per student credit. (For example, in FY 2018, the total amount of projected principal to be paid of \$7.3 million is divided by enrollment of 12,724 for a payment per student of \$575.) To account for the time value of money, annual payments per student are discounted using a net present value formula based on an average current interest rate of 3.15 percent. The total net present value of future principal payments per student is \$4,246.69. This amount is subtracted from the gross capital cost per student amount to derive a net capital cost per student for school facilities.

Figure 13. Credit for Future Principal Payments: CHCCS

Fiscal Year	2010 Projected Principal ⁽¹⁾	2011 Projected Principal ⁽²⁾	2012 Projected Principal ⁽³⁾	2011 Projected Principal ⁽⁴⁾	2012 Projected Principal ⁽⁵⁾	2014 Projected Principal ⁽⁶⁾	2015 Projected Principal ⁽⁷⁾	2015 Projected Principal ⁽⁸⁾	Total	Total Students	Payment Per Student
2016	\$710,978	\$114,502	\$417,217	\$1,194,926	\$1,210,698	\$566,268	\$600,000	\$2,649,127	\$7,463,715	12,388	\$602
2017	\$703,796	\$112,331	\$408,831	\$2,476,707	\$1,216,320	\$566,268	\$600,000	\$2,562,485	\$8,646,739	12,554	\$689
2018	\$709,182	\$230,631	\$0	\$1,183,924	\$1,641,751	\$566,268	\$600,000	\$2,386,577	\$7,318,334	12,724	\$575
2019	\$1,102,375	\$335,365	\$647,840	\$1,237,038	\$1,724,213	\$566,268	\$600,000	\$351,817	\$6,564,915	12,876	\$510
2020	\$1,098,784	\$332,652	\$1,012,643	\$1,242,302	\$1,729,836	\$209,677	\$600,000	\$0	\$6,225,894	13,013	\$478
2021	\$1,093,398	\$600,184	\$0	\$1,250,198	\$1,727,962	\$209,677	\$600,000	\$0	\$5,481,418	13,162	\$416
2022	\$626,624	\$730,965	\$0	\$1,258,094	\$1,731,710	\$209,212	\$600,000	\$0	\$5,156,605	13,316	\$387
2023	\$0	\$148,689	\$1,629,035	\$1,268,622	\$1,739,207	\$209,212	\$0	\$0	\$4,994,765	13,452	\$371
2024	\$0	\$0	\$1,073,444	\$1,276,518	\$1,235,062	\$209,212	\$0	\$0	\$3,794,235	13,602	\$279
2025	\$0	\$0	\$0	\$1,287,046	\$1,152,599	\$209,212	\$0	\$0	\$6,248,857	13,738	\$193
2026	\$0	\$0	\$0	\$2,736,334	\$423,557	\$208,747	\$0	\$0	\$3,368,638	13,875	\$243
2027	\$0	\$0	\$0	\$0	\$423,557	\$208,747	\$0	\$0	\$632,304	14,014	\$45
2028	\$0	\$0	\$0	\$0	\$423,557	\$208,747	\$0	\$0	\$632,304	14,154	\$45
2029	\$0	\$0	\$0	\$0	\$423,557	\$208,747	\$0	\$0	\$632,304	14,296	\$44
2030	\$0	\$0	\$0	\$0	\$423,557	\$0	\$0	\$0	\$423,557	14,439	\$29
2031	\$0	\$0	\$0	\$0	\$423,557	\$0	\$0	\$0	\$423,557	14,583	\$29
2032	\$0	\$0	\$0	\$0	\$423,557	\$0	\$0	\$0	\$423,557	14,729	\$29
2033	\$0	\$0	\$0	\$0	\$423,557	\$0	\$0	\$0	\$423,557	14,876	\$28
Total	\$6,045,137	\$2,605,319	\$5,189,011	\$16,411,706	\$18,497,811	\$4,356,263	\$4,200,000	\$7,950,006	\$65,255,253		\$4,994

Discount Rate [6] 3.15%
Net Present Value \$4,246.69

(1) Smith MS, Rashkis Elem., (issued in March 2010) - Refunding 2010

(2) Rashkis Elem. (issued in November 2011) - Refunding 2011

(3) Carrboro High (issued in December 2012) - Refunding 2012

(4) Marris Grove Elem, CHCCS Renovations (issued September 2011) - Installment #1

(5) Northside Elem (issued April 2012) - Installment #2

(6) Culbreth MS Science Wing (issued January 2014) - Installment #3

(7) Carrboro High (issued June 2015) - Refunding of 2006 COPS

(8) Smith MS, East CH High (issued June 2015) - Refunding Series 2015

(9) See Appendix for enrollment projections. Starting in 2018, enrollment is projected based on historical average growth rate of 1%.

(10) To account for the time value money, total payment per student is discounted using a net present value formula assuming the average interest rate from outstanding debt as shown.

SCHOOL IMPACT FEE INPUT VARIABLES

Factors used to derive the CHCCS impact fee are summarized in Figure 14. Impact fees for schools are based on student generation rates (i.e., public school students per housing unit) and are only implemented on residential development. LOS standards are based on current costs per student for school buildings, portable classrooms, support facilities, and buses/vehicles as described in the previous sections and summarized below. Also included in the fee is the cost for preparation of the impact fee study. The consultant study cost per student is calculated based on the projected increase in student enrollment (based on SAPFO projections; see Appendix A) in CHCCS and OCS over the next three years and is added to the capital cost per student to derive the total cost per student. Three years reflects the typical length of time before the impact fees should be reexamined to reflect changes in development and levels of service.

The total gross capital cost per student is the sum of the boxed cost components. For example, for the elementary school portion, the calculation is as follows: $\$38,961.27$ [building construction] + $\$344.09$ [portables] + $\$1,295.67$ [support facilities] + $\$796.57$ [buses] + $\$134.92$ [consultant cost] = $\$41,532.52$ total gross cost per student.

This cost is then adjusted to reflect the local share of the cost at 99 percent, or $\$41,117.19$ per elementary student, for instance. The credit for future principal payments ($\$4,246.69$) is then subtracted from the gross local capital cost per student to derive the net local capital cost per student ($\$36,870.50$) for elementary schools. The same approach is followed for middle and high schools.

Figure 14. Schools Impact Fee Input Variables: CHCCS

Current Level of Service Standards			
	<i>Elementary</i>	<i>Middle</i>	<i>High</i>
Square Feet per Student	140.58	160.68	162.65
Cost per Sq. Ft.	\$277	\$287	\$252
Total Building Construction Cost per Student	\$38,961.27	\$46,178.91	\$40,936.72
Portable Classrooms per Student	0.0044	0.0006	0.0052
Cost per Portable Classroom	\$78,000	\$78,000	\$78,000
Portable Classroom Cost per Student	\$344.09	\$49.52	\$402.58
CHCCS Support Facilities per Student (Sq. Ft.)	5.81	5.81	5.81
Cost per Sq. Ft.	\$200	\$200	\$200
OCS/CHCCS Transp. Facility per Student (Sq. Ft.)	0.60	0.60	0.60
Cost per Sq. Ft.	\$225	\$225	\$225
Support Facility Cost per Student	\$1,295.67	\$1,295.67	\$1,295.67
Buses/Vehicles per Student	0.01137	0.01137	0.01137
Weighted Average Cost per Bus/Vehicle	\$70,040	\$70,040	\$70,040
Bus/Vehicle Cost per Student	\$796.57	\$796.57	\$796.57
Consultant Study Cost per Student	\$134.92	\$134.92	\$134.92
Total Gross Cost Per Student	\$41,532.52	\$48,455.58	\$43,566.45
Local Share of Capacity Cost	99%	99%	99%
Total Gross Local Capital Cost per Student	\$41,117.19	\$47,971.03	\$43,130.78
Principal Payment Credit per Student	(\$4,246.69)	(\$4,246.69)	(\$4,246.69)
Total Net Local Capital Cost per Student	\$36,870.50	\$43,724.33	\$38,884.09
Average Capital Cost per Student (all levels)			\$39,826.31

MAXIMUM SUPPORTABLE IMPACT FEES FOR CHAPEL HILL-CARRBORO CITY SCHOOLS

Figure 15 shows the schedule of maximum supportable impact fees for CHCCS. The fees are calculated by multiplying the student generation rate for each housing type (shown at the top of Figure 15) by the net capital cost per student for each type of school. Each component is then added together to derive the total public school impact fee. For example, for a 0-3 bedroom single family detached unit, the elementary school portion of the fee is calculated by multiplying the student generation rate of 0.150 by the net local capital cost per elementary student of \$36,870.50, which results in a fee of \$5,530 (truncated). This is repeated for the other school levels. The three portions of the fee are added together to calculate the total fee by type of residential unit (i.e., for 0-3 bedroom single family detached: \$5,530 + \$3,541 + \$4,043 = \$13,114.)⁸ For age-restricted units, the student generation rate of 0.019 is multiplied by the average total net local capital cost per student for all school levels (\$39,826.31), since the school level of generated pupils was not available in the Epcon Communities data. This results in a fee of \$756 per unit.

⁸ Because the analysis uses figures carried to their ultimate decimal places, the sums and products shown may not equal the sum or product if the reader replicates the calculation with the factors shown in the report.

Figure 15. Maximum Supportable Schools Impact Fees: CHCCS

Public School Students per Housing Unit		School Level			
		<i>Elementary</i>	<i>Middle</i>	<i>High</i>	<i>Total</i>
Single Family Detached					
	<i>0-3 Bedrooms</i>	0.150	0.081	0.104	0.336
	<i>4+ Bedrooms</i>	0.258	0.160	0.222	0.640
	<i>Average</i>	0.189	0.11	0.147	0.446
Single Family Detached (<800 Sq. Ft.)		0.048	0.036	0.013	0.096
Single Family Attached					
	<i>0-2 Bedrooms</i>	0.158	0.058	0.049	0.265
	<i>3+ Bedrooms</i>	0.252	0.082	0.091	0.425
	<i>Average</i>	0.224	0.075	0.079	0.378
Multifamily					
	<i>0-2 Bedrooms</i>	0.065	0.021	0.029	0.115
	<i>3+ Bedrooms</i>	0.236	0.118	0.130	0.485
	<i>Average</i>	0.095	0.038	0.047	0.180
Manufactured Unit		0.088	0.045	0.046	0.179
Age-Restricted Unit					0.019
Cost Factors					
Total Net Local Capital Cost per Student		\$36,870.50	\$43,724.33	\$38,884.09	
Average Capital Cost per Student (all levels)				\$39,826.31	
MAXIMUM ALLOWABLE SCHOOL IMPACT FEES: Chapel Hill-Carrboro City Schools					
Impact Fee per Housing Unit		<i>Elementary</i>	<i>Middle</i>	<i>High</i>	TOTAL
Single Family Detached					
	<i>0-3 Bedrooms</i>	\$5,530	\$3,541	\$4,043	\$13,114
	<i>4+ Bedrooms</i>	\$9,512	\$6,995	\$8,632	\$25,139
	<i>Single Family Detached Average</i>	\$6,968	\$4,809	\$5,715	\$17,492
Single Family Detached (<800 Sq. Ft.)		\$1,769	\$1,574	\$505	\$3,848
Single Family Attached					
	<i>0-2 Bedrooms</i>	\$5,825	\$2,536	\$1,905	\$10,266
	<i>3+ Bedrooms</i>	\$9,291	\$3,585	\$3,538	\$16,414
	<i>Single Family Attached Average</i>	\$8,258	\$3,279	\$3,071	\$14,608
Multifamily					
	<i>0-2 Bedrooms</i>	\$2,396	\$918	\$1,127	\$4,441
	<i>3+ Bedrooms</i>	\$8,701	\$5,159	\$5,054	\$18,914
	<i>Multifamily Average</i>	\$3,502	\$1,661	\$1,827	\$6,990
Manufactured Unit		\$3,244	\$1,967	\$1,788	\$6,999
Age-Restricted Unit					\$756

Cash Flow Projections

This section summarizes the potential cash flow to Orange County if impact fees are implemented for CHCCS at the maximum supportable amounts as detailed in this report. Figure 16 provides a summary of the projected cash flow from the impact fees and associated capital costs over a five-year period.

School impact fee revenue averages approximately \$3.49 million per year over the first five years, or almost \$17.45 million, if the fees are implemented at the maximum supportable level. The related school local capital costs average approximately \$4.65 million per year, or \$23.28 million over five years. Based on the projected impact fee revenues and associated costs, the fees are projected to cover approximately 75 percent of the projected related capital costs. Funds can be accumulated for several years in order to construct a major project.

Since the school impact fee includes a credit for existing debt, an overall deficit for schools is projected. The projected deficit, indicated by “()” around the numbers, will require supplemental revenue of approximately \$1.16 million per year. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the fee revenue and related capital costs. See Appendix A of this report for discussion of the development projections that drive the cash flow analysis.

Figure 16. Cash Flow Projections: CHCCS

	1 2016	2 2017	3 2018	4 2019	5 2020	5-Year Average Annual	5-Year Cumulative Total	10-Year Average Annual	Cumulative Total
PROJECTED REVENUES									
SCHOOLS									
1 Single Family Detached	\$1,193	\$1,193	\$1,193	\$1,193	\$1,193	\$1,193	\$5,965	\$1,193	\$11,930
2 Single Family Attached	\$747	\$747	\$747	\$747	\$747	\$747	\$3,736	\$747	\$7,472
3 Multifamily	\$1,549	\$1,549	\$1,549	\$1,549	\$1,549	\$1,549	\$7,747	\$1,549	\$15,493
4 Manufactured	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Subtotal Schools Fees</i>	\$3,489	\$3,489	\$3,489	\$3,489	\$3,489	\$3,489	\$17,447	\$3,489	\$34,895
TOTAL FEE REVENUE	\$3,489	\$3,489	\$3,489	\$3,489	\$3,489	\$3,489	\$17,447	\$3,489	\$34,895
PROJECTED CAPITAL COSTS (Local Share)									
SCHOOLS									
Schools - Elementary	\$1,867	\$1,867	\$1,867	\$1,867	\$1,867	\$1,867	\$9,336	\$1,867	\$18,671
Schools - Middle	\$1,247	\$1,247	\$1,247	\$1,247	\$1,247	\$1,247	\$6,236	\$1,247	\$12,473
Schools - High	\$1,541	\$1,541	\$1,541	\$1,541	\$1,541	\$1,541	\$7,707	\$1,541	\$15,413
<i>Subtotal Schools Costs</i>	\$4,656	\$4,656	\$4,656	\$4,656	\$4,656	\$4,656	\$23,279	\$4,656	\$46,557
TOTAL CAPITAL COSTS	\$4,656	\$4,656	\$4,656	\$4,656	\$4,656	\$4,656	\$23,279	\$4,656	\$46,557
NET CAPITAL FACILITIES CASH FLOW - Schools									
Annual Surplus (or Deficit)	(\$1,166)	(\$1,166)	(\$1,166)	(\$1,166)	(\$1,166)	(\$1,166)		(\$1,166)	
Cumulative Surplus (or Deficit)	(\$1,166)	(\$2,332)	(\$3,499)	(\$4,665)	(\$5,831)		(\$5,831)		(\$11,662)

Implementation and Administration

ACCOUNTING

Impact fees should be paid at time of building permit. Certain accounting procedures should be followed by the County. For example, monies received should be placed in a separate fund and accounted for separately and may only be used for the purposes authorized in the impact fee ordinance. Interest earned on monies in the separate fund should be credited to the fund.

COST UPDATES

All costs in the impact fee calculations are given in current dollars with no assumed inflation over time. Necessary cost adjustments can be made as part of the recommended annual evaluation and update of the fees. One approach is to adjust for inflation in construction costs by means of an index specific to construction as opposed to the consumer price index (CPI), which is more general in nature. TischlerBise recommends using the Marshall Swift Valuation Service, which provides comparative cost multipliers for various geographies and types of construction. The multipliers can be applied against the calculated impact fee. If cost estimates or other factors change significantly the County should redo the fee calculations. A full update is recommended every 3 to 5 years to reflect changes in development trends, infrastructure capacities, costs, funding formulas, etc.

CREDITS AND REIMBURSEMENTS

Future Revenue Credits

CHCCS impact fees are calculated using an incremental approach. This method documents current factors and is best suited for public facilities that will be expanded incrementally in the future. Because new development will provide front-end funding of infrastructure, there is a potential for double payment of capital costs due to future principal payments on existing debt for public facilities. A credit is not necessary for interest payments because interest costs are not included in the fees. This type of credit is incorporated into the CHCCS impact fees due to outstanding debt on CHCCS school capacity expansions and land acquisition.

Site-Specific Credits

A site-specific credit should be considered for contributions of system improvements that have been included in the impact fee calculations. If a developer constructs the type of system improvements included in the fee calculations, it will be necessary to either reimburse the developer or provide a credit against the fees for that portion of the fee. The latter option is more difficult to administer because it creates unique fees for specific geographic areas. Based on TischlerBise's experience, it is better for the County to establish a reimbursement agreement with the developer constructing the system improvement. The reimbursement agreement should be limited to a payback period of no more than 10

years and the County should not pay interest on the outstanding balance. The developer must provide sufficient documentation of the actual cost incurred for the system improvement. The County should only agree to pay the lesser of the actual construction cost or the estimated cost used in the impact fee analysis. If the County pays more than the cost used in the fee analysis, there will be insufficient fee revenue. Reimbursement agreements should only obligate the County to reimburse developers annually according to actual fee collections from the benefiting area.

COLLECTION AND EXPENDITURE ZONES

The reasonableness of impact fees is determined in part by their relationship to the local government's burden to provide necessary public facilities. The need to show a substantial benefit usually requires communities to evaluate collection and expenditure zones for public facilities that have distinct geographic service areas.

TischlerBise analyzed school impact fees in the County separately for each school system that serves residential development in Orange County—OCS and CHCCS. The end result is two separate fee studies with two impact fee schedules. For the CHCCS system, one area within the school district is appropriate because capacity improvements are needed at all levels throughout the system and CHCCS will occasionally re-district to accommodate growth and available capacity.

IMPACT FEE ACT

The Act providing Orange County with the authority to collect school impact fees is provided in Appendix B.

Appendix A: Demographic Data

OVERVIEW

As part of our Work Scope, TischlerBise has prepared documentation on demographic data and development projections used in the Schools Impact Fee Studies. Two studies have been conducted for Orange County: (1) OCS and (2) CHCCS. This Appendix covers both school systems in the County, while the body of the report reflects CHCCS only. (The OCS report is issued under separate cover.) The demographic data estimates for the school year 2006-2007 are used in the fee calculations.

Impact fees can be defined as new growth's fair share of the cost to provide necessary capital facilities. Fee revenue must be used for capacity expansions and cannot be used for operations or maintenance costs. In determining the reasonableness of these one-time fees, the fee must meet three requirements: (1) **Impact / Need:** The needed capital facilities are a consequence of new development; (2) **Proportionality:** Fees represent a proportionate share of the cost; and (3) **Benefit:** Revenues are managed and expended in such a way that new development receives a substantial benefit. The demographic data and analysis provided in this section provide the foundation to meet the first two requirements listed above.

The development projections are used to establish a need for future infrastructure due to growth as well as to have an understanding of the possible future pace of service demands, revenues from impact fees, and projected capital expenditures. To the extent development slows or accelerates, there will be virtually no effect on the fee amount.

Please note that calculations throughout are based on an analysis that was conducted using Excel software. Results are discussed using whole numbers or one- to three-digit places, which represent rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown in the report (due to the rounding of figures shown, not in the analysis).

POPULATION AND HOUSING GROWTH

To provide context for public school student enrollment growth in Orange County, the following section provides information on population and housing growth in the county. The total population residing in housing units in the county in 2010, according to the U.S. Census (corrected), was 124,244. In addition, 9,557 persons were estimated to reside in group quarters. When added together, the total estimated county population in 2010 was 133,801 (up from 115,531 in 2000, an increase of 18,270 residents over ten years). The estimated number of housing units in the county in 2010 was 55,597, an increase of 7,891 housing units since 2000.

Estimated average household size for all types of units is 2.23 persons, which is derived by dividing persons residing in housing units by total number of housing units (124,244 population in households / 55,597 housing units = 2.23 persons per housing unit).

Figure A1 provides further detail on a comparison of 2000 and 2010 Census data for Orange County.

Figure A1. U.S. Census Population and Housing Units

	2000	2010	Increase / (Decrease)
Population in Households	105,585	124,244	18,659
Group Quarters Population	9,946	9,557	(389)
Total County Population	115,531	133,801	18,270
Estimated Housing Units	47,706	55,597	7,891
Average Persons per Housing Unit	2.21	2.23	

Source: U.S. Census Bureau 2010 Census

The U.S. Census Bureau estimates that the July 2014 population in Orange County rose to 140,420. Additionally, TischlerBise obtained total housing unit estimates for May 2014 from Orange County, based on the County's Land Records and May 2014 Addresses GIS shapefile. Figure A2 details May 2014 housing unit counts for Orange County, CHCCS, and OCS. For CHCCS, the housing unit counts reflect units located in Chapel Hill and Carrboro and the portion of Orange County that falls within CHCCS. For OCS, building permit data includes other units in the county and the Town of Hillsborough within the OCS system.

Figure A2. 2014 Housing Units

	Orange County Housing Units				
	SF Detached	SF Attached	Multifamily	Manufactured	Total
Total Orange County Housing Stock	36,443	2,191	14,621	4,674	57,929
<i>Share by Type</i>	63%	4%	25%	8%	100%
Subtotal Housing Stock in CHCCSD	18,778	1,493	13,472	513	34,256
<i>Share by Type</i>	55%	4%	39%	2%	100%
Subtotal Housing Stock in OCSD	17,665	698	1,149	4,161	23,673
<i>Share by Type</i>	75%	3%	5%	17%	100%

Source: Orange County Land Records/GIS May 2014 Addresses shapefile

It is assumed that the group quarters data remained the same from 2010 (this figure is not separated from total population in non-decennial census estimates), since this figure is largely driven by University of North Carolina at Chapel Hill dormitory populations. Under that assumption, the total population living in housing units in 2014 was approximately 130,863.

Orange County Schools (OCS)

Based on household characteristics and discussions with County staff, as well as to ensure proportionality, five housing unit types are recommended for the OCS impact fees: (1) Single Family Detached, (2) Single Family Detached Units Less than 800 Sq. Ft., (3) Single Family Attached (e.g., townhomes), (4) Multifamily (e.g., apartments), and (5) Manufactured Homes. In the previous study, Single Family Attached and Multifamily were grouped into one category. However, they are separated in this update to track with changing development patterns. Impact fees are calculated by type of unit and bedroom count (the latter is further detailed below).

As shown, a total of 3,320 new housing units were built from January 1, 2004, to December 31, 2013. The majority of new units are single family detached (almost 69 percent), followed by approximately 17 percent multifamily, and 9 percent single family attached/duplex. The remainder are manufactured homes. The mix of new units by type is used to project future housing unit growth later in this report. Further detail is provided below in Figure A3.

Figure A3. Housing Unit Growth 2004-2013: OCS

Housing Units	2004	2013	Net Increase 2004-2013	% of New Units
SF Detached	13,096	15,390	2,294	69%
SF Attached/Duplex	162	451	289	9%
Multifamily/Other	1,176	1,746	570	17%
Manufactured Home	5,451	5,618	167	5%
<i>Total</i>	19,885	23,205	3,320	100%

Source: Orange County

Chapel Hill-Carrboro City Schools (CHCCS)

Based on household characteristics and to ensure proportionality, five housing unit types are recommended for the CHCCS impact fees: (1) Single Family Detached, (2) Single Family Detached Units Less than 800 Sq. Ft., (3) Single Family Attached (e.g., townhomes), (4) Multifamily (e.g., apartments) and (5) Manufactured Homes. CHCCS has a significant number of multifamily units that do not generate a large number of school-age children due to the presence of the University of North Carolina at Chapel Hill. Impact fees are calculated by type of unit and bedroom count (the latter is further detailed below).

As shown, a total of 2,730 new housing units were built from January 1, 2004, to December 31, 2013. Units are relatively split between single family detached (38 percent), multifamily (34 percent), and single family detached (28 percent). Nine manufactured units were added during this time, a negligible amount. The mix of new units by type is used to project future housing unit growth later in this report. Further detail is provided below in Figure A4.

Figure A4. Housing Unit Growth 2004-2013: CHCCS

Housing Units	2004	2013	Net Increase 2004-2013	% of New Units
SF Detached	14,261	15,304	1,043	38%
SF Attached/Duplex	2,243	3,005	762	28%
Multifamily/Other	16,052	16,968	916	34%
Manufactured Home	1,060	1,069	9	0%
<i>Total</i>	33,616	36,346	2,730	100%

Source: Orange County

ESTIMATED STUDENT GENERATION RATES

TischlerBise calculated student generation rates for each school system in Orange County based on data from Orange County. The term “student generation rate” refers to the number of public school students per housing unit in each school system: OCS and CHCCS. Public school students are a subset of school-aged children, which includes students in private schools and home-schooled children.

Student generation rates are important demographic factors that help account for variations in demand for school facilities by type of housing. Students per housing unit are held constant over the projection period since the impact fees represent a “snapshot approach” of current levels of service and costs.

The student generation rates were calculated using student address data geocoded to Orange County land records tracking housing unit types. These data were analyzed for units built during two different time periods: prior to 2004, and from 2004 through 2013. Data were collated for these two discrete periods in order to evaluate whether new development patterns and demand trends in the residential market had impacted student generation rates for recently built units. Student generation rates for units constructed from 2004 to 2013 were drawn from an earlier TischlerBise study, finished in May 2015.

Student generation rates were provided by housing unit type for the categories used in each district. That is, for Orange County, rates are provided for each type of unit: (1) Single Family Detached, (2) Single Family Attached/Multifamily, and (3) Manufactured Homes. For CHCCS, rates are provided for: (1) Single Family Detached, (2) Single Family Attached, (3) Multifamily, and (4) Manufactured Homes. In addition, the rates reflect demand by type of school level—elementary, middle, and high.

Initially, TischlerBise and County staff attempted a simple combination of the older and newer student generation and housing unit type data in order to derive student generation rates for housing type categories that are representative of the impact of a housing unit on required school capacity over the entire life of that unit. In order to enhance the specificity of its student generation rates, the County tasked TischlerBise with determining these rates by the size of the unit, measured by bedroom count. To facilitate this process, the County had begun to gather bedroom count attributes for most new units constructed since 2004. Therefore, for the most part, student addresses for new units could be matched to a bedroom count record.

However, bedroom counts were unavailable for units constructed prior to 2004. To determine these figures for the pre-2004 housing stock, TischlerBise used 2005-2007 American Community Survey (ACS) Public Use Microdata Sample (PUMS) data for Public Use Microdata Area (PUMA) 2900 (which includes Orange County and Chatham County) to determine the estimated mix of units by bedroom count for each housing type category. This sample period was the closest to the 2004 cut-off that was still large enough to yield accurate data. The results of this analysis are displayed below in Figure A5.

Figure A5: ACS PUMS Data Bedroom Count by Category Analysis (Unweighted Sample)

Housing Type	Bedroom Count	Count	%
Single Family Detached*	0-3	1,014	66.4%
	4	401	26.3%
	5+	112	7.3%
	Total	1,527	100%
Single Family Attached	0-2	64	55.7%
	3+	51	44.3%
	Total	115	100%
Multifamily	0-2	383	88.5%
	3+	50	11.5%
	Total	433	100%
Manufactured	0-2	100	41.2%
	3+	143	58.8%
	Total	243	100%

*SF Detached <800 Sq. Ft. was not included because there are no bedroom count subcategories

Source: 2005-2007 ACS PUMS data for PUMA 2900

However, the same problems were present with data regarding **students** living in units constructed prior to 2004. As shown in Figure A6 and Figure A7 below, a large number of students generated were from units with unknown bedroom counts. This problem is particularly problematic in the Multifamily and Single Family Attached categories.

Figure A6: OCS Student Counts

Unadjusted	Manufactured		Multifamily			Single Family Attached			Single Family Detached				Total	
	Known 0-2	Known 3+	Unknown	Known 0-2	Known 3+	Unknown	Known 0-2	Known 3+	Unknown	Known <800 Sq. Ft.	Known 0-3	Known 4		Known 5+
Elementary	580	136	96	4	3	14	5	1	153	23	1,242	319	44	2,620
Middle	231	77	42	2		1	1	1	94	7	669	177	38	1,340
High	253	107	35	1	1	2	5	1	123	8	993	235	49	1,813
Total	1,064	320	173	7	4	17	11	3	370	38	2,904	731	131	5,773

Figure A7: CHCCS Schools Student Counts

Unadjusted	Manufactured		Multifamily			Single Family Attached			Single Family Detached				Total	
	Known 0-2	Known 3+	Unknown	Known 0-2	Known 3+	Unknown	Known 0-2	Known 3+	Unknown	Known <800 Sq. Ft.	Known 0-3	Known 4		Known 5+
Elementary	88	3	719	465	37	19	151	58	112	12	1,308	1,176	348	4,496
Middle	44	2	269	167	16	9	65	26	62	9	701	745	216	2,331
High	42	5	300	228	26	15	75	40	77	3	923	1,078	378	3,190
Total	174	10	1,288	860	79	43	291	124	251	24	2,932	2,999	942	10,017

After testing various strategies to accurately allocate students in units with unknown bedroom counts, TischlerBise, in consultation with the County, determined there was insufficient data to include the entire housing stock. Therefore, TischlerBise, in consultation with County staff, recommends using local data on recently built units (with bedroom counts) and geocoded students data for Multifamily and Single Family Attached rates. This solution avoids a skewed student-to-units ratio that might have resulted from an inaccurate allocation of students from units with unknown bedroom counts.

For Single Family Detached, Single Family Detached <800 Sq. Ft., and Manufactured Homes, students in units with unknown bedroom counts reflect less than 10 percent of the total. Therefore, pre-2004 and 2004-2013 data were combined to derive the student generation rates. For Single Family Detached, students from unknown units were allocated based upon the breakdown of students generated from units with known bedroom counts, as shown in Figure A8 and Figure A9.

For instance, for OCS, a portion of the 153 elementary-level students in unknown bedroom count single family detached units (see Figure A7) are placed in the 0-3 bedroom category by calculating percentage of known students in the category out of all the known students living in single family detached homes (77.1 percent, or $2,904 / [2,904 + 731 + 131]$). Therefore, 118 students (77.1% x 153) are added to the known 0-3 bedroom category (1,242 students) to yield a combined known and unknown student count of 1,360 elementary students.

Figure A8: OCS Single Family Detached Units – Unknown Bedroom Count Student Allocation

	Single Family Detached			
	Unknown	Known 0-3	Known 4	Known 5+
Unadjusted				
Elementary	153	1,242	319	44
Middle	94	669	177	38
High	123	993	235	49
Total	370	2,904	731	131
		77.1%	19.4%	3.5%
Adjusted		Known + Unknown		
Elementary		1,360	349	49
Middle		741	195	41
High		1,088	259	53
Total		3,189	803	144

Figure A9: CHCCS Single Family Detached Units – Unknown Bedroom Count Student Allocation

<i>Unadjusted</i>	Single Family Detached			
	Unknown	Known 0-3	Known 4	Known 5+
Elementary	112	1,308	1,176	348
Middle	62	701	745	216
High	77	923	1,078	378
<i>Total</i>	251	2,932	2,999	942
		42.5%	43.5%	13.7%
<i>Adjusted</i>	Known + Unknown			
Elementary		1,356	1,225	363
Middle		727	772	224
High		956	1,111	389
<i>Total</i>		3,039	3,108	976

STUDENT GENERATION RATES

The 2013-2014 student generation rates for OCS and CHCCS are shown below in Figures A10 and A11, respectively. Rates are provided for each of the five housing unit types used in the impact fee analysis for each level of school facility: (1) Elementary; (2) Middle; and (3) High. For Single Family Detached homes, separate rates are included for 0-2 bedroom, 3 bedroom, and 4+ bedroom units. For Single Family Attached and Multifamily units, separate rates are provided for 0-2 bedroom and 3+ bedroom units. Rates for Single Family Detached <800 Sq. Ft. Units and Manufactured homes are not segmented by bedroom count given the smaller square footage of these types of units.

Additionally, student generation rates are adjusted for the presence of age-restricted developments, as noted in the figure footnotes. A separate rate schedule for age-restricted developments is currently under consideration.

Figure A10. OCS Student Generation Rates

Type of Unit	School Level			Total
	Elementary (PK-5)	Middle (6-8)	High (9-12)	
Single Family Detached				
0-3 Bedrooms	0.166	0.088	0.125	0.379
4+ Bedrooms	0.126	0.069	0.087	0.283
Total	0.152	0.081	0.112	0.346
Single Family Detached (< 800 Sq. Ft.)	0.066	0.020	0.023	0.108
Single Family Attached				
0-2 Bedrooms	0.059	0.029	0.029	0.118
3+ Bedrooms	0.065	0.047	0.060	0.172
Total	0.064	0.045	0.056	0.165
Multifamily				
0-2 Bedrooms	0.033	0.017	0.033	0.083
3+ Bedrooms	0.383	0.128	0.162	0.673
Total	0.088	0.035	0.053	0.176
Manufactured	0.136	0.057	0.068	0.262

Housing Type	Category	Unit Count	Students	SGR
Single Family Detached [1][2]	0-3 Bedrooms	9,678	3,671	0.379
	Elementary		1,610	0.166
	Middle		847	0.088
	High		1,214	0.125
	4+ Bedrooms	5,204	1,473	0.283
	Elementary		656	0.126
	Middle		362	0.069
	High		455	0.087
	Subtotal	14,882	5,144	0.346
Single Family Detached <800 Sq. Ft. [1]	All Bedroom Counts	351	38	0.108
	Elementary		23	0.066
	Middle		7	0.020
	High		8	0.023
	Subtotal	351	38	0.108
Single Family Attached [3][4]	0-2 Bedrooms	34	4	0.118
	Elementary		2	0.059
	Middle		1	0.029
	High		1	0.029
	3+ Bedrooms	232	40	0.172
	Elementary		15	0.065
	Middle		11	0.047
	High		14	0.060
	Subtotal	266	44	0.165
Multifamily [3][4]	0-2 Bedrooms	460	38	0.083
	Elementary		15	0.033
	Middle		8	0.017
	High		15	0.033
	3+ Bedrooms	86	58	0.673
	Elementary		33	0.383
	Middle		11	0.128
	High		14	0.162
	Subtotal	546	96	0.176
Manufactured [1]	All Bedroom Count	5,618	1,471	0.262
	Elementary		766	0.136
	Middle		321	0.057
	High		384	0.068
	Subtotal	5,618	1,471	0.262
All Types	Total	21,663	6,793	0.314

[1] All housing units located in the OCS District

[2] Excludes units built between 2004 and 2013 in Eno Haven, an age-restricted development requiring at least one person over 55

[3] Housing units constructed between 2004 and 2013

[4] Excludes 47 units built between 2004-2013 at Ashbury Crossing, an age restricted development where all permanent occupants must be at least 18 years old. Mix between Single Family Attached and Multifamily is assumed to be 50/50.

Figure A11. CHCCS Student Generation Rates

Type of Unit	School Level			Total
	Elementary (K-5)	Middle (6-8)	High (9-12)	
Single Family Detached				
0-3 Bedrooms	0.150	0.081	0.104	0.336
4+ Bedrooms	0.258	0.160	0.222	0.640
Total	0.189	0.110	0.147	0.446
Single Family Detached (< 800 Sq. Ft.)	0.048	0.036	0.013	0.096
Single Family Attached				
0-2 Bedrooms	0.158	0.058	0.049	0.265
3+ Bedrooms	0.252	0.082	0.091	0.425
Total	0.224	0.075	0.079	0.378
Multifamily				
0-2 Bedrooms	0.065	0.021	0.029	0.115
3+ Bedrooms	0.236	0.118	0.130	0.485
Total	0.095	0.038	0.047	0.180
Manufactured	0.088	0.045	0.046	0.179

Housing Type	Category	Unit Count	Students	SGR
Single Family Detached [1]	0-3 Bedrooms	9,605	3,223	0.336
	Elementary		1,437	0.150
	Middle		782	0.081
	High		1,004	0.104
	4+ Bedrooms	5,440	3,481	0.640
	Elementary		1,405	0.258
	Middle		868	0.160
	High		1,208	0.222
	Subtotal	15,045	6,704	0.446
	Single Family Detached <800 Sq. Ft. [1]	All Bedroom Counts	259	25
Elementary			12	0.048
Middle			9	0.036
High			3	0.013
Subtotal		259	25	0.096
Single Family Attached [2]	0-2 Bedrooms	225	60	0.265
	Elementary		36	0.158
	Middle		13	0.058
	High		11	0.049
	3+ Bedrooms	537	228	0.425
	Elementary		135	0.252
	Middle		44	0.082
	High		49	0.091
	Subtotal	762	288	0.378
	Multifamily [2]	0-2 Bedrooms	755	87
Elementary			49	0.065
Middle			16	0.021
High			22	0.029
3+ Bedrooms		161	78	0.485
Elementary			38	0.236
Middle			19	0.118
High			21	0.130
Subtotal		916	165	0.180
Manufactured [1]		All Bedroom Count	1,069	191
	Elementary		94	0.088
	Middle		48	0.045
	High		49	0.046
	Subtotal	1,069	191	0.179
All Types	Total	18,051	7,373	0.408

[1] All housing units located in the CHCCS District

[2] Housing units constructed between 2004 and 2013

Additionally, TischlerBise calculated a generation rate for age-restricted units (those units in developments that restrict the number of units with occupants aged under 55 years old) based on data provided by Epcor Communities. This type of community is relatively new to the development landscape in the Raleigh-Durham-Chapel Hill region. Figure A12 shows available data, which yields a student generation rate of 0.019. As these developments reach maturity and other age-restricted communities come to market, TischlerBise recommends updating the student generation rate calculation for age-restricted units.

Figure A12. Age-Restricted Student Generation Rates

Development	Location	Homes	Head of Household <55 y.o.	School Age Children
Courtyards at Culp Arbor	Durham, NC	69	2	0
Courtyards at Cary	Cary, NC	15	0	0
Courtyards at Okelly-Chapel	Cary, NC	22	2	0
Villas at Maple Creek	Westerville, OH	52	2	3
		158	6	3

Student Generation Rate 0.019

PUBLIC SCHOOL STUDENT ENROLLMENT TRENDS AND SAPFO PROJECTIONS

This section provides a summary of historical enrollment trends and projected enrollment growth for each school district.

Orange County Schools

Historical Enrollment

Since the 2005-2006 school year, enrollment in OCS has increased by a total of 806 students with some fluctuation from year to year. Current total membership for the 2015-2016 school year (captured November 13, 2015) is 7,526. Yearly data for the past 10 years as well as the current actual enrollment are shown below in Figure A13 for OCS.

Figure A13. Historical Public School Enrollments: OCS

	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016 [1]	Annual Growth Rate	
Elementary	Membership	3,006	3,072	3,158	3,165	3,211	3,285	3,348	3,403	3,433	3,259	3,318	1.0%
	Increase/(Decrease)		66	86	7	46	74	63	55	30	(174)	59	
Middle	Membership	1,590	1,580	1,637	1,601	1,665	1,698	1,704	1,684	1,747	1,762	1,739	0.9%
	Increase/(Decrease)		(10)	57	(36)	64	33	6	(20)	63	15	(23)	
High	Membership	2,124	2,184	2,201	2,242	2,217	2,222	2,283	2,315	2,421	2,502	2,469	1.5%
	Increase/(Decrease)		60	17	41	(25)	5	61	32	106	81	(33)	
	Total Increase/(Decrease)		116	160	12	85	112	130	67	199	(78)	3	
	Total Membership	6,720	6,836	6,996	7,008	7,093	7,205	7,335	7,402	7,601	7,523	7,526	1.1%
											Total Increase	806	

Source: Orange County, NC Schools Adequate Public Facilities Ordinance, Annual Report, 2015

[1] SAPFO Capture Date Membership, Nov. 13, 2015

Student Enrollment Projections

Enrollment projections for OCS are based on historical actual student growth as part of the County's current Schools Adequate Public Facilities Ordinance (SAPFO) and detailed in the 2015 SAPFO Annual Report. The SAPFO system projects enrollment for two separate functions or activities; capital improvement planning (CIP) and growth management. One projection methodology is used in capital planning and a separate projection system is used to manage the impacts of new unbuilt development.

The SAPFO Certificate of Adequate Public Schools (CAPS) system records new development approvals and determines whether capacity will be available in the prescribed year. If capacity is projected to be available then the development is allowed to proceed; if capacity is not projected to be available, the certificate is not issued until capacity is made available either by changes in enrollment or new capital improvements. This system helps synchronize capital needs and future growth by monitoring historic trends and new growth patterns that may match or exceed past growth. In established, constant growth school districts, the SAPFO CIP system usually adequately reflects future growth.

As shown in Figure A14, current enrollment in OCS is 7,526. By the school year 2025-26, OCS is projected to have a total enrollment of 8,060, a total increase of 10-year increase of 534 students. This represents an average annual growth rate of approximately 0.7% percent. Yearly detail by school level is provided below.

Figure A14. Projected Public School Enrollments: OCS

		2015-2016 [1]	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	Annual Growth Rate
Elementary	Membership	3,318	3,325	3,308	3,319	3,332	3,390	3,430	3,470	3,511	3,551	3,594	
	Increase/(Decrease)		7	(17)	11	13	58	40	40	41	40	43	0.8%
											Net Increase	276	
Middle	Membership	1,739	1,743	1,776	1,830	1,846	1,790	1,784	1,778	1,817	1,837	1,857	
	Increase/(Decrease)		4	33	54	16	(56)	(6)	(6)	39	20	20	0.7%
											Net Increase	118	
High	Membership	2,469	2,504	2,539	2,517	2,559	2,604	2,616	2,669	2,635	2,608	2,609	
	Increase/(Decrease)		35	35	(22)	42	45	12	53	(34)	(27)	1	0.6%
											Net Increase	140	
	Net Increase		46	51	43	71	47	46	87	46	33	64	
	Total	7,526	7,572	7,623	7,666	7,737	7,784	7,830	7,917	7,963	7,996	8,060	0.7%
											Total Increase	534	

[1] SAPFO Capture Date Membership, Nov. 13, 2015

Source: Orange County, NC Schools Adequate Public Facilities Ordinance, Annual Report, 2016 (March Draft)

Chapel Hill-Carrboro City Schools

Historical Enrollment

Since the 2005-2006 school year, enrollment has increased by a total of 1,121 students with some fluctuation from year to year. Current total enrollment for the 2015-2016 school year is 12,086. Yearly data for the past 10 years as well as the current actual enrollment are shown below in Figure A15 for CHCCS.

Figure A15. Historical Public School Enrollments: CHCCS

		2005-2006	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016 [1]	Annual Growth Rate
Elementary	Enrollment/Membership	4,879	4,980	5,173	5,302	5,219	5,296	5,464	5,543	5,554	5,541	5,501	1.2%
	Increase/(Decrease)		101	193	129	(83)	77	168	79	11	(13)	(40)	
											Net Increase	622	
Middle	Enrollment/Membership	2,572	2,592	2,622	2,697	2,708	2,722	2,753	2,785	2,858	2,861	2,884	1.2%
	Increase/(Decrease)		20	30	75	11	14	31	32	73	3	23	
											Net Increase	312	
High	Enrollment/Membership	3,514	3,520	3,635	3,630	3,606	3,640	3,714	3,796	3,764	3,730	3,701	0.5%
	Increase/(Decrease)		6	115	(5)	(24)	34	74	82	(32)	(34)	(29)	
											Net Increase	187	
	Total Increase/(Decrease)		127	338	199	(96)	125	273	193	52	(44)	(46)	
	Total Enroll./ Membership	10,965	11,092	11,430	11,629	11,533	11,658	11,931	12,124	12,176	12,132	12,086	1.0%
											Total Increase	1,121	

Source: Orange County, NC Schools Adequate Public Facilities Ordinance, Annual Report, 2015
 [1] Official SY15-16 Enrollment

Student Enrollment Projections

Projections are from the SAPFO 2015 Annual Report. The projections are based on historic growth. As shown, current enrollment in CHCCS is 12,086. By the school year 2025-26, CHCCS is projected to have a total enrollment of 13,172. This represents an average annual growth rate of approximately 0.9 percent and a growth of 1,086 students over the ten-year period. Yearly detail by school level is provided in Figure A16 below.

Figure A16. Projected Public School Enrollments: CHCCS

		2015-2016 [1]	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2024-2025	Annual Growth Rate
Elementary	Enrollment/Membership	5,501	5,552	5,584	5,622	5,634	5,699	5,768	5,835	5,902	5,966	6,030	0.9%
	Increase/(Decrease)		51	32	38	12	65	69	67	67	64	64	
											Net Increase	529	
Middle	Enrollment/Membership	2,884	2,830	2,854	2,915	2,995	2,996	2,997	2,974	3,006	3,045	3,084	0.7%
	Increase/(Decrease)		(54)	24	61	80	1	1	(23)	32	39	39	
											Net Increase	200	
High	Enrollment/Membership	3,701	3,757	3,820	3,842	3,857	3,883	3,917	4,013	4,041	4,045	4,058	0.9%
	Increase/(Decrease)		56	63	22	15	26	34	96	28	4	13	
											Net Increase	357	
	Net Increase		53	119	121	107	92	104	140	127	107	116	
	Total	12,086	12,139	12,258	12,379	12,486	12,578	12,682	12,822	12,949	13,056	13,172	0.9%
											Total Increase	1,086	

[1] Official SY15-16 Enrollment
 Source: Orange County, NC Schools Adequate Public Facilities Ordinance, Annual Report, 2016 (March Draft)

HOUSING UNIT PROJECTIONS

Because SAPFO does not account for the portion of enrollment growth driven by new development, TischlerBise undertook its own analysis of potential housing unit growth and resulting student generation from new housing. These projections reflect anticipated growth throughout the county including the Orange County side of the City of Mebane (within the OCS system) and Chapel Hill and Carrboro.

Future housing unit projections were derived for each school system using average annual permitting data from 2004-2013 (detailed in Figures A3 and A4). This recent trend data includes periods before and after the “Great Recession;” therefore, it is deemed a reliable predictor of average annual growth and future housing mix. During this time, the OCS District grew by 332 units per year and the CHCCS District grew by an average of 273 units annually. These figures were adjusted to increase by 20% in OCS and 25% in CHCCS based on the large number of approved but unbuilt units in both districts. Therefore, OCS is projected forward at 398 units per year and CHCCS at 341 units per year.

Distribution by type of unit for each district is shown in Figure A17 (single family categories are combined below for the projections). The percentages reflect the share of *new* units constructed, as opposed to percent of total housing stock. In other words, the net increase in units is allocated to each housing unit category according to the percentages shown. These numbers are based on mixes from 2004-2013 permitting data but are adjusted based on knowledge of approved permits currently in the development pipeline. In both cases, staff expect larger numbers of multifamily and single family attached units than in prior years.

As delineated in Figure A17, the County is anticipated to experience residential development growth in both school systems. OCS is projected to increase by 3,980 units and CHCCS by 3,410 units over the next ten years. This totals 7,390 units county-wide, slightly less than the number of units the county was estimated to have added (7,891) between 2000 and 2010 (see Figure A1).

Figure A17. Combined Housing Unit Projections

		Projected										
		Base Yr. 2015	1 2016	2 2017	3 2018	4 2019	5 2020	6 2021	7 2022	8 2023	9 2024	10 2025
HOUSING UNITS	% of											
Orange County Schools	New Units											
<i>Single Family Detached</i>	60.0%	17,904	18,143	18,381	18,620	18,859	19,098	19,337	19,575	19,814	20,053	20,292
<i>Single Family Attached</i>	15.0%	758	817	877	937	997	1,056	1,116	1,176	1,235	1,295	1,355
<i>Multifamily</i>	20.0%	1,229	1,308	1,388	1,467	1,547	1,627	1,706	1,786	1,865	1,945	2,025
<i>Manufactured Homes</i>	5.0%	4,181	4,201	4,221	4,241	4,261	4,280	4,300	4,320	4,340	4,360	4,380
Total		24,071	24,469	24,867	25,265	25,663	26,061	26,459	26,857	27,255	27,653	28,051
<i>Net Increase in Units</i>			398	398	398	398	398	398	398	398	398	398
Total Increase												3,980
Chapel Hill-Carrboro Schools	New Units											
<i>Single Family Detached</i>	20.0%	18,846	18,914	18,983	19,051	19,119	19,187	19,255	19,324	19,392	19,460	19,528
<i>Single Family Attached</i>	15.0%	1,544	1,595	1,646	1,698	1,749	1,800	1,851	1,902	1,953	2,005	2,056
<i>Multifamily</i>	65.0%	13,694	13,915	14,137	14,359	14,580	14,802	15,024	15,245	15,467	15,689	15,910
<i>Manufactured Homes</i>	0.0%	513	513	513	513	513	513	513	513	513	513	513
Total		34,597	34,938	35,279	35,620	35,961	36,302	36,643	36,984	37,325	37,666	38,007
<i>Net Increase in Units</i>			341	341	341	341	341	341	341	341	341	341
Total Increase												3,410
Total County												7,390
Total County Housing Units		58,668	59,407	60,146	60,885	61,624	62,363	63,102	63,841	64,580	65,319	66,058

Appendix B: Impact Fee Act

Orange County has been granted authority by the State of North Carolina to implement impact fees for schools, the acquisition of land for open space and greenways, capital improvements to public streets, bridges, sidewalks, bikeways, on and off street surface water drainage ditches, pipes, culverts, other drainage facilities, water and sewer facilities and public recreation facilities. The County is pursuing impact fees for schools at this time. A copy of the applicable sections of the Act is provided in this Appendix.

Note: Only Title VI (Orange County Impact Fees) is shown.

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 460
HOUSE BILL 917

AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN
ORANGE AND CHATHAM COUNTIES.

///

TITLE VI. ORANGE COUNTY IMPACT FEES.

Sec. 17. G.S. 153A-331 is amended by identifying the existing provisions as subsection (a) and by adding new subsections to read:

"(b) Impact Fees Authorized.

- (1) Orange County may provide by ordinance for a system of impact fees to be paid by developers to help defray the costs to the County of constructing certain capital improvements, the need for which is created in substantial part by the new development that takes place within the County.
- (2) For purposes of this subsection, the term capital improvements includes the acquisition of land for open space and greenways, capital improvements to public streets, schools, bridges, sidewalks, bikeways, on and off street surface water drainage ditches, pipes, culverts, other drainage facilities, water and sewer facilities and public recreation facilities.
- (3) An ordinance adopted under this subsection may be made applicable to all development that occurs within the County.

(c) Amount of Fees. In establishing the amount of any impact fee, the County shall endeavor to approach the objective of having every development contribute to a capital improvements fund an amount of revenue that bears a reasonable relationship to that development's fair share of the costs of the capital improvements that are needed in part because of that development. In fulfilling this objective, the County shall, among other steps and actions:

- (1) Estimate the total cost of improvements by category (e.g., streets, sidewalks, drainage ways, etc.) that will be needed to provide in a reasonable manner for the public health, safety and welfare of persons residing within the County during a reasonable planning period not to exceed 20 years. The Board of County Commissioners may divide the County into two or more districts and estimate the costs of needed improvements within each district. These estimates shall be periodically reviewed and updated and the planning period used may be changed from time to time.
- (2) Establish a percentage of the total costs of each category of improvement that, in keeping with the objective set forth above, should fairly be borne by those paying the impact fee.
- (3) Establish a formula that fairly and objectively apportions the total costs that are to be borne by those paying impact fees among various types of developments. By way of illustration without limitation:
 - a. In the case of street improvements, the impact fee may be related to the number of trips per day generated by different types of uses according to recognized estimates;

- b. In the case of drainage improvements, the impact fee may be related to the size of a development, the amount of impervious surface the development has, or other factors that bear upon the degree to which a development contributes to the need for drainage improvements made at public expense.
- (d) Capital Improvements Reserve Funds: Expenditures.
- (1) Impact fees received by the County shall be deposited in a capital improvements reserve fund or funds established under Chapter 159 of the General Statutes, Article 3, Part 2. Such funds may be expended only on the type of capital improvements for which such impact fees were established, and then only in accordance with the provision of subsection (2) of this section.
 - (2) In order to ensure that impact fees paid by a particular development are expended on capital improvements that benefit that development, the County may establish for each category of capital improvement for which it collects an impact fee at least two geographical districts or zones, and impact fees generated by developments within those districts or zones must be spent on improvements that are located within or that benefit property located within those districts or zones.
- (e) Credits for Improvements. An impact fee ordinance shall make provision for credits against required fees when a developer installs improvements of a type that generally would be paid for by the County out of a capital reserve account funded by impact fees. The ordinance may spell out the circumstances under which a developer will be allowed to install such improvements and receive such credits.
- (f) Appeals Procedure. An ordinance authorizing impact fees as provided herein may provide that any person aggrieved by a decision regarding an impact fee may appeal to the Orange County Board of Adjustment. If the ordinance establishes an appeals procedure, it shall spell out the time within which the appeal must be taken to the board of adjustment, the possible grounds for an appeal and the board's authority in the matter, whether the fee must be paid prior to resolution of the appeal, and other procedural or substantive matters related to appeals. Any decision by the board of adjustment shall be subject to review by the superior court by proceedings in the nature of **certiorari** in the same manner as is provided in G.S. 153A-345.
- (g) Payment of Impact Fees. An ordinance authorizing impact fees as herein provided shall spell out when in the process of development approval and construction impact fees shall be paid and by whom. By way of illustration without limitation, the ordinance may provide that an applicant for a building permit shall submit the impact fee along with the permit application and that building permits shall not be issued until the impact fee has been paid.
- (h) Refunds. If this section or any ordinance adopted thereunder is declared to be unconstitutional or otherwise invalid, then any impact fees collected shall be refunded to the person paying them together with interest at the rate established under G.S. 105-241.1, being the same rate paid by the Secretary of Revenue on refunds for tax overpayments.
- (i) Limitations on Actions.
- (1) Any action contesting the validity of an ordinance adopted as herein provided must be commenced not later than nine months after the effective date of such ordinance.
 - (2) Any action seeking to recover an impact fee must be commenced not later than nine months after the impact fee is paid."
- Sec. 17.1. Section 17 of this act shall apply only to Orange County, and applies only within the planning jurisdiction of Orange County.
- Sec. 18. G.S. 153A-340 is amended by identifying the existing provisions as subsection (a) and by adding new subsections to read:
- "(b) Impact Fees Authorized.
- (1) Orange County may provide by ordinance for a system of impact fees to be paid by developers to help defray the costs to the County of constructing certain capital

- improvements, the need for which is created in substantial part by the new development that takes place within the County.
- (2) For purposes of this subsection, the term capital improvements includes the acquisition of land for open space and greenways, capital improvements to public streets, schools, bridges, sidewalks, bikeways, on and off street surface water drainage ditches, pipes, culverts, other drainage facilities, water and sewer facilities and public recreation facilities.
 - (3) An ordinance adopted under this subsection may be made applicable to all development that occurs within the County.
- (c) Amount of Fees. In establishing the amount of any impact fee, the County shall endeavor to approach the objective of having every development contribute to a capital improvements fund an amount of revenue that bears a reasonable relationship to that development's fair share of the costs of the capital improvements that are needed in part because of that development. In fulfilling this objective, the County shall, among other steps and actions:
- (1) Estimate the total cost of improvements by category (e.g., streets, sidewalks, drainage ways, etc.) that will be needed to provide in a reasonable manner for the public health, safety and welfare of persons residing within the County during a reasonable planning period not to exceed 20 years. The Board of County Commissioners may divide the County into two or more districts and estimate the costs of needed improvements within each district. These estimates shall be periodically reviewed and updated and the planning period used may be changed from time to time.
 - (2) Establish a percentage of the total costs of each category of improvement that, in keeping with the objective set forth above, should fairly be borne by those paying the impact fee.
 - (3) Establish a formula that fairly and objectively apportions the total costs that are to be borne by those paying impact fees among various types of developments. By way of illustration without limitation:
 - a. In the case of street improvements, the impact fee may be related to the number of trips per day generated by different types of uses according to recognized estimates;
 - b. In the case of drainage improvements, the impact fee may be related to the size of a development, the amount of impervious surface the development has, or other factors that bear upon the degree to which a development contributes to the need for drainage improvements made at public expense.
- (d) Capital Improvements Reserve Funds: Expenditures.
- (1) Impact fees received by the County shall be deposited in a capital improvements reserve fund or funds established under Chapter 159 of the General Statutes, Article 3, Part 2. Such funds may be expended only on the type of capital improvements for which such impact fees were established, and then only in accordance with the provision of subsection (2) of this section.
 - (2) In order to ensure that impact fees paid by a particular development are expended on capital improvements that benefit that development, the County may establish for each category of capital improvement for which it collects an impact fee at least two geographical districts or zones, and impact fees generated by developments within those districts or zones must be spent on improvements that are located within or that benefit property located within those districts or zones.
- (e) Credits for Improvements. An impact fee ordinance shall make provision for credits against required fees when a developer installs improvements of a type that generally would be paid for by the County out of a capital reserve account funded by impact fees. The ordinance may spell out the

circumstances under which a developer will be allowed to install such improvements and receive such credits.

(f) Appeals Procedure. An ordinance authorizing impact fees as provided herein may provide that any person aggrieved by a decision regarding an impact fee may appeal to the Orange County Board of Adjustment. If the ordinance establishes an appeals procedure, it shall spell out the time within which the appeal must be taken to the board of adjustment, the possible grounds for an appeal and the board's authority in the matter, whether the fee must be paid prior to resolution of the appeal, and other procedural or substantive matters related to appeals. Any decision by the board of adjustment shall be subject to review by the superior court by proceedings in the nature of **certiorari** in the same manner as is provided in G.S. 153A-345.

(g) Payment of Impact Fees. An ordinance authorizing impact fees as herein provided shall spell out when in the process of development approval and construction impact fees shall be paid and by whom. By way of illustration without limitation, the ordinance may provide that an applicant for a building permit shall submit the impact fee along with the permit application and that building permits shall not be issued until the impact fee has been paid.

(h) Refunds. If this section or any ordinance adopted thereunder is declared to be unconstitutional or otherwise invalid, then any impact fees collected shall be refunded to the person paying them together with interest at the rate established under G.S. 105-241.1, being the same rate paid by the Secretary of Revenue on refunds for tax overpayments.

(i) Limitations on Actions.

- (1) Any action contesting the validity of an ordinance adopted as herein provided must be commenced not later than nine months after the effective date of such ordinance.
- (2) Any action seeking to recover an impact fee must be commenced not later than nine months after the impact fee is paid."

Sec. 18.1. Section 18 of this act shall apply only to Orange County, and applies only within the planning jurisdiction of Orange County.

In the General Assembly read three times and ratified this the 23rd day of June, 1987.

Appendix C: Housing Unit Types

For the purposes of school impact fee analysis and calculations, the following housing type categories were used. A brief description of each housing category is provided.

Single Family Detached: a detached building located on a single lot containing one dwelling unit. In situations where an accessory dwelling unit (i.e., a “mother-in-law suite” or “granny flat”) is located on the same lot, the principal dwelling is categorized as a Single Family Detached dwelling.

Examples of single family detached dwellings are site-built houses and modular houses.

Single Family Attached: a group of dwelling units which share a common floor-to-ceiling wall or share the wall of an attached garage or porch with an adjacent dwelling and in which all units have a ground-floor living space. Units are individually owned or intended to be individually owned after initial sales are complete.

Examples of single family attached dwellings are duplexes, triplexes, townhouses, row houses, and condominiums in which all units have a ground-floor living space.

Multifamily: a group of dwelling units which share a common floor-to-ceiling wall with an adjacent dwelling. All units may not have a ground-floor living space. Units may be individually owned (as is the case with condominiums) or may be owned by one entity and rented/leased to tenants. Also included in this category are dwelling units located above ground-floor non-residential (i.e., retail or office) uses. In situations where an accessory dwelling unit (i.e., a mother-in-law suite, granny flat, or efficiency apartment) is located on the same lot as a principal dwelling, the accessory dwelling unit is categorized as a multifamily dwelling provided the accessory dwelling unit is categorized as such by the local zoning code (i.e., less than 750-800 square feet, depending on the specifics of the local code).

Examples of multifamily dwellings include apartments, condominiums in a multi-story building in which all units do not have a ground-floor living space, mother-in-law suites and granny flats located on a lot containing a separate principal dwelling, and dwellings located above non-residential uses.

Manufactured home: a dwelling built in a factory in accordance with the federal Manufactured Home Construction and Safety Standards, commonly referred to as the 'HUD' Code.

Examples of manufactured homes are single-wide, double-wide, and triple-wide “mobile” homes.

Age Restricted Unit: A dwelling, regardless of type (detached, attached, multi-family, etc.), located in a development that restricts the number of units with occupants aged under 55 years old and whereby the age restriction is achieved by deed restrictions, homeowners association documents, and/or restrictive covenants.



SCHOOL IMPACT FEE STUDY

DRAFT

Prepared for

Orange County, North Carolina

August 15, 2016



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Executive Summary

TischlerBise was retained by Orange County, North Carolina, to calculate impact fees for public schools to meet the demands generated by new residential development for school facilities in the county. The County has been granted authority by the State to implement impact fees for Schools.¹ The purpose of the legislation is to “help defray the costs to the county of constructing certain capital improvements, the need for which is created in substantial part by the new development that takes place within the county.”²

Impact fees are one-time payments used to defray the cost impacts of school facilities necessary to accommodate new development. The payment amount represents new growth’s fair share of capital facility needs. TischlerBise evaluated possible methodologies and documented appropriate demand indicators by type of development for the fee amounts. Specific capital costs have been identified using local data and current dollars. Level-of-Service (LOS) standards and cost factors are presented in this report and are the basis for the calculations. It should be noted that although growth affects both capital and operating expenses incurred by schools, the impact fee analysis addresses new development’s impact on *capital* facilities only. It is further limited to capital improvements that provide additional capacity as opposed to maintenance or rehabilitation.

Orange County is served by two school systems, OCS and CHCCS. TischlerBise analyzed and calculated school impact fees for each school system. This report details the results of the OCS impact fees. The CHCCS report is issued under separate cover.

IMPACT FEE METHODOLOGIES

There are three basic *methodologies* used to calculate impact fees. The **incremental expansion method** documents the current LOS for each type of public facility in both quantitative and qualitative measures. The intent is to use fee revenue to expand or provide additional facilities, as needed to accommodate new development, based on the current cost to provide capital improvements. The **plan-based method** is commonly used for public facilities that have adopted plans or engineering studies to guide capital improvements, such as utility systems. A third approach, known as the **cost recovery method**, is based on the rationale that new development is paying for its share of the useful life and remaining unused capacity of an existing facility or land.

Maximum supportable school impact fees for OCS are derived using the incremental expansion approach. For school capital improvements, the most common methodology employed is typically the incremental expansion method when future capacity needs are anticipated. This approach allows for the greatest

¹ S.L. 1987-460 (“An Act Making Sundry Amendments Concerning Local Governments In Orange And Chatham Counties, Title VI: Orange County Impact Fees”). In addition to schools, other community service facility categories are allowed such as: the acquisition of land for open space and greenways, capital improvements to public streets, bridges, sidewalks, bikeways, on- and off-street surface water drainage ditches, pipes, culverts, other drainage facilities, water and sewer facilities and public recreation facilities. (See Appendix B for a copy of the applicable section of the Act.)

² *Ibid*, Sec. 17 (b) (1).

flexibility in providing future capacity improvements. Under this methodology, the fees are based on current LOS and project costs for each type of school facility (i.e., elementary, middle, and high), support facilities, portable classrooms, and buses. Land for school sites is not a component of the fee, since the draft 2016 *Orange County, NC Schools Adequate Public Facilities Ordinance Annual Report* indicates “renovation and expansion to existing facilities may delay construction of new schools further into the future.”³ Therefore, new land acquisition is not required at this time. The LOS is documented and the intent is to use fee revenue to provide additional or expanded public school and related facilities as needed to accommodate new development.

The current LOS and capital costs for new or expanded facilities are used to derive a cost per student for each type of school facility. Using the cost per student and the average OCS student generation rate by type of unit, a cost by type of residential unit is derived. The term “student generation rate” refers to the average number of public school students per housing unit in the OCS system. Further discussion on student generation rate calculations is provided in the body of this report and in Appendix A.

A general requirement common to impact fee calculations is the evaluation of *credits*. Two types of credits should be considered, **future revenue credits** and **site-specific credits**. Revenue credits are necessary to avoid potential double payment situations arising from the payment of a one-time impact fee plus the payment of other revenues that may also fund growth-related capital improvements. Revenue credits are dependent upon the fee methodology used in the cost analysis. To avoid this potential double payment situation, future revenue credits are integrated into the fee to account for outstanding debt on OCS school facilities. A credit is necessary since new residential units that will pay the fee will also contribute to future principal payments on this remaining debt through property taxes. A credit is not necessary for interest payments because interest costs are not included in the costs.

The second type of credit, a **site-specific credit**, is for system improvements that have been included in the fee calculations. Policies and procedures related to site-specific credits for system improvements should be addressed in the ordinance that establishes the County’s impact fees. However, the general concept is that developers may be eligible for site-specific credits or reimbursements *only if they provide system improvements that have been included in the fee calculations*. Project improvements normally required as part of the development approval process are not eligible for credits against impact fees.

MAXIMUM SUPPORTABLE SCHOOL IMPACT FEES

Figure 1 provides the schedule of *maximum supportable school impact fees* for OCS in Orange County, North Carolina. For a single-family detached housing unit, the maximum supportable fee amount is \$12,044 for a 0-3 bedroom unit, \$8,952 for a 4+ bedroom unit, and \$3,317 for a unit that is less than 800 square feet; for a single family attached unit, the fee is \$3,665 for a 0-2 bedroom unit and \$5,558 for a 3+ bedroom unit; for a multifamily unit, the fee is \$2,656 for a 0-2 bedroom unit and \$20,677 for a 3+ bedroom unit; and for a manufactured home, the maximum fee amount is \$8,127 per unit. Additionally,

³ SAPFOTAC, 2016 *Orange County, NC Schools Adequate Public Facilities Ordinance* (draft), p. iii.

age-restricted units (those units in developments that restrict the number of units with occupants aged under 55 years old) have a maximum fee amount of \$623. All fees should be collected when building permits are issued.

School impact fees are applied only to residential development and are per housing unit, reflecting the proportionate demand by type of unit. The amounts shown are “maximum supportable” amounts based on the methodologies, LOS, and costs for the capital improvements identified herein. The fees represent the highest amount feasible for each type of applicable development, which represent new growth’s fair share of the capital costs as detailed in this report. The County can adopt amounts that are lower than the maximum amounts shown. However, a reduction in fee revenue will necessitate an increase in other revenues, a decrease in planned capital expenditures, and/or a decrease in LOS.

Figure 1. Maximum Supportable School Impact Fees: OCS

MAXIMUM ALLOWABLE SCHOOL IMPACT FEES: Orange County Schools				
Impact Fee per Housing Unit	Elementary	Middle	High	TOTAL
Single Family Detached				
0-3 Bedrooms	\$4,502	\$3,239	\$4,303	\$12,044
4+ Bedrooms	\$3,417	\$2,540	\$2,995	\$8,952
Single Family Detached Average	\$4,122	\$2,981	\$3,856	\$10,959
Single Family Detached (<800 Sq. Ft.)				
	\$1,790	\$736	\$791	\$3,317
Single Family Attached				
0-2 Bedrooms	\$1,600	\$1,067	\$998	\$3,665
3+ Bedrooms	\$1,763	\$1,730	\$2,065	\$5,558
Single Family Attached Average	\$1,735	\$1,656	\$1,928	\$5,319
Multifamily				
0-2 Bedrooms	\$895	\$625	\$1,136	\$2,656
3+ Bedrooms	\$10,388	\$4,712	\$5,577	\$20,677
Multifamily Average	\$2,386	\$1,288	\$1,824	\$5,498
Manufactured Unit				
	\$3,688	\$2,098	\$2,341	\$8,127
Age-Restricted Unit				
				\$623

As another option, the County could choose to adopt fees that consolidate bedroom count subcategories within a broader housing unit category. For instance, Single Family Detached homes, which the proposed fee schedule currently divides into two subcategories (0-3 Bedrooms and 4+ Bedrooms), could be charged a single fee regardless of size. If the County decides to pursue this alternative option, the average impact fee by type of unit provided in this report would be the impact fee amount on the adopted schedule.

A note on rounding: Calculations throughout this report are based on an analysis conducted using Excel software. Most results are discussed in the report using one, two, and three digit places, which represent rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore, the sums and products generated in the analysis may not equal the sum or product if the reader

replicates the calculation with the factors shown in the report (due to the rounding of figures shown, not in the analysis).

Overview

Impact fees are one-time payments used to fund capital improvements necessitated by new growth. This type of fee has been utilized by local governments in various forms for at least 50 years. Impact fees have limitations and should not be regarded as the total solution for infrastructure financing needs. Rather, they should be considered one component of a comprehensive portfolio to ensure adequate provision of public facilities with the goal of maintaining current LOS in a community in the face of new growth. Any community considering impact fees should note the following limitations:

- Impact fees can only be used to finance capital infrastructure and cannot be used to finance ongoing operations and/or maintenance and rehabilitation costs;
- Impact fees cannot be deposited in the local government’s General Fund: the funds must be accounted for separately in individual accounts and earmarked for the capital expenses for which they were collected; and
- Impact fees cannot be used to correct existing infrastructure deficiencies unless there is a funding plan in place to correct the deficiency for all current residents and businesses in the community.

LEGAL FRAMEWORK

U.S. Constitution. Like all land use regulations, development exactions—including impact fees—are subject to the Fifth Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against regulatory takings. To comply with the Fifth Amendment, development regulations must be shown to substantially advance a legitimate governmental interest. In the case of impact fees, that interest is the protection of public health, safety, and welfare by ensuring that development is not detrimental to the quality of essential public services.

There is little federal case law specifically dealing with impact fees, although other rulings on other types of exactions (e.g., land dedication requirements) are relevant. In one of the most important exaction cases, the U. S. Supreme Court found that a government agency imposing exactions on development must demonstrate an “essential nexus” between the exaction and the interest being protected (see *Nollan v. California Coastal Commission*, 1987). In a more recent case (*Dolan v. City of Tigard, OR*, 1994), the Court ruled that an exaction also must be “roughly proportional” to the burden created by development. However, the *Dolan* decision appeared to set a higher standard of review for mandatory dedications of land than for monetary exactions such as impact fees.

REQUIRED FINDINGS

There are three reasonable relationship requirements for impact fees that are closely related to “rational nexus” or “reasonable relationship” requirements enunciated by a number of state courts. Although the

term “dual rational nexus” is often used to characterize the standard by which courts evaluate the validity of impact fees under the U.S. Constitution, we prefer a more rigorous formulation that recognizes three elements: “impact or need,” “benefit,” and “proportionality.” The dual rational nexus test explicitly addresses only the first two, although proportionality is reasonably implied, and was specifically mentioned by the U.S. Supreme Court in the *Dolan* case. The reasonable relationship language of the statute is considered less strict than the rational nexus standard used by many courts. Individual elements of the nexus standard are discussed further in the following paragraphs.

Demonstrating an Impact. All new development in a community creates additional demands on some, or all, public facilities provided by local government. If the supply of facilities is not increased to satisfy that additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is a consequence of development that is subject to the fees. The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate conditions created by the developments upon which they are imposed. That principle clearly applies to impact fees. In this study, the impact of development on improvement needs is analyzed in terms of quantifiable relationships between various types of development and the demand for specific facilities, based on applicable level-of-service standards.

Demonstrating a Benefit. A sufficient benefit relationship requires that fee revenues be segregated from other funds and expended only on the facilities for which the fees were charged. Fees must be expended in a timely manner and the facilities funded by the fees must serve the development paying the fees. Procedures for the earmarking and expenditure of fee revenues are typically mandated by the State enabling act, as are procedures to ensure that the fees are expended expeditiously or refunded. All of these requirements are intended to ensure that developments benefit from the fees they are required to pay. Thus, an adequate showing of benefit must address procedural as well as substantive issues.

Demonstrating Proportionality. The requirement that exactions be proportional to the impacts of development was clearly stated by the U.S. Supreme Court in the *Dolan* case (although the relevance of that decision to impact fees has been debated) and is logically necessary to establish a proper nexus. Proportionality is established through the procedures used to identify development-related facility costs, and in the methods used to calculate impact fees for various types of facilities and categories of development. The demand for facilities is measured in terms of relevant and measurable attributes of development. For example, the need for school improvements is measured by the number of public school-age children generated by development.

METHODOLOGIES AND CREDITS

Any one of several legitimate methods may be used to calculate impact fees. The choice of a particular method depends primarily on the service characteristics and planning requirements for the facility type being addressed. Each method has advantages and disadvantages in a particular situation, and to some

extent can be interchangeable, because each allocates facility costs in proportion to the needs created by development.

Reduced to its simplest terms, the process of calculating impact fees involves two main steps: (1) determining the cost of development-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities. The following paragraphs discuss three basic methods for calculating impact fees and how those methods can be applied.

Plan-Based Fee Calculation. The plan-based method allocates costs for a specified set of improvements to a specified amount of development. The improvements are identified by a facility plan and development is identified by a land use plan. In this method, the total cost of relevant facilities is divided by total demand to calculate a cost per unit of demand. Then, the cost per unit of demand is multiplied by the amount of demand per unit of development (e.g. housing units or square feet of building area) in each category to arrive at a cost per specific unit of development (e.g., single family detached unit).

Cost Recovery Fee Calculation. The rationale for the cost recovery approach is that new development is paying for its share of the useful life and remaining capacity of facilities already built or land already purchased from which new growth will benefit. This methodology is often used for systems that were oversized such as sewer and water facilities. To calculate a fee using the cost recovery approach, the facility cost is divided by ultimate number of demand units the facility will serve.

Incremental Expansion Fee Calculation. The incremental expansion method documents the current LOS for each type of public facility in both quantitative and qualitative measures, based on an existing service standard (such as square feet per student). The LOS standards are determined in a manner similar to the current replacement cost approach used by property insurance companies. However, in contrast to insurance practices, the fee revenues would not be for renewal and/or replacement of existing facilities. Rather, revenue will be used to expand or provide additional facilities, as needed, to accommodate new development. An incremental expansion cost method is best suited for public facilities that will be expanded in regular increments, with LOS standards based on current conditions in the community.

Credits. Regardless of the methodology, a consideration of “credits” is integral to the development of a legally valid impact fee methodology. There are two types of “credits” each with specific, distinct characteristics, but both of which should be addressed in the development of impact fees. The first is a credit due to possible double payment situations. This could occur when contributions are made by the property owner toward the capital costs of the public facility covered by the impact fee. This type of credit is integrated into the impact fee calculation. The second is a credit toward the payment of a fee for dedication of public sites or improvements provided by the developer and for which the impact fee is imposed. This type of credit is addressed in the administration and implementation of an impact fee program.

Orange County Schools Impact Fee Overview

The County has seen significant residential growth over the past several years and with it increased enrollment. Growth is expected to continue in the future. Appendix A provides detail on land use and demographic assumptions and projections. To ensure that OCS have adequate capacity to accommodate growth, Orange County is considering implementation of updated impact fees for schools. The County has been granted authority by the State to implement impact fees for schools.⁴ The purpose of the legislation is to “help defray the costs to the County of constructing certain capital improvements, the need for which is created in substantial part by the new development that takes place within the County.”⁵

Orange County is served by two school systems, OCS and CHCCS. TischlerBise analyzed and calculated school impact fees for each school system. This report details the results of the OCS impact fees. The report on the other school system is issued under separate cover. The reports comply with relevant requirements for calculation of impact fees.

OCS impact fees are derived using the incremental approach. This approach determines current LOS standards for school buildings (elementary, middle, and high), portable classrooms, support facilities, and buses. Land for school sites is not a component of the fee, since the draft 2016 *Orange County, NC Schools Adequate Public Facilities Ordinance Annual Report* indicates “renovation and expansion to existing facilities may delay construction of new schools further into the future.”⁶ Therefore, new land acquisition is not required at this time. LOS standards are derived using the adopted standards per the County’s Schools Adequate Public Facility Ordinance (SAPFO) and are expressed as follows:

- School buildings: Square feet per student by type of school,
- Portable classrooms: Classrooms per student by type of school;
- Support facilities: Square feet per student; and
- Buses/other vehicles: Number of vehicles per student

A credit is included in the impact fee to account for outstanding debt on OCS improvements. Further detail on the approach, LOS, costs, and credits is provided in the body of this report.

⁴ S.L. 1987-460 (“An Act Making Sundry Amendments Concerning Local Governments In Orange And Chatham Counties, Title VI: Orange County Impact Fees”). In addition to schools, other community service facility categories are allowed such as: the acquisition of land for open space and greenways, capital improvements to public streets, bridges, sidewalks, bikeways, on- and off- street surface water drainage ditches, pipes, culverts, other drainage facilities, water and sewer facilities and public recreation facilities. (See Appendix B for a copy of the applicable section of the Act.)

⁵ Ibid, Sec. 17 (b) (1).

⁶ SAPFOTAC, 2016 *Orange County, NC Schools Adequate Public Facilities Ordinance* (draft), p. iii.

Student Generation Rates

Demand for additional school capacity will come from new residential development. To determine the level of this demand, student generation rates are used. The term “student generation rate” refers to the number of public school students per housing unit in the OCS system.⁷ Public school students are a subset of school-aged children, which includes students in private schools and home-schooled children.

Student generation rates are important demographic factors that help account for variations in demand for school facilities by type of housing. Students per housing unit are held constant over the projection period since the impact fees represent a “snapshot approach” of current LOS and costs.

TischlerBise obtained student generation data for each school system in the county from Orange County. The student generation rates were calculated using 2013-2014 student address data geocoded to Orange County land records tracking housing unit types. These data were analyzed for units built during two different time periods: prior to 2004, and from 2004 through 2013. Data were collated for these two discrete periods in order to evaluate whether new development patterns and demand trends in the residential market had impacted student generation rates for recently built units. Student generation rates for units constructed from 2004 to 2013 were drawn from an earlier TischlerBise study, finished in May 2015. In some cases, data from these two periods are combined due to availability limitations, as detailed in Appendix A.

Rates are provided for each of the five housing unit types used in the impact fee analysis for each level of school facility: (1) Elementary; (2) Middle; and (3) High. For single family detached homes, separate rates are included for 0-3 bedroom and 4+ bedroom units. For single family attached and multifamily units, separate rates are provided for 0-2 bedroom and 3+ bedroom units. Rates for single family detached (less than 800 square feet) units and manufactured homes are not segmented by bedroom count given the smaller square footage of these types of units. Student generation rates for OCS are shown below in Figure 2.

⁷ Student generation rates are calculated separately for each school system in the County. (See Appendix A for more detail.)

Figure 2. Student Generation Rates: OCS

Type of Unit	School Level			Total
	Elementary (PK-5)	Middle (6-8)	High (9-12)	
Single Family Detached				
0-3 Bedrooms	0.166	0.088	0.125	0.379
4+ Bedrooms	0.126	0.069	0.087	0.283
Total	0.152	0.081	0.112	0.346
Single Family Detached (< 800 Sq. Ft.)	0.066	0.020	0.023	0.108
Single Family Attached				
0-2 Bedrooms	0.059	0.029	0.029	0.118
3+ Bedrooms	0.065	0.047	0.060	0.172
Total	0.064	0.045	0.056	0.165
Multifamily				
0-2 Bedrooms	0.033	0.017	0.033	0.083
3+ Bedrooms	0.383	0.128	0.162	0.673
Total	0.088	0.035	0.053	0.176
Manufactured	0.136	0.057	0.068	0.262

As shown above, a 0-3 bedroom single family detached unit is estimated to generate a total of 0.379 students (with 0.166 in elementary grades, 0.088 in middle school grades, and 0.125 in high school grades), a 4+ bedroom single family detached unit is estimated to generate a total of 0.283 students, and a single family detached unit with less than 800 square feet generates a total of 0.108. For single family attached, a 0-2 bedroom unit is estimated to generate a total of 0.118 students and a 3+ bedroom unit is estimated to generate a total of 0.172; for multifamily units, a 0-2 bedroom unit is estimated to generate a total of 0.083 students and 3+ bedroom unit is estimated to generate 0.673; and a manufactured home is estimated to generate a total of 0.262 students per unit.

Additionally, TischlerBise calculated a generation rate for age-restricted units (those units in developments that restrict the number of units with occupants aged under 55 years old) based on data provided by Epcn Communities. This type of community is relatively new to the development landscape in the Raleigh-Durham-Chapel Hill region. Figure 3 shows available data, which yields a student generation rate of 0.019. As these developments reach maturity and other age-restricted communities come to market, TischlerBise recommends updating the student generation rate calculation for age-restricted units.

Figure 3. Age-Restricted Unit Generation Rates

Development	Location	Homes	Head of Household <55 y.o.	School Age Children
Courtyards at Culp Arbor	Durham, NC	69	2	0
Courtyards at Cary	Cary, NC	15	0	0
Courtyards at Okelly-Chapel	Cary, NC	22	2	0
Villas at Maple Creek	Westerville, OH	52	2	3
		158	6	3

Student Generation Rate	0.019
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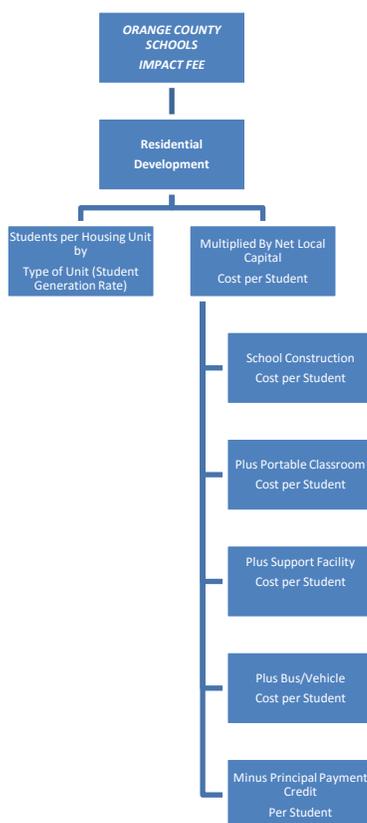
Source: Epcn Communities

Impact Fees: Orange County Schools

METHODOLOGY

The OCS impact fee methodology is based on current average public school student generation rates, LOS standards, and local costs. Figure 4 illustrates the methodology used to calculate the fee. The school impact fees use an incremental expansion approach, which documents the current LOS for public facilities in both quantitative and qualitative measures. The intent is to use impact fee revenue to expand or provide additional facilities, as needed to accommodate new development, based on the current LOS and cost to provide capital improvements. All school levels are included in the fees. Costs for school buildings, portable classrooms, support facilities, and buses/vehicles are included in the fee. The costs are adjusted to account for estimated State funding for capacity projects; therefore, the fees reflect the County's share of the total costs. Finally, a credit for future principal payments on existing debt is included.

Figure 4. Impact Fee Methodology Chart: OCS



BUILDING LEVEL OF SERVICE STANDARDS

This section provides current inventories of elementary, middle, and high schools in the OCS system. The data contained in these tables are used to determine infrastructure standards for school buildings and sites on which the impact fees are based. The draft 2016 *Orange County, NC Schools Adequate Public Facility Ordinance Annual Report* provides current adopted LOS by school type that are used for the impact fee study. LOS means the amount of students that can be accommodated at a certain school system level. Figure 5 provides the adopted LOS standards.

Figure 5. LOS Standards: OCS

LEVEL OF SERVICE STANDARDS	OCS
Elementary (K-5)	105%
Middle (6-8)	107%
High (9-12)	110%

Source: Orange County, NC, Schools Adequate Public Facilities Ordinance Annual Report 2016 (Draft)

OCS Elementary Schools

The inventory and current LOS for OCS elementary schools are shown below in Figure 6. As indicated below, elementary school buildings have a total of 530,612 square feet of floor area and six portable classrooms. Total enrollment in all elementary schools is 3,318. LOS factors for OCS elementary schools are also shown in Figure 6. The adopted LOS standards (based on 105 percent capacity) for school buildings and portables are shown highlighted in the figure below. As shown, the LOS factors on which the impact fees are based are 136.80 square feet and 0.0015 portable classrooms per student. It should be noted that the capacity figures reflect mandated reduced class size for Grades K-3 from 1:23 to 1:21, reflecting actual current LOS and the standards by which new schools will be planned and built.

Figure 6. OCS Elementary Schools

ELEMENTARY SCHOOLS (K-5) Inventory, Enrollment, and Levels of Service Facility	Building Square Feet	Portables Classrooms	SAPFO SY 15-16 Membership [1]	Capacity	Current Level of Service
Cameron Park Elementary	70,812	2	609	565	108%
Central Elementary	61,382	0	319	455	70%
Efland Cheeks Elementary	65,084	0	428	497	86%
Grady Brown Elementary	75,016	1	486	544	89%
Hillsborough Elementary	72,872	0	466	471	99%
New Hope Elementary	100,164	2	621	586	106%
Pathways Elementary	85,282	1	389	576	68%
TOTALS	530,612	6	3,318	3,694	90%

Elementary School Levels of Service	Demand Units (Students)	Building SF	Portables
LOS per Student based on Current Enrollment	3,318	159.92	0.0018
LOS per Student based on Capacity	3,694	143.64	0.0016
LOS based on Adopted LOS Standard (105%)	3,879	136.80	0.0015

[1] SAPFO Capture Date Membership, Nov. 13, 2015

Source: Orange County; OCS

OCS Middle Schools

The inventory and current LOS for OCS middle schools are shown below in Figure 7. As indicated below, middle school buildings have a total of 390,933 square feet of floor area. There are no portable classrooms. Total enrollment in all middle schools is 1,739. LOS factors for OCS middle schools are shown in Figure 7. The adopted LOS standards (based on 107 percent capacity) for school buildings and portables are shown highlighted in the figure below. As shown, the LOS factors on which the impact fees are based are 168.68 square feet and 0.000 portable classrooms per student.

Figure 7. OCS Middle Schools

MIDDLE SCHOOLS (6-8) Inventory, Enrollment, and Utilization Facility	Building Square Feet	Portables Classrooms	SAPFO SY 15-16 Membership [1]	Capacity	Level of Service
A.L. Stanback Middle	136,000	0	635	740	86%
C.W. Stanford Middle	132,140	0	654	726	90%
Gravelly Hill Middle	122,793	0	450	700	64%
TOTALS	390,933	0	1,739	2,166	80%

<i>Middle School Levels of Service</i>	<i>Demand Units (Students)</i>	<i>Building SF</i>	<i>Portables</i>
LOS per Student based on Current Enrollment	1,739	224.80	0.000
LOS per Student based on Capacity	2,166	180.49	0.000
LOS based on Adopted LOS Standard (107%)	2,318	168.68	0.000

[1] SAPFO Capture Date Membership, Nov. 13, 2015

Source: Orange County; OCS

OCS High Schools

The inventory and current LOS for OCS high schools are shown below in Figure 8. As indicated below, high school buildings have a total of 430,703 square feet of floor area. There are no portable classrooms. Total enrollment in all high schools is 2,469. LOS factors for OCS high schools are shown in Figure 8. The adopted LOS standards (based on 110 percent capacity) for school buildings and portables are shown highlighted in the figure below. As shown, the LOS factors on which the impact fees are based are 160.54 square feet and 0.000 portable classrooms per student.

Figure 8. OCS High Schools

HIGH SCHOOLS (9-12) Inventory, Enrollment, and Utilization Facility	Building Square Feet	Portables Classrooms	SAPFO SY 15-16 Membership [1]	Capacity	Level of Service
Orange High	217,203	0	1,298	1,399	93%
Cedar Ridge High	206,900	0	1,140	1,000	114%
Partnership Academy	6,600	0	31	40	78%
TOTALS	430,703	0	2,469	2,439	101%

<i>High School Levels of Service</i>	<i>Demand Units (Students)</i>	<i>Building SF</i>	<i>Portables</i>
LOS per Student based on Current Enrollment	2,469	174.44	0.000
LOS per Student based on Capacity	2,439	176.59	0.000
LOS based on Adopted LOS Standard (110%)	2,683	160.54	0.000

[1] SAPFO Capture Date Membership, Nov. 13, 2015

Source: Orange County; OCS

SCHOOL CONSTRUCTION COSTS

TischlerBise analyzed costs for school construction in the OCS system. Costs for completed and planned school projects in OCS were provided by the Orange County Finance Office and OCS. TischlerBise adjusted previous costs to current (2016 Q1) dollars, where appropriate, using the Turner Building Index, a well-known and widely available construction price index. Current school costs represent the average costs to construct elementary, middle, and high schools in the OCS System. As shown in Figure 9, construction costs average between \$202 and \$252 per square foot. Specifically, the costs are as follows—elementary: \$202 per square foot; middle: \$223 per square foot; and high: \$219 per square foot.

Figure 9. School Project Costs

School	Year	Cost	Index Factor	Adjusted Cost [1]	Square Feet	Cost per SF	Capacity	Cost per Seat
Elementary School Prototype (per seat) [2]	-	\$27,678	-	\$27,678	136.80	\$202	1	\$27,678
Gravelly Hill Middle	2006	\$22,369,811	122%	\$27,362,821	122,793	\$223	700	\$39,090
Cedar Ridge High	2003	\$27,987,060	156%	\$43,715,698	206,900	\$211	1,000	\$43,716
Planned Cedar Ridge High Addition [3]	2017	\$12,583,000	N/A	\$12,583,000	50,000	\$252	500	\$25,166
			<i>High Subtotal</i>	<i>\$56,298,698</i>	<i>256,900</i>	<i>\$219</i>	<i>1,500</i>	<i>\$37,532</i>
		\$62,967,549		\$83,689,196	379,830	\$220	2,201	\$38,023

[1] Adjusted using the Turner Building Cost Index, 2016 First Quarter Forecast

[2] Derived as a percentage of the CHCCS cost per sq. ft. for elementary schools. TischlerBise defined a) the relationship between OCS and CHCCS of the average cost per sq. ft. for all recent school projects and b) the relationship between CHCCS's elementary school and its middle and high schools. These two percentages are then multiplied by CHCCS's cost per sq. ft. for middle schools to derive the OCS cost.

[3] The cost estimate for this project is in 2015 dollars and was not index-adjusted. Adjusted cost subtotals and totals include this unadjusted cost.

PORTABLE CLASSROOM COSTS

Orange County currently uses portable classrooms for additional classroom capacity with a total of 6 classrooms in use currently. The cost for each portable classroom is \$78,000, per Orange County staff.

SUPPORT FACILITIES

The impact fees also include costs to provide support facilities such as administrative office space, maintenance facilities, and bus garages. For OCS, support facilities include Board of Education office space and the Maintenance Shop. The joint-use Transportation Facility serves both school systems in the county and, therefore, costs are allocated to current enrollment in *both districts* (see Appendix A). Costs were confirmed with OCS staff. The following two figures reflect current LOS and cost factors for these facilities.

Figure 10. Support Facilities – OCS

Facility	Square Feet	Cost Per Sq Ft	Bldg Cost
Board of Education (OCS)	6,210	\$200	\$1,242,000
Maintenance Shop (OCS)	17,559	\$200	\$3,511,800
Total	23,769	\$200	\$4,753,800

Current Total OCS Enrollment	7,526
Building LOS (sq. ft. per student)	3.16
<i>Building Cost per Student</i>	<i>\$631.65</i>

Source: Orange County Schools

Figure 11. Support Facilities – Serving OCS and CHCCS

Facility	Square Feet	Cost Per Sq Ft	Total Cost
Transportation Facility*	11,704	\$200	\$2,340,800
Total	11,704	\$200	\$2,340,800

Current Total CHCCS and OCS Enrollment	19,572
LOS (sq. ft. per student)	0.5980
Cost per Student	\$119.60

* Serves both OCS and CHCCS Districts

Source: Orange County Schools

BUS / VEHICLES COSTS

Another infrastructure component included in the impact fee is buses and vehicles. New buses and vehicles will need to be purchased to accommodate increased enrollment. Total current value of the fleet is estimated at approximately \$8.8 million, which equates to a current cost of almost \$1,200 per student. LOS and costs are provided below in Figure 12 for the OCS fleet.

Figure 12. Buses / Vehicles LOS and Costs: OCS

Type	Number of Units	Cost/Bus	Total Cost
OCS Buses	79	\$83,690	\$6,611,510
OCS Activity Buses	15	\$84,144	\$1,262,160
Other Vehicles	30	\$30,000	\$900,000
Total	124	\$70,755	\$8,773,670

Source: OCS

Current Total OCS Enrollment	7,526
Buses/Vehicles per Student	0.016
Cost per Student	\$1,165.78

ADJUSTMENT FOR NON-LOCAL FUNDING

To adequately reflect the local share of capacity costs, the impact fees need to be adjusted to account for State funding for capacity improvements. Orange County estimates that the County receives one percent of the costs for capacity improvements from the state. Therefore the local share is adjusted to represent 99 percent of the total. (Other contributions from the State are used for maintenance and other non-capacity related improvements.)

CREDIT FOR FUTURE PRINCIPAL PAYMENTS ON SCHOOL IMPROVEMENTS

Because the County debt-financed a portion of recent school capacity expansion construction costs, a credit is included for future principal payments on outstanding debt. A credit is necessary since new residential units that will pay the impact fee will also contribute to future principal payments on this remaining debt through property taxes. A credit is not necessary for interest payments because interest costs are not included in the costs.

Information on outstanding debt for OCS was provided by Orange County Finance Department staff. School improvements and applicable bond issues are indicated in Figure 13 below. As shown, total outstanding debt from school capacity expansion projects for OCS is estimated at approximately \$21 million. Annual principal payments are divided by student enrollment in each year to get a per student credit. (For example, in FY 2018, the total amount of projected principal to be paid of \$2,182,155 is divided by enrollment of 7,610 for a payment per student of \$287.) To account for the time value of money, annual payments per student are discounted using a net present value formula based on an average current interest rate of 2.55 percent. The total net present value of future principal payments per student is \$2,429.24. This amount is subtracted from the gross capital cost per student amount to derive a net capital cost per student for school facilities.

Figure 13. Credit for Future Principal Payments: OCS

<i>Fiscal Year</i>	<i>2010 Projected Principal ⁽¹⁾</i>	<i>2011 Projected Principal ⁽²⁾</i>	<i>2012 Projected Principal ⁽³⁾</i>	<i>2015 Projected Principal ⁽⁴⁾</i>	<i>Total</i>	<i>Total Students</i>	<i>Payment Per Student</i>
2016	\$667,145	\$310,276	\$420,569	\$989,831	\$2,387,821	7,560	\$316
2017	\$660,406	\$304,394	\$412,115	\$957,458	\$2,334,373	7,597	\$307
2018	\$665,460	\$624,964	\$0	\$891,731	\$2,182,155	7,610	\$287
2019	\$1,034,411	\$908,771	\$653,044	\$131,454	\$2,727,680	7,654	\$356
2020	\$1,031,042	\$901,419	\$1,020,777	\$0	\$2,953,237	7,678	\$385
2021	\$1,025,988	\$1,626,377	\$0	\$0	\$2,652,365	7,708	\$344
2022	\$587,963	\$1,980,768	\$0	\$0	\$2,568,732	7,778	\$330
2023	\$0	\$446,506	\$1,642,120	\$0	\$2,088,626	7,807	\$268
2024	\$0	\$0	\$1,082,066	\$0	\$1,082,066	7,817	\$138
Total	\$5,672,414	\$7,103,476	\$5,230,690	\$2,970,475	\$20,977,055		\$2,731

Discount Rate [6] 2.55%

Net Present Value \$2,429.24

(1) Cedar Ridge HS, Gravelly Hill MS, Hillsborough Elem (issued in March 2010) - Refunding 2010

(2) Gravelly Hill MS (issued in November 2011) - Refunding 2011

(3) Gravelly Hill MS (issued in December 2012) - Refunding 2012

(4) Cedar Ridge HS, Pathways Elem (issued in April 2015) - Refunding 2015

(5) See Appendix for enrollment projections

(6) To account for the time value money, total payment per student is discounted using a net present value formula assuming the average interest rate from outstanding debt as shown.

SCHOOL IMPACT FEE INPUT VARIABLES

Factors used to derive the OCS impact fee are summarized in Figure 14. Impact fees for schools are based on student generation rates (i.e., public school students per housing unit) and are only implemented on residential development. LOS standards are based on current costs per student for school buildings, portable classrooms, support facilities, and buses/vehicles as described in the previous sections and summarized below. Also included in the fee is the cost for preparation of the impact fee study. The consultant study cost per student is calculated based on the projected increase in student enrollment (based on SAPFO projections; see Appendix A) in CHCCS and OCS over the next three years and is added to the capital cost per student to derive the total cost per student. Three years reflect the typical length of time before the impact fees should be reexamined to reflect changes in development and levels of service.

The total gross capital cost per student is the sum of the boxed cost components. For example, for the elementary school portion, the calculation is as follows: \$27,687.24 [building construction] + \$120.66 [portable] + \$751.25 [support facilities] + \$1,165.78[buses] + \$134.92 [consultant cost] = \$29,850.85 total gross cost per student.

This cost is then adjusted to reflect the local share of the cost at 99 percent, or \$29,552.34 per student. The credit for future principal payments (\$2,429.24) is then subtracted from the gross local capital cost per student to derive the net local capital cost per student (\$27,123.09) for elementary schools. The same approach is followed for middle and high schools.

Figure 14. Schools Impact Fee Input Variables: OCS

Current Level of Service Standards				
	<i>Elementary</i>	<i>Middle</i>	<i>High</i>	
Square Feet per Student	136.80	168.68	160.54	
Cost per Sq. Ft.	\$202	\$223	\$219	
Total Building Construction Cost per Student	\$27,678.24	\$37,587.84	\$35,180.96	
Portable Classrooms per Student	0.0015	0.0000	0.0000	
Cost per Portable Classroom	\$78,000	\$78,000	\$78,000	
Portable Classroom Cost per Student	\$120.66	\$0.00	\$0.00	
OCS Support Facilities per Student (Sq. Ft.)	3.16	3.16	3.16	
Cost per Sq. Ft.	\$200	\$200	\$200	
OCS/CHCCS Transp. Facility per Student (Sq. Ft.)	0.60	0.60	0.60	
Cost per Sq. Ft.	\$200	\$200	\$200	
Support Facility Cost per Student	\$751.25	\$751.25	\$751.25	
Buses/Vehicles per Student	0.01648	0.01648	0.01648	
Weighted Average Cost per Bus/Vehicle	\$70,755	\$70,755	\$70,755	
Bus/Vehicle Cost per Student	\$1,165.78	\$1,165.78	\$1,165.78	
Consultant Study Cost per Student	\$134.92	\$134.92	\$134.92	
Total Gross Cost Per Student	\$29,850.85	\$39,639.79	\$37,232.91	
Local Share of Capacity Cost	99%	99%	99%	
Total Gross Local Capital Cost per Student	\$29,552.34	\$39,243.39	\$36,860.58	
Principal Payment Credit per Student	(\$2,429.24)	(\$2,429.24)	(\$2,429.24)	
Total Net Local Capital Cost per Student	\$27,123.09	\$36,814.15	\$34,431.34	
Average Capital Cost per Student (all levels)			\$32,789.53	

MAXIMUM SUPPORTABLE IMPACT FEES FOR ORANGE COUNTY SCHOOLS

Figure 15 shows the schedule of maximum supportable impact fees for OCS. The fees are calculated by multiplying the student generation rate for each housing type (shown at the top of Figure 15) by the net capital cost per student for each type of school. Each component is then added together to derive the total public school impact fee.

For example, for a 0-3 bedroom single family detached unit, the elementary school portion of the fee is calculated by multiplying the student generation rate of 0.166 by the net local capital cost per elementary student of \$27,123.09, which results in a fee of \$4,502 (truncated). This is repeated for the other school levels. The three portions of the fee are added together to calculate the total fee by type of residential

unit (i.e., for 0-3 bedroom single family detached: \$4,502 + \$3,239 + \$4,303 = \$12,044.)⁸ For age-restricted units, the student generation rate of 0.019 is multiplied by the average total net local capital cost per student for all school levels (\$32,789.53), since the school level of generated pupils was not available in the Epcon Communities data. This results in a fee of \$623 per unit.

Figure 15. Maximum Supportable Schools Impact Fees: OCS

INPUT VARIABLES: Orange County Schools					
		School Level			
Public School Students per Housing Unit		Elementary	Middle	High	Total
Single Family Detached					
0-3 Bedrooms		0.166	0.088	0.125	0.379
4+ Bedrooms		0.126	0.069	0.087	0.283
Average		0.152	0.081	0.112	0.346
Single Family Detached (<800 Sq. Ft.)					
		0.066	0.020	0.023	0.108
Single Family Attached					
0-2 Bedrooms		0.059	0.029	0.029	0.118
3+ Bedrooms		0.065	0.047	0.060	0.172
Average		0.064	0.045	0.056	0.165
Multifamily					
0-2 Bedrooms		0.033	0.017	0.033	0.083
3+ Bedrooms		0.383	0.128	0.162	0.673
Average		0.088	0.035	0.053	0.176
Manufactured Unit					
		0.136	0.057	0.068	0.262
Age-Restricted Unit					
					0.019
Cost Factors					
Total Net Local Capital Cost per Student		\$27,123.09	\$36,814.15	\$34,431.34	
Average Capital Cost per Student (all levels)				\$32,789.53	
MAXIMUM ALLOWABLE SCHOOL IMPACT FEES: Orange County Schools					
Impact Fee per Housing Unit		Elementary	Middle	High	TOTAL
Single Family Detached					
0-3 Bedrooms		\$4,502	\$3,239	\$4,303	\$12,044
4+ Bedrooms		\$3,417	\$2,540	\$2,995	\$8,952
Single Family Detached Average		\$4,122	\$2,981	\$3,856	\$10,959
Single Family Detached (<800 Sq. Ft.)					
		\$1,790	\$736	\$791	\$3,317
Single Family Attached					
0-2 Bedrooms		\$1,600	\$1,067	\$998	\$3,665
3+ Bedrooms		\$1,763	\$1,730	\$2,065	\$5,558
Single Family Attached Average		\$1,735	\$1,656	\$1,928	\$5,319
Multifamily					
0-2 Bedrooms		\$895	\$625	\$1,136	\$2,656
3+ Bedrooms		\$10,388	\$4,712	\$5,577	\$20,677
Multifamily Average		\$2,386	\$1,288	\$1,824	\$5,498
Manufactured Unit					
		\$3,688	\$2,098	\$2,341	\$8,127
Age-Restricted Unit					
					\$623

⁸ Because the analysis uses figures carried to their ultimate decimal places, the sums and products shown may not equal the sum or product if the reader replicates the calculation with the factors shown in the report.

Cash Flow Projections

This section summarizes the potential cash flow to Orange County if impact fees are implemented for OCS at the maximum supportable amounts as detailed in this report. Figure 16 provides a summary of the projected cash flow from the impact fees and associated capital costs over a five- year period.

School impact fee revenue averages approximately \$3.5 million per year over the first five years, or almost \$17.7 million, if the fees are implemented at the maximum supportable level. The related school local capital costs average approximately \$3.8 million per year, or \$19 million over five years. Based on the projected impact fee revenues and associated costs, the fees are projected to cover approximately 93 percent of the projected related capital costs. Funds can be accumulated for several years in order to construct a major project.

Since the school impact fee includes a credit for existing debt, an overall deficit for schools is projected. The projected deficit, indicated by “()” around the numbers, will require supplemental revenue of approximately \$278,000 per year. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the fee revenue and related capital costs. See Appendix A of this report for discussion of the development projections that drive the cash flow analysis.

Figure 16. Cash Flow Projections: OCS

	1	2	3	4	5	5-Year Average Annual	5-Year Cumulative Total	10-Year Average Annual	10-Year Cumulative Total
	2016	2017	2018	2019	2020				
PROJECTED REVENUES									
SCHOOLS									
1 Single Family Detached	\$2,617	\$2,617	\$2,617	\$2,617	\$2,617	\$2,617	\$13,085	\$2,617.01	\$26,170
2 Single Family Attached	\$318	\$318	\$318	\$318	\$318	\$318	\$1,588	\$318	\$3,175
3 Multifamily	\$438	\$438	\$438	\$438	\$438	\$438	\$2,188	\$438	\$4,376
4 Manufactured	\$162	\$162	\$162	\$162	\$162	\$162	\$809	\$162	\$1,617
<i>Subtotal Schools Fees</i>	\$3,534	\$3,534	\$3,534	\$3,534	\$3,534	\$3,534	\$17,670	\$3,534	\$35,339
TOTAL FEE REVENUE	\$3,534	\$3,534	\$3,534	\$3,534	\$3,534	\$3,534	\$17,670	\$3,534	\$35,339
PROJECTED CAPITAL COSTS (Local Share)									
SCHOOLS									
Schools - Elementary	\$1,474	\$1,474	\$1,474	\$1,474	\$1,474	\$1,474	\$7,371	\$1,474	\$14,743
Schools - Middle	\$1,020	\$1,020	\$1,020	\$1,020	\$1,020	\$1,020	\$5,102	\$1,020	\$10,203
Schools - High	\$1,317	\$1,317	\$1,317	\$1,317	\$1,317	\$1,317	\$6,586	\$1,317	\$13,172
<i>Subtotal Schools Costs</i>	\$3,812	\$3,812	\$3,812	\$3,812	\$3,812	\$3,812	\$19,059	\$3,812	\$38,119
TOTAL CAPITAL COSTS	\$3,812	\$3,812	\$3,812	\$3,812	\$3,812	\$3,812	\$19,059	\$3,812	\$38,119
NET CAPITAL FACILITIES CASH FLOW Schools									
Annual Surplus (or Deficit)	(\$278)	(\$278)	(\$278)	(\$278)	(\$278)	(\$278)		Current \$ in thousands (\$278)	
Cumulative Surplus (or Deficit)	(\$278)	(\$556)	(\$834)	(\$1,112)	(\$1,390)		(\$1,390)		(\$2,779)

Implementation and Administration

ACCOUNTING

Impact fees should be paid at time of building permit. Certain accounting procedures should be followed by the County. For example, monies received should be placed in a separate fund and accounted for separately and may only be used for the purposes authorized in the impact fee ordinance. Interest earned on monies in the separate fund should be credited to the fund.

COST UPDATES

All costs in the impact fee calculations are given in current dollars with no assumed inflation over time. Necessary cost adjustments can be made as part of the recommended annual evaluation and update of the fees. One approach is to adjust for inflation in construction costs by means of an index specific to construction as opposed to the consumer price index (CPI), which is more general in nature. TischlerBise recommends using the Marshall Swift Valuation Service, which provides comparative cost multipliers for various geographies and types of construction. The multipliers can be applied against the calculated impact fee. If cost estimates or other factors change significantly the County should redo the fee calculations. A full update is recommended every 3 to 5 years to reflect changes in development trends, infrastructure capacities, costs, funding formulas, etc.

CREDITS AND REIMBURSEMENTS

Future Revenue Credits

OCS impact fees are calculated using an incremental approach. This method documents current factors and is best suited for public facilities that will be expanded incrementally in the future. Because new development will provide front-end funding of infrastructure, there is a potential for double payment of capital costs due to future principal payments on existing debt for public facilities. A credit is not necessary for interest payments because interest costs are not included in the fees. This type of credit is incorporated into the County schools impact fees due to outstanding debt on OCS school capacity expansions and land acquisition.

Site-Specific Credits

A site-specific credit should be considered for contributions of system improvements that have been included in the impact fee calculations. If a developer constructs the type of system improvements included in the fee calculations, it will be necessary to either reimburse the developer or provide a credit against the fees for that portion of the fee. The latter option is more difficult to administer because it creates unique fees for specific geographic areas. Based on TischlerBise's experience, it is better for the County to establish a reimbursement agreement with the developer constructing the system improvement. The reimbursement agreement should be limited to a payback period of no more than ten

years and the County should not pay interest on the outstanding balance. The developer must provide sufficient documentation of the actual cost incurred for the system improvement. The County should only agree to pay the lesser of the actual construction cost or the estimated cost used in the impact fee analysis. If the County pays more than the cost used in the fee analysis, there will be insufficient fee revenue. Reimbursement agreements should only obligate the County to reimburse developers annually according to actual fee collections from the benefiting area.

COLLECTION AND EXPENDITURE ZONES

The reasonableness of impact fees is determined in part by their relationship to the local government's burden to provide necessary public facilities. The need to show a substantial benefit usually requires communities to evaluate collection and expenditure zones for public facilities that have distinct geographic service areas.

TischlerBise analyzed school impact fees in the County separately for each school system that serves residential development in Orange County—OCS and CHCCS. The end result is two separate fee studies with two impact fee schedules. For the County School system, one area is appropriate because capacity improvements are needed at all levels throughout the County system and County schools will occasionally re-district to accommodate growth and available capacity.

IMPACT FEE ACT

The Act providing Orange County with the authority to collect school impact fees is provided in Appendix B.

Appendix A: Demographic Data

OVERVIEW

As part of our Work Scope, TischlerBise has prepared documentation on demographic data and development projections used in the Schools Impact Fee Studies. Two studies have been conducted for Orange County: (1) OCS and (2) CHCCS. This Appendix covers both school systems in the County, while the body of the report reflects CHCCS only. (The OCS report is issued under separate cover.) The demographic data estimates for the school year 2006-2007 are used in the fee calculations.

Impact fees can be defined as new growth's fair share of the cost to provide necessary capital facilities. Fee revenue must be used for capacity expansions and cannot be used for operations or maintenance costs. In determining the reasonableness of these one-time fees, the fee must meet three requirements: (1) **Impact / Need:** The needed capital facilities are a consequence of new development; (2) **Proportionality:** Fees represent a proportionate share of the cost; and (3) **Benefit:** Revenues are managed and expended in such a way that new development receives a substantial benefit. The demographic data and analysis provided in this section provide the foundation to meet the first two requirements listed above.

The development projections are used to establish a need for future infrastructure due to growth as well as to have an understanding of the possible future pace of service demands, revenues from impact fees, and projected capital expenditures. To the extent development slows or accelerates, there will be virtually no effect on the fee amount.

Please note that calculations throughout are based on an analysis that was conducted using Excel software. Results are discussed using whole numbers or one- to three-digit places, which represent rounded figures. However, the analysis itself uses figures carried to their ultimate decimal places; therefore the sums and products generated in the analysis may not equal the sum or product if the reader replicates the calculation with the factors shown in the report (due to the rounding of figures shown, not in the analysis).

POPULATION AND HOUSING GROWTH

To provide context for public school student enrollment growth in Orange County, the following section provides information on population and housing growth in the county. The total population residing in housing units in the county in 2010, according to the U.S. Census (corrected), was 124,244. In addition, 9,557 persons were estimated to reside in group quarters. When added together, the total estimated county population in 2010 was 133,801 (up from 115,531 in 2000, an increase of 18,270 residents over ten years). The estimated number of housing units in the county in 2010 was 55,597, an increase of 7,891 housing units since 2000.

Estimated average household size for all types of units is 2.23 persons, which is derived by dividing persons residing in housing units by total number of housing units (124,244 population in households / 55,597 housing units = 2.23 persons per housing unit).

Figure A1 provides further detail on a comparison of 2000 and 2010 Census data for Orange County.

Figure A1. U.S. Census Population and Housing Units

	2000	2010	Increase / (Decrease)
Population in Households	105,585	124,244	18,659
Group Quarters Population	9,946	9,557	(389)
Total County Population	115,531	133,801	18,270
Estimated Housing Units	47,706	55,597	7,891
Average Persons per Housing Unit	2.21	2.23	

Source: U.S. Census Bureau 2010 Census

The U.S. Census Bureau estimates that the July 2014 population in Orange County rose to 140,420. Additionally, TischlerBise obtained total housing unit estimates for May 2014 from Orange County, based on the County's Land Records and May 2014 Addresses GIS shapefile. Figure A2 details May 2014 housing unit counts for Orange County, CHCCS, and OCS. For CHCCS, the housing unit counts reflect units located in Chapel Hill and Carrboro and the portion of Orange County that falls within CHCCS. For OCS, building permit data includes other units in the county and the Town of Hillsborough within the OCS system.

Figure A2. 2014 Housing Units

	Orange County Housing Units				
	SF Detached	SF Attached	Multifamily	Manufactured	Total
Total Orange County Housing Stock	36,443	2,191	14,621	4,674	57,929
<i>Share by Type</i>	63%	4%	25%	8%	100%
Subtotal Housing Stock in CHCCSD	18,778	1,493	13,472	513	34,256
<i>Share by Type</i>	55%	4%	39%	2%	100%
Subtotal Housing Stock in OCSD	17,665	698	1,149	4,161	23,673
<i>Share by Type</i>	75%	3%	5%	17%	100%

Source: Orange County Land Records/GIS May 2014 Addresses shapefile

It is assumed that the group quarters data remained the same from 2010 (this figure is not separated from total population in non-decennial census estimates), since this figure is largely driven by University of North Carolina at Chapel Hill dormitory populations. Under that assumption, the total population living in housing units in 2014 was approximately 130,863.

Orange County Schools (OCS)

Based on household characteristics and discussions with County staff, as well as to ensure proportionality, five housing unit types are recommended for the OCS impact fees: (1) Single Family Detached, (2) Single Family Detached Units Less than 800 Sq. Ft., (3) Single Family Attached (e.g., townhomes), (4) Multifamily (e.g., apartments), and (5) Manufactured Homes. In the previous study, Single Family Attached and Multifamily were grouped into one category. However, they are separated in this update to track with changing development patterns. Impact fees are calculated by type of unit and bedroom count (the latter is further detailed below).

As shown, a total of 3,320 new housing units were built from January 1, 2004, to December 31, 2013. The majority of new units are single family detached (almost 69 percent), followed by approximately 17 percent multifamily, and 9 percent single family attached/duplex. The remainder are manufactured homes. The mix of new units by type is used to project future housing unit growth later in this report. Further detail is provided below in Figure A3.

Figure A3. Housing Unit Growth 2004-2013: OCS

Housing Units	2004	2013	Net Increase 2004-2013	% of New Units
SF Detached	13,096	15,390	2,294	69%
SF Attached/Duplex	162	451	289	9%
Multifamily/Other	1,176	1,746	570	17%
Manufactured Home	5,451	5,618	167	5%
<i>Total</i>	19,885	23,205	3,320	100%

Source: Orange County

Chapel Hill-Carrboro City Schools (CHCCS)

Based on household characteristics and to ensure proportionality, five housing unit types are recommended for the CHCCS impact fees: (1) Single Family Detached, (2) Single Family Detached Units Less than 800 Sq. Ft., (3) Single Family Attached (e.g., townhomes), (4) Multifamily (e.g., apartments) and (5) Manufactured Homes. CHCCS has a significant number of multifamily units that do not generate a large number of school-age children due to the presence of the University of North Carolina at Chapel Hill. Impact fees are calculated by type of unit and bedroom count (the latter is further detailed below).

As shown, a total of 2,730 new housing units were built from January 1, 2004, to December 31, 2013. Units are relatively split between single family detached (38 percent), multifamily (34 percent), and single family detached (28 percent). Nine manufactured units were added during this time, a negligible amount. The mix of new units by type is used to project future housing unit growth later in this report. Further detail is provided below in Figure A4.

Figure A4. Housing Unit Growth 2004-2013: CHCCS

Housing Units	2004	2013	Net Increase 2004-2013	% of New Units
SF Detached	14,261	15,304	1,043	38%
SF Attached/Duplex	2,243	3,005	762	28%
Multifamily/Other	16,052	16,968	916	34%
Manufactured Home	1,060	1,069	9	0%
<i>Total</i>	33,616	36,346	2,730	100%

Source: Orange County

ESTIMATED STUDENT GENERATION RATES

TischlerBise calculated student generation rates for each school system in Orange County based on data from Orange County. The term “student generation rate” refers to the number of public school students per housing unit in each school system: OCS and CHCCS. Public school students are a subset of school-aged children, which includes students in private schools and home-schooled children.

Student generation rates are important demographic factors that help account for variations in demand for school facilities by type of housing. Students per housing unit are held constant over the projection period since the impact fees represent a “snapshot approach” of current levels of service and costs.

The student generation rates were calculated using student address data geocoded to Orange County land records tracking housing unit types. These data were analyzed for units built during two different time periods: prior to 2004, and from 2004 through 2013. Data were collated for these two discrete periods in order to evaluate whether new development patterns and demand trends in the residential market had impacted student generation rates for recently built units. Student generation rates for units constructed from 2004 to 2013 were drawn from an earlier TischlerBise study, finished in May 2015.

Student generation rates were provided by housing unit type for the categories used in each district. That is, for Orange County, rates are provided for each type of unit: (1) Single Family Detached, (2) Single Family Attached/Multifamily, and (3) Manufactured Homes. For CHCCS, rates are provided for: (1) Single Family Detached, (2) Single Family Attached, (3) Multifamily, and (4) Manufactured Homes. In addition, the rates reflect demand by type of school level—elementary, middle, and high.

Initially, TischlerBise and County staff attempted a simple combination of the older and newer student generation and housing unit type data in order to derive student generation rates for housing type categories that are representative of the impact of a housing unit on required school capacity over the entire life of that unit. In order to enhance the specificity of its student generation rates, the County tasked TischlerBise with determining these rates by the size of the unit, measured by bedroom count. To facilitate this process, the County had begun to gather bedroom count attributes for most new units constructed since 2004. Therefore, for the most part, student addresses for new units could be matched to a bedroom count record.

However, bedroom counts were unavailable for units constructed prior to 2004. To determine these figures for the pre-2004 housing stock, TischlerBise used 2005-2007 American Community Survey (ACS) Public Use Microdata Sample (PUMS) data for Public Use Microdata Area (PUMA) 2900 (which includes Orange County and Chatham County) to determine the estimated mix of units by bedroom count for each housing type category. This sample period was the closest to the 2004 cut-off that was still large enough to yield accurate data. The results of this analysis are displayed below in Figure A5.

Figure A5: ACS PUMS Data Bedroom Count by Category Analysis (Unweighted Sample)

Housing Type	Bedroom Count	Count	%
Single Family Detached*	0-3	1,014	66.4%
	4	401	26.3%
	5+	112	7.3%
	Total	1,527	100%
Single Family Attached	0-2	64	55.7%
	3+	51	44.3%
	Total	115	100%
Multifamily	0-2	383	88.5%
	3+	50	11.5%
	Total	433	100%
Manufactured	0-2	100	41.2%
	3+	143	58.8%
	Total	243	100%

*SF Detached <800 Sq. Ft. was not included because there are no bedroom count subcategories

Source: 2005-2007 ACS PUMS data for PUMA 2900

However, the same problems were present with data regarding **students** living in units constructed prior to 2004. As shown in Figure A6 and Figure A7 below, a large number of students generated were from units with unknown bedroom counts. This problem is particularly problematic in the Multifamily and Single Family Attached categories.

Figure A6: OCS Student Counts

	Manufactured		Multifamily			Single Family Attached			Single Family Detached				Total	
	Known 0-2	Known 3+	Unknown	Known 0-2	Known 3+	Unknown	Known 0-2	Known 3+	Unknown	Known <800 Sq. Ft.	Known 0-3	Known 4		Known 5+
Unadjusted														
Elementary	580	136	96	4	3	14	5	1	153	23	1,242	319	44	2,620
Middle	231	77	42	2		1	1	1	94	7	669	177	38	1,340
High	253	107	35	1	1	2	5	1	123	8	993	235	49	1,813
Total	1,064	320	173	7	4	17	11	3	370	38	2,904	731	131	5,773

Figure A7: CHCCS Schools Student Counts

	Manufactured		Multifamily			Single Family Attached			Single Family Detached				Total	
	Known 0-2	Known 3+	Unknown	Known 0-2	Known 3+	Unknown	Known 0-2	Known 3+	Unknown	Known <800 Sq. Ft.	Known 0-3	Known 4		Known 5+
Unadjusted														
Elementary	88	3	719	465	37	19	151	58	112	12	1,308	1,176	348	4,496
Middle	44	2	269	167	16	9	65	26	62	9	701	745	216	2,331
High	42	5	300	228	26	15	75	40	77	3	923	1,078	378	3,190
Total	174	10	1,288	860	79	43	291	124	251	24	2,932	2,999	942	10,017

After testing various strategies to accurately allocate students in units with unknown bedroom counts, TischlerBise, in consultation with the County, determined there was insufficient data to include the entire housing stock. Therefore, TischlerBise, in consultation with County staff, recommends using local data on recently built units (with bedroom counts) and geocoded students data for Multifamily and Single Family Attached rates. This solution avoids a skewed student-to-units ratio that might have resulted from an inaccurate allocation of students from units with unknown bedroom counts.

For Single Family Detached, Single Family Detached <800 Sq. Ft., and Manufactured Homes, students in units with unknown bedroom counts reflect less than 10 percent of the total. Therefore, pre-2004 and 2004-2013 data were combined to derive the student generation rates. For Single Family Detached, students from unknown units were allocated based upon the breakdown of students generated from units with known bedroom counts, as shown in Figure A8 and Figure A9.

For instance, for OCS, a portion of the 153 elementary-level students in unknown bedroom count single family detached units (see Figure A7) are placed in the 0-3 bedroom category by calculating percentage of known students in the category out of all the known students living in single family detached homes (77.1 percent, or $2,904 / [2,904 + 731 + 131]$). Therefore, 118 students (77.1% x 153) are added to the known 0-3 bedroom category (1,242 students) to yield a combined known and unknown student count of 1,360 elementary students.

Figure A8: OCS Single Family Detached Units – Unknown Bedroom Count Student Allocation

	Single Family Detached			
	Unknown	Known 0-3	Known 4	Known 5+
Unadjusted				
Elementary	153	1,242	319	44
Middle	94	669	177	38
High	123	993	235	49
<i>Total</i>	<i>370</i>	<i>2,904</i>	<i>731</i>	<i>131</i>
		77.1%	19.4%	3.5%
Adjusted		Known + Unknown		
Elementary		1,360	349	49
Middle		741	195	41
High		1,088	259	53
<i>Total</i>		<i>3,189</i>	<i>803</i>	<i>144</i>

Figure A9: CHCCS Single Family Detached Units – Unknown Bedroom Count Student Allocation

<i>Unadjusted</i>	Single Family Detached			
	Unknown	Known 0-3	Known 4	Known 5+
Elementary	112	1,308	1,176	348
Middle	62	701	745	216
High	77	923	1,078	378
<i>Total</i>	251	2,932	2,999	942
		42.5%	43.5%	13.7%
<i>Adjusted</i>		Known + Unknown		
Elementary		1,356	1,225	363
Middle		727	772	224
High		956	1,111	389
<i>Total</i>		3,039	3,108	976

STUDENT GENERATION RATES

The 2013-2014 student generation rates for OCS and CHCCS are shown below in Figures A10 and A11, respectively. Rates are provided for each of the five housing unit types used in the impact fee analysis for each level of school facility: (1) Elementary; (2) Middle; and (3) High. For Single Family Detached homes, separate rates are included for 0-2 bedroom, 3 bedroom, and 4+ bedroom units. For Single Family Attached and Multifamily units, separate rates are provided for 0-2 bedroom and 3+ bedroom units. Rates for Single Family Detached <800 Sq. Ft. Units and Manufactured homes are not segmented by bedroom count given the smaller square footage of these types of units.

Additionally, student generation rates are adjusted for the presence of age-restricted developments, as noted in the figure footnotes. A separate rate schedule for age-restricted developments is currently under consideration.

Appendix B: Impact Fee Act

Orange County has been granted authority by the State of North Carolina to implement impact fees for schools, the acquisition of land for open space and greenways, capital improvements to public streets, bridges, sidewalks, bikeways, on and off street surface water drainage ditches, pipes, culverts, other drainage facilities, water and sewer facilities and public recreation facilities. The County is pursuing impact fees for schools at this time. A copy of the applicable sections of the Act is provided in this Appendix.

Note: Only Title VI (Orange County Impact Fees) is shown.

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 460
HOUSE BILL 917

AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL GOVERNMENTS IN
ORANGE AND CHATHAM COUNTIES.

///

TITLE VI. ORANGE COUNTY IMPACT FEES.

Sec. 17. G.S. 153A-331 is amended by identifying the existing provisions as subsection (a) and by adding new subsections to read:

"(b) Impact Fees Authorized.

- (1) Orange County may provide by ordinance for a system of impact fees to be paid by developers to help defray the costs to the County of constructing certain capital improvements, the need for which is created in substantial part by the new development that takes place within the County.
- (2) For purposes of this subsection, the term capital improvements includes the acquisition of land for open space and greenways, capital improvements to public streets, schools, bridges, sidewalks, bikeways, on and off street surface water drainage ditches, pipes, culverts, other drainage facilities, water and sewer facilities and public recreation facilities.
- (3) An ordinance adopted under this subsection may be made applicable to all development that occurs within the County.

(c) Amount of Fees. In establishing the amount of any impact fee, the County shall endeavor to approach the objective of having every development contribute to a capital improvements fund an amount of revenue that bears a reasonable relationship to that development's fair share of the costs of the capital improvements that are needed in part because of that development. In fulfilling this objective, the County shall, among other steps and actions:

- (1) Estimate the total cost of improvements by category (e.g., streets, sidewalks, drainage ways, etc.) that will be needed to provide in a reasonable manner for the public health, safety and welfare of persons residing within the County during a reasonable planning period not to exceed 20 years. The Board of County Commissioners may divide the County into two or more districts and estimate the costs of needed improvements within each district. These estimates shall be periodically reviewed and updated and the planning period used may be changed from time to time.
- (2) Establish a percentage of the total costs of each category of improvement that, in keeping with the objective set forth above, should fairly be borne by those paying the impact fee.
- (3) Establish a formula that fairly and objectively apportions the total costs that are to be borne by those paying impact fees among various types of developments. By way of illustration without limitation:
 - a. In the case of street improvements, the impact fee may be related to the number of trips per day generated by different types of uses according to recognized estimates;

- b. In the case of drainage improvements, the impact fee may be related to the size of a development, the amount of impervious surface the development has, or other factors that bear upon the degree to which a development contributes to the need for drainage improvements made at public expense.
- (d) Capital Improvements Reserve Funds: Expenditures.
- (1) Impact fees received by the County shall be deposited in a capital improvements reserve fund or funds established under Chapter 159 of the General Statutes, Article 3, Part 2. Such funds may be expended only on the type of capital improvements for which such impact fees were established, and then only in accordance with the provision of subsection (2) of this section.
 - (2) In order to ensure that impact fees paid by a particular development are expended on capital improvements that benefit that development, the County may establish for each category of capital improvement for which it collects an impact fee at least two geographical districts or zones, and impact fees generated by developments within those districts or zones must be spent on improvements that are located within or that benefit property located within those districts or zones.
- (e) Credits for Improvements. An impact fee ordinance shall make provision for credits against required fees when a developer installs improvements of a type that generally would be paid for by the County out of a capital reserve account funded by impact fees. The ordinance may spell out the circumstances under which a developer will be allowed to install such improvements and receive such credits.
- (f) Appeals Procedure. An ordinance authorizing impact fees as provided herein may provide that any person aggrieved by a decision regarding an impact fee may appeal to the Orange County Board of Adjustment. If the ordinance establishes an appeals procedure, it shall spell out the time within which the appeal must be taken to the board of adjustment, the possible grounds for an appeal and the board's authority in the matter, whether the fee must be paid prior to resolution of the appeal, and other procedural or substantive matters related to appeals. Any decision by the board of adjustment shall be subject to review by the superior court by proceedings in the nature of **certiorari** in the same manner as is provided in G.S. 153A-345.
- (g) Payment of Impact Fees. An ordinance authorizing impact fees as herein provided shall spell out when in the process of development approval and construction impact fees shall be paid and by whom. By way of illustration without limitation, the ordinance may provide that an applicant for a building permit shall submit the impact fee along with the permit application and that building permits shall not be issued until the impact fee has been paid.
- (h) Refunds. If this section or any ordinance adopted thereunder is declared to be unconstitutional or otherwise invalid, then any impact fees collected shall be refunded to the person paying them together with interest at the rate established under G.S. 105-241.1, being the same rate paid by the Secretary of Revenue on refunds for tax overpayments.
- (i) Limitations on Actions.
- (1) Any action contesting the validity of an ordinance adopted as herein provided must be commenced not later than nine months after the effective date of such ordinance.
 - (2) Any action seeking to recover an impact fee must be commenced not later than nine months after the impact fee is paid."
- Sec. 17.1. Section 17 of this act shall apply only to Orange County, and applies only within the planning jurisdiction of Orange County.
- Sec. 18. G.S. 153A-340 is amended by identifying the existing provisions as subsection (a) and by adding new subsections to read:
- "(b) Impact Fees Authorized.
- (1) Orange County may provide by ordinance for a system of impact fees to be paid by developers to help defray the costs to the County of constructing certain capital

- improvements, the need for which is created in substantial part by the new development that takes place within the County.
- (2) For purposes of this subsection, the term capital improvements includes the acquisition of land for open space and greenways, capital improvements to public streets, schools, bridges, sidewalks, bikeways, on and off street surface water drainage ditches, pipes, culverts, other drainage facilities, water and sewer facilities and public recreation facilities.
 - (3) An ordinance adopted under this subsection may be made applicable to all development that occurs within the County.
- (c) Amount of Fees. In establishing the amount of any impact fee, the County shall endeavor to approach the objective of having every development contribute to a capital improvements fund an amount of revenue that bears a reasonable relationship to that development's fair share of the costs of the capital improvements that are needed in part because of that development. In fulfilling this objective, the County shall, among other steps and actions:
- (1) Estimate the total cost of improvements by category (e.g., streets, sidewalks, drainage ways, etc.) that will be needed to provide in a reasonable manner for the public health, safety and welfare of persons residing within the County during a reasonable planning period not to exceed 20 years. The Board of County Commissioners may divide the County into two or more districts and estimate the costs of needed improvements within each district. These estimates shall be periodically reviewed and updated and the planning period used may be changed from time to time.
 - (2) Establish a percentage of the total costs of each category of improvement that, in keeping with the objective set forth above, should fairly be borne by those paying the impact fee.
 - (3) Establish a formula that fairly and objectively apportions the total costs that are to be borne by those paying impact fees among various types of developments. By way of illustration without limitation:
 - a. In the case of street improvements, the impact fee may be related to the number of trips per day generated by different types of uses according to recognized estimates;
 - b. In the case of drainage improvements, the impact fee may be related to the size of a development, the amount of impervious surface the development has, or other factors that bear upon the degree to which a development contributes to the need for drainage improvements made at public expense.
- (d) Capital Improvements Reserve Funds: Expenditures.
- (1) Impact fees received by the County shall be deposited in a capital improvements reserve fund or funds established under Chapter 159 of the General Statutes, Article 3, Part 2. Such funds may be expended only on the type of capital improvements for which such impact fees were established, and then only in accordance with the provision of subsection (2) of this section.
 - (2) In order to ensure that impact fees paid by a particular development are expended on capital improvements that benefit that development, the County may establish for each category of capital improvement for which it collects an impact fee at least two geographical districts or zones, and impact fees generated by developments within those districts or zones must be spent on improvements that are located within or that benefit property located within those districts or zones.
- (e) Credits for Improvements. An impact fee ordinance shall make provision for credits against required fees when a developer installs improvements of a type that generally would be paid for by the County out of a capital reserve account funded by impact fees. The ordinance may spell out the

circumstances under which a developer will be allowed to install such improvements and receive such credits.

(f) Appeals Procedure. An ordinance authorizing impact fees as provided herein may provide that any person aggrieved by a decision regarding an impact fee may appeal to the Orange County Board of Adjustment. If the ordinance establishes an appeals procedure, it shall spell out the time within which the appeal must be taken to the board of adjustment, the possible grounds for an appeal and the board's authority in the matter, whether the fee must be paid prior to resolution of the appeal, and other procedural or substantive matters related to appeals. Any decision by the board of adjustment shall be subject to review by the superior court by proceedings in the nature of **certiorari** in the same manner as is provided in G.S. 153A-345.

(g) Payment of Impact Fees. An ordinance authorizing impact fees as herein provided shall spell out when in the process of development approval and construction impact fees shall be paid and by whom. By way of illustration without limitation, the ordinance may provide that an applicant for a building permit shall submit the impact fee along with the permit application and that building permits shall not be issued until the impact fee has been paid.

(h) Refunds. If this section or any ordinance adopted thereunder is declared to be unconstitutional or otherwise invalid, then any impact fees collected shall be refunded to the person paying them together with interest at the rate established under G.S. 105-241.1, being the same rate paid by the Secretary of Revenue on refunds for tax overpayments.

(i) Limitations on Actions.

- (1) Any action contesting the validity of an ordinance adopted as herein provided must be commenced not later than nine months after the effective date of such ordinance.
- (2) Any action seeking to recover an impact fee must be commenced not later than nine months after the impact fee is paid."

Sec. 18.1. Section 18 of this act shall apply only to Orange County, and applies only within the planning jurisdiction of Orange County.

In the General Assembly read three times and ratified this the 23rd day of June, 1987.

Appendix C: Housing Unit Types

For the purposes of school impact fee analysis and calculations, the following housing type categories were used. A brief description of each housing category is provided.

Single Family Detached: a detached building located on a single lot containing one dwelling unit. In situations where an accessory dwelling unit (i.e., a “mother-in-law suite” or “granny flat”) is located on the same lot, the principal dwelling is categorized as a Single Family Detached dwelling.

Examples of single family detached dwellings are site-built houses and modular houses.

Single Family Attached: a group of dwelling units which share a common floor-to-ceiling wall or share the wall of an attached garage or porch with an adjacent dwelling and in which all units have a ground-floor living space. Units are individually owned or intended to be individually owned after initial sales are complete.

Examples of single family attached dwellings are duplexes, triplexes, townhouses, row houses, and condominiums in which all units have a ground-floor living space.

Multifamily: a group of dwelling units which share a common floor-to-ceiling wall with an adjacent dwelling. All units may not have a ground-floor living space. Units may be individually owned (as is the case with condominiums) or may be owned by one entity and rented/leased to tenants. Also included in this category are dwelling units located above ground-floor non-residential (i.e., retail or office) uses. In situations where an accessory dwelling unit (i.e., a mother-in-law suite, granny flat, or efficiency apartment) is located on the same lot as a principal dwelling, the accessory dwelling unit is categorized as a multifamily dwelling provided the accessory dwelling unit is categorized as such by the local zoning code (i.e., less than 750-800 square feet, depending on the specifics of the local code).

Examples of multifamily dwellings include apartments, condominiums in a multi-story building in which all units do not have a ground-floor living space, mother-in-law suites and granny flats located on a lot containing a separate principal dwelling, and dwellings located above non-residential uses.

Manufactured Home: a dwelling built in a factory in accordance with the federal Manufactured Home Construction and Safety Standards, commonly referred to as the 'HUD' Code.

Examples of manufactured homes are single-wide, double-wide, and triple-wide “mobile” homes.

Age Restricted Unit: A dwelling, regardless of type (detached, attached, multi-family, etc.), located in a development that restricts the number of units with occupants aged under 55 years old and whereby the age restriction is achieved by deed restrictions, homeowners association documents, and/or restrictive covenants.

Chapel Hill - Carrboro City Schools

						Current Fee (adopted at 60% of 2007 MSIF)	% Change - Current Fee vs. 60% of MSIF
Single Family Detached	MSIF	90% MSIF	80% MSIF	70% MSIF	60% MSIF		
0-3 BR	\$13,114	\$11,803	\$10,491	\$9,180	\$7,868		-31.1%
4+ BR	\$25,139	\$22,625	\$20,111	\$17,597	\$15,083		32.0%
Average	\$17,492	\$15,743	\$13,994	\$12,244	\$10,495	\$11,423	-8.1%
Single Family Detached <800 sq. ft.							
	\$3,848	\$3,463	\$3,078	\$2,694	\$2,309	included in SFD	-79.8%
Single Family Attached							
0-2 BR	\$10,266	\$9,239	\$8,213	\$7,186	\$6,160		-6.8%
3+ BR	\$16,414	\$14,773	\$13,131	\$11,490	\$9,848		49.0%
Average	\$14,608	\$13,147	\$11,686	\$10,226	\$8,765	\$6,610	32.6%
Multifamily							
0-2 BR	\$4,441	\$3,997	\$3,553	\$3,109	\$2,665		107.2%
3+ BR	\$18,914	\$17,023	\$15,131	\$13,240	\$11,348		782.5%
Average	\$6,990	\$6,291	\$5,592	\$4,893	\$4,194	\$1,286	226.1%
Manufactured Home							
	\$6,999	\$6,299	\$5,599	\$4,899	\$4,199	\$4,939	-15.0%
Age Restricted Unit							
	\$756	\$680	\$605	\$529	\$454	N/A - assessed by housing type	N/A

Orange County Schools

						Current Fee (adopted at 60% of 2007 MSIF)	% Change - Current Fee vs. 60% of MSIF
Single Family Detached	MSIF	90% MSIF	80% MSIF	70% MSIF	60% MSIF		
0-3 BR	\$12,044	\$10,840	\$9,635	\$8,431	\$7,226		28.5%
4+ BR	\$8,952	\$8,057	\$7,162	\$6,266	\$5,371		-4.5%
Average	\$10,959	\$9,863	\$8,767	\$7,671	\$6,575	\$5,623	16.9%
Single Family Detached <800 sq. ft.							
	\$3,317	\$2,985	\$2,654	\$2,322	\$1,990	included in SFD	-64.6%
Single Family Attached							
0-2 BR	\$3,665	\$3,299	\$2,932	\$2,566	\$2,199		26.2%
3+ BR	\$5,558	\$5,002	\$4,446	\$3,891	\$3,335		91.3%
Average	\$5,319	\$4,787	\$4,255	\$3,723	\$3,191	\$1,743	83.1%
Multifamily							
0-2 BR	\$2,656	\$2,390	\$2,125	\$1,859	\$1,594		-8.6%
3+ BR	\$20,677	\$18,609	\$16,542	\$14,474	\$12,406		611.8%
Average	\$5,498	\$4,948	\$4,398	\$3,849	\$3,299	\$1,743	89.3%
Manufactured Home							
	\$8,127	\$7,314	\$6,502	\$5,689	\$4,876	\$2,678	82.1%
Age Restricted Unit							
	\$623	\$561	\$498	\$436	\$374	N/A - assessed by housing type	N/A

Current School Impact Fees

(Adopted December 2008)

[The amount shown for the effective date of January 12, 2012 is 60% of the Maximum Supportable Impact Fee, as calculated during the study/analysis completed in 2007-08]

Chapel Hill – Carrboro City Schools District				
	Effective January 1, 2009	Effective January 1, 2010	Effective January 1, 2011	Effective January 1, 2012
Single-Family Detached	\$6,092	\$7,616	\$9,520	\$11,423
Single-Family Attached	\$3,525	\$4,406	\$5,508	\$6,610
Multifamily	\$686	\$858	\$1,072	\$1,286
Manufactured Homes	\$2,634	\$3,293	\$4,116	\$4,939

Orange County Schools District				
	Effective January 1, 2009	Effective January 1, 2010	Effective January 1, 2011	Effective January 1, 2012
Single-Family Detached	\$3,000	\$3,749	\$4,686	\$5,623
Single-Family Attached / Multifamily	\$930	\$1,162	\$1,453	\$1,743
Manufactured Homes	\$1,428	\$1,785	\$2,232	\$2,678

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

**Action Agenda
Item No. 8-b**

SUBJECT: County Landholdings Without Public Access

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

ATTACHMENTS

1. Table - County Landholdings Without Public Access
2. Map of County Landholdings Without Public Access

INFORMATION CONTACT:

David Stancil, 245-2510
Rich Shaw, 245-2514
Gayle Wilson, 968-2788

PURPOSE: To review a list of County landholdings that are not currently open for public use and enjoyment, and actions that would be required before allowing public access.

BACKGROUND: This spring a Board petition requested information about the status of County-owned properties that are not open for public access. The petition asked staff to review the status of these properties, determine opportunities and/or obstacles for public access and whether there is adequate and appropriate signage for public access.

Over the summer DEAPR and Solid Waste Management staff reviewed a list of County-owned lands to identify those of sufficient size and potential interest by members of public to enter for such things as walking, hiking, nature study, etc. In addition to the properties land-banked for future parks and preserves through the Lands Legacy program, staff included the Greene Tract (104 acres; owned jointly with Carrboro, Chapel Hill), the adjacent Neville Tract (15 acres; associated with the former County landfill), and the County's 60-acre portion of the former Greene Tract (with a proposed new name of "Headwaters Tract" to distinguish it from its former designation).

DEAPR met with the County Attorney and Risk Manager to discuss the potential opportunities and obstacles (including legal and risk issues) for public access to these properties. For each site, staff outlined the status of the property and listed the changes that would be needed to either a) make the property available for use by the general public (which may require both staff and financial resources), or b) allow access (without invitation) with signs posted warning of the site conditions and that persons "enter at your own risk," or c) identify the property as closed to the public with adequate signage indicating the reason for it being closed.

Most sites will require additional posting of property boundaries and the design and installation of carefully-worded signage at likely entry points to warn people of what to expect

and not expect and to reduce the risk of injury. DEAPR staff will work with the County Attorney and Risk Manager with the anticipation of having signs posted by fall or early winter.

Some locations may not be appropriate for public access because they pose hazards (known or unknown) or they are being used for special purposes, such as the Neville Tract (Eubanks Road) that is used for soil excavation and storage associated with landfill operations, and the future Northeast District park property (Schley Road) that is leased for agricultural use by the adjacent farm operation.

Please see attached table (Attachment 1) with a list of County-owned properties that are not currently open for public use and the actions needed prior to allowing public access. Attachment 2 is a map of those same properties.

FINANCIAL IMPACT: Most sites will require additional signage, which will require funding (estimated \$2,000 - \$4,000) and staff time for posting at entry points and along property boundaries. Some sites may require additional monitoring to make sure there are no undesirable uses being made of the property and no new hazards or safety concerns.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board receive this information and provide feedback and direction to the staff for further actions as needed.

Orange County – Landholdings Currently Without Public Access

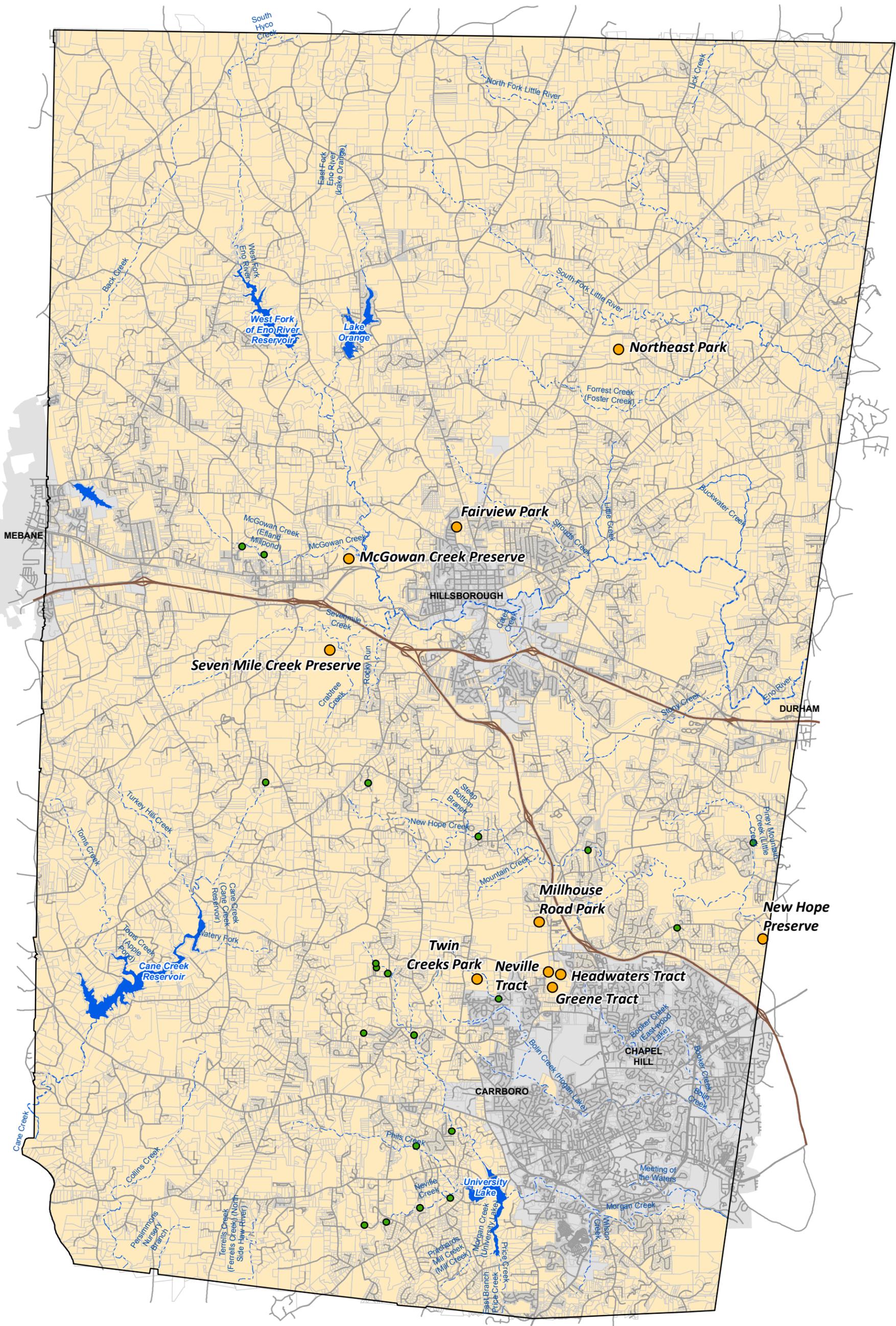
Property Name (acres) (Location)	Existing Trails?	Signage?	What's needed to allow public access?	Ideas/Comments
Headwaters Tract (60 acres) (formerly part of Greene Tract; south of Eubanks Rd.; landlocked)	Old roadways as informal trails, other volunteer trails.	North & east boundary marked; no signage abutting Greene Tract	<ul style="list-style-type: none"> Signage (allowed uses, directions, hazards) Remove known hazards (home site, barbed wire?) 	<p>Post new “at own risk” signage at entry points.</p> <p>Develop plan for site.</p>
Seven Mile Creek Preserve (Upper Eno Nature Preserve - 306 acres) (between Mount Willing and Dimmocks Mill Roads)	Loop trail and benches in place for eastern section of the property only	Boundaries marked, trail signage in place	<ul style="list-style-type: none"> Parking area (currently being designed/permitted) Gate (N of parking area) Moorefields MOA Trailhead sign w/ map 	Complete plans underway to allow access near Moorefields. Install new signage, protective buffers for sensitive areas from trails.
McGowan Creek Preserve (Upper Eno Nature Preserve - 63 acres) (US 70 west of Hillsborough)	Unimproved trail roughed out for eastern section of the property only	Boundaries marked; no trail signage	<ul style="list-style-type: none"> Parking area Trailhead sign w/ map Directional signs Remove known hazards (home site, chimney) 	Post new “at-risk’ signage in advance of 2020 construction / opening.
New Hope Preserve (50 acres) (South of Hollow Rock Nature Park along New Hope Creek)	Unimproved trail only	Boundaries marked; no trail signage	<ul style="list-style-type: none"> Bridges and boardwalk in flood prone areas Directional signs Coordination with Trinity School & Durham County 	Post “at-risk” signs and denote private properties south of Hollow Rock (narrow County lands).
Fairview Park north (30 acres) (Former landfill; north of the existing County park facilities)	No existing trails	No signage	<ul style="list-style-type: none"> Site assessment and master plan amendment Trash removal Hazards removal 	Restrict access to northern area (former landfill) until mitigation. Signage denoting landfill.
Millhouse Road Park (79 acres) (Includes interim Parks Operations Base; temporary Eubanks SWCC)	No existing trails; portion of driveway	Boundaries marked; no other signage	<ul style="list-style-type: none"> Park master plan Park construction 	Post new “at-risk’ signage, until 2019 construction and opening.
Twin Creeks Park (95 acres) (Old NC 86; Includes Jones Creek Greenway section which is in use)	Jones Creek Greenway (in use); social trails in pine forest	Boundaries marked; greenway signs only	<ul style="list-style-type: none"> Park construction Hazards/trash removal 	Post “at-risk’ signage at several entry locations, note future school facilities.

<p>Northeast District Park (143 acres) (Between Schley Road (N) and Mincey Road (S); includes potential future SWCC)</p>	<p>No existing trails</p>	<p>Boundaries marked; no other signage</p>	<ul style="list-style-type: none"> • Park master plan • Park construction • Hazards/trash removal 	<p>Property leased to farmer for cattle grazing. No access recommended.</p>
<p>Dedicated Open Space (81 acres in total) (Within 21 subdivisions)</p>	<p>A few of these lands have informal trails</p>	<p>No</p>	<ul style="list-style-type: none"> • Signage (allowed uses, directions, hazards) • Remove known hazards (home site, barbed wire?) 	<p>Post “at-risk” signage on case-by-case basis, if property large enough and can be accessed.</p>
<p>Greene Tract (104 acres)* (eastern end of Purefoy Drive, north of Homestead Road)</p>	<p>Old vehicle trails as informal trails, other social trails.</p>	<p>Western, southern and eastern boundaries marked with “Restricted Area – Authorized Personnel Only” signage</p>	<ul style="list-style-type: none"> • Signage (allowed uses, directions, hazards) • Remove known hazards (home site, barbed wire?) • Consult with other owners (Carrboro and Chapel Hill) re access 	<p>Post new “at own risk” signage at entry points. No ATV’s or motorized vehicles.</p> <p>Develop plan for site.</p> <p>Locked gates placed at two vehicle access trails off Merin Road and at access point near Purefoy Drive</p>
<p>Neville Tract (15 acres)** (between Greene Tract and former landfill, landlocked)</p>	<p>No existing trails, accessible by vehicle through landfill property</p>	<p>Western boundary marked with “Restricted Area – Authorized Personnel Only” signs</p>	<ul style="list-style-type: none"> • Property is currently used for ongoing soil excavation and soil storage for landfill operations and maintenance • To utilize this property an alternative soil excavation and storage site directly adjacent to and accessible from landfill property must be obtained • Levelling, filling, grading and site redevelopment required to utilize 	<p>Not recommended for access due to current use for waste management operations.</p> <p>Locked gate located on vehicle trail between Neville and Greene Tract.</p> <p>Entry by public is discouraged and unsafe.</p>

* - Jointly owned by Orange County ,Town of Chapel Hill and Town of Carrboro

** - Owned by Orange County Solid Waste Enterprise Fund

Orange County - Landholdings Without Public Access



- Future County Parks and Preserves
- Dedicated Recreation & Open Space
- Major streams
- Parcel boundary

1 inch = 10,089 feet

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

**Action Agenda
Item No.** 11-a

SUBJECT: Agricultural Preservation Board - Appointment

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):

Member Roster
Recommendation
Attendance Records
Application for Person Recommended
Application Interest List
Applications for Persons on the Interest
List

INFORMATION CONTACT:

Clerk's Office, 919-245-2130

PURPOSE: To consider making an appointment to the Agricultural Preservation Board.

BACKGROUND: The following information is for Board consideration:

- Appointment to a second full term (position #13) "At-Large" for Noah Ranells expiring 06/30/2019.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
13	Noah Ranells	At-Large	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 Agricultural Preservation Board.

Board and Commission Members

And Vacant Positions

Agricultural Preservation Board

Meeting Times: 7:30 pm third Wednesday of each month

Terms: 2

Contact Person: David Stancil and Peter Sandbeck

Meeting Place: Environment and Agriculture Center

Positions: 15

Length: 3 years

Contact Phone: 919-245-2522

Description: Members are appointed by the Board of Commissioners. The primary purpose of the Agricultural Preservation Board (APB) is to promote the economic and cultural importance of agriculture in the county, and to encourage voluntary preservation and protection of farmland for future production.

The Agricultural Preservation Board is a body comprised of up to seven (7) at-large members, plus one (1) member from each of the seven (7) Agricultural Districts in the

1	Howard McAdams Jr 1616 Efland Cedar Grove Rd. Efland NC 27243	Day Phone: 919-732-7701 Evening Phone: 919-732-5552 FAX: E-mail: mcadamsfarm@gmail.com	Sex: Male Race: Caucasian Township: Cheeks Resid/Spec Req: Vol.Ag.District Special Repr: High Rock/Efland Vol. Ag. Dist.	First Appointed: 03/06/2008 Current Appointment: 05/19/2015 Expiration: 06/30/2018 Number of Terms: 1
2	Vaughn Compton 1002 Hurdle Mills Road Cedar Grove NC 27231	Day Phone: 919-428-4351 Evening Phone: 919-428-4351 FAX: E-mail: vaughn@comptonfarming.com	Sex: Male Race: Caucasian Township: Cedar Grove Resid/Spec Req: Vol.Ag.District Special Repr: Cedar Grove Vol. Ag. Dist.	First Appointed: 06/17/2014 Current Appointment: 06/17/2014 Expiration: 06/30/2017 Number of Terms: 1
3	Kim Woods Vice-Chair 2915 Pearson Rd. Hurdle Mills NC 27541	Day Phone: 336-599-1195 Evening Phone: 919-732-9973 FAX: E-mail: kim_woods@ncsu.edu	Sex: Female Race: Caucasian Township: Cedar Grove Resid/Spec Req: Vol.Ag.District Special Repr: Caldwell Vol. Ag. Dist.	First Appointed: 06/07/2011 Current Appointment: 06/07/2014 Expiration: 06/30/2017 Number of Terms: 2
4	Dr. Jane Saiers 913 Arthur Minnis Road Hillsborough NC 27278	Day Phone: 919-618-6067 Evening Phone: 919-618-6067 FAX: E-mail: Jane@RambleRillFarm.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Vol.Ag.District Special Repr: New Hope/Hills. Vol. Ag. Dist.	First Appointed: 10/20/2015 Current Appointment: 10/20/2015 Expiration: 06/30/2018 Number of Terms: 1
5	Nels Anderson 1381 Holden-Roberts Farm Road Hillsborough NC 27278	Day Phone: 919-644-6322 Evening Phone: 919-644-6322 FAX: E-mail: nels@ilsvideo.com	Sex: Male Race: Caucasian Township: Eno Resid/Spec Req: Vol.Ag.District Special Repr: Schley/Eno Vol. Ag. Dist.	First Appointed: 06/07/2016 Current Appointment: 06/07/2016 Expiration: 06/30/2018 Number of Terms: 1

Board and Commission Members

And Vacant Positions

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6	Renee McPherson Chair 3600 Mebane Oaks Road Mebane NC 27302	Day Phone: 336-214-5965 Evening Phone: 336-214-5965 FAX: E-mail: renee@mcphersonfarms.com	Sex: Female Race: Caucasian Township: Bingham Resid/Spec Req: Enhanced VolAgDist Special Repr: Cane Creek/Buckhorn Vol. Ag. Dist.	First Appointed: 05/15/2012 Current Appointment: 06/16/2015 Expiration: 06/30/2018 Number of Terms: 2
7	A. Gordon Neville 1501 Old Greensboro Rd. Chapel Hill NC 27516	Day Phone: 919-932-6993 Evening Phone: 919-932-6993 FAX: 929-4247 E-mail: patneville1@gmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: Vol.Ag.Dist. Special Repr: White Cross Vol. Ag. Dist.	First Appointed: 11/06/2014 Current Appointment: 11/06/2014 Expiration: 09/30/2017 Number of Terms: 1
8	Richal Vanhook 9202 Walntu Grove Church Rd Hurdle Mills NC 27541	Day Phone: 919-732-2432 Evening Phone: 919-732-2432 FAX: E-mail: svanhook51@aol.com	Sex: Male Race: African American Township: Cedar Grove Resid/Spec Req: At-Large Special Repr:	First Appointed: 05/19/2015 Current Appointment: 05/19/2015 Expiration: 06/30/2018 Number of Terms: 1
9	Amanda Scherle 2801 Becketts Ridge Dr. Hillsborough NC 27278	Day Phone: 812-322-2582 Evening Phone: 812-322-2582 FAX: E-mail: alscherle@gmail.com	Sex: Female Race: Caucasian Township: Hillsborough Resid/Spec Req: At-Large Special Repr:	First Appointed: 05/19/2015 Current Appointment: 05/19/2015 Expiration: 06/30/2018 Number of Terms: 1
10	Renee Parker 8015 Tilley Road Hurdle Mills NC 27541	Day Phone: 919-732-6366 Evening Phone: 919-732-6366 FAX: E-mail: rparkerfarms@yahoo.com	Sex: Female Race: Caucasian Township: Little River Resid/Spec Req: At-Large Special Repr:	First Appointed: 06/16/2015 Current Appointment: 06/16/2015 Expiration: 06/30/2018 Number of Terms: 1

Board and Commission Members

And Vacant Positions

Agricultural Preservation Board

Meeting Times: 7:30 pm third Wednesday of each month

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Contact Person: David Stancil and Peter Sandbeck

Meeting Place: Environment and Agriculture Center

Positions: 15 Length: 3 years

Contact Phone: 919-245-2522

Description: Members are appointed by the Board of Commissioners. The primary purpose of the Agricultural Preservation Board (APB) is to promote the economic and cultural importance of agriculture in the county, and to encourage voluntary preservation and protection of farmland for future production.

The Agricultural Preservation Board is a body comprised of up to seven (7) at-large members, plus one (1) member from each of the seven (7) Agricultural Districts in the

11	Kathy Shambley 4410 Efland Cedar Grove Road Hillsborough NC 27278	Day Phone: 919-732-5177 Evening Phone: 919-732-5177 FAX: E-mail: None	Sex: Female Race: Caucasian Township: Cedar Grove Resid/Spec Req: At-Large Special Repr:	First Appointed: 06/16/2015 Current Appointment: 06/16/2015 Expiration: 06/30/2018 Number of Terms: 1
12	Sheila Thomas-Ambat 103 Hunter Hill Place Chapel Hill NC 27517	Day Phone: 919-225-4744 Evening Phone: 919-225-4744 FAX: E-mail: staemail@yahoo.com	Sex: Female Race: Asian American Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 06/16/2015 Current Appointment: 06/16/2015 Expiration: 06/30/2018 Number of Terms: 1
13	Dr. Noah Ranells AWAITING RECOMMENDATION 4122 Buckhorn Road Efland NC 27243	Day Phone: 336-285-4658 Evening Phone: 919-304-6287 FAX: E-mail: ficklecreek@gmail.com	Sex: Male Race: Caucasian Township: Bingham Resid/Spec Req: At-Large Special Repr:	First Appointed: 12/10/2013 Current Appointment: 12/10/2013 Expiration: 06/30/2016 Number of Terms: 1
14	Ashley Parker 2211 Laws Store Road Hurdle Mills NC 27541	Day Phone: 919-245-1008 Evening Phone: FAX: E-mail: ashleymorganparker@gmail.com	Sex: Female Race: Caucasian Township: Cedar Grove Resid/Spec Req: At-Large Special Repr:	First Appointed: 01/24/2013 Current Appointment: 06/16/2015 Expiration: 06/30/2018 Number of Terms: 2
15	Ken Dawson 9812 Allison Road Cedar Grove NC 27231	Day Phone: 336-562-5719 Evening Phone: 336-562-5719 FAX: E-mail: ken.dawson50@gmail.com	Sex: Male Race: Caucasian Township: Cedar Grove Resid/Spec Req: At-Large Special Repr:	First Appointed: 10/20/2015 Current Appointment: 10/20/2015 Expiration: 06/30/2018 Number of Terms: 1



Orange County Agricultural Preservation Board

August 18, 2016

Earl McKee, Chair
Board of County Commissioners
PO Box 8181
Hillsborough, NC 27278

Re: Agricultural Preservation Board Appointment

Dear Chair McKee:

The Orange County Agricultural Preservation Board (APB) discussed recommendations to fill an upcoming vacancy of an at-large board position at its regular meeting on May 18th, 2016. The APB wishes to make the following recommendation to the Board of County Commissioners:

Reappoint member Noah Ranells to a second term in the at-large position he occupied until his term expired on June 30, 2016 (position 13). Dr. Ranells has been an active participant in APB meetings and has an outstanding attendance record.

Thank you on behalf of the APB.

Sincerely,

David Stancil
Orange County Agricultural Preservation Board

cc: Renee McPherson, Chair

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

BOCC Attendance Report For Advisory Board Appointments
Agricultural Preservation Board Aug / 2015 – Aug / 2016

Member	Appointed	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug					
Noah Ranells	12/10/2013	P	P		P				P		P								
P: Present E: Excused A: Absent																			
Current through - August 2016																			

Volunteer Application Orange County Advisory Boards and Commissions

Name: Dr. Noah Ranells
Name Called:
Home Address: 4122 Buckhorn Road
 Efland NC 27243
Phone (Day): 336-285-4658
Phone (Evening): 919-304-6287
Phone (Cell):
Email: ficklecreek@gmail.com
Place of Employment: NC Agricultural & Technical State University
Job Title: Agribusiness Management & Marketing Extension
Year of OC Residence: 1998
Township of Residence: Bingham
Zone of Residence: Bingham Twnbsp
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Carolina Farm Stewardship Association (member); Agronomy Society of America / Crop Science Society of America / Soil Science Society of America (member); Piedmont Grown (certified)

Past Service on Orange County Advisory Boards:

Agricultural Preservation Board
 Planning Board

Boards/Commissions applied for:

Supplemental Questions:

Work Experience: 5/11/2004, Environmental Planner, Carrboro; 1997 - 2004 Extension Specialist/ Organic Unit Coordinator, NCSU-Crop Science, Nutrient Mgmt. Water Quality; 1995 - 1997 Environmental Specialist II, NC DENR, Div. Soil & Water Conservation.

Volunteer Experience: Active in community activities since beginning as a 4-H member at 9 yrs old. 4 years Ag. Preservation Board; 3 years Planning Board. Ag. Pres. Board. Vice Chair of APB 2001-2002.

Education: BS Animal Sci.; MS Crop Sci.; PhD Soil Science

Other Comments:

STAFF NOTES: First apptd. to OCPB 10/2/02 to At-Large, unexpired term. Reappointed to At-Large 3/24/2003. Moved by BOCC action 5/18/04 to Bingham upon resig. of M.Tadd from that position, same day. Renewed application on 5/11/04 for Ag. Pres. Board.

Nominated to serve on CPLUC, 5/8/02. Renewed app. for Orange County Planning Board on 3/11/02. 10/8/01 Interest letter update-no reply-made app inactive. Orig.app. 12/8/99 for Ag.Distr.Adv.Bd; Comm for the Envir.; O/C Planning Bd. UPDATED APPLICATION 10/08/2013: Applied for Agricultural Preservation Board. ADDRESS VERIFICATION: 4122 Buckhorn Road is Bingham Township, Orange County Jurisdiction, and Agricultural Residential Zoning.

This application was current on: 5/11/2004

Date Printed: 12/31/2013

Applicant Interest Listing

by Board Name and by Applicant Name

Agricultural Preservation Board

Contact Person: David Stancil and Peter Sandbec
Contact Phone: 919-245-2522

Dr James Fickle	Day Phone: 919 933 4719	Sex: Male
101 Steeplechase Road	Evening Phone: 919 933 4719	Race: Caucasian
Chapel Hill 27514 NC 27514	Cell Phone: 708 205 0255	Township: Chapel Hill
	E-mail: jimsfickle@aol.com	Res. Eligibility: C.H. City Limits
		Date Applied: 03/23/2016
Skills: Agricultural Research	Also Serves On:	

Mr Clay Hudson	Day Phone: 919-593-0892	Sex: Male
2615 Millikan Rd.	Evening Phone: 919-593-0892	Race: Caucasian
Chapel Hill NC 27516	Cell Phone: 919-593-0892	Township: Bingham
	E-mail: plantsrus39@yahoo.com	Res. Eligibility: County
		Date Applied: 06/15/2016
Skills:	Also Serves On:	

William R. Kaiser	Day Phone: 919-933-9794	Sex: Male
2112 Markham Dr.	Evening Phone: 919-933-9794	Race: Caucasian
Chapel Hill NC 27514	Cell Phone: 919 933-9794	Township: Chapel Hill
	E-mail: w_mckaiser@hotmail.com	Res. Eligibility: Chapel Hill Township
		Date Applied: 05/20/2016
Skills: Geologist	Also Serves On: Commission for the Environment	
Skills: Hydrogeologic/Geochemical Environmental		
Skills: Peace Corps		

Danielle Mosley	Day Phone: 919-309-5685	Sex: Female
476 Melanie Court	Evening Phone:	Race: Caucasian
Chapel Hill NC 27514	Cell Phone:	Township: Chapel Hill
	E-mail: Dlynnm26@gmail.com	Res. Eligibility: C.H. City Limits
		Date Applied: 05/20/2016
Skills: Club Nova	Also Serves On:	

**Volunteer Application
Orange County Advisory Boards and Commissions**

Name: Dr James Fickle
Name Called:
Home Address: 101 Steeplechase Road
Chapel Hill 27514 NC 27514
Phone (Day): 919 933 4719
Phone (Evening): 919 933 4719
Phone (Cell): 708 205 0255
Email: jimsfickle@aol.com
Place of Employment: Retired
Job Title: CC&BW
Year of OC Residence: 1997
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Volunteer with NC Botanic Garden in Chapel Hill

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:

BS / MS / PhD degrees from Texas Tech University in Agronomy (soils & crops) followed by nearly 40 years of applied research and regulatory affairs in agriculture have made me aware of the critical need to properly manage water resources.

Reasons for wanting to serve on this board:

Water resources (availability, supply, conservation, reclamation) are a preeminent issue for all society even now and will become moreso in the future. I hope my technical background will be of use to OWASA.

Conflict of Interest:

Agricultural Preservation Board**Background, education and experience relevant to this board:**

BS/MS/PhD degrees from Texas Tech University and University of Illinois followed by 40 years experience in applied research and regulatory affairs in agriculture. I am familiar with production systems ranging from large operations to local market-garden farms with diverse production integrating crop and animal enterprises.

Reasons for wanting to serve on this board:

I have been in Agriculture for my entire career and would like Agriculture to continue to be a viable way of life in what has become a heavily urbanized area (Research Triangle metropolitan area). I am sympathetic with the challenges of continuing agricultural lifestyles and need to adapt to changing needs brought on by urbanization. While large mechanized broadacre farms will continue to decrease in number in metropolitan areas, we have an opportunity to preserve agricultural areas which have production suited to the urban area and local markets.

Conflict of Interest:**Durham Technical Community College Board of Trustees****Background, education and experience relevant to this board:**

Background, education and experience relevant to this board:
BS/MS/PhD degrees from Texas Tech University and University of Illinois followed by 40 years experience in applied research and regulatory affairs in agriculture. While with industry, my employers (and I as their representative) had occasion to use the services of the Community Colleges in the areas where I worked. More specifically, we used summer interns as technical assistants in field and laboratory work. While Durham Technical is not agriculturally oriented, I suggest my experience would be useful, giving me a broad perspective applicable to the many disciplines taught at Durham Technical.

Reasons for wanting to serve on this board:

I feel the community college system is a critical part of our overall educational system and while it makes many contributions to American Industry, more can be done. Allegiances of Durham Technical with local industry no doubt exist, but is a particular area that can be strengthened to increase American competitiveness, particularly in the biotechnical, mechanical, electrical and electronic trades.

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?**

As suggested above, strengthen ties with local industry to enable curriculum paths leading to careers in industry.

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.**

Professionally, my positions involved budgetary responsibility (up to \$2 M annually) and management of direct reporting personnel (up to 14). I am aware of the needs for planning, implementation, and oversight of these resources while maintaining focus on the tasks assigned.

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.

University and industry work in soils, crops, regulatory affairs (company representative with EPA,OPP). Over the years, I have worked with irrigation so am conversant with water use in agriculture.

What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

Provision for supply, delivery and stewardship of water resources for Orange County. I have no specific items to accomplish, but do have an interest in water reuse as a means of minimizing impact on available resources.

What is OWASA's role in growth/development issues?

I think OWASA works within the larger needs of county and its municipalities. Therein the provision, delivery and stewardship of water resources is the specific perview of OWASA. Where growth and development is under consideration of the various branches of county and municipal government, OWASA would be active in helping to implement those items having to do with water.

Other Comments:

I would like to serve on the OWASA board as water availability, use and quality are paramount to the county's future. I suggest my technical background in agriculture will allow me to quickly become knowledgeable on local issues and challenges. STAFF COMMENTS: Originally applied 9/24/2010 for OWASA Board of Directors, Agricultural Preservation Board and Durham Technical Community College Board of Directors. UPDATED APPLICATION FOR OWASA 04/16/2011. UPDATED APPLICATION FOR OWASA 04/22/2012. ADDRESS VERIFICATION: Steeplechase Road is in Chapel Hill Township and Chapel Hill Jurisdiction. Updated application with additional questions answered for OWASA 12/27/2013.

This application was current on: 4/30/2015

Date Printed: 7/30/2015

Volunteer Application Orange County Advisory Boards and Commissions

Name: Clay Hudson
Name Called:
Home Address: 2615 Millikan Rd.
 Chapel Hill NC 27516
Phone (Day): 919-593-0892
Phone (Evening): 919-593-0892
Phone (Cell): 919-593-0892
Email: plantsrus39@yahoo.com
Place of Employment: Self-Employed
Job Title: Agricultural Educator
Year of OC Residence: 2016
Township of Residence: Bingham
Zone of Residence: County
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Substitue teacher during school year - Chapel Hill / Carrboro City Schools.

Past Service on Orange County Advisory Boards:

OC Parks and Rec Advisory (08- 10) and OC Commish for the Env. (10- 11)

Boards/Commissions applied for:

Agricultural Preservation Board

Background, education and experience relevant to this board:

BS, Biology, MS, Agricultural Education, worked many years in various Ag settings and my work focuses within the ageis represented by Agricultural Preservation...

Reasons for wanting to serve on this board:

Many. Not sure exactly what the board discusses, want to stay up to date on ongoings in the area, Agriculture is very important to me, Ag is the backbone of our community and need to be preserved...

Conflict of Interest:

N/A

Orange County Parks and Recreation Council

Background, education and experience relevant to this board:

See Above

Reasons for wanting to serve on this board:

Would love to have input / feedback on how , whan , etc, that the county is developing ideas for P and R...

Conflict of Interest:

N/A

Commission for the Environment**Background, education and experience relevant to this board:**

I feel that my background in Agricultural Education aspects is paramount to interaction with various boards for advice...

Reasons for wanting to serve on this board:

I like to be involved with various endeavors in the area and feel that Environmental concerns are of the utmost importance.

Conflict of Interest:

N/A

Supplemental Questions:**Other Comments:**

This application was current on: 6/15/2016 11:17:18 AM

Date Printed: 8/10/2016

Volunteer Application Orange County Advisory Boards and Commissions

Name: William R. Kaiser
Name Called:
Home Address: 2112 Markham Dr.
 Chapel Hill NC 27514
Phone (Day): 919-933-9794
Phone (Evening): 919-933-9794
Phone (Cell): 919 933-9794
Email: w_mckaiser@hotmail.com
Place of Employment: Retired geologist
Job Title: Retired geologist
Year of OC Residence: 2004
Township of Residence: Chapel Hill
Zone of Residence: Chapel Hill Township within C.H. city limits
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

NC Botanical Garden volunteer: invasive plant control, prairie and forest management, trail maintenance at Mason Farm. Climate garden at Totten Center.

Duke Forest: trail development and maintenance, geology tour leader.

Past Service on Orange County Advisory Boards:

Commission for the Environment, Nov.2005-May 2013, 2 yr as Chair.

New Hope Park at Blackwood Farm Master Plan Committee Member, 2006

Boards/Commissions applied for:

Agricultural Preservation Board

Background, education and experience relevant to this board:

Preservation of agricultural land will have positive environmental impact. I am conversant with the county's environmental issues. I'd bring geological perspective and relevant volunteer experience to board discussions. I can investigate and solve technical problems and have proven written and oral communication skills. I would use them in review of VAD and EVAD applications.

Reasons for wanting to serve on this board:

I wish to see properly planned, sustainable growth in this county.

Conflict of Interest:

Supplemental Questions:

Work Experience: Extensive research (Univ. of Texas at Austin Bur. Economic Geology) and industry experience (Exxon) in energy resources, especially coal and natural gas. Hydrogeologic and geochemical skills for environmental studies e.g., coal gasification, high-level radioactive waste, mined lands, oil-field waste, geophysical - log analysis, ground -water flow patterns, aquifer architecture and gravity. Proven written and oral communication skills.

Volunteer Experience: Volunteered on a regular basis with the Heart of Texas Peace Corps Association serving two varieties of public agencies and non-profit groups, e.g. Safe Place, Wild Basin, AIDS Services, Food Bank, Hornsby Bend, Mayfield Park, Tree Folks, Lower Colo. R. Authority, etc. Peace Corps Volunteer (1963-65); Ghana, W. Africa, assigned to Ghana Geological Survey.

Education: The Johns Hopkins University, Ph.D. Geology. University of Wisconsin - Madison, M.S. Geology; University of Wisconsin - Madison, B.A. Geology.

Other Comments:

STAFF NOTES: Originally applied 4/6/04 for Solid Waste Advisory Board; Commission for the Environment; and Economic Development Commission. APPLIED 07/28/2013 for Agricultural Preservation Board and Orange County Parks and Recreation Council.

Address Verification: 2112 Markham Drive, Chapel Hill, NC 27514 is Chapel Hill Township, Chapel Hill Jurisdiction, and Chapel Hill Town Limits.

Resubmitted application 01/110/2014.

This application was current on: 5/20/2016

Date Printed: 5/20/2016

Volunteer Application Orange County Advisory Boards and Commissions

Name: Danielle Mosley
Name Called:
Home Address: 476 Melanie Court
 Chapel Hill NC 27514
Phone (Day): 919-309-5685
Phone (Evening):
Phone (Cell):
Email: Dlynnm26@gmail.com
Place of Employment:
Job Title:
Year of OC Residence: 2011
Township of Residence: Chapel Hill
Zone of Residence: C.H. City Limits
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Agricultural Preservation Board

Background, education and experience relevant to this board:

Reasons for wanting to serve on this board:

Conflict of Interest:

Supplemental Questions:

Work Experience: Club Nova

Volunteer Experience: Club Nova

Education: Attending school for ged

Other Comments:

STAFF COMMENTS: Applied for Adult Care Home Community Advisory Committee, Board of Health, and Agricultural preservation Board on 06/26/2012. ADDRESS VERIFICATION: Melanie Court is Chapel Hill Township, Chapel Hill Town Limits.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

**Action Agenda
Item No.** 11-b

SUBJECT: Animal Services Hearing Panel Pool – Appointment

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):

Member Roster
Applicant Interest List
Applications for Persons on the Interest
List

INFORMATION CONTACT:

Clerk's Office, 919-245-2130

PURPOSE: To consider making an appointment to the Animal Services Hearing Panel Pool.

BACKGROUND: The following information is for Board consideration:

- Appointment to a partial term (position #7) "At-Large Public Health Field" for Tony Whitaker expiring 03/30/2017.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
7	Tony Whitaker	At-Large Public Health Field	03/31/2017

NOTE - The following vacancies remain:

- *Position #3--- "At-Large Town of Chapel Hill" position----- expiring 03/31/2019. **This position was just created February 2016.**
- *Position #4--- "At-Large Town of Chapel Hill" position----- expiring 03/31/2017. **This position was just created February 2016.**
- *Position #6--- "At-Large Town of Hillsborough" position----- expiring 03/31/2019. **This position was just created February 2016.**
- *Position #8--- "At-Large Public Safety Field" position----- expiring 03/31/2018. **This position was just created February 2016.**
- *Position #15--- "Veterinarian" position----- expiring 03/31/2019. **This position was just created February 2016.**

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 fill vacant positions on the Animal Services Hearing Panel Pool.

Board and Commission Members

And Vacant Positions

Animal Services Hearing Panel Pool

Meeting Times: As Needed

Terms: 2

Contact Person: Bob Marotto

Meeting Place:

Positions: 18 Length: 3 years

Contact Phone: 919-968-2287

Description: To hear appeals from violations of the Orange County Code of Ordinances, Chapter 4 ("Animal Control Ordinance"), as provided in the Orange County Code of Ordinances, Section 4-53 Appeals. To hear appeals as prescribed by N.C. Gen. Stat. §67-4.1(c). To protect the health, safety and welfare of Orange County residents and the animals residing in Orange County. Conduct fair and impartial hearings of appeals of potentially dangerous dog declaration and any other appeals as may be required by the Animal Control Ordinance.

1	Hannah Abernethy 180 BPW Club Road, Apartment S8 Carrboro NC 27510	Day Phone: 919-448-6580 Evening Phone: 919-448-6580 FAX: E-mail: hannaha@live.unc.edu	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Carrboro Special Repr: At-Large Town of Carrboro	First Appointed: 04/19/2016 Current Appointment: 04/19/2016 Expiration: 03/31/2017 Number of Terms:
2	Katie Rosier 403 Hillsborough Rd Carrboro NC 27510-1337	Day Phone: 4802008805 Evening Phone: 4802008805 FAX: E-mail: katie.rosier@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Carrboro Special Repr: At-Large Town of Carrboro	First Appointed: 04/19/2016 Current Appointment: 04/19/2016 Expiration: 03/31/2018 Number of Terms:
3	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Chapel Hill Special Repr: Town of Chapel Hill	First Appointed: Current Appointment: Expiration: 03/31/2019 Number of Terms:
4	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Chapel Hill Special Repr: Town of Chapel Hill	First Appointed: Current Appointment: Expiration: 03/31/2017 Number of Terms:
5	Bartholomew Barker 135 Thomas Burke Drive Hillsborough NC 27278	Day Phone: 9192659488 Evening Phone: 9192659488 FAX: E-mail: bart.barker@gmail.com	Sex: Male Race: Caucasian Township: Hillsborough Resid/Spec Req: Hillsborough Special Repr: Town of Hillsborough	First Appointed: 04/19/2016 Current Appointment: 04/19/2016 Expiration: 03/31/2018 Number of Terms:

Board and Commission Members

And Vacant Positions

Animal Services Hearing Panel Pool

Meeting Times: As Needed

Terms: 2

Contact Person: Bob Marotto

Meeting Place:

Positions: 18 Length: 3 years

Contact Phone: 919-968-2287

Description: To hear appeals from violations of the Orange County Code of Ordinances, Chapter 4 ("Animal Control Ordinance"), as provided in the Orange County Code of Ordinances, Section 4-53 Appeals. To hear appeals as prescribed by N.C. Gen. Stat. §67-4.1(c). To protect the health, safety and welfare of Orange County residents and the animals residing in Orange County. Conduct fair and impartial hearings of appeals of potentially dangerous dog declaration and any other appeals as may be required by the Animal Control Ordinance.

6	VACANT	Day Phone:	Sex:	First Appointed:
		Evening Phone:	Race:	Current Appointment:
		FAX:	Township:	Expiration: 03/31/2019
		E-mail:	Resid/Spec Req: Hillsborough	Number of Terms:
			Special Repr: Town of Hillsborough	

7	VACANT	Day Phone:	Sex:	First Appointed:
		Evening Phone:	Race:	Current Appointment:
		FAX:	Township:	Expiration: 03/31/2017
		E-mail:	Resid/Spec Req: Orange County	Number of Terms:
			Special Repr: At-Large Public Health Field	

8	VACANT	Day Phone:	Sex:	First Appointed:
		Evening Phone:	Race:	Current Appointment:
		FAX:	Township:	Expiration: 03/31/2018
		E-mail:	Resid/Spec Req: Orange County	Number of Terms:
			Special Repr: At-Large Public Safety Field	

9	Joyce Christine Preslar	Day Phone: 919-967-0367	Sex: Female	First Appointed: 04/19/2016
		Evening Phone: 919-967-0367	Race: Caucasian	Current Appointment: 04/19/2016
	9417 Bethel-Hickory Grove Ch Rd	FAX: 919-967-0367	Township: Bingham	Expiration: 03/31/2019
	Chapel Hill NC 27516	E-mail: joypreslar@gmail.com	Resid/Spec Req: Orange County	Number of Terms: 1
			Special Repr: At-Large	

10	Edmund Tiryakian	Day Phone: 9194529092	Sex: Male	First Appointed: 04/19/2016
		Evening Phone: 9194529041	Race: Caucasian	Current Appointment: 04/19/2016
	2908 Ericka Drive	FAX:	Township: Little River	Expiration: 03/31/2017
	Hillsborough NC 27278	E-mail: scotus27@gmail.com	Resid/Spec Req: Orange County	Number of Terms:
			Special Repr: At-Large	

Board and Commission Members

And Vacant Positions

Animal Services Hearing Panel Pool

Meeting Times: As Needed

Terms: 2

Contact Person: Bob Marotto

Meeting Place:

Positions: 18 Length: 3 years

Contact Phone: 919-968-2287

Description: To hear appeals from violations of the Orange County Code of Ordinances, Chapter 4 ("Animal Control Ordinance"), as provided in the Orange County Code of Ordinances, Section 4-53 Appeals. To hear appeals as prescribed by N.C. Gen. Stat. §67-4.1(c). To protect the health, safety and welfare of Orange County residents and the animals residing in Orange County. Conduct fair and impartial hearings of appeals of potentially dangerous dog declaration and any other appeals as may be required by the Animal Control Ordinance.

11	Marcia Adams 2505 Hermitage Road Hillsborough NC 27278	Day Phone: 919-730-3938 Evening Phone: 919-730-3938 FAX: E-mail: boogeradams@gmail.com	Sex: Female Race: Caucasian Township: Hillsborough Resid/Spec Req: Orange County Special Repr: At-Large	First Appointed: 03/22/2016 Current Appointment: 03/22/2016 Expiration: 03/31/2018 Number of Terms: 1
12	Jean Austin 3519 Monadnock Ridge Efland NC 27243	Day Phone: 919-563-3291 Evening Phone: 919-563-3291 FAX: E-mail: blackfence@mindspring.com	Sex: Female Race: Caucasian Township: Cheeks Resid/Spec Req: Orange County Special Repr: At-Large Unincorporated County	First Appointed: 03/22/2016 Current Appointment: 03/22/2016 Expiration: 03/31/2019 Number of Terms: 1
13	Cathy Munnier 1623 St. Mary's Road Hillsborough NC 27278	Day Phone: 919-245-8736 Evening Phone: 919-245-8736 FAX: E-mail: harleyscat55@gmail.com	Sex: Female Race: Caucasian Township: Eno Resid/Spec Req: Orange County Special Repr: At-Large Unincorporated County	First Appointed: 03/22/2016 Current Appointment: 03/22/2016 Expiration: 03/31/2017 Number of Terms:
14	Brenda Baldwin Scott 6106 Bent Oak Dr Durham NC 27705	Day Phone: 919-3094647 Evening Phone: 9193094647 FAX: E-mail: Mysons27705@yahoo.com	Sex: Female Race: Caucasian Township: Eno Resid/Spec Req: Orange County Special Repr: At-Large Unincorporated County	First Appointed: 03/22/2016 Current Appointment: 03/22/2016 Expiration: 03/31/2018 Number of Terms: 1
15	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: Orange County Special Repr: Veterinarian	First Appointed: Current Appointment: Expiration: 03/31/2019 Number of Terms:

Board and Commission Members

And Vacant Positions

Animal Services Hearing Panel Pool

Meeting Times: As Needed

Terms: 2

Contact Person: Bob Marotto

Meeting Place:

Positions: 18 Length: 3 years

Contact Phone: 919-968-2287

Description: To hear appeals from violations of the Orange County Code of Ordinances, Chapter 4 ("Animal Control Ordinance"), as provided in the Orange County Code of Ordinances, Section 4-53 Appeals. To hear appeals as prescribed by N.C. Gen. Stat. §67-4.1(c). To protect the health, safety and welfare of Orange County residents and the animals residing in Orange County. Conduct fair and impartial hearings of appeals of potentially dangerous dog declaration and any other appeals as may be required by the Animal Control Ordinance.

16	Caroline Green 108 Oak Street Carrboro NC 27510	Day Phone: 919-414-1453 Evening Phone: 919-414-1453 FAX: E-mail: carolinekgreen@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Orange County Special Repr: Animal Services Advisory Board Member	First Appointed: 03/22/2016 Current Appointment: 03/22/2016 Expiration: 03/31/2017 Number of Terms:
17	Dr. Beth Grooms 720 CD Farms Road Hillsborough NC 27278	Day Phone: 9192254883 Evening Phone: FAX: E-mail: river1@mindspring.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Orange County Special Repr: Animal Services Advisory Board Member	First Appointed: 03/22/2016 Current Appointment: 03/22/2016 Expiration: 03/31/2018 Number of Terms: 1
18	Michelle Walker 106 Carol Street Carrboro NC 27510	Day Phone: 919-448-8029 Evening Phone: FAX: E-mail: michelle.merck.walker@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: Orange County Special Repr: Animal Services Advisory Board Member	First Appointed: 03/22/2016 Current Appointment: 03/22/2016 Expiration: 03/31/2019 Number of Terms: 1

Applicant Interest Listing

by Board Name and by Applicant Name

Animal Services Hearing Panel Pool

Contact Person: Bob Marotto
 Contact Phone: 919-968-2287

Daniel Ryan
 201 NC-54 Apt 205
 Carrboro NC 27510

Day Phone: 5164480401
 Evening Phone: 9199517701
 Cell Phone: 5164480401
 E-mail: hawkerz@gmail.com

Sex: Male
 Race: Caucasian
 Township: Chapel Hill
 Res. Eligibility: Carrboro City Limits
 Date Applied: 05/28/2016

Skills:

Also Serves On:

Mr. Tony Whitaker
 3725 Quail Meadow Drive
 Hillsborough NC 27278

Day Phone: 919-490-1645
 Evening Phone: 919-943-8418
 Cell Phone: 919-943-8418
 E-mail: twhitaker511@yahoo.com

Sex: Male
 Race: Caucasian
 Township: Little River
 Res. Eligibility: County
 Date Applied: 08/28/2016

Skills:

Also Serves On:

Volunteer Application Orange County Advisory Boards and Commissions

Name: Daniel Ryan
Name Called:
Home Address: 201 NC-54 Apt 205
 Carrboro NC 27510
Phone (Day): 5164480401
Phone (Evening): 9199517701
Phone (Cell): 5164480401
Email: hawkerz@gmail.com
Place of Employment: Sensus Metering Systems
Job Title: Software Solutions Developer
Year of OC Residence: 2015
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

N/A

Past Service on Orange County Advisory Boards:

N/A

Boards/Commissions applied for:

Animal Services Hearing Panel Pool

Background, education and experience relevant to this board:

I have had dogs and cats all my life, and I care deeply about their welfare.

Reasons for wanting to serve on this board:

I know there is a community need for members of this board, so I am willing and able to assist.

Conflict of Interest:

Durham Technical Community College Board of Trustees

Background, education and experience relevant to this board:

I have attended numerous meetings of the board of trustees of Carnegie Mellon University, where I earned credits toward a Masters degree in public policy. I also worked for Carnegie Mellon in an official capacity and advised their Dean of Libraries for several years on policy decisions.

Reasons for wanting to serve on this board:

I bring technical and administrative knowledge to the table and believe I would be an asset to the board of trustees. I am passionate about community college education as an affordable path to a post-secondary degree.

Conflict of Interest:

Human Relations Commission**Background, education and experience relevant to this board:**

I have always worked toward and been passionate about equality, and I constantly devote my energy toward dispelling people of racist, sexist, anti-gay and anti-trans sentiments.

Reasons for wanting to serve on this board:

I feel I could make a positive impact and would fight for equality on all fronts. I also believe that I am able to be objective and analytical about issues brought forward.

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 believe that DTCC can expand its offerings to better meet the needs of the community by working with local industry and doing a needs assessment to make changes and additions to available courses of study. Working with local businesses to determine their needs will also create paths to employment, which would enable students to get an associates degree and get out on the job market right away if possible. Many companies are looking for expertise rather than specific degrees, and I feel that DTCC is in a unique position to help accommodate that need.

Other Comments:

This application was current on: 5/28/2016 7:23:02 PM

Date Printed: 5/31/2016

**Volunteer Application
Orange County Advisory Boards and Commissions**

Name: Mr. Tony Whitaker
Name Called:
Home Address: 3725 Quail Meadow Drive
Hillsborough NC 27278
Phone (Day): 919-490-1645
Phone (Evening): 919-943-8418
Phone (Cell): 919-943-8418
Email: twhitaker511@yahoo.com
Place of Employment: Civil Consultants, Inc.
Job Title: President
Year of OC Residence: 1990
Township of Residence: Little River
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Site Committee, Habitat for Humanity, Orange County

Past Service on Orange County Advisory Boards:

Previously served on the Board of Adjustment - 2 terms

Previously served on the Board of Health - 2 terms

Boards/Commissions applied for:

Animal Services Hearing Panel Pool

Background, education and experience relevant to this board:

Engineering education, previous Board experiences, and experience managing a small business for twenty years, provides me with skills needed to listen, critically evaluate, and deal with issues in a balanced manner. Heard numerous appeals when on the Board of Adjustment.

Reasons for wanting to serve on this board:

I want to actively serve in Orange County, and this opportunity seems suited to my skills. I m interested in issues that involve public health and safety.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 8/28/2016 1:11:35 PM

Date Printed: 8/30/2016

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

**Action Agenda
Item No. 11-c**

SUBJECT: Arts Commission – Appointments

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):

Member Roster
Recommendations
Applications for Persons Recommended
Attendance Records
Application Interest List
Applications for Persons on the Interest List

INFORMATION CONTACT:

Clerk's Office, 919-245-2130

PURPOSE: To consider making appointments to the Arts Commission.

BACKGROUND: The following information is for Board consideration:

- Appointment to a partial term (position #4) "At-Large" for Daniel Mayer expiring 03/31/2017.
- Appointment to a first full term (position #6) "At-Large" for Lynne Albert expiring 09/30/2019.
- Appointment to a second full term (position #7) "At-Large" for Doris A. Friend expiring 09/30/2019.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
4	Daniel Mayer	At-Large	03/31/2017
6	Lynne Albert	At-Large	09/30/2019
7	Doris A. Friend	At-Large	09/30/2019

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- *Position #14--- "At-Large" position----- expiring 09/30/2019. **This position will be vacant as of 09/30/2016.**

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 Arts Commission.

Board and Commission Members

And Vacant Positions

Arts Commission

Meeting Times: 6:00 pm second Monday of each month

Terms: 2

Contact Person: Steve Brantley

Meeting Place: Alternating

Positions: 15 Length: 3 years

Contact Phone: 919-968-2011

Description: The members of this commission are appointed by the Board of Commissioners. The Arts Commission is housed with the Economic Development Department. It recommends strategies to promote the artistic and cultural growth of Orange County, advises the Board of Commissioners on matters involving the arts, and acts as the granting panel for two annual funding programs available to individual artists and non-profit groups sponsoring arts projects in Orange County. To learn more, go to the following web address: www.artsorange.org/

1	Jen Rogers 601 W. Rosemary St, Apt 802 Chapel Hill NC 27516	Day Phone: 9199622489 Evening Phone: 2022132815 FAX: E-mail: jrogers29@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 01/21/2016 Current Appointment: 01/21/2016 Expiration: 03/31/2018 Number of Terms: 1
2	Tim Hoke Chair 100 Ironwood Place Chapel Hill NC 27514	Day Phone: 9193837426 Evening Phone: 9194893547 FAX: E-mail: tim@hnva.us	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/16/2014 Current Appointment: 04/07/2015 Expiration: 03/31/2018 Number of Terms:
3	Jennifer Shelton 5705 Field Court Mebane NC 27302	Day Phone: 919-304-6557 Evening Phone: 919-304-6557 FAX: E-mail: jshelton@hawbridgeschool.org	Sex: Female Race: Caucasian Township: Cheeks Resid/Spec Req: At-Large Special Repr:	First Appointed: 10/06/2015 Current Appointment: 10/06/2015 Expiration: 03/31/2017 Number of Terms:
4	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: At-Large Special Repr:	First Appointed: Current Appointment: Expiration: 03/31/2017 Number of Terms:
5	Tinka Jordy 1902 Borland Rd Hillsborough NC 27278	Day Phone: 919 757 2181 Evening Phone: 919 757 2181 FAX: E-mail: tinkajordy@gmail.com	Sex: Female Race: Caucasian Township: Bingham Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/16/2014 Current Appointment: 09/16/2014 Expiration: 03/31/2017 Number of Terms: 1

Board and Commission Members

And Vacant Positions

Arts Commission

Meeting Times: 6:00 pm second Monday of each month

Terms: 2

Contact Person: Steve Brantley

Meeting Place: Alternating

Positions: 15 Length: 3 years

Contact Phone: 919-968-2011

Description: The members of this commission are appointed by the Board of Commissioners. The Arts Commission is housed with the Economic Development Department. It recommends strategies to promote the artistic and cultural growth of Orange County, advises the Board of Commissioners on matters involving the arts, and acts as the granting panel for two annual funding programs available to individual artists and non-profit groups sponsoring arts projects in Orange County. To learn more, go to the following web address: www.artsorange.org/

6	Lynne Albert 2700 Forest Creek Road Chapel Hill NC 27514	Day Phone: 919-969-5549 Evening Phone: 919-969-5549 FAX: E-mail: lynnetalbert@hotmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 01/22/2015 Current Appointment: 01/22/2015 Expiration: 09/30/2016 Number of Terms:
7	Doris A. Friend 5812 Dodson's Crossroads Hillsborough NC 27278	Day Phone: 919-968-1013 Evening Phone: FAX: E-mail: dfriend3@bellsouth.net	Sex: Female Race: Caucasian Township: Bingham Resid/Spec Req: At-Large Special Repr:	First Appointed: 11/19/2013 Current Appointment: 11/19/2013 Expiration: 09/30/2016 Number of Terms: 1
8	Bronwyn Merritt 113 Creekview Circle Carrboro NC 27510	Day Phone: 919-923-1058 Evening Phone: 919-967-1486 FAX: E-mail: Bronwyn@BronwynMerritt.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/16/2014 Current Appointment: 04/07/2015 Expiration: 03/31/2018 Number of Terms:
9	Joy Salyers 1563 Riverside Drive Hillsborough NC 27278	Day Phone: 919-383-6040 Evening Phone: 919-998-8041 FAX: E-mail: joysalyers@ncfolk.org	Sex: Female Race: Caucasian Township: Hillsborough Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/16/2014 Current Appointment: 09/16/2014 Expiration: 03/31/2017 Number of Terms: 1
10	Andrea Riley 1204 Brookhollow Road Efland NC 27243	Day Phone: 919-644-2604 Evening Phone: 919-644-2604 FAX: E-mail: ateuteriley44@gmail.com	Sex: Female Race: Caucasian Township: Cheeks Resid/Spec Req: At-Large Special Repr:	First Appointed: 10/06/2015 Current Appointment: 10/06/2015 Expiration: 03/31/2017 Number of Terms:

Board and Commission Members

And Vacant Positions

Arts Commission

Meeting Times: 6:00 pm second Monday of each month

Terms: 2

Contact Person: Steve Brantley

Meeting Place: Alternating

Positions: 15 Length: 3 years

Contact Phone: 919-968-2011

Description: The members of this commission are appointed by the Board of Commissioners. The Arts Commission is housed with the Economic Development Department. It recommends strategies to promote the artistic and cultural growth of Orange County, advises the Board of Commissioners on matters involving the arts, and acts as the granting panel for two annual funding programs available to individual artists and non-profit groups sponsoring arts projects in Orange County. To learn more, go to the following web address: www.artsorange.org/

11	Ashley Nissler 2313 Woodbury Drive Hillsborough NC 27278	Day Phone: 919-245-3695 Evening Phone: FAX: E-mail: ranissler@mindspring.com	Sex: Female Race: Caucasian Township: Hillsborough Resid/Spec Req: At-Large Special Repr:	First Appointed: 04/23/2013 Current Appointment: 03/18/2014 Expiration: 03/31/2017 Number of Terms: 1
12	Ian Bowater 125 Windsor Circle Chapel Hill NC 27516	Day Phone: 9192405839 Evening Phone: 9192405839 FAX: E-mail: ianbowater7@gmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 01/22/2015 Current Appointment: 04/07/2015 Expiration: 03/31/2018 Number of Terms:
13	Kim Roberts Secretary 908 Grove Street Chapel Hill NC 27517	Day Phone: 919-240-7994 Evening Phone: 919-240-7994 FAX: E-mail: kimcusic@aol.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 01/22/2015 Current Appointment: 04/07/2015 Expiration: 03/31/2018 Number of Terms: 1
14	Dr. Scott Van Manen Will Not Renew Members 300 Orchard Ln Chapel Hill NC 27514	Day Phone: 919-237-2796 Evening Phone: 919-237-2796 FAX: E-mail: sfvanmanen@gmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 09/16/2014 Current Appointment: 09/16/2014 Expiration: 09/30/2016 Number of Terms:
15	Delia Keefe 2420 Sedgefield Drive Chapel Hill NC 27514	Day Phone: 919-357-3510 Evening Phone: 919-942-5624 FAX: E-mail: deliakeefe@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr:	First Appointed: 04/05/2016 Current Appointment: 04/05/2016 Expiration: 03/31/2019 Number of Terms: 1

From: [Martha Shannon - Orange County Arts Commission](#)
To: [Thom Freeman](#)
Subject: Volunteer Applicant Daniel Mayer
Date: Tuesday, June 14, 2016 12:07:53 PM
Importance: High

Hi Thom,

The OCAC board met last night and suggested the name of Volunteer Applicant Daniel Mayer to replace Geoffrey Hathaway, who recently moved out of Orange County.

Please let me know when you think this will go before the BOCC. Thanks so much!

Martha

Martha Shannon
Director
Orange County Arts Commission
Celebrating 31 Years of Advancing the Arts in Orange County!
131 West Margaret Lane, Room 216
Hillsborough, NC 27278
Phone: 919/968-2011
FAX: 919/644-3008
mshannon@orangecountync.gov
www.artsorange.org
www.ExploreChapelHillARTS.com

If you do not want to receive email from us, just reply to this email with REMOVE in the subject line.
If you would like to UPDATE your contact information, please reply to this email with your new info.

From: [Tina Love](#)
To: [Thom Freeman](#)
Subject: RE: Orange County Arts Commission Advisory Board Term Expiration
Date: Thursday, August 11, 2016 2:15:29 PM
Attachments: [image002.png](#)
[Arts Commission 2nd Qtr 2016 Attendance.xlsx](#)

Please present these Arts Commission Advisory Board members for reappointment. Attached is
Doris Friend
Lynne Albert

From: Thom Freeman
Sent: Thursday, August 11, 2016 12:14 PM
To: Tina Love
Subject: RE: Orange County Arts Commission Advisory Board Term Expiration

Hi Tina,

Would you mind sending me just one email indicating that these two member have requested reappointment. I will also need their attendance record for the past 12 months and I can send you the attendance template if you would like.

Thanks,
Thom

Thom Freeman
Assistant to the Clerk
Orange County Board of Commissioners
200 South Cameron Street
PO Box 8181
Hillsborough, NC 27278
919-245-2125
FAX – 919-644-0246
tfreeman@orangecountync.gov



From: Tina Love
Sent: Thursday, August 11, 2016 11:59 AM
To: Thom Freeman
Subject: FW: Orange County Arts Commission Advisory Board Term Expiration

From: Lynne Albert [<mailto:lynnetalbert@hotmail.com>]
Sent: Wednesday, August 10, 2016 7:18 PM
To: Tina Love
Subject: RE: Orange County Arts Commission Advisory Board Term Expiration

That's fine. It's all good by me whatever date it is. :-)

Have a good night!

Lynne

From: tlove@orangecountync.gov

To: lynnetalbert@hotmail.com

Subject: Re: Orange County Arts Commission Advisory Board Term Expiration

Date: Wed, 10 Aug 2016 20:22:05 +0000

I'll double check with the Clerk's office but this came from them and all member terms are shown as either 9/30 or 3/31 as end dates. I'll also let them know you are agreeable to another term. Thank you for your volunteer service to the County.

Sent from my Verizon 4G LTE Smartphone

----- Original message-----

From: Lynne Albert

Date: Wed, Aug 10, 2016 3:45 PM

To: Tina Love;

Cc: Tim Hoke;Steve Brantley;

Subject:RE: Orange County Arts Commission Advisory Board Term Expiration

Hi Tina,

Thanks for your message. I was told that my term went through December 2016.

But I'm happy to serve for another term.

All the best,

Lynne

From: tlove@orangecountync.gov

To: lynnetalbert@hotmail.com

CC: tim@hnva.us; sbrantley@orangecountync.gov

Subject: Orange County Arts Commission Advisory Board Term Expiration

Date: Wed, 10 Aug 2016 17:07:56 +0000

Dear Lynne:

As you may or may not know your term on the Orange County Arts Commission Advisory Board will be expiring on September 30th of this year. Your first appointment was considered a partial term as it was under 2 years so you are eligible to serve 2 more terms on the Arts Commission. If you are interested in serving another term it would be considered as your term which would be for 3 more years.

We would like to know if you are interested in serving another term and hope you are willing. This will need to go to the Board of County Commissioner for reappointment should you agree to serve another term on the Board.

If you could let us know your interest within the next week we would be grateful.

Regards,

*Tina D. Love, Administrative Assistant III
Orange County Economic Development
131 West Margaret Lane, Suite 205
Hillsborough, NC 27278
(919) 245-2325 Office
tlove@orangecountync.gov*



Volunteer Application Orange County Advisory Boards and Commissions

Name: Daniel Mayer
Name Called:
Home Address: 112 Goldston Dr Apt. B
 Carrboro NC 27510
Phone (Day): 9199292787
Phone (Evening): 2064129069
Phone (Cell): 2064129069
Email: dymayer@gmail.com
Place of Employment: The ArtsCenter
Job Title: Executive Director
Year of OC Residence: 2015
Township of Residence: Chapel Hill
Zone of Residence: Carrboro City Limits
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

I am a member of the Carrboro Arts Commission and the Economic Sustainability Commission of Carrboro.

Past Service on Orange County Advisory Boards:

N/A

Boards/Commissions applied for:

Arts Commission

Background, education and experience relevant to this board:

I have been working in the arts for more than thirty years and have a art history degree and a law degree and practiced art and entertainment law for fifteen years. For the last fifteen years I have been a arts administrator working with small and midsize arts organizations. I have sat on more than two dozen funding panels and until last September was the co-chair of the Arts Advisory Board of the King County Arts Commission in Seattle. I am currently the Executive Director of The ArtsCenter in Carrboro.

Reasons for wanting to serve on this board:

I would like to learn more about the arts in the county and to help the commission in any way I can bringing a knowledge of arts management and an understanding of the role of working artists to the board.

Conflict of Interest:

Supplemental Questions:

Other Comments:

Volunteer Application Orange County Advisory Boards and Commissions

Name: Ms. Lynne Albert
Name Called:
Home Address: 2700 Forest Creek Road
 Chapel Hill NC 27514
Phone (Day): 9199695549
Phone (Evening): 9199695549
Phone (Cell): 9198247043
Email: lynnetalbert@hotmail.com
Place of Employment: Self employed
Job Title: artist
Year of OC Residence: 1994
Township of Residence: Chapel Hill
Zone of Residence:
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Duke Hospice Volunteer (2012 to the present);
 Triangle United Way (Board of Trustees: 2002-2005; Women's Leadership Council
 Advisory Committee: 2005-2007);
 Orange County United Way (Board of Trustees: 1999-2002; Treasurer: 1999-2001);
 Creek Wood Homeowners' Ass'n (Board of Directors: 2004-2006; Vice President:
 2005-2006);
 Animal Protection Society of Orange County volunteer;
 Orange United Methodist Preschool (Advisory Board: 2000-2001);
 Orange United Methodist Church (Board of Trustees: 2001- 2013);
 National Foundation for Women's Bar Associations (Board of Directors: 2005-2006;
 President: 2005-2006);
 NC Association of Women Attorneys (President: 2006-2007)

Past Service on Orange County Advisory Boards:

N/A

Boards/Commissions applied for:

Arts Commission

Background, education and experience relevant to this board:

As a retired attorney-turned-artist, I hope to use my knowledge of both the art world and the business world to expand the arts in Orange County. I also enjoy working with other volunteers toward common goals that help others.

Reasons for wanting to serve on this board:

I would like to help the artists in the community and would also like to help Orange County support more public art and art education.

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 8/16/2014 9:05:05 AM

Date Printed: 8/19/2014

**Volunteer Application
Orange County Advisory Boards and Commissions**

Name: Ms. Doris A. Friend
Name Called:
Home Address: 5812 Dodson's Crossroads
Hillsborough NC 27278
Phone (Day): 919-968-1013
Phone (Evening):
Phone (Cell): 919-302=1731
Email: dfriend3@bellsouth.net
Place of Employment: Retired
Job Title:
Year of OC Residence: 1994
Township of Residence: Bingham
Zone of Residence: Agricultural Residential
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Deep Dish Theater - Board Member
Compass Center for Women and Families - Board Vice-Chair

Past Service on Orange County Advisory Boards:

Boards/Commissions applied for:

Supplemental Questions:

Other Comments:

STAFF COMMENST: Applied (09/22/2013) for Arts Commission. ADDRESS
VERIFICATION: 5812 Dodson's Crossroads is Bingham Township, Orange County
Jurisdiction and Agricultural Residential Zoning.

This application was current on: 9/22/2013

Date Printed: 12/31/2013

BOCC Attendance Report For Arts Commission Appointments
Arts Commission Aug / 2015 – Aug / 2016

Member	Appointed	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug					
Lynne Albert	01/22/2015	P	P	E	P	E	P	P	P	P	P	P	NA	P					
Doris Friend	11/19/2013	P	E	P	P	P	P	P	P	P	P	P	NA	P					
P: Present E: Excused A: Absent																			
Current through - August 2016																			

Applicant Interest Listing

by Board Name and by Applicant Name

Arts Commission

Contact Person: Steve Brantley

Contact Phone: 919-968-2011

Bartholomew Barker

135 Thomas Burke Drive

Hillsborough NC 27278

Day Phone: 9192659488

Evening Phone: 9192659488

Cell Phone: 9192659488

E-mail: bart.barker@gmail.com

Sex: Male

Race: Caucasian

Township: Hillsborough

Res. Eligibility: Hillsborough ETJ

Date Applied: 04/10/2016

Skills:

Also Serves On: Animal Services Hearing Panel Pool

Daniel Mayer

112 Goldston Dr Apt. B

Carrboro NC 27510

Day Phone: 9199292787

Evening Phone: 2064129069

Cell Phone: 2064129069

E-mail: dymayer@gmail.com

Sex: Male

Race: Caucasian

Township: Chapel Hill

Res. Eligibility: Carrboro City Limits

Date Applied: 03/09/2016

Skills:

Also Serves On:

Volunteer Application Orange County Advisory Boards and Commissions

Name: Bartholomew Barker
Name Called:
Home Address: 135 Thomas Burke Drive
 Hillsborough NC 27278
Phone (Day): 9192659488
Phone (Evening): 9192659488
Phone (Cell): 9192659488
Email: bart.barker@gmail.com
Place of Employment: Sports Endeavors, Inc.
Job Title: Programmer
Year of OC Residence: 2007
Township of Residence: Hillsborough
Zone of Residence: Hillsborough ETJ
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Living Poetry, co-organizer

Past Service on Orange County Advisory Boards:

none

Boards/Commissions applied for:

Animal Services Hearing Panel Pool

Background, education and experience relevant to this board:

Involved in dog rescue from 2000-2009.

Reasons for wanting to serve on this board:

I want to help improve the lives of all animals in the county, including humans.

Conflict of Interest:

Arts Commission

Background, education and experience relevant to this board:

Since 2010, I've been a co-organizer of Living Poetry, the Triangle's largest collection of poets and poetry readers. I run monthly workshops and host the occasional open mic.

Reasons for wanting to serve on this board:

To help promote poetry.

Conflict of Interest:

I'm an active poet, looking to promote and sell my own work too.

Supplemental Questions:

Other Comments:

This application was current on: 4/10/2016 12:34:16 PM

Date Printed: 4/12/2016

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

**Action Agenda
Item No. 11-d**

SUBJECT: Hillsborough Board of Adjustment – Appointment

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):

Member Roster
Resolution
Attendance Information
Application for Person Recommended
Application Interest List

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 second full term (position #2) "Alternate Hillsborough ETJ" for Dustin Williams expiring 09/30/2019.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
2	Dustin Williams	Hillsborough ETJ	09/30/2019

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 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.

Rob Bray

1

1806 W Chapman Court
Hillsborough NC 27278

Day Phone: 9195991000
Evening Phone: 9195991000
FAX:
E-mail: robb Bray1@gmail.com

Sex: Male
Race: Caucasian
Township: Hillsborough
Resid/Spec Req: Extraterritorial Jurisd
Special Repr: County-Alternate

First Appointed: 06/07/2016
Current Appointment: 06/07/2016
Expiration: 06/30/2017
Number of Terms:

Dustin Williams

2

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:

David L. Remington

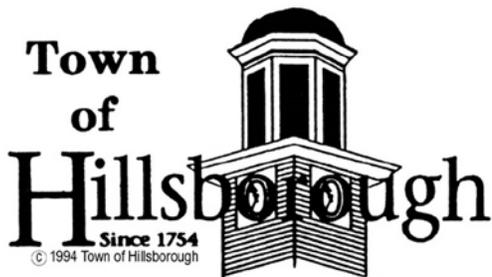
3

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 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 re-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 current volunteer is a member in good standing with the Board and wishes to serve a second term;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH RESOLVES:

Section 1. The Orange County Board of Commissioners is respectfully requested to re-appoint the following individual to an ETJ seat on the Hillsborough Board of Adjustment, whose term would expire in September 30, 2019:

Mr. Dustin Williams
416 St. Mary's Road
Hillsborough, NC 27278

Section 2. If the Orange County Board of Commissioners fails to appoint persons willing to serve in the capacity described above within 90 days after receiving this resolution, then the Hillsborough Town Board may make this appointment.

Section 3. The Town Clerk shall send a copy of this resolution to the Orange County Manager.

Section 4. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote received the following vote and was duly adopted this 8th day of August, 2016.

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 August 8, 2016.

Katherine M. Cathey

Katherine M. Cathey
Human Resources Director/Town Clerk

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Dustin Williams
Name Called:
Home Address: 416 St Marys Rd
HILLSBOROUGH NC 27278
Phone (Day): 8432241561
Phone (Evening): 8432241561
Phone (Cell): 8432241561
Email: ducwilliams@gmail.com
Place of Employment: RTI International
Job Title: Survey Manager
Year of OC Residence: 2005
Township of Residence: Hillsborough
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

N/A

Past Service on Orange County Advisory Boards:

N/A

Boards/Commissions applied for:**Hillsborough Board of Adjustment****Background, education and experience relevant to this board:**

As a graduate student(MA, Political Science)I minored in public policy (administered through UNC s School of Government). My public policy coursework focused on economic development and I believe this experience would serve me well on the board of adjustment.

Reasons for wanting to serve on this board:

I would like to become active in Hillsborough and play an active role in the development and growth of Hillsborough and Orange County. I love Orange County and Hillsborough and want to help ensure it remains a great play to live, work, and do business.

Conflict of Interest:**Supplemental Questions:****Other Comments:**

This application was current on: 3/3/2014 5:19:03 PM

Date Printed: 3/5/2014

From: [Margaret Hauth](#)
To: [Thom Freeman](#); [Sherri Ingersoll](#); [Donna Baker](#)
Subject: RE: Hillsborough Board resolution - appointment of Dustin Williams
Date: Monday, August 15, 2016 9:28:25 AM

Thom,

Dustin attended 16 of the 21 scheduled meetings of the BOA since his appointment.

Margaret A. Hauth, AICP
Planning Director/Assistant Town Manager
P.O.Box 429
101 E Orange Street
Hillsborough, NC 27278
919.732.1270 ext 86
919.644-2390
www.hillsboroughnc.gov

Pursuant to NCGS Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it *may* be considered public record and as such are subject to request and review by anyone at anytime.

From: Thom Freeman [mailto:tfreeman@orangecountync.gov]
Sent: Friday, August 12, 2016 3:21 PM
To: Sherri Ingersoll <Sherri.Ingersoll@hillsboroughnc.org>; Donna Baker <dbaker@orangecountync.gov>
Cc: Margaret Hauth <Margaret.Hauth@hillsboroughnc.org>
Subject: RE: Hillsborough Board resolution - appointment of Dustin Williams

Hi Sherri,

I failed to mention that the commissioners like to look at the attendance record anyone up for re-appointment. If can provide me with the attendance record for Dustin Williams for the past 12 months, I would greatly appreciate it.

Have a great weekend!

Thom

Thom Freeman
Assistant to the Clerk
Orange County Board of Commissioners
200 South Cameron Street
PO Box 8181
Hillsborough, NC 27278
919-245-2125
FAX – 919-644-0246
tfreeman@orangecountync.gov



From: Sherri Ingersoll [<mailto:Sherri.Ingersoll@hillsboroughnc.org>]
Sent: Thursday, August 11, 2016 3:12 PM
To: Donna Baker; Thom Freeman
Cc: Margaret Hauth
Subject: Hillsborough Board resolution - appointment of Dustin Williams

This was passed on Monday night. Let me know if you have any questions or need additional information.

Sherri L. Ingersoll, SHRM-CP
Human Resources Analyst/Deputy Town Clerk
Town of Hillsborough
101 E. Orange Street
Hillsborough, NC 27278
919-732-1270, Ext. 76
sherri.ingersoll@hillsboroughnc.org

Pursuant to NCGS Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time.

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mr. Dustin Williams
Name Called:
Home Address: 416 St Marys Rd
HILLSBOROUGH NC 27278
Phone (Day): 8432241561
Phone (Evening): 8432241561
Phone (Cell): 8432241561
Email: ducwilliams@gmail.com
Place of Employment: RTI International
Job Title: Survey Manager
Year of OC Residence: 2005
Township of Residence: Hillsborough
Zone of Residence:
Sex: Male
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

N/A

Past Service on Orange County Advisory Boards:

N/A

Boards/Commissions applied for:**Hillsborough Board of Adjustment****Background, education and experience relevant to this board:**

As a graduate student(MA, Political Science)I minored in public policy (administered through UNC s School of Government). My public policy coursework focused on economic development and I believe this experience would serve me well on the board of adjustment.

Reasons for wanting to serve on this board:

I would like to become active in Hillsborough and play an active role in the development and growth of Hillsborough and Orange County. I love Orange County and Hillsborough and want to help ensure it remains a great play to live, work, and do business.

Conflict of Interest:**Supplemental Questions:****Other Comments:**

This application was current on: 3/3/2014 5:19:03 PM

Date Printed: 3/5/2014

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

No applicants for this board.

Day Phone:

Sex:

Evening Phone:

Race:

Cell Phone:

Township:

E-mail:

Res. Eligibility:

Date Applied:

Skills:

Also Serves On:

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: September 6, 2016

**Action Agenda
Item No. 11-e**

SUBJECT: Nursing Home Community Advisory Committee – Appointment

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):

Member Roster
Recommendation
Application for Person Recommended
Applicant Interest List
Application for Person on the Interest
List

INFORMATION CONTACT:

Donna Baker, Clerk to the Board
919-245-2130

PURPOSE: To consider making an appointment to the Nursing Home Community Advisory Committee.

BACKGROUND: The following information is for Board consideration:

- Appointment to a one year training term (Position #7) “At-Large Nursing Home Administration” position for Jacqueline Podger expiring 09/06/2017.

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
7	Jacqueline Podger	At-Large Nursing Home Administration	09/06/2017

NOTE - If the individuals listed above are appointed, the following vacancies remain:

*Position #11--- “At-Large Nursing Home Administration” position----- expiring 12/31/2016. **This position has been vacant since 04/27/2016.**

*** All positions require a one year training period from date of appointment.**

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 Nursing Home Community Advisory Committee.

Board and Commission Members

And Vacant Positions

Nursing Home Community Advisory Committee

Meeting Times: 5:30 pm Every other 1st Tuesday starting with Jan.

Terms: 2

Contact Person: Carolyn Pennington

Meeting Place: United Church of CH - 1321 ML King Blvd

Positions: 12

Length: 3 years

Contact Phone: 919-558-2703

Description: All appointments are made by the Board of Commissioners. This committee helps to maintain the intent of the Residents' Bill of Rights, promotes community involvement and provides public education on long-term care issues. The regional ombudsman with Triangle J Council of Governments provides specialized training and support.

1	Martha Bell 100 Macrae Court Chapel Hill NC 27516	Day Phone: 919-968-4674 Evening Phone: 919-968-4674 FAX: E-mail: mbell968@yahoo.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 10/06/2015 Current Appointment: 10/06/2015 Expiration: 10/06/2016 Number of Terms:
2	Molly Stein 103 Stephens Street Chapel Hill NC 27516	Day Phone: 954-254-2865 Evening Phone: 954-254-2865 FAX: E-mail: msstein@live.unc.edu	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 06/16/2015 Current Appointment: 06/21/2016 Expiration: 03/31/2018 Number of Terms:
3	Teri J. Driscoll Chair 422 Hampton Pointe Hillsborough NC 27278	Day Phone: 919-245-1127 Evening Phone: 919-245-1127 FAX: E-mail: driscoll323@nc.rr.com	Sex: Female Race: Caucasian Township: Hillsborough Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 09/17/2013 Current Appointment: 10/07/2014 Expiration: 09/30/2017 Number of Terms: 1
4	Jerry Schreiber Trainee 1606 Pathway Dr Carrboro NC 27510	Day Phone: 919 967 2962 Evening Phone: 919 967 2962 FAX: E-mail: jrogerschreiber@gmail.com	Sex: Male Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 10/07/2014 Current Appointment: 10/06/2015 Expiration: 06/30/2017 Number of Terms:
5	Sandra Nash 600 West Poplar Ave., Apt. 239 Carrboro NC 27510	Day Phone: 828-668-9628 Evening Phone: FAX: E-mail: None	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: Nursing Home Administration	First Appointed: 02/04/2014 Current Appointment: 03/03/2015 Expiration: 06/30/2017 Number of Terms: 2

Board and Commission Members

And Vacant Positions

Nursing Home Community Advisory Committee

Meeting Times: 5:30 pm Every other 1st Tuesday starting with Jan.

Terms: 2

Contact Person: Carolyn Pennington

Meeting Place: United Church of CH - 1321 ML King Blvd

Positions: 12

Length: 3 years

Contact Phone: 919-558-2703

Description: All appointments are made by the Board of Commissioners. This committee helps to maintain the intent of the Residents' Bill of Rights, promotes community involvement and provides public education on long-term care issues. The regional ombudsman with Triangle J Council of Governments provides specialized training and support.

6	Elijah (Ed) Flowers III 2813 Beckett's Ridge Drive Hillsborough NC 27278	Day Phone: 919-357-9256 Evening Phone: 919-357-9256 FAX: E-mail: ed_flowers@yahoo.com	Sex: Male Race: Caucasian Township: Hillsborough Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 04/19/2016 Current Appointment: 04/19/2016 Expiration: 03/31/2019 Number of Terms: 1
7	VACANT	Day Phone: Evening Phone: FAX: E-mail:	Sex: Race: Township: Resid/Spec Req: At-Large Special Repr: Nursing Home Administration	First Appointed: Current Appointment: Expiration: 06/30/2017 Number of Terms:
8	Jerry Ann Gregory 2224 Lebanon Rd Efland NC 27243	Day Phone: 919-644-8172 Evening Phone: 919-644-8172 FAX: E-mail: harleyphn@yahoo.com	Sex: Female Race: Caucasian Township: Cheeks Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 12/09/2014 Current Appointment: 11/17/2015 Expiration: 03/31/2017 Number of Terms:
9	Susan Deter 5512 Quail Hollow Drive Hillsborough NC 27278	Day Phone: 919-682-4124 Evening Phone: 919-479-0574 FAX: 919-956-7703 E-mail: susiedeter@yahoo.com	Sex: Female Race: Caucasian Township: Little River Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 04/19/2011 Current Appointment: 06/21/2016 Expiration: 06/30/2019 Number of Terms: 2
10	Glenda Floyd Training Term 103 Culbreth Rd Ghapel Hill NC 27516	Day Phone: 812-205-6595 Evening Phone: 812-205-6595 FAX: E-mail: gkf1121@gmail.com	Sex: Female Race: Caucasian Township: Chapel Hill Resid/Spec Req: At-Large Special Repr: At-Large	First Appointed: 11/17/2015 Current Appointment: 11/17/2015 Expiration: 11/17/2016 Number of Terms:

Board and Commission Members

And Vacant Positions

Nursing Home Community Advisory Committee

Meeting Times: 5:30 pm Every other 1st Tuesday starting with Jan.

Terms: 2

Contact Person: Carolyn Pennington

Meeting Place: United Church of CH - 1321 ML King Blvd

Positions: 12

Length: 3 years

Contact Phone: 919-558-2703

Description: All appointments are made by the Board of Commissioners. This committee helps to maintain the intent of the Residents' Bill of Rights, promotes community involvement and provides public education on long-term care issues. The regional ombudsman with Triangle J Council of Governments provides specialized training and support.

VACANT

11

Day Phone:

Sex:

First Appointed:

Evening Phone:

Race:

Current Appointment:

FAX:

Township:

Expiration: 12/31/2016

E-mail:

Resid/Spec Req: At-Large

Number of Terms:

Special Repr: Nursing Home Administration

Vibeke Talley

12

134 East Tryon Street

Hillsborough NC 27278

Day Phone: 919-732-3112

Sex: Female

First Appointed: 05/20/2014

Evening Phone: 919-732-3112

Race: Caucasian

Current Appointment: 05/20/2014

FAX: 968-2017

Township: Hillsborough

Expiration: 12/31/2016

E-mail: vibandjoe@hotmail.com

Resid/Spec Req: At-Large

Number of Terms:

Special Repr: Nursing Home Administration

To: Orange County BOCC
From: Teri Driscoll, Chair of Orange County Nursing Home CAC
Re: Jacqueline Podger, New Applicant
Date: July 7, 2016

It gives me great pleasure to recommend that you appoint Jacqueline Podger to the Orange County Nursing Home Community Advisory Committee for her one year training.

After speaking with Ms. Podger and reviewing her application, I believed that she would be a good fit for our committee. I invited her to our July 5th meeting to meet everyone and tell them about her background. She certainly has the experience to be an active member. Everyone was very receptive to her and thought that she would be a good addition.

I have advised her that I would be sending you this recommendation.

It is a pleasure working with you and thank you all for being the great Board of County Commissioners that you are.

Applicant Interest Listing

by Board Name and by Applicant Name

Nursing Home Community Advisory Committee

Contact Person: Carolyn Pennington

Contact Phone: 919-558-2703

Judith Causey
2621 Beavertail Dr
Hillsborough NC 27278

Day Phone: 9192604249
Evening Phone: 9192604249
Cell Phone: 9192604249
E-mail: judithcausey@hotmail.com

Sex: Female
Race: Caucasian
Township: Hillsborough
Res. Eligibility:
Date Applied: 01/25/2016

Skills:

Also Serves On:

Jacquelyn Podger
719 New Hope Church Rd.
Chapel Hill NC 27516

Day Phone: 919-740-8814
Evening Phone: 919-240-7633
Cell Phone: 919-740-8814
E-mail: jacannpod@gmail.com

Sex: Female
Race: Caucasian
Township: Chapel Hill
Res. Eligibility: County
Date Applied: 05/23/2016

Skills:

Also Serves On:

Volunteer Application Orange County Advisory Boards and Commissions

Name: Mrs Judith Causey
Name Called:
Home Address: 2621 Beavertail Dr
 Hillsborough NC 27278
Phone (Day): 9192604249
Phone (Evening): 9192604249
Phone (Cell): 9192604249
Email: judithcausey@hotmail.com
Place of Employment: Retired. UNC
Job Title: RN Center For Excellence
Year of OC Residence: 1999
Township of Residence: Hillsborough
Zone of Residence:
Sex: Female
Ethnic Background: Caucasian

Community Activities/Organizational Memberships:

Active RN License
 PHRC
 MADD

Past Service on Orange County Advisory Boards:

None

Boards/Commissions applied for:

Nursing Home Community Advisory Committee

Background, education and experience relevant to this board:

I am 77. I have interacted with and nursed many geriatric patients. I have. Visited many long term care facilities. I have placed patients into long term care facilities & continued to supervise care & services on site

Reasons for wanting to serve on this board:

Serve in some capacity to help Orange County to be first class in services offered our citizens.

Conflict of Interest:

Adult Care Home Community Advisory Committee

Background, education and experience relevant to this board:

Interacted with & nursed many seniors. I am a senior in good health

Reasons for wanting to serve on this board:

I have an interest in helping our citizens to age in their own homes

Conflict of Interest:

Supplemental Questions:

Other Comments:

This application was current on: 1/25/2016 11:39:33 PM

Date Printed: 2/1/2016

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
6/21/16	Review and consider request by Commissioner Jacobs based on comments from multiple Board members that staff plan a social event to occur after Labor Day for the BOCC and both school boards to allow opportunity for relationship building	9/30/2016	Chair/Vice Chair/Manager Donna Baker	DONE Event Scheduled
6/21/16	Review and consider request by Commissioner Price that follow-up occur on the status of report on salaries for law enforcement officers that Commissioner Price previously requested	8/30/2016	Chair/Vice Chair/Manager Brenda Bartholomew	DONE
6/21/16	Review and consider request by Commissioner Price that the County Attorney review the recent Broadband announcement by the state and provide feedback/interpretation to the Board regarding impacts for Orange County	9/30/2016	Chair/Vice Chair/Manager John Roberts	DONE
6/21/16	Pursue scheduling Planning Board and Board of Adjustment appointment processes for discussion at a fall 2016 work session	11/30/2016	Donna Baker	To be scheduled for fall 2016 work session

INFORMATION ITEM

Tax Collector's Report - Numerical Analysis

Effective Date of Report: August 19, 2016						
Tax Year 2016	Amount Charged in FY 16-17	Amount Collected	Accounts Receivable	Amount Budgeted in FY 16-17	Remaining Budget	% of Budget Collected
Current Year Taxes	\$ 137,207,067.00	7,529,971.67	\$ 128,888,343.27	\$ 137,207,067.00	\$ 129,677,095.33	5.49%
Prior Year Taxes	\$ 3,316,575.96	221,641.11	\$ 3,094,133.72	\$ 1,150,000.00	\$ 928,358.89	19.27%
Total	\$ 140,523,642.96	7,751,612.78	\$ 131,982,476.99	\$ 138,357,067.00	\$ 130,605,454.22	5.60%
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	5,384,159.23	\$ 129,239,927.84	\$ 136,413,322.00	\$ 131,029,162.77	3.95%
Prior Year Taxes	\$ 3,467,594.46	262,476.68	\$ 3,205,762.93	\$ 1,150,000.00	\$ 887,523.32	22.82%
Total	\$ 139,880,916.46	5,646,635.91	\$ 132,445,690.77	\$ 137,563,322.00	\$ 131,916,686.09	4.10%
Current Year Overall Collection Percentage Tax Year 2016			5.55%			
Current Year Overall Collection Percentage Tax Year 2015			4.08%			

INFORMATION ITEM

Tax Collector's Report - Measures of Enforced Collections

Fiscal Year 2016-2017

Effective Date of Report: July, 2016

	July	August	September	October	November	December	January	February	March	April	May	June	YTD
Wage garnishments	32												32
Bank attachments	15												15
Certifications	-												-
Rent attachments	-												-
Housing/Escheats/Monies	-												-
Levies	-												-
Foreclosures initiated	3												3
NC Debt Setoff collections	\$ 178.90												179

This report shows the Tax Collector's efforts to encourage and enforce payment of taxes for the fiscal year 2016-2017. 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.

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	TAX	FEE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	TAX CLASSIFICATION	ACTION	Approved by CFO	Additional Explanation
Anderson, James William	19869603	2013	800	800	(6.07)	(30.00)	(36.07)	Situs error (illegal tax)	RMV-VTS	Approved	7/15/2016	
Bailey, Matthew	32789386	2016	7,110	7,110	(50.79)	(30.00)	(80.79)	Situs error (illegal tax)	RMV-VTS	Approved	8/11/2016	
Baker, Laura Cross	32852292	2016	20,070	14,049	(55.31)		(55.31)	Purchase price (appraisal appeal)	RMV-VTS	Approved	8/11/2016	
Balch, Deborah	18383708	2015	6,900	6,086	(7.79)		(7.79)	Value adjustment (appraisal appeal)	RMV-VTS	Approved	8/11/2016	Vehicle damaged
Bayless, Tony Bron	28229774	2015	1,110	1,110	(37.92)		(37.92)	Situs error (illegal tax)	RMV-VTS	Approved	7/1/2016	
Bouchard, Michelle	30563297	2015	27,810	27,810	(32.76)	(20.00)	(52.76)	Situs error (illegal tax)	RMV-VTS	Approved	8/11/2016	
Cecil, Jennifer Jones	32127813	2015	11,390	11,390	(82.90)	(30.00)	(112.90)	Situs error (illegal tax)	RMV-VTS	Approved	6/28/2016	
Chakravarti, Xavier	290137	2016	300	0	(4.83)	(0.48)	(5.31)	Assessed in error (clerical error)	Personal	Approved	8/11/2016	Not removed before billing
Ciriacks, Kevin	32732732	2016	4,550	0	(76.25)	(30.00)	(106.25)	County changed to Chatham (illegal tax)	RMV-VTS	Approved	8/11/2016	
Cook, Stephen B	186658	2016	750	0	(7.19)	(0.72)	(7.91)	Double billed (illegal tax)	Personal	Approved	8/11/2016	Vehicle licensed before Jan 1, 2016
Evans, Samuel Wade	31893951	2015	3,230	500	(26.15)		(26.15)	Antique plate (appraisal appeal)	RMV-VTS	Approved	6/28/2016	
Forrest, Stephen C. III	290421	2016	6,500	4,510	(18.87)		(18.87)	Incorrect value (clerical error)	Personal	Approved	8/11/2016	Value reduced by appeal in prior year
Fourqurean, Fred	8630397	2014	3,120	500	(25.09)		(25.09)	Assessed in error (illegal tax)	RMV-VTS	Approved	8/11/2016	Antique Questionnaire provided previous year & system noted
Glasgow, Ray	31681638	2015	1,000	1,000	(7.27)		(7.27)	Situs error (illegal tax)	RMV-VTS	Approved	7/27/2016	
Glasgow, Ray	31681696	2015	1,790	1,790	(13.03)		(13.03)	Situs error (illegal tax)	RMV-VTS	Approved	7/27/2016	
Guo, Yue	27707004	2015	11,730	8,677	(49.18)		(49.18)	Value adjustment (appraisal appeal)	RMV-VTS	Approved	8/11/2016	Vehicle damaged
Hall, John Mark	26860075	2015	21,499	16,769	(44.37)		(44.37)	High mileage (appraisal appeal)	RMV-VTS	Approved	8/11/2016	
Jefferies, Richard	32754357	2015	10,000	500	(91.00)		(91.00)	Antique plate (appraisal appeal)	RMV-VTS	Approved	8/11/2016	
Joesph, Michael Benjamin	32182435	2015	4,670	3,362	(21.05)		(21.05)	High mileage (appraisal appeal)	RMV-VTS	Approved	7/15/2016	
Johnson, Robert Leon	32466971	2015	3,000	500	(38.95)		(38.95)	Antique plate (appraisal appeal)	RMV-VTS	Approved	7/15/2016	
King, Alvin Randolph	32780319	2016	4,600	4,600	(33.48)	(30.00)	(63.48)	Situs error (illegal tax)	RMV-VTS	Approved	7/27/2016	Mobile home destroyed 6/8/08
Koenigshofer, Daniel	16115395	2015	9,430	7,072	(27.98)		(27.98)	Damage (appraisal appeal)	RMV-VTS	Approved	6/28/2016	
Lafko, George	32649398	2016	22,930	20,178	(44.33)		(44.33)	High mileage (appraisal appeal)	RMV-VTS	Approved	8/11/2016	
McClure, Mary	8158	2011	969	0	(9.68)		(9.68)	Double billed (illegal tax)	Personal	Approved	6/28/2016	Also on abstract #5835
McClure, Mary	8158	2012	950	0	(9.55)		(9.55)	Double billed (illegal tax)	Personal	Approved	6/28/2016	Also on abstract #5835
McClure, Mary	8158	2013	950	0	(9.74)		(9.74)	Double billed (illegal tax)	Personal	Approved	6/28/2016	Also on abstract #5835
McClure, Mary	8158	2014	950	0	(9.94)		(9.94)	Double billed (illegal tax)	Personal	Approved	6/28/2016	Also on abstract #5835
McClure, Mary	8158	2015	950	0	(10.04)		(10.04)	Double billed (illegal tax)	Personal	Approved	6/28/2016	Also on abstract #5835
Medlin, Joseph	31742908	2015	7,050	7,050	(50.35)	(30.00)	(80.35)	Situs error (illegal tax)	RMV-VTS	Approved	6/28/2016	
Meed, Jessica	24801262	2015	16,520	14,207	(37.25)		(37.25)	High mileage (appraisal appeal)	RMV-VTS	Approved	7/1/2016	
Morehouse, Claire	18397510	2015	2,950	638	(37.24)		(37.24)	Value adjustment (appraisal appeal)	RMV-VTS	Approved	8/11/2016	Vehicle damaged
Payne, C. E.	310227	2015	950	0	(16.28)		(16.28)	Assessed in error (illegal tax)	Personal	Approved	7/27/2016	
Payne, C. E.	310227	2014	950	0	(16.28)		(16.28)	Assessed in error (illegal tax)	Personal	Approved	7/27/2016	Mobile home destroyed 6/8/08
Payne, C. E.	310227	2013	950	0	(16.08)		(16.08)	Assessed in error (illegal tax)	Personal	Approved	7/27/2016	Mobile home destroyed 6/8/08
Payne, C. E.	310227	2012	950	0	(16.08)		(16.08)	Assessed in error (illegal tax)	Personal	Approved	7/27/2016	Mobile home destroyed 6/8/08
Penny, Randall Lee	27768216	2015	930	930	(6.64)	(30.00)	(36.64)	Situs error (illegal tax)	RMV-VTS	Approved	7/15/2016	
Penny, Randall Lee	27848839	2015	6,960	6,960	(49.70)	(30.00)	(79.70)	Situs error (illegal tax)	RMV-VTS	Approved	7/15/2016	
Poague, Judy Ann	8758869	2013	5,900	5,900	(42.94)	(30.00)	(72.94)	Situs error (illegal tax)	RMV-VTS	Approved	8/11/2016	
Russell, David	18382191	2015	3,050	2,050	(16.11)		(16.11)	Repair estimate (appraisal appeal)	RMV-VTS	Approved	7/1/2016	
Senese, Alec Joseph	30863823	2015	33,975	30,575	(40.43)		(40.43)	Damage (appraisal appeal)	RMV-VTS	Approved	7/15/2016	
Sturdivants Tire & Auto Inc	32206731	2015	8,190	8,190	(60.43)	(30.00)	(90.43)	Situs error (illegal tax)	RMV-VTS	Approved	6/28/2016	
Sweitzer, Maggie	18408087	2015	6,500	4,875	(15.62)		(15.62)	Value adjustment (appraisal appeal)	RMV-VTS	Approved	8/11/2016	Vehicle damaged
Taylor, Eric Richard	30929613	2015	17,010	14,288	(42.41)		(42.41)	High mileage (appraisal appeal)	RMV-VTS	Approved	8/11/2016	
The Brough Law Firm PLLC	1055616	2016	18,475	18,475	(29.75)		(29.75)	Assessed in error (clerical error)	Personal	Approved	8/11/2016	Extension attached to account #1058790, removing LLP
The Rutherford Revocable Trust	18402093	2015	6,810	3,950	(26.83)		(26.83)	High mileage (appraisal appeal)	RMV-VTS	Approved	7/1/2016	
Winters, Connie Caldwell	27097048	2015	11,632	11,341	(4.89)		(4.89)	High mileage (appraisal appeal)	RMV-VTS	Approved	7/15/2016	

NAME	ABSTRACT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	TAX	FEE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	TAX CLASSIFICATION	ACTION	Approved by CFO	Additional Explanation
Woodsong, Cynthia	18393753	2013	10,740	10,740	(77.78)	(30.00)	(107.78)	Situs error (illegal tax)	RMV-VTS	Approved	8/11/2016	
Woodsong, Cynthia	18393753	2014	9,750	9,750	(70.61)	(30.00)	(100.61)	Situs error (illegal tax)	RMV-VTS	Approved	8/11/2016	
						Total	\$(1,906.41)					

INFORMATION ITEM



Memorandum

Date: 8/25/16
To: Board of Orange County Commissioners
From: Angel Barnes, Capital Projects Manager
RE: **Single Occupancy Restroom Improvement Project Update**

In the FY2016-17 Capital Investment Plan (CIP), the Board of County Commissioners appropriated the necessary funds for single occupancy restrooms for all County owned facilities. The majority of County facilities are already equipped with single occupancy restrooms. However, the following three facilities do not have a single occupancy restrooms; Animal Services Center, Rogers Road Community Center, and Solid Waste Operations Center. The scope of work will include the installation of new single occupancy restrooms where needed as well as significant wayfinding signage to accommodate staff and the public.

The preliminary design work is underway for the three facilities requiring significant plumbing. Bidding and construction of these facilities will occur soon thereafter, and completion is anticipated by the end of 2016.

In addition to the appropriate wayfinding signage improvements, all County single occupancy restrooms will have the appropriate restroom identification signage, baby changing stations, and, where necessary, minor hallway partition installations to lead individuals to the restroom accommodations. Attached is a sample of the room identification signage that will be installed. The signage, baby changing stations and partition construction is anticipated to be completed in the late fall of 2016.

If you have questions please do not hesitate to reach me at 919.245.2628 or abarnes@orangecountync.gov at any time.

Thank you.

cc: Bonnie B. Hammersley, Orange County Manager
Jeff Thompson, Director, Asset Management Services
Donna Baker, Clerk to the Board of Orange County Commissioners



RESTROOM

RESTROOM

PLANNING & INSPECTIONS DEPARTMENT
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MEMORANDUM

TO: Board of County Commissioners
FROM: Craig Benedict, Planning & Inspections Director
DATE: August 16, 2016
SUBJECT: INFORMATION ITEM – Safe Routes to School Plan Update

The Safe Routes to School (SRTS) Action Plan was adopted by Orange County Board of County Commissioners (BOCC), Orange County Schools, and the Town of Hillsborough in 2014. This update includes a review of the Town's adoption of its Community Connectivity Plan, and the shift in funding program criteria over the past several years, resulting in the prioritization of urban settings and highway projects over bicycle and pedestrian projects. However, limited implementation of non-infrastructure projects may be possible with the participation and support of our Plan partners.

The SRTS Plan was developed under the NC SRTS Program, with the goal of identifying improvements that make bicycling and walking to and from school a safe and healthy transportation alternative.

The three schools included in the SRTS Plan are part of the Orange County school system, and all are located inside or adjacent to the Town of Hillsborough:

- Grady A. Brown Elementary School (in the County's jurisdiction)
- Cameron Park Elementary School (in the Town's jurisdiction)
- C.W. Stanford Middle School (in the Town's jurisdiction)

Eligible SRTS projects can be bundled as infrastructure and non-infrastructure. Funding can include training volunteers, building sidewalks, creating cross walks, making safety improvements, constructing bicycle lanes and pedestrian paths, etc. All projects must be within two (2) miles of a K-8 school.

Obstacles to Plan Implementation

Project Funding: Following adoption, and as recommended by the adopted Plan, a SRTS Action Plan Advisory Committee (APAC) was established that would be responsible for managing plan implementation. However, during this same time period there were some revisions to federal and state funding sources that impacted future funding resources for the Safe Routes to School program. Specifically, the federal Moving Ahead for Progress in

the 21st Century Bill (MAP-21) SRTS program direct allocation funds were removed. In lieu of these funds, MAP-21 authorized the Transportation Alternatives Program (TAP) to provide funding for programs and projects defined as transportation alternatives, including safe routes to school projects. The TAP program replaced the funding from pre-MAP-21 programs, including the SRTS program. Under the TAP program the federal share is the same as for the general federal-aid highway program: 80 percent Federal/20 percent State or local match. Also, to address the shift in funding programs, prioritized SRTS projects are included on the list of future year projects submitted to the North Carolina Department of Transportation (NCDOT) Strategic Planning Office of Transportation (SPOT) scoring process. The metrics used to generate SPOT scores also evolved during this time frame and prioritized highway projects to a greater degree than other modes (such as bicycle, pedestrian and transit).

Besides TAP funds there are other major program funds that may be used on bicycle and pedestrian improvements. However, the process is highly competitive and the metrics used to generate project scores prioritize urban settings and also favors highway projects to a greater degree than other modes:

- Federal Surface Transportation Program (STP) funds - Although bicycle and pedestrian projects are eligible for STP funding, it is rare for these funds to be used for bicycle/pedestrian projects outside of major urban areas (where MPOs have direct control over STP funding, rather than NCDOT for RPOs). Therefore, in RPOs STP funds are typically used primarily for highway and bridge projects. Every two years NCDOT selects funded projects based on project scores through the SPOT process and other funding eligibility rules.
- Congestion Mitigation and Air Quality (CMAQ) funds – Funded by the Federal Highway Administration (FHWA) and administered by NCDOT, CMAQ funds must be obligated in designated air quality nonattainment and maintenance areas (Orange County is a maintenance area). NCDOT issues calls for CMAQ projects through the MPOs and RPOs on a semi-regular basis. Projects must be included in a MPO transportation plan and transportation improvement program (TIP), or the current Statewide TIP in areas that are in an RPO. These funds can be used for engineering/design, right-of-way, utility, and construction costs of bicycle and pedestrian projects. CMAQ-funded projects are locally administered.

Length of SRTS Plan Preparation Process/Consultant Scope/Hillsborough Community Connectivity Plan – The development of the Orange County SRTS Plan began in January 2010. Although the County Transportation staff, OUTBoard, and local SRTS committee were heavily engaged in plan development, the process and product were managed by a NCDOT consultant. Unfortunately, the consultant experienced significant delays, which resulted in a delay of the adoption of the Plan. During this period of delay, at almost the same time the Town of Hillsborough adopted the SRTS Plan in March 2014, they also adopted revisions to its Connectivity Plan that were not consistent with the SRTS Plan recommendations. The purpose of the Connectivity Plan is to provide specific recommendations to improve the pedestrian and bicycle environment in Hillsborough. While the sidewalk and bike lane recommendations contained in the SRTS Plan were acknowledged in the Connectivity Plan, they were not ultimately recommended as part of the Town's infrastructure network. From an implementation standpoint, the Connectivity Plan has replaced the SRTS Plan as the guiding document as it relates to Cameron Park Elementary School and C.W. Stanford Middle School.

Jurisdiction and Implementation of Infrastructure Projects

The Town is responsible for the implementation of its Community Connectivity Plan. Priority projects related to Cameron Park Elementary School and C.W. Stanford Middle School include sidewalks, crosswalks, and bike lanes.

Orange County Planning staff and NCDOT have identified recommendations related to Grady Brown Elementary School and Cedar Ridge High School as potentially viable projects in the SRTS Plan. These projects would include sidewalks along the New Grady Brown School Road frontage and along Orange Grove Road to Interstate 40, where these sidewalks would serve as receiving sidewalks for a pedestrian crossing across the interstate and into the Town's jurisdiction. If the County were to take steps towards this multi-phase project implementation, it would initially need to:

- Contract or perform in-house engineering design of sidewalks, including an estimated cost of construction;
- Obtain an easement encroachment agreement with NCDOT;
- Enter into a mutually agreeable sidewalk maintenance agreement with the Town;
- Enlist the schools as partners in the project planning; and
- Acquire funding for the engineering and construction of the sidewalks, which would include a 20% local match, and seek competitive federal funds through the DCHC MPO; or fund the project through County funds.

The interstate pedestrian overpass may become a more viable project following construction of the receiving sidewalks.

Jurisdiction and Implementation of Non-infrastructure Projects

Implementation of the SRTS Action Plan can also address non-infrastructure projects in the categories education, encouragement, enforcement, and evaluation. The Town and County would be responsible for implementing projects within their respective jurisdictions. Examples of these non-infrastructure project recommendations could include:

- Integration of bicycle/pedestrian education into the class curriculum, including hands-on skills training such as simulated street crossings and bicycle handling drills/rodeos;
- Start a comprehensive motorist/pedestrian/bicyclist safety campaign to create awareness of conflicts and safety behavior;
- Begin a walking school bus program including a partnership of the school system, parents and members of the community, including law enforcement;
- Begin mileage clubs/contests that can give children a sense of accomplishment;
- Begin a crossing guard program;
- Develop SRTS bicycle/walking maps;
- Starting a Walk to School Day; and
- Perform an update of the surveys identifying numbers of students walking and biking to school, or desiring to, and the key factors affecting parents' decisions to allow or disallow children to walk or bike to schools.

Many of these non-infrastructure projects cannot be fully implemented without the construction of the related infrastructure (sidewalks, bike lanes, cross walks, etc.). However, it may be possible for Orange County Schools to make some progress on some of these projects.

Summary

In summary, due to the Plan becoming partially obsolete, limited funding due to the revision in project criteria at the state level, and lack of any local matching funds, Orange County Transportation staff is at a standstill on implementation of infrastructure projects until such time as there is a revision of the funding landscape. However, should the Commissioners so direct, staff can provide support to Orange County Schools and/or the Town of Hillsborough if they decide to proceed with implementation of non-infrastructure projects.



ORANGE COUNTY
NORTH CAROLINA
ANIMAL SERVICES

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To: Orange County Board of County Commissioners; Bonnie Hammersley,
County Manager

From: Bob Marotto, Animal Services Director

Date: August 12, 2016

Subject: Information Item—Creation of Pat Sanford Animal Welfare Grant Program

I wanted to inform you of a new grant program that is being created by Animal Services staff in coordination with the Animal Services Advisory Board (ASAB). The grant program is made possible by a generous donation and its intent is to support and promote animal welfare in Orange County.

Friends of Orange County Animal Shelter made a \$5,000 donation for the specific purpose of promoting animal welfare in the county and honoring Pat Sanford, former Executive Director of the Animal Protection Society of Orange County. Ms. Sanford made many contributions to the field of animal welfare during her 17 years as the Director of the Animal Protection Society, not only in Orange County but beyond. In addition, she served as a member of the ASAB for a number of years after the creation of Animal Services as a county entity in 2005.

The attached grant description, application, and concept plan contain more detailed information about the grant and its intentions, the types of groups that may be awarded funding from it, and Ms. Sanford's many contributions to the field. As the concept plan indicates, grant recipients will be chosen by a panel consisting of Animal Services staff and members of the ASAB.

The first application process is set for this fall and a period of outreach is set to begin by mid-September. Outreach will raise awareness about the grant's creation and the opportunities that exist for individuals and organizations that may be interested in applying. Outreach will include a media release, inclusion on the department's website, and a letter to placement partners and other partnering organizations (such as veterinarians, groomers, boarding facilities) that may be interested in applying or be able to spread the word about the opportunity. As a condition of

Information Item—Animal Welfare Grant

August 12, 2016

Page 2

applying, recipients of grant funds also agree to allow Animal Services to use their name and/or program description for use in future outreach opportunities. This will allow for more diverse and varied outreach options in the years to come.

The donation for the grant program was made with the understanding that it would be divided over a 10-year period and awarded in amounts of \$500 to organizations or individuals seeking to advance animal welfare in Orange County. There has also been a discussion of encouraging additional donations to support the grant program through the Orange County Community Giving Fund.

The ASAB as a whole as reviewed the grant in full and unanimously supports its creation. There has also been a legal review of the grant by the county's staff attorney. Questions about the grant may be directed to Bob Marotto, Animal Services Director.

Attachments: Pat Sanford Animal Welfare Grant Announcement
Pat Sanford Animal Welfare Concept Plan
Pat Sanford Animal Welfare Grant Application
June 21, 2016, Letter to Pan Sanford

Cc: Warren Porter, Chair, Animal Services Advisory Board
Maureane Hoffman, MD, Ph.D., Vice-Chair, Animal Services Advisory Board
Elliott Cramer, Ph.D. Friends of Orange County Animal Shelter
Travis Myren, Deputy County Manager

Pat Sanford Animal Welfare Grant

A generous donation in honor of Pat Sanford has made possible a new grants program to support animal welfare in Orange County. These grants can be used for a wide range of pilot or seed projects or to supplement other programs, projects, and grants which support companion animals, including those animals servicing recreational or therapeutic purposes.

Sanford is the former Executive Director of the Animal Protection Society of Orange County (APS), where she served for 17 years until her retirement in 2002. During her time at APS, she implemented many important programs, including a huge push for spay/neuter to combat the county's growing pet overpopulation program. During her tenure, she helped expand the size and capacity of the APS twice, grew its budget and resources, and created a wildlife rehabilitation component that would carry on beyond her retirement.

Sanford was a major voice for humane animal euthanasia in North Carolina, pushing for euthanasia by injection over the use of carbon monoxide. She acknowledged that many of those ultimately euthanized had come from less than ideal backgrounds with hard lives and deserved a compassionate end when euthanasia was the only option. After her retirement, Sanford continued her work for Orange County animals and, for several years, served on the county's Animal Services Advisory Board.

Ms. Sanford's accomplishments in the field of animal welfare are vast and her contributions helped Orange County become and remain one of the leading counties in the state and country for animal placement, recovery, and overall well-being. The grants awarded in her honor will support efforts that exemplify the same dedication and commitment to animal welfare in Orange County. Grant awards are currently limited to a maximum of \$500 annually and applications must be received by October 15th.

Pat Sanford Animal Welfare Grant Application

Orange County Animal Services

Orange County, North Carolina

Submission Deadline: October 15

Contact: Andi Morgan at amorgan@orangecountync.gov

Application Date: _____

Applicant's Name: _____

Organization (if applicable): _____

Contact Information:

Name of Individual Responsible for Grant

Activities: _____

Address: _____

Phone Number : _____ **email:** _____

Web address (if applicable): _____

Fax: _____

Purpose & Objectives: What do you want to accomplish with this grant? How specifically will it *directly* impact the welfare of companion, recreational, and therapeutic animals in *Orange County*? Please describe if this grant is being used to help obtain other funding or grants (such as seed or pilot) or to supplement other funding. (250 words maximum on an attached page, double spaced)

Complete the Following Table of Grant Activities

Grant Activities (what specifically will you do to meet the grant purpose/objectives?)	Measureable Outcomes (how will you know if achieved?)	Timeline for Grant Activities

Budget: Amount of funding requested (maximum \$500) _____

When do you anticipate project completion? _____

Complete the Following Itemized Project Budget

Item	Use	Amount

Describe on an attached sheet in fewer than 250 words or in the space below why you believe you are qualified to carry out the proposal above.

I certify to the best of my knowledge, that all information included in this project is correct.

Signature: _____

Grant awards will be announced by November 15th. Awardees acknowledge that receipt of this grant allows Orange County to use their story to further public awareness of the Pat Sanford Animal Welfare Grant program.

The Pat Sanford Animal Welfare Grant

Concept Plan

June 2016

- 1) The Pat Sanford Animal Welfare Grant was established in 2016 in honor of Pat Sanford and her support of animal welfare in Orange County. Grants may be made annually and the total amount of grants each year is limited to no more than \$500. Absent additional donations the program should continue for a period of 10 years (2016-2025) with a maximum amount of \$500 awarded per year.
- 2) Grants may be made for a wide range of pilot or seed projects, or to supplement other programs, projects and grants, provided that they directly support companion animals in Orange County, including those animals servicing recreational or therapeutic purposes. Grants may be made to individuals as well as organizations, within these guidelines.
- 3) Grants will be awarded through an open process on the basis of submitted applications. An approved application must be used and applications will be posted on the Animal Services website and otherwise be brought to the attention of the community.
- 4) Awards will be made by a committee consisting of three (3) members of the Animal Services Advisory Board, the Animal Services Director, and an Animal Services staff member designated by the Animal Services Director. The committee will make its evaluations on the basis of the contributions of a proposed project to companion animals in Orange County.
- 5) Animal Services staff is responsible for making an annual announcement about the grant application process and communicating with prospective applicants. This announcement will be made no later than August 15 of each year and will be made using multiple modalities, including the Animal Services webpage and Facebook page.
- 6) October 15 is the deadline for submitting a grant application, either electronically or via mail, and the award committee will make a final decision no later than November 15. Animal Services staff will inform the grant recipient, arrange receipt of the grant, and announce the grant winner in a press release.
- 7) Modifications of the award program may be made by the Animal Services Advisory Board in coordination with the Animal Services Director. Modification may include the awarded amount of annual grants in the event that additional donations are received to support the Pat Sanford Animal Welfare Grant.

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

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MEMORANDUM

TO: Board of County Commissioners
FROM: Max Bushell, Orange County Transportation Planner
DATE: September 6, 2016
SUBJECT: INFORMATION ITEM – Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCHC MPO) Local Input Point Assignment for Division Needs Tier Projects
ATTACHMENT 1: DCHC MPO Projects Flow Chart
ATTACHMENT 2: Preliminary DCHC MPO Local Input Point Assignment for Division Needs Tier Projects

The subcommittee of the DCHC MPO Technical Committee staff group recently met to discuss and assign local input points for transportation projects at the Division Needs tier as part of the local input component of the Strategic Planning Office of Transportation Prioritization 4.0 (SPOT P4.0) process.

Local Input Point Assignment

The subcommittee elected to deviate from their adopted policy guidelines for assigning local input points, based on a discussion of the likelihood of projects receiving funding as well as due to local priorities. The currently adopted policy guidelines require assigning a minimum of 300 points to highway projects, a minimum of 500 points to public transit projects, and a minimum of 200 points to bicycle and pedestrian projects. The remaining 800 points can be assigned to projects for any mode. The subcommittee’s recommendation is to assign 550 points to highway projects, 450 to public transit projects, and 800 points to bicycle and pedestrian projects.

CURRENT ADOPTED POLICY GUIDELINES	SUBCOMMITTEE’S RECOMMENDATION
<ul style="list-style-type: none"> • 300 points to Highway 	<ul style="list-style-type: none"> • 550 points to Highway
<ul style="list-style-type: none"> • 500 points to Public Transit 	<ul style="list-style-type: none"> • 450 points to Public Transit
<ul style="list-style-type: none"> • 200 points to Bicycle and Pedestrian 	<ul style="list-style-type: none"> • 800 points to Bicycle and Pedestrian
<ul style="list-style-type: none"> • 800 points to Any Mode or Project Type 	

The subcommittee’s recommendation resulted in fifty (50) fewer points being assigned to public transportation projects than indicated in the adopted policy guidelines, a reduction from 500 to 450 points. The reason behind reducing the point assignment is that even if the project has no chance of being funded, any project that receives local input points will automatically be carried forward to the next project prioritization cycle (SPOT P5.0) and will not take up one of the limited number of slots allowed to add new projects in the process.

So, by assigning the remaining local input points to low scoring projects that are unlikely to receive funding in SPOT P4.0, but are community priority projects, these projects will be carried forward and may be funded in future prioritization processes.

The lowest scoring public transit project, a project to add additional peak hour service to various Chapel Hill Transit Routes, was unlikely to receive funding in SPOT P4.0 based on a low score. By applying only 50 points to this project and providing 25 points to the Eno Mountain Road and Mayo Street intersection project and 25 points to the Elliot Road extension project in Chapel Hill, these low-scoring projects will be carried over to the next round of SPOT funding. The preceding table indicates which modes received local input points in the draft local point assignment at the Division Needs tier for the 2018-2027 State Transportation Improvement Program (STIP).

Orange County Projects

Three Orange County projects received points at the Division Needs level:

- the South Churton Street (Old NC 86) widening and pedestrian and bicycle improvement project,
- the Orange Grove Road Extension project, and
- the Eno Mountain Road and Mayo Street at Orange Grove Road intersection improvement project.

Attachment 1 indicates which projects received points in each funding tier in Orange County, while Attachment 2 provides a list of all projects receiving local input points at the Division Needs tier in the entire MPO region. Both the South Churton Street (Old NC 86) project and the Orange Grove Road Extension projects are currently in the Developmental Program of the 2016-2025 STIP. By assigning points, Orange County Transportation Planning Staff is hopeful that these projects will be funded in the first five years of the 2018-2027 STIP in SPOT P4.0. It is anticipated that the Eno Mountain Road/Mayo Street intersection project score was not high enough to receive funding in the P4.0 process. Despite this fact, this project is a community priority for Hillsborough, so local input points were assigned to this project to ensure that it is automatically carried forward to the next prioritization process (P5.0).

Other Regional Transportation Planning Organization Point Assignments

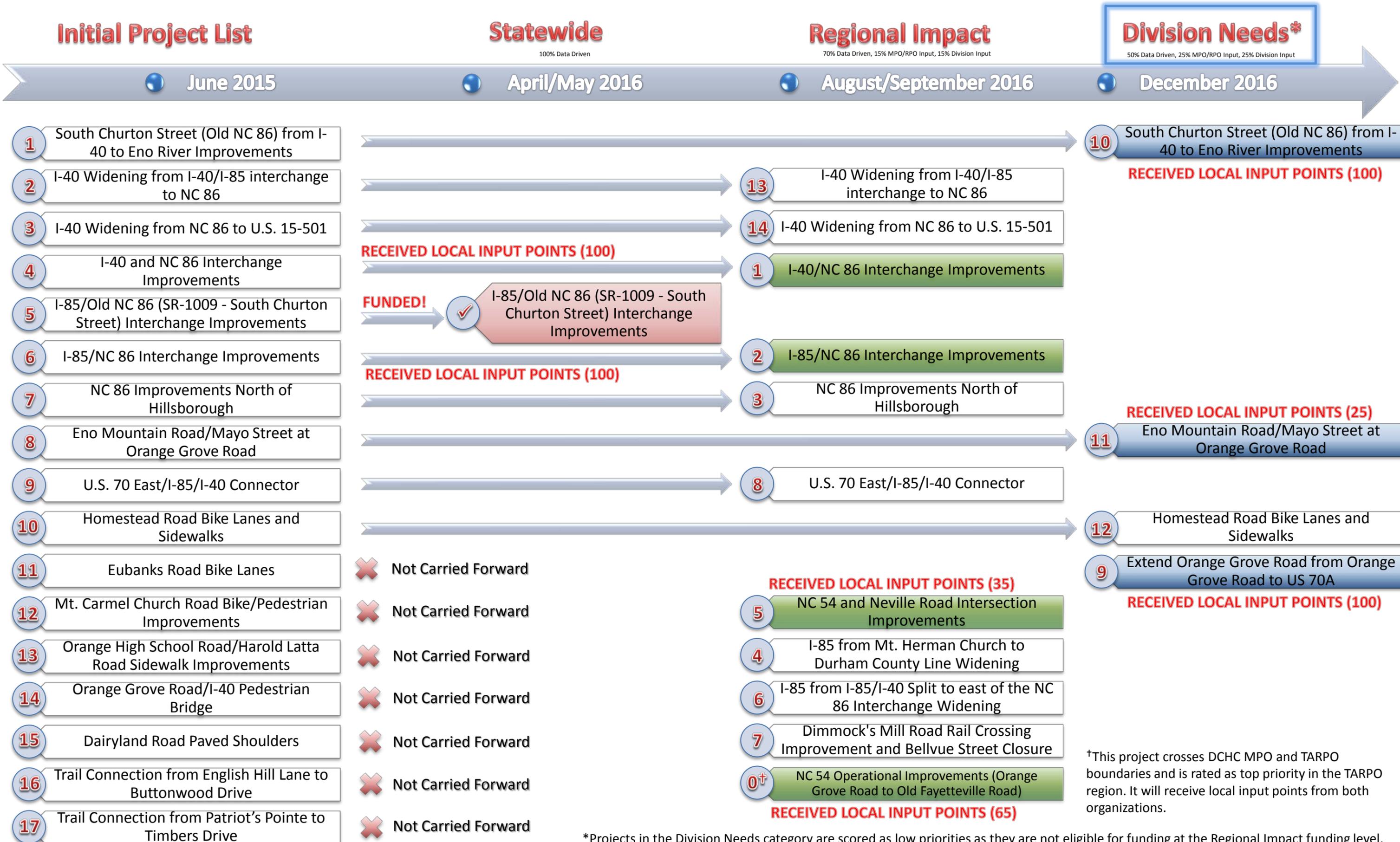
The DCHC MPO project ranking policy does not allow projects eligible for funding at other funding tiers to cascade down for funding at a lower tier in most instances. In this case however, one low-cost Regional Impact tier project was assigned local input points at the Division Needs tier, based on discussions between NCDOT Division 5 and DCHC MPO staff. This project is a \$5.1 million widening project on NC 751 between South Roxboro Road and Woodcroft Parkway.

Due to the fact that the MPO does not typically allow projects to cascade between funding tiers, DCHC MPO staff was able to schedule a meeting with MPO Technical Committee members about local point assignment at the Division Needs tier in advance of other MPOs/RPOs. The Burlington-Graham Metropolitan Planning Organization (B-G MPO) and the Triangle Area Rural Planning Organization (TARPO) will discuss local point assignment at the Division Needs tier once the Regional Impact tier funded projects are released to the MPOs/RPOs in September/October.

Next Steps

The MPO Board for the DCHC MPO will review the local input point assignments for Division Needs tier projects at its September 14 meeting. The point assignments will then be released for public review and comment. The tentative approval date is the MPO Board meeting on October 12, 2016.

Attachment 1: SPOT P4.0 Transportation Project Prioritization Process (STIP 2018 – 2027) – DCHC MPO



*This project crosses DCHC MPO and TARPO boundaries and is rated as top priority in the TARPO region. It will receive local input points from both organizations.

*Projects in the Division Needs category are scored as low priorities as they are not eligible for funding at the Regional Impact funding level. Once the Regional Impact scores are returned from NCDOT in August/September, the projects will be reprioritized.

DCHC MPO Local Input Points	SPOT ID	Mode	Project Category	Route / Facility Name	From / Cross Street	To / Cross Street	Description	Cost To NCDOT	Division Needs Quantitative (Raw) Score (Out of 50)	Funding Region	Division(s)	County(s)	Methodology/Reasoning for Points Assignment (or No Points)
100	B150156	BikePed	Division Needs	Bryant Bridge North/Goose Creek West Trail	Bryant Bridge	Granby Park	Construct a shared use path and connecting sidewalks from the Kelly Bryant Bridge to Drew-Granby Park.	\$ 2,009,305	42.95	C	05	Durham	Factors 1, 2, 4
100	B141113	BikePed	Division Needs	NC 157 (Guess Road)	Hillcrest St	W Carver St	Construct sidewalks on both sides of Guess Rd. to fill in sidewalk gaps.	\$ 728,937	41.94	C	05	Durham	Factors 1, 2, 3, 5
100	B141100	BikePed	Division Needs	NC 55	Riddle Rd	Cecil St	Construct sidewalks on east side to fill in missing gaps.	\$ 543,600	41.79	C	05	Durham	Factors 1, 2, 3, 4, 5
100	B150153	BikePed	Division Needs	Jones Ferry Rd	Davie Rd	Main St	Construct sidewalk on the north side of the roadway	\$ 448,869	41.46	D	07	Orange	Factors 1, 2, 3, 6
100	B150144	BikePed	Division Needs	Third Fork Creek Trail	Southern Boundaries Park	American Tobacco Trail	Construct a shared use path from Southern Boundaries Park to Cornwallis Rd; construct sidewalks where needed from Cornwallis Rd to American Tobacco Trail; install HAWK beacon at Cornwallis Rd Crossing.	\$ 2,573,918	40.26	C	05	Durham	Factors 1, 2, 3, 4
100	B150621	BikePed	Division Needs	SR 1780 (Estes Drive)	NC 86 (Martin Luther King Jr. Blvd)	N. Greensboro Street	Construct multi-use side path and provide striped bike lanes along roadway. The Carrboro section of the project (from N. Greensboro Street to Carrboro Town Limits) includes sidewalks on both side instead of multi-use side paths.	\$ 3,528,826	36.75	D	07	Orange	Factors 1, 2, 3, 5, 6
100	B150664	BikePed	Division Needs	Duke Belt Line Trail	Pettigrew St	Avondale Ave	Construct a shared use trail on former rail corridor.	\$ 6,400,000	34.37	C	05	Durham	Factors 1, 2, 3, 4, 5
100	B150194	BikePed	Division Needs	Barnes St	Jones Ferry Rd	King St	Construct sidewalk on one side of the roadway.	\$ 232,907	32.29	D	07	Orange	Factors 1, 2, 3, 5, 6
100	H090637	Highway	Division Needs	SR 1118 (Fayetteville Road)	Woodcroft Pkwy	Barbee Road	Widen SR-1118 to a 4-Lane Divided roadway with bicycle lanes and sidewalks.	\$ 19,539,000	32.45	C	05	Durham	Factors 1, 2, 3
100	H090647	Highway	Division Needs	SR 1006 (New Route - Orange Grove Road)	SR 1006 (Orange Grove Road)	US 70A	Orange Grove Road Extension (Orange Grove Road to US 70) with Sidewalks and Bicycle Lanes. Construct grade separation at intersection of Orange Grove Road Extension and NCRR	\$ 4,379,000	28.66	D	07	Orange	Factors 1, 2, 3, 6
100	H150278	Highway	Regional Impact	NC 751	South Roxboro Rd	Woodcroft Parkway	NC 751 (S. Roxboro Rd to NC 54) Widen to 4 lane, bike lane and sidewalks. This project includes the realignment of the NC 751 & South Roxboro Road intersection.	\$ 5,189,000	26.50	C	05	Durham	Factors 1, 2, 3
100	H090200-A	Highway	Division Needs	SR 1009 (South Churton Street)	I-40	Eno River	I-40 to Eno River. Widen to Multi-Lanes with Landscaped Median, Bicycle Lanes, and Sidewalks, Widen Bridge No. 240 Over Southern Railroad, and reconstruct I-85 interchange.	\$ 49,751,000	25.53	D	07	Orange	Factors 1, 2, 6

DCHC MPO Local Input Points	SPOT ID	Mode	Project Category	Route / Facility Name	From / Cross Street	To / Cross Street	Description	Cost To NCDOT	Division Needs Quantitative (Raw) Score (Out of 50)	Funding Region	Division(s)	County(s)	Methodology/Reasoning for Points Assignment (or No Points)
100	H150227	Highway	Regional Impact	NC 751	SR 1731 O'Kelly Chapel Road		Improve existing at-grade, skewed intersection. The existing alignment for this intersection makes turning from northbound NC 751 on to O'Kelly Chapel Road very difficult and unsafe for people who are not familiar with navigating the intersection. Turning from westbound O'Kelly Chapel Road to southbound NC 751 is also difficult and unsafe. Turn lanes and realignment of this skewed intersection would improve travel time for people using the turn lanes and would improve safety for everyone.	\$ 590,000	23.95	E	08	Chatham	Factors 1, 2, 3, 5, 6
25	H150280	Highway	Division Needs	SR 1006 (Orange Grove Road)	SR 1148 (Eno Mountain Road)/SR 1192 (Mayo Street)		Construct new section of SR 1184 (Eno Mountain Road) to align with SR 1192 (Mayo Street) and install signal.	\$ 1,650,000	17.56	D	07	Orange	Factors 1, 2, 3, 5, 6. The DCHC MPO is limited to 1800 total points. This project's raw score was less than 20 and is considered not as competitive as the higher scoring projects. Therefore, DCHC MPO assigned as many points as possible, given the limited number of points available. The DCHC MPO's Methodology states, "Allocation of the MPO's Local Input Points is based on a combination of the raw quantitative scores from NCDOT, the review of project eligibility factors, and qualitative factors that reflect established regional goals and objectives. The DCHC MPO's methodology is designed to maximize the number of projects that could be competitive for funding and that also meet the DCHC MPO's goals and objectives for the MPO region. "
25	H140638	Highway	Division Needs	Elliott Rd	US 15/501 (Fordham Blvd)	Ephesus Church Rd	Construct extension of existing roadway (Elliott Rd) on new location between Ephesus Church Rd and US 15/501. The primary benefit of the new segment of road is to alleviate traffic at the intersection of US 15/50 & Ephesus Church Road, as well as congestion on US 15/501 between Ephesus Church and Elliott. The evaluation of the benefit should take into consideration the future traffic reduction and the intersection LOS at US 15/501/Ephesus Church, and the future LOS at the Elliott/US 15/501 inter	\$ 7,600,000	14.09	D	07	Orange	Factors 1, 2, 3. The DCHC MPO is limited to 1800 total points. This project's raw score was less than 20 and is considered not as competitive as the higher scoring projects. Therefore, DCHC MPO assigned as many points as possible, given the limited number of points available. The DCHC MPO's Methodology states, "Allocation of the MPO's Local Input Points is based on a combination of the raw quantitative scores from NCDOT, the review of project eligibility factors, and qualitative factors that reflect established regional goals and objectives. The DCHC MPO's methodology is designed to maximize the number of projects that could be competitive for funding and that also meet the DCHC MPO's goals and objectives for the MPO region. "
100	T150453	Transit	Division Needs	Fayetteville St Transit Corridor Improvements			Fayetteville St Transit Corridor; Transit Corridor improvements (access and stop improvements, bus shelters) GoDurham5, 5K, 7, 14; GoTriangle 800, 805	\$ 265,000	20.74	C	05	Durham	Factors 1, 2, 3, 6
100	T150449	Transit	Division Needs	Village Neighborhood Transit Center			Design and Construction of NTC: Village Neighborhood Transit Center. GoDurham 2B, 3, 16, 16A, 16B.	\$ 85,800	20.28	C	05	Durham	Factors 1, 2, 3, 6
100	T150711	Transit	Division Needs	Bus Rapid Transit (BRT) system along Martin Luther King, Jr Blvd and 15/501 South			Chapel Hill Transit North South Corridor BRT Project (formerly Alternatives Analysis) - Bus Rapid Transit along Martin Luther King Jr. Blvd and South Columbia Streets, between Eubanks Park-and-Ride and Southern Village.	\$ 24,200,000	19.00	D	07	Orange	Factors 1, 2, 3, 5, 6

DCHC MPO Local Input Points	SPOT ID	Mode	Project Category	Route / Facility Name	From / Cross Street	To / Cross Street	Description	Cost To NCDOT	Division Needs Quantitative (Raw) Score (Out of 50)	Funding Region	Division(s)	County(s)	Methodology/Reasoning for Points Assignment (or No Points)
100	T130009	Transit	Division Needs	Chapel Hill Transit FY20 MLK CorridorVeh2Expansion			Four additional buses (4) will be introduced along the Martin Luther King Jr. - South Columbia ? 15/501 corridor (T Route, NU Route, A Route, NS Route). Improvements will include headway reduction and amenity improvements along the corridor.	\$ 318,385	16.82	D	07	Orange	Factors 1, 2, 3
50	T130038	Transit	Division Needs	Chapel Hill Transit FY2017 Route F, Route CW, Route J Vehicle Expansion			This project will add additional peak hour service for 1 year on route F (Colony Woods, Franklin St. and McDougle School) in response to ridership growth, resulting in headway reduction . This route provides 240,627 rides a year. Additional peak hour service on buses to the existing CW route (Carrboro, Jones Ferry Park and Ride and Weaver St) in response to ridership growth, resulting in headway reduction. This project will add additional peak hour service on the J Chapel Hill Transit Route.	\$ 167,068	16.48	D	07	Orange	Factors 1, 2, 3. The DCHC MPO is limited to 1800 total points. This project's raw score was less than 20 and is considered not as competitive as the higher scoring projects. Therefore, DCHC MPO assigned as many points as possible, given the limited number of points available. The DCHC MPO's Methodology states, "Allocation of the MPO's Local Input Points is based on a combination of the raw quantitative scores from NCDOT, the review of project eligibility factors, and qualitative factors that reflect established regional goals and objectives. The DCHC MPO's methodology is designed to maximize the number of projects that could be competitive for funding and that also meet the DCHC MPO's goals and objectives for the MPO region. "

INFORMATION ITEM



EARL MCKEE, CHAIR
MARK DOROSIN, VICE CHAIR
MIA BURROUGHS
BARRY JACOBS
BERNADETTE PELISSIER
RENEE PRICE
PENNY RICH

Orange County Board of Commissioners
Post Office Box 8181
200 South Cameron Street
Hillsborough, North Carolina 27278

September 1, 2016

Dear Commissioners,

At the Board's June 21, 2016 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 Jacobs based on comments from multiple Board members that staff plan a social event to occur after Labor Day for the BOCC and both school boards to allow opportunity for relationship building.

Response: Done. Scheduled for September 22, 2016 from 5pm-7pm at Blackwood Farm Park.

- 2) Review and consider a request by Commissioner Price that follow-up occur on the status of report on salaries for law enforcement officers that Commissioner Price previously requested.

Response: DONE

- 3) Review and consider a request by Commissioner Price that the County Attorney review the recent Broadband announcement by the state and provide feedback/interpretation to the Board regarding impacts for Orange County.

Response: DONE

Regards,

Earl McKee, Chair
Board of County Commissioners