

# AGENDA

## Commission for the Environment January 13, 2014 7:30 p.m.

Orange County Environment and Agricultural Center  
306 Revere Road, Hillsborough

- 
- | <u>Time</u> | <u>Item</u> | <u>Title</u>  |
|-------------|-------------|---|
| 7:30        | I.          | <b>Call to Order</b>  |
| 7:32        | II.         | <b>Additions or Changes to Agenda</b>   |
| 7:35        | III.        | <b>Introduction of New CFE Members</b><br>On November 19 the BOCC appointed two new members to the Commission: Lydia Wegman and Rebecca Ray. They will introduce themselves and identify any particular interests in serving on this advisory board. (Attachments 1 – 2)  |
| 7:40        | IV.         | <b>Approval of Minutes – December 9</b> (Attachment 3)  |
| 7:45        | V.          | <b>CFE Committee Structure</b><br>In early 2013 the CFE reformulated its four standing committees into two committees: Air & Energy Resources and Water & Biological Resources. Staff would like the CFE to revisit that decision and consider breaking into three committees: Air & Energy Resources, Water Resources, and Land Resources. (Attachment 4)  |
| 8:00        | VI.         | <b>CFE Liaison to the Intergovernmental Parks Work Group</b><br>The CFE has been asked for a representative to serve as a liaison to the Intergovernmental Parks Work Group (Attachment 5)  |
| 8:10        | VII.        | <b>State of the Environment report</b><br>The CFE will discuss the status and proposed revisions to the draft State of the Environment report, and may want to break out into committees for discussion (Attachment 6)<br><br><b>Draft #5 of SOE report sections is available from a special CFE link to the DEAPR webpage</b>  |
| 9:15        | VIII.       | <b>Updates and Information Items</b><br>Staff and/or CFE members will provide updates on the following items: <ul style="list-style-type: none"><li>➤ Industrial Hemp film screening (Attachment 7)</li><li>➤ Orange County Fair proposal (Attachment 8)</li><li>➤ Future recycling/waste reduction update (Attachment 9)</li><li>➤ NC Conservation Tax Credit expires (Attachment 10)</li><li>➤ Two Lands Legacy projects completed in December (Attachment 11)</li><li>➤ Residential electrical use has dropped (Attachment 12)</li></ul> |
| 9:30        | IX.         | <b>Adjournment</b><br><br><b><i>Next meeting: February 10 (Chapel Hill – Solid Waste Mgmt Office)</i></b>   |

**Orange County**  
**COMMISSION FOR THE ENVIRONMENT**  
(updated December 2013)

NAME OF MEMBER HOME ADDRESS/TELEPHONE	POS #	DATE OF APPOINTMENT COMMITTEE (Representation)	TERM ENDS	BUSINESS TELEPHONE E-MAIL	TOWNSHIP OF RESIDENCE
May Becker 511 Cotton Street Chapel Hill, NC 27516	#1	9/21/2010 Air & Energy (At Large)	12/31/14	919-969-7439 tomatocutter@yahoo.com	Chapel Hill
Peter Cada 420 Coach House Lane Hillsborough, NC 27278	#10	9/21/2010 Water & Biological (At Large)	12/31/14	919-485-8278 peter.cada@tetrattech.com	Hillsborough
Loren Hintz (Vice Chair) 804 Kings Mill Rd. Chapel Hill, NC 27517	#4	1/27/2009 Water & Biological (Biological Resources)	12/31/16	919-933-8987 ldhintz@bellsouth.net	Chapel Hill
Donna Lee Jones 3035 Carriage Trail Hillsborough, NC 27278	#5	5/21/2013 Water & Biological (Water Resources)	12/31/15	919-541-5251 donnaleejones13@hotmail.com	Eno
David Neal 323 West Queen Street Hillsborough, NC 27278	#13	9/21/2010 Air & Energy (At Large)	12/31/15	919-732-2156 David.L.Neal@gmail.com	Hillsborough
Steven Niezgodra 524 Patriot's Pointe Dr. Hillsborough, NC 27278	#14	5/21/2013 Water & Biological (At Large)	12/31/15	716-998-1490 steve.niezgodra@gmail.com	Hillsborough
Jeanette O'Connor 117 S Peak Dr. Carrboro, NC 27510	#12	5/21/2013 Water & Biological (At Large)	12/31/14	703-678-6893 jeanette.oconnor@gmail.com	Chapel Hill
Rebecca Ray 5617 Jomali Drive Durham, NC 27705	#3	11/19/2013 TBD (Land Resources)	12/31/14	919-383-0685 bbray@nc.rr.com	Eno
Jan Sassaman (Chair) 201 Bolinwood Drive Chapel Hill, NC 27514	#7	12/13/2011 Air & Energy (At Large)	12/31/16	919-933-1609 jan.sassaman@gmail.com	Chapel Hill
Gary Saunders 103 Woodshire Lane Chapel Hill, NC 27514	#9	1/27/2009 Air & Energy (Engineer)	12/31/15	919-707-8413 gary.saunders@ncdenr.gov	Chapel Hill
Lydia Wegman 5704 Cascade Drive Chapel Hill, NC 27514	#15	11/19/2013 TBD (At Large)	12/31/15	919-886-8775 lnwegman@gmail.com	Chapel Hill
David Welch 20 East Drive Chapel Hill, NC 27516	#11	9/21/2010 Water & Biological (At Large)	12/31/14	919-406-2101 davwelch@hotmail.com	Chapel Hill
Lucy Adams VACANT	#2	(Air Quality)	12/31/13		
Terri Buckner VACANT	#6	(At Large)	12/31/13		
Susie Enoch VACANT	#8	(At Large)	12/31/13		
David Stancil Rich Shaw Tom Davis	245-2522 245-2514 245-2513 245-2510	Director, Dept. of Environment, Agriculture, Parks & Rec. Land Conservation Manager Water Resources Coordinator Administrative Assistant		dstancil@co.orange.nc.us rshaw@co.orange.nc.us tdavis@co.orange.nc.us	

**ORANGE COUNTY COMMISSION FOR THE ENVIRONMENT  
POLICIES AND PROCEDURES**

**SECTION I: SCOPE**

- A. Purpose
  - 1. To establish a policy and procedures whereby the Orange County Board of Commissioners will establish the specific policies and procedures governing the Commission for the Environment.
  - 2. The Orange County Board of Commissioners may appoint an advisory board whose duty is to serve in an advisory capacity on matters affecting the environment, with particular emphasis on environmental protection.
- B. Authority
  - 1. North Carolina General Stature 153A-76 grants boards of commissioners the authority to establish advisory boards.
  - 2. The Orange County Advisory Board Policy serves as the underlying policy document to which the Commission for the Environment, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as "Exhibit A".
  - 3. In the event there is a conflict between the Orange County Advisory Board Policy and this Policies and Procedures document this Policies and Procedures document shall control.
- C. Charge
  - 1. The charge of the Commission for the Environment is to advise the Orange County Board of Commissioners on matters affecting the environment, with particular emphasis on environmental protection.

**SECTION II: GOALS AND OBJECTIVES**

- A. The Commission for the Environment shall have the following goals and objectives:
  - 1. To advise the Orange County Board of Commissioners with regard to environmental policy, with particular emphasis on environmental protection.
  - 2. To educate the public and local officials on environmental issues.
  - 3. To perform special studies and projects on environmental questions as requested by the Orange County Board of Commissioners.

4. To recommend environmental initiatives to the Orange County Board of Commissioners.
5. To study changes in environmental science and environmental regulations in the pursuit of its duties.
6. Provide recommendations and input on the Lands Legacy Program.
7. To perform other duties as requested by the Orange County Board of Commissioners.

SECTION III: MEMBERSHIP

A. Authority

1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of County Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.

B. Composition

1. The Commission for the Environment is composed of fifteen voting members.
2. The Commission for the Environment has no appointed alternate members.
3. Five members shall have specific expertise in:
  - Air Quality
  - Biological Sciences
  - Engineering, (preferably in a field related to the environment)
  - Land Resources
  - Water Resources
4. Ten at-large members with some knowledge of environmental science and/or environmental issues including, but not limited to experts in the following fields:
  - Education
  - Energy
  - Law
  - Public Health
  - Public Policy
  - Solid Waste
  - Other areas that overlap with the five areas of specific expertise

5. The Commission for the Environment shall have no appointed ex officio members.

C. Officers

1. The elected officers of the Commission for the Environment shall consist of a Chair and a Vice Chair.

D. Election Procedures and Terms of Office

1. The Officers shall be elected by the Commission for the Environment from among its members at the regular meeting in November of each year. They shall take office at the following regular meeting.

SECTION IV. MEETINGS

A. Staffing

1. Orange County staff may serve a support function to advisory boards upon the approval of the Orange County Manager. Upon the approval of the Manager, the Department of Environment, Agriculture, Parks and Recreation (DEAPR) shall serve as staff to the Commission for the Environment. DEAPR shall keep all minutes and records of the Commission for the Environment and provide proper and legal notice of regular and special meetings to members of the public.

B. Agendas

1. Items for agendas shall be approved by the Commission for the Environment Chair and staff.
2. All business to be considered shall be listed on the agenda. To secure such consideration, a request must be received by the Chair at least seven days before any regular scheduled meeting. No other business may be considered except by majority vote of the Board members present. All special business or items not specifically noted on the regular meeting agenda may be deferred by the Commission for the Environment until the next regular meeting date.
3. The order of business at regular meetings shall be:
  - a. Call to order.
  - b. Consideration of additions or changes to the agenda.
  - c. Call for approval of minutes of previous meeting.
  - d. Consideration of remaining items on the agenda.
  - e. Adjournment.
4. All meetings of the Commission for the Environment shall be open to the general public.

5. The vote of a majority of those members present shall be sufficient to decide all matters before the Commission for the Environment, provided a quorum is present. During a meeting the members may decide to postpone a final decision to allow a document to be finalized for further consideration and to be voted upon via electronic mail (email), as long as the voting records are documented and included in the minutes of the next regularly scheduled meeting.
6. For procedures not covered by these rules or the Orange County Advisory Board Policy, the Commission for the Environment shall follow the rules contained in *Roberts Rules of Order, Revised*.

C. Date, Time and Location of Regular Meetings

1. Regular meetings of the Commission for the Environment shall be held the second Monday of each month at 7:30 p.m. at the Southern Human Services Center in Chapel Hill or the Environment and Agriculture Center in Hillsborough, or other place within Orange County designated by the Chair. The meetings shall adjourn not later than 9:30 p.m. unless extended for the meeting in session by vote of the members.

D. Special Meetings

1. Special meetings may be called by the Chair or by the written request of at least three other members of the Commission for the Environment. The notice of such a meeting shall specify the purposes of the meeting and no other business may be considered except by unanimous consent of the Commission for the Environment members present.

E. Meeting Notice

1. Department of Environment, Agriculture, Parks and Recreation ("DEAPR") staff shall give a minimum of five days' notice for both regular and special meetings.

SECTION V. ORIENTATION

A. Attendance

1. Each member shall attend an orientation presented by the DEAPR to familiarize the advisory board members with the operation of County government, the DEAPR policies and procedures, and the operating procedures of the advisory board.
2. Each voting member will be encouraged to complete the orientation within five weeks of his or her appointment and participate in at least one tour of locations relevant to the business of the Commission for the Environment.

SECTION VI. BY-LAWS

A. By-Laws

1. Any Bylaws adopted by the Commission for the Environment are void and no further bylaws shall be adopted. Procedure shall be governed solely by this policy document and the General Advisory Board Policy document.
2. Should the Commission for the Environment determine modifications to policies and procedures are necessary the Commission may petition the Board of County Commissioners for such modifications.

**Orange County  
Commission for the Environment**

**DRAFT Meeting Summary**

**December 9, 2013**

**Orange County Environment and Agricultural Center, Hillsborough**

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PRESENT: David Neal (Chair), Lucy Adams, May Becker, Peter Cada, Loren Hintz, Donna Lee Jones, Steve Niezgoda, Jeanette O'Connor, Tom O'Dwyer, Jan Sassaman

ABSENT: Terri Buckner, Susie Enoch, Gary Saunders, David Welch

STAFF: Rich Shaw, Tom Davis

GUEST: Brian Belting

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- I. **Call to Order** – Neal called the meeting to order at 7:34 pm.
- II. **Additions or Changes to Agenda** – There were no changes or additions.
- III. **Approval of Minutes** – Neal asked for comments on draft minutes for November 11. Sassaman motioned to approve as written; Niezgoda seconded. Approved unanimously.
- IV. **Community Garden Proposal** – Sassaman provided an overview a plan by the University United Methodist Church to establish an urban community garden on the former Umstead Farm property along Bolin Creek. He referred to a handout with a site plan of the proposed garden. Sassaman introduced Brian Belting, assistant pastor.

Belting said he and his colleague, Matt Ballard, are working with others to create the community garden and reach out to low-income residents of the community to help support and improve healthy living. He noted Chapel Hill Parks and Recreation Department is interested in partnering with the Church since the property is located adjacent to Umstead Park. They are also receiving guidance from Anathoth Garden in Cedar Grove. Belting said there is a demand for more community gardens in Chapel Hill. He asked the CFE for feedback and support of this initiative.

- O'Connor asked if this would be an organic garden. Belting said yes, it would be.
- Hintz asked for how long would they operate garden before constructing building on the site. Belting said it would be a minimum of five years.
- O'Connor asked about the long-term plan for the site. Belting said they intend to relocate, rather than eliminate, the garden when the building is constructed.
- Adams asked if there is access to water and compost. Belting said yes to both
- Hintz asked if trees needed to be cleared for sunshine. Belting was uncertain.
- Niezgoda said this seems to be a good use of this land.
- O'Connor asked if there would be individual plots or rows shared by all. Belting said there would be areas for both, similar to Carrboro community garden.
- Adams asked who would be in charge of the garden. Belting said Matt Ballard would be their "farmer." Ballard has experienced; worked for a CSA in Pittsboro.
- Hintz recommended they have temporary shed while they await the building.
- Becker recommended they collect rainwater. Belting said they would have cisterns, but that town water will also be available.
- Becker asked if they have a source of compost. Belting said they do.

- Neal asked if residents could drop off their compost. Sassaman said they would be allowed to receive one cubic yard/week from outside sources of compost without having to obtain a food waste and manure permit from NCDENR

Belting thanked the CFE. Neal invited Belting to return if he needed an endorsement.

- V. **State of the Environment 2014** – Shaw provided a status report on the progress made since the September meeting. He described the changes to the Land Resources chapter including contributions from Welch, Hintz, O'Connor and Sassaman. He noted that DEAPR is awaiting data necessary for the environmental indicators that pertain to Present Value Taxation, Forest Cover, and Land Application of Biosolids. Davis and Cada described their work on the Water Resources section, including their development a new environmental indicator for assessing surface water quality in streams. Shaw reported that he had still not received edits to the Air and Energy section.

Shaw asked CFE members to provide critical feedback on the contents, and to help staff assess the current trends and identify what the County can do to improve in the different subject areas. He also asked members to identify what they would findings they would like to highlight from the report.

CFE members said they would review the document and provide input. Shaw invited members to request specific sections of the document in Word format to facilitate their review and comment using the “track changes” approach.

- VI. **Committee Reports** – The committees did not meet so there were no reports.
- VII. **Election of Officers** – Neal opened the floor for officer nominations. Sassaman was nominated for the Chair, and the motion was seconded by Cada. There were no further nominations. The motion was approved unanimously. Loren Hintz was nominated for Vice Chair; seconded by Niezgoda. The motion was approved unanimously. Sassaman was elected chair and Hintz was elected to be the Vice-Chair.
- VIII. **Updates and Information Items** – Information on the following subjects was included in the meeting materials and selected items were summarized by staff: a) 2014 meeting calendar, b) CFE appointments, c) CFE annual report and work plan 2013-14, d) CFE resolution about diverting food waste from landfill, e) proposed screening of an industrial hemp film, f) seismic testing for fracking in NC, g) fracking in the US, h) Jordan Lake rules update, i) OWASA forest management at Cane Creek Mitigation Tract, j) Duke Forest news, and k) Triangle Land Conservancy news.
- IX. **Adjournment** – Neal adjourned the meeting at 8:53 pm.

Summary by Rich Shaw, DEAPR Staff

**Current CFE Committee Priorities**

(as of October 2013)

**Air and Energy Resources Committee**

(David Neal, Jan Sassaman, May Becker, Tom O'Dwyer, Gary Saunders, Lucy Adams, Terri Buckner)

1. Recommend a variety of strategies to the BOCC that would encourage energy efficiency in new construction and existing buildings, and recommend requirements for preserving Renewable Energy sites on new land development.
2. Create a countywide composting initiative that would help reduce the disposal of organic material in landfill.
3. Examine solid waste issues and collaborate with the Solid Waste Advisory Board (SWAB) on charting a course for the future with a focus on conservation and energy reduction.
4. Research and recommend appropriate use of biofuels and look into UNC's planned use of wood to replace coal at its cogeneration plant.
5. Assist in evaluating the County's carbon footprint as follow-up to the 2005 GHG inventory.
6. Help implement the County's goal of Environmental Responsibility in County Government.
7. Monitor upcoming statewide air quality standards ( $O_3$  75 ppb in 8-hour period; Hg 85%-90% control;  $PM < 2.5 \mu m$ ), which could require additional controls on emissions from private and public sources.

**Water and Biological Resources Committee**

(Peter Cada, Loren Hintz, David Welch, Susie Enoch, Steve Niezgod, Jeanette O'Connor, Donna Lee Jones)

1. Develop and implement a monitoring plan and associated Quality Assurance Protection Plan (QAPP) for more frequent monitoring at existing State sampling locations; identify and initiate monitoring at other locations to support State water quality objectives under the Clean Water Act. Collaborate with other entities that may support these efforts (e.g., Eno River Association).
2. Explore and pursue funding sources to increase funding for the County's groundwater observation well network program (Orange Well Net).
3. Initiate efforts to create a detailed Water Budget for Orange County.
4. Revitalize effort to eliminate use of herbicides to manage vegetation in utility right of ways.
5. Help implement the development of a comprehensive conservation plan.
6. Educate the public about ways to promote biodiversity.

Potential CFE Committees and Priorities

(January 2014)

**Air and Energy Resources Committee**

(David Neal, Jan Sassaman, May Becker, Gary Saunders, \_\_\_\_\_)

1. Recommend a variety of strategies to the BOCC that would encourage energy efficiency in new construction and existing buildings, and recommend requirements for preserving Renewable Energy sites on new land development.
2. Create a countywide composting initiative that would help reduce the disposal of organic material in landfill.
3. Examine solid waste issues and collaborate with the Solid Waste Advisory Board (SWAB) on charting a course for the future with a focus on conservation and energy reduction.
4. Research and recommend appropriate use of biofuels and look into UNC's planned use of wood to replace coal at its cogeneration plant.
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7. Monitor upcoming statewide air quality standards ( $O_3$  75 ppb in 8-hour period; Hg 85%-90% control;  $PM < 2.5 \mu m$ ), which could require additional controls on emissions from private and public sources.

**Water Resources Committee**

(Peter Cada, Steve Niezgodna, Donna Lee Jones, \_\_\_\_\_)

1. Develop and implement a monitoring plan and associated Quality Assurance Protection Plan (QAPP) for more frequent monitoring at existing State sampling locations; identify and initiate monitoring at other locations to support State water quality objectives under the Clean Water Act. Collaborate with other entities that may support these efforts (e.g., Eno River Association).
2. Explore and pursue funding sources to increase funding for the County's groundwater observation well network program (Orange Well Net).
3. Initiate efforts to create a detailed Water Budget for Orange County.

**Land Resources Committee**

(Loren Hintz, David Welch, Jeanette O'Connor, \_\_\_\_\_)

1. Revitalize effort to eliminate use of herbicides to manage vegetation in utility right of ways.
2. Help implement the development of a comprehensive conservation plan.
3. Educate the public about ways to promote biodiversity.

## **Intergovernmental Parks Work Group (IP Work Group)** **Membership, Mission and Charge**

*...as per resolution adopted by Orange County, Chapel Hill, Carrboro and Hillsborough boards*

### **Membership**

The Work Group shall have 18 members, as follows:

- Orange County Board of Commissioners (one member, or designee of Board)
- Carrboro Board of Aldermen (one member, or designee of Board)
- Chapel Hill Town Council (one member, or designee of Board)
- Hillsborough Board of Commissioners (one member, or designee of Board)
- Mebane City Council (one member, or designee of Board)
- Chapel Hill-Carrboro City Schools Board of Education (one member, or designee of board)
- Orange County Schools Board of Education (one member, or designee of Board)
- OWASA Board of Directors (one member)
- Carrboro Parks and Recreation Board (one member and one alternate)
- Chapel Hill Parks and Recreation Commission (one member)
- Chapel Hill Greenways Commission (one member)
- Hillsborough Parks and Recreation Board (one member and one alternate)
- Orange County Recreation and Parks Advisory Council (one member and one alternate)
- Orange County Commission for the Environment (one member)
- University of North Carolina (one member)
- Duke Forest Resource Manager (one member)
- Triangle Land Conservancy (one member)
- Eno River Association (one member)

\* - Advisory board and elected representatives from each jurisdiction would be appointed by the elected board of that jurisdiction.

### **Meetings**

The Work Group will meet three times per year (fall, winter and spring)

### **Tenure**

The Work Group will work for three years (July 2000-June 2003), providing yearly reports and a final report in June 2003. If desired after three years, the participating parties may make it a permanent, standing group. (\*April 2004 it became a permanent, standing group.)

## Charge

To build on the momentum of the Joint Master Recreation and Parks Work Group process by accomplishing the following:

1. To gather, exchange and **share information** on parks planning and development in the municipalities and County.
2. To **maintain and update the Inventory of Parks and Recreation Facilities** developed as part of the Joint Master Recreation and Parks report, including new properties acquired or dedicated
3. To foster communication between the municipalities and County on **future opportunities and collaborative ventures**
4. To provide a **coordinating mechanism for updates to parks and recreation plans** in each jurisdiction
5. To **review and inform the municipalities and County concerning parks needs** and potential opportunities
6. To develop **parameters for parks standards** (leaving flexibility for the actual standards to vary from jurisdiction to jurisdiction within these parameters)
7. To **develop and coordinate public education and public outreach** on parks issues (coordinated brochures, etc)

## Nature of Work Group and Staffing Arrangements

The Intergovernmental Parks Work Group is inter-jurisdictional, providing information to all elected boards on the areas listed above. It is not a formal advisory board of any jurisdiction. Staffing for the Task Force would be of a joint nature, including:

- the Parks and Recreation Directors from Chapel Hill, Carrboro, Mebane and Orange County
- the Environment and Resource Conservation Director from Orange County. (\*4/1/2010 the department became known as The Department of Environment, Agriculture, Parks and Recreation.)

The Director of the Department of Environment, Agriculture, Parks and Recreation\* will be responsible for administration, agenda preparation and meeting coordination – working with the Parks and Recreation Directors from the municipalities in Orange County.

ORANGE COUNTY



Department of Environment,  
Agriculture, Parks & Recreation

**MEMORANDUM**

**To:** Commission for the Environment  
**From:** Rich Shaw  
**Date:** January 8, 2014  
**Subject:** Orange County State of the Environment 2014

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A revised draft of the State of the Environment report 2014 is ready for review and comments.

Since your December meeting Tom has revised the Water Resources section with assistance from Peter Cada and others. There have been a few changes to the Land Resources section, but further review and edits are still needed to Air and Energy Resources section.

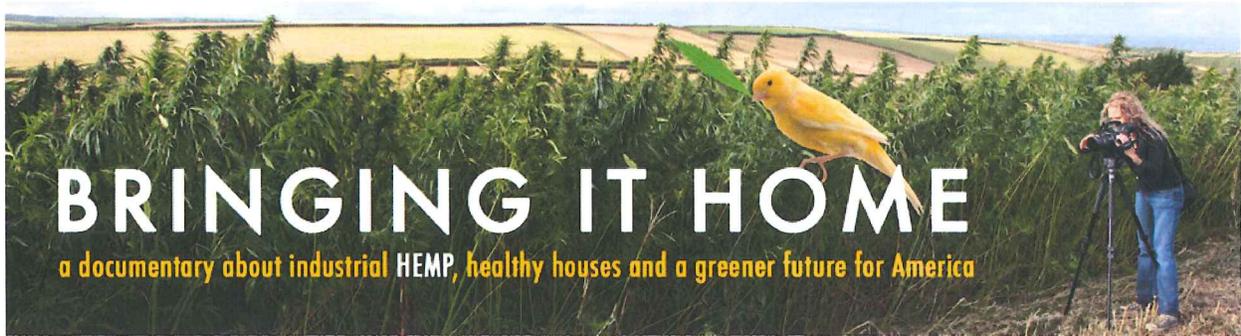
We ask CFE members from each committee to read through their committee's respective section of the document and determine the following for each environmental indicator:

*"What is the Trend in Orange County?"*  
*"How Can Orange County Improve?"*

We also need you to help identify the key issues and recommendations of the report as whole, which will be summarized in the introductory pages.

The following is a revised schedule for the project.

May 2013	DEAPR hires graduate Research Associate (M. Munkittrick)
May-June 2013	Munkittrick verifies data sources, investigates new potential data sources, discusses with staff and CFE members
June-July 2013	Munkittrick collects data, reports to staff & CFE committees. CFE comments on proposed new style/format and new/deleted environmental indicators and emerging issues
August 2013	Munkittrick and DEAPR Staff present initial draft SOE report to CFE. Identify needs for further input/text from CFE and outside entities.
Sept-Oct 2013	Staff completes the data entries for remaining indicators. CFE provides further input/text for each indicator. CFE identifies those indicators it would like to highlight in the report overview and executive summary.
Nov-Dec 2013	Staff creates revised draft (proposed final) SOE report. CFE reviews draft, makes final edits/changes. Staff incorporates changes into final report.
Jan/Feb 2014	CFE reviews draft, makes final edits/changes. Staff prepares final report.
March 2014	Document is made "camera-ready." SOE report prepared for on-line viewing. Some reports are printed for libraries and other entities.
April 2014	CFE hosts Environmental Summit (Location TBD), SOE report presented



**Film description:** A father's search to find the healthiest building materials leads him to the completion of the nation's first hemp house. Hemp with lime is a non-toxic, energy efficient, mildew, fire and pest resistant building material. The drawback — industrial hemp is currently illegal to farm in the U.S.A. Industrial hemp is a non-psychoactive plant, grown in 31 other countries that makes 1,000's of sustainable products and offers solutions for global warming, nutrition, poverty and deforestation. Here in the U.S., hemp could be a money-making crop for farmers and create jobs. But why can't we grow it here? Now raising production funds, BRINGING IT HOME tells the story of hemp: past, present and future and a global industry that includes textiles, building materials, food products, bio-plastics, auto parts and more.

## Big Fun and Crowd for Bringing It Home's NC Premiere May 17th



Thanks to all who attended Bringing It Home's Green Carpet Premiere with The Abundance Foundation on May 17th at Piedmont Biofuels in Pittsboro, NC. It was a beautiful, festive evening and in addition to the outdoor screening of the documentary, guests sampled products at the hemp information tent, dined on hemp appetizers, and enjoyed live music from Circle City. Guests arrived in pedicabs, biodiesel car, bicycles and a tractor! We thank all the chef/restaurant and food donors, the incredible team of volunteers and the following hemp companies and

groups for providing handouts and hemp samples: Hemp History Week; Vote Hemp; Nutiva, Dr. Bronner's Magic Soaps, GOOD Oil, Nature's Path, Manitoba Harvest, Hemp Naturals, prAna and Ziggy Marley Organics. Lots of letters were signed for NC Senators to sponsor the Industrial Hemp Farming Act.

## Bringing It Home Premieres with Hemp History Week June 3rd-9th

Launch cities will include New York City, Los Angeles, San Francisco, Escondido; Portland, Boulder, CO, Bellingham WA, and Petaluma CA

<http://www.bringingithomemovie.com/>

# NewsObserver.com

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'The Butler' serves up a No. 1 weekend at box office

## Local documentary heralds healthy hemp

Published: August 17, 2013



U.K. hemp farmers, Henry Braham and Glynnis Murray at their farm in North Devon, from the documentary "Bringing It Home."

COURTESY OF LINDA BOOKER

By Glenn McDonald — Correspondent

Christopher Columbus journeyed to America using hempen ropes and sails. The United States Declaration of Independence was drafted on hemp paper. Hemp was a major agricultural boon to World War II domestic war efforts.

These are just a few of the more patriotic points made in the locally produced documentary film "Bringing It Home," which premieres Thursday in Durham. The film examines the issue of industrial hemp farming and argues that federal law prohibiting the cultivation of hemp on U.S. soil is one of America's most puzzling and misguided public policies. Despite having no psychoactive properties, industrial hemp is classified as a controlled substance under the 1970 Controlled Substances Act.

Filmmakers Linda Booker and Blaire Johnson – both graduates of Duke University's Center for Documentary Studies – began the project in 2010. The story would eventually lead them to film in the

United Kingdom, Spain, Washington, D.C., California, and back to North Carolina. Booker, speaking from her home in Pittsboro, said she wasn't a hemp advocate when the project began.

"I'm naturally a little bit of a skeptic on things, and like a lot of people, I didn't really get what hemp was," Booker said. "I thought it was just a stoner hippie issue. But it really didn't take very long for me to get engaged and interested."

While hemp is illegal to grow in the U.S., hemp products are not illegal to sell. In fact, American consumers purchase around \$450 million worth of hemp products annually – mostly apparel and nutritional products like hemp oil. But all the hemp used for these products must be imported, mostly from Canada. The U.S. is the world's largest importer of hemp. China is the world's largest exporter.

The film begins with the story of Asheville home designer Anthony Brenner, who made headlines in 2010 when he built the nation's first "hemp house," made from environmentally friendly hempcrete – a building product similar to concrete. Brenner would later design his own hemp-based home to provide a safe indoor environment for his daughter Bailey, who has a rare genetic disorder that makes her sensitive to synthetic chemicals.

From here, the film explores the many industrial uses of hemp, focusing in particular on its utility as a building material, clothing fabric and food supplement. The filmmakers traveled to Spain and the U.K. to speak with hemp advocates and farmers. Footage from Berkshire, England, shows vast fields of hemp farmed as a cash crop, and several experts are consulted to extol the virtues of the plant.

"Bringing It Home" employs the usual techniques of the documentary film to tell its story – interviews, statistics, animations – and it covers a lot of ground.

Booker said the goal was to make the film relatively short, as part of the team's education outreach campaign, so that it could be presented along with discussion events and panels. For a 52-minute film, it's ambitious in scope, breaking down the various political, economic and historical aspects of the issue.

"The best analogy I can come up with is that it's kind of like when a sculptor has a big chunk of marble in front of them, and they whittle and chip away to make something of it," Booker said.

In developing the project, Booker and Johnson worked with the Durham-based Southern Documentary Fund (SDF), a nonprofit that provides feedback and helps filmmakers secure funding.

#### Triangle filmmakers

Rachel Raney, executive director of the SDF, said "Bringing It Home" is a good example of the kind of work that's coming out of the Triangle's booming documentary filmmaking community.

"This is a tough film to pull off," Raney said. "It's a really complex, multilayered topic. They knew they wanted to get this film in hands of the people working in this issue."

Indeed, the film seems to be coming out at an opportune time. The hemp issue is being vigorously debated at the state and federal level, with several states having already passed legislation legalizing industrial hemp cultivation. The federal Drug Enforcement Administration has continued to block such state initiatives, but the U.S. House of Representatives just last week approved a version of the highly contested Farm Bill that includes new rules on hemp farming.

"I think it's incredibly timely," Raney said of the film. "And that often happens in documentary films. You can start something when it's not on anyone's radar, then the stars align and everyone catches up with you."

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**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** November 12, 2013

**Action Agenda  
Item No. 4**

**SUBJECT:** County Fair Working Group Report

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**DEPARTMENT:** County Manager, Asset Management Services (AMS), Cooperative Extension, Environment, Agriculture, Parks and Recreation (DEAPR), Economic Development, Visitors Bureau

**PUBLIC HEARING: (Y/N)**

No
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**ATTACHMENT(S):**

Blackwood Farm Park CIP Page

*Working Group Report, Including Work Group Charge and Meeting Agendas and Information-Sharing Session Summary (To Be Provided Under Separate Cover Prior to the Meeting)*

**INFORMATION CONTACT:**

Commissioner Mark Dorosin, 245-2130  
Commissioner Renee Price, 245-2130  
Interim Manager Michael Talbert, 245-2300  
County Fair Working Group Staff

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**PURPOSE:** To report to the Board on the activities and deliberations of the County Fair Working Group, charged and commissioned on June 18, 2103 to investigate a potential Orange County Fair.

**BACKGROUND:** On June 18, 2013 the Board of Commissioners appointed Commissioners Mark Dorosin and Renee Price to work with the County Manager's office and directors from several departments to develop an outline and basic information and concepts about a possible county fair including such topical areas as activities, timeframe, process, costs and possible creation of a County Fair Advisory Committee. The specific language of the charge is provided in the "Charge – County Fair Working Group," which is an attachment to the Working Group report

The Working Group began its efforts on July 10, and met on five occasions to develop its report. The Group also participated in conference calls and site visits to potential fair locations, and received advice and feedback from the County Fair Coordinator from the NC Department of Agriculture. Members of the group visited other fairs and spoke to event organizers and representatives of other festivals and events, and shared this input with the group.

The efforts culminated with an October 30, 2013 Information-Sharing Session held at the Solid Waste Operations Center meeting room on Eubanks Road, where 32 residents and interested parties attended a meeting and discussed the value of a potential fair, possible components and activities, locations, and what organizations or persons should be involved in further event planning. This information, along with a distillation of previous conversations and discussions, was compiled into the Working Group report. Additional outreach has been conducted to ask the organizations and the general public for feedback on the themes and ideas of the Working Group, both via brief written survey questions and an online survey.

As shown in the attached report, the following primary findings or themes are proposed for the Board's consideration:

- A county fair could offer the opportunity to celebrate the many unique historical, social, cultural, and creative aspects of Orange County, and create a community-building event bringing together residents from all across the county to an event that also offers entertainment, recreation and economic development potential.
- As an initial event, the Working Group recommends a two-day Friday-Saturday event. Friday would be targeted to encourage field trips from local schools.
- While a fall date in late-September was initially proposed and discussed, the Working Group recognized that a fall 2015 event was too distant in the future. In the interest of launching a fair sooner, the Group identified an alternative window of late-April for a Spring 2015 fair. This spring fair could be seen as a test run, and a decision on whether future fairs should be fall or spring could be made after gleaning the experience of a first-run in Spring 2015.
- A number of possible sites for a potential fair were examined, with two sites visited and explored in more detail. After deliberation, the Working Group found consensus around the idea of using the future Blackwood Farm Park site on NC 86 and New Hope Church Road between Chapel Hill and Hillsborough. This 152-acre site is located near the population center of the county, is owned by the County, has easy access to Interstate 40, and has been used for similar festivals and events. Infrastructure and logistical issues will need to be addressed, but many of these are consistent with planned future improvements in the adopted Capital Investment Plan.
- The fair as conceptually-proposed would be structured around five primary themes, with an overarching sustainability theme and a number of sub-themes and activities possible within this framework. These five main themes are:
  - Agriculture, local food and restaurants
  - Arts and local artists
  - Orange County's diverse history
  - Schools, education and youth, and
  - Live music

The fair as envisioned would also include some attractions for children, including traditional and non-traditional rides and games.

A listing of approximately 35 groups, organizations and persons has been gathered, and the Working Group recommendations propose a "Coordinating Committee for the Orange County Fair" (CCOCF) be formed in January, including representatives from these groups and other interested or identified parties or residents. The initial organizations list is included as an attachment to the report, and many of groups participated in the October 30 information session.

The creation of a CCOCF would enable the next steps to be taken to develop a 2015 County Fair Strategic Plan, including more-specific activities and amenities within the identified themes, a three-year financial plan and a recommended management/operating structure for the fair. This information, along with further assessment of the site infrastructure needs, and the potential for sponsorships and volunteer group assistance, would be needed to develop a project budget that is a self-sustaining model, as directed by the Board.

**FINANCIAL IMPACT:** The financial impact of a potential county fair would need to be addressed as the event's specifics are developed and refined. Examinations of other budgets for like events, and a general schematic estimate for this event (as shown in the report) reflect a projected range of \$60,000 to \$185,000 in costs associated with operating a fair at Blackwood Farm, depending on the scope of activities. Much of this cost is expected to be offset or reduced by revenue structures and coordinated volunteer assistance, which have not yet been developed.

The Chapel Hill/Orange County Visitors Bureau currently has a special event fund that has supported several events in Orange County, including TerraVITA and Hog Day, Carrboro Film Festival and others. The Bureau has \$10,000 reserved for opportunity promotions and expects to contribute \$10,000 to the County Fair, seed dollars that would go towards hiring an events contractor to launch the Fair. From a tourism perspective, promoting Orange County's bounty, through an annual food, heritage and music event, will help the County's brand and, accordingly, tourism numbers. Considerable advance planning will be needed to fully develop the fair concept. A county fair in spring 2015 would require funding in the FY 2014-15 fiscal year. The Board's charge to the Working Group included a self-sustaining model over time, and if possible, from the outset.

The Working Group has identified the County's future Blackwood Farm Park site as the likely preferred location. Some improvements (primarily a new entry road, parking and site work) would be needed for a County Fair to occur in 2015, and while these improvements are consistent with the park master plan, the current FY 2013-18 Capital Investment Plan (CIP) does not include funding for these items until 2018 and beyond (see attached Blackwood Farm Park CIP page).

**RECOMMENDATION(S):** The Interim Manager recommends that the Board receive the report of the Working Group, discuss whether to proceed with planning for the fair, and identify any needed additional information. If the Board wishes to proceed with planning for the County Fair concept, and is in agreement with the proposed coordinating committee approach, the Working Group could be instructed to bring back a recommended charge and scope of work for the proposed Coordinating Committee for the Orange County Fair, along with a timeframe of activities. The Clerk to the Board could also be instructed to solicit for possible applications for the Committee appointees.

**County Capital Projects  
Fiscal Years 2013-18**

Project Name Functional Service Area Department	Blackwood Farm Park Community and Environment DEAPR					Project Status Starting Date Completion Date					Approved/Proposed 7/1/2012 7/1/2018	
	Prior Years Funding	Current Fiscal Year 2012-13	Year 1 Fiscal Year 2013-14	Year 2 Fiscal Year 2014-15	Year 3 Fiscal Year 2015-16	Year 4 Fiscal Year 2016-17	Year 5 Fiscal Year 2017-18	Five Year Total	Year 6 to Year 10			
<i>Appropriation</i>												
Land/Building												
Construction/Repairs/Renovations Equipment/Furnishings		50,000	-	-	-	-	-	-	-	-	-	7,500,000 500,000
<b>Total Project Budget</b>	<b>-</b>	<b>50,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>8,000,000</b>
<i>General Fund Related Operating Costs</i>												
Personnel Services		12,000	12,000	12,000	12,000	12,000	12,000	60,000	325,000			
Operations		-	5,000	5,000	5,000	5,000	5,000	25,000	275,000			
New Debt Service									1,670,400			
<b>Total Operating Costs</b>		<b>12,000</b>	<b>17,000</b>	<b>17,000</b>	<b>17,000</b>	<b>17,000</b>	<b>17,000</b>	<b>85,000</b>	<b>2,270,400</b>			
<i>Revenues/Funding Source</i>												
Transfer from General Fund		62,000	13,000	13,000	13,000	13,000	13,000	65,000	580,000			
General Fund - Debt Service									1,670,400			
Grants (PARTF), User Fees			4,000	4,000	4,000	4,000	4,000	20,000	20,000			
Future Debt Issuance									8,000,000			
<b>Total</b>		<b>62,000</b>	<b>17,000</b>	<b>17,000</b>	<b>17,000</b>	<b>17,000</b>	<b>17,000</b>	<b>85,000</b>	<b>10,270,400</b>			

**Project Description/Justification**

The Blackwood Farm Park is a 152-acre site located midway between Chapel Hill and Hillsborough on NC 86 and New Hope Church Road. The adopted master plan includes a multi-faceted park that retains components of the farm's agricultural past, including community gardens and agricultural demonstration areas and exhibits. It also includes an amphitheatre, fishing, trails and open fields - as well as the planned Agriculture, Environment and Parks Center (including the permanent parks operations base). Funds approved in 2012-13 will provide for limited access opening later in 2013, perhaps including a community garden. Center construction and Park construction are planned in Years 6-10. **NOTE: A Space Needs Analysis will be performed on all County facility needs, including the space needs/requirements for Agriculture center related needs that may involve facilities such as the Environment and Agriculture Center and at Blackwood Farm Park. Estimated cost to be no more than \$25,000, and will be budgeted in Asset Management Services operations in FY 2013-14.**

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** October 8, 2013

**Action Agenda  
Item No. 2**

**SUBJECT:** Review the Process of Creating a Solid Waste Collection and Disposal System Service District

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**DEPARTMENT:** Solid Waste/Recycling

**PUBLIC HEARING:** (Y/N)

No

**ATTACHMENT(S):**

- A) Draft Notice of Public Hearing
- B) Draft Resolution Establishing a Solid Waste Collection and Disposal System Service District

**INFORMATION CONTACT:**

Gayle Wilson, 968-2885  
John Roberts, 245-2318  
Michael Talbert, 245-2308

**PURPOSE:** To review the process of creating a Solid Waste Collection and Disposal System Service District and the possible inclusion of the Towns.

**BACKGROUND:** Orange County is recognized as being number one in the state for waste reduction, reaching 59% of its 61% aggressive reduction. The County is disposing only 0.56 tons/person compared to the base year of 1991-92, when the disposal rate measured 1.36 tons. In the region, Wake County has achieved a 25% reduction rate, Durham County rate is at 21%, Chatham County is 37%, and Alamance County with 26%. Orange County's 61% waste reduction goal was adopted in 1997 by the County and by the Towns of Carrboro, Chapel Hill and Hillsborough as part of the County's original Comprehensive Solid Waste Plan. The County is committed to robust public education services and waste reduction programs regardless of the funding options preferred by the Board.

The County's Reduce, Reuse & Recycle (3-R) Fees previously consisted of four annual recycling fees adopted by Orange County in 2004 to fund recycling programs and services that are billed in conjunction with the annual property tax. The fees consisted of a Basic Fee (\$37/year) that was charged to all improved properties county-wide and funds various recycling operations such as the county Toxicity Reduction Improvement Program (Household Hazardous Waste, batteries, waste oil, electronics, etc.), recycling drop-off sites, recycling at solid waste convenience centers, education and outreach, enforcement, planning, etc. An Urban Curbside Fee (\$52/year) was assessed to improved residential properties within incorporated municipalities and funded weekly curbside recycling service. A Rural Curbside Fee (\$38/year) was charged to residential property in areas of unincorporated Orange County eligible to receive bi-weekly curbside recycling service. Finally, a Multi-family Fee (\$19/year) was charged multi-family units throughout Orange County for multi-family recycling services.

Not related to recycling, the County also assesses a county-wide Solid Waste Convenience Center Fee that is billed in conjunction with the annual property tax. The Unincorporated Areas

Fee is (\$20/year/Household); the Incorporated Areas Fee is (\$10/year/Household), and the Multi-family Fee is (\$2/year/multi-family unit). This basic Solid Waste Convenience Center Fee covers a portion of the operating costs of the County's five (5) Convenience Centers.

A recent court decision, *Lanvale v Cabarrus County*, essentially stated that where there was no direct statutory authority to levy a fee, a local government cannot levy a fee. Since the *Lanvale* opinion was issued, Orange County's staff has been engaged in discussions regarding how, going forward, the County can best address the issues created by this action by the Supreme Court. The Supreme Court decision indicates that the Basic Fee is likely consistent with existing law, but the Urban, Rural and Multi-family recycling fees may not be consistent with existing case law. The County Manager recommended that the Board of County Commissioners cease assessing the Urban, Rural and Multi-family recycling fees beginning with Fiscal Year 2013/14 Annual Budget. The County Manager further recommended funding these services for Fiscal Year 2013/14 only with solid waste enterprise fund reserves in order to allow the Board of Commissioners time to resolve the funding problem.

The Rural Curbside program currently is limited to 13,730 households eligible in the unincorporated area of the County. These services are provided by County Solid Waste staff. Just 6,000 households lack access to rural curbside service at this time. Waste collections in unincorporated Orange County are provided by several private haulers, without a County Franchise Agreement, on a voluntary basis to those using the services.

The Urban Curbside recycling serves Chapel Hill, Carrboro and Hillsborough municipal residents. The services are paid for by Orange County Solid Waste under contract with Waste Industries, Inc. and the towns are responsible for household solid waste within their town limits.

The Multi-family recycling serves multi-family establishments in both incorporated and unincorporated Orange County. The multi-family recycling services are provided by Orange County Solid Waste staff.

On April 9, 2013 the Board reviewed eight (8) options for Orange County to fund the County's Solid Waste and Recycling Services and eliminated a county-wide Franchise agreement from consideration. The Board held a public hearing on April 23, 2013 to receive public comments on the top three (3) options identified by the Board on April 9, 2013. Attachment 2 provides a detailed assessment of the three (3) options considering the Board's goals and commitment to recycling. Those options are:

- 1) Create a County-Wide Solid Waste Management Authority,
- 2) Create a Solid Waste Tax Service District; and
- 3) Eliminate Rural Curbside Recycling.

The Board unanimously wished to maintain the current recycling program and

- Directed the Manager to meet with the Managers of Carrboro, Chapel Hill and Hillsborough to determine their willingness to participate, to ascertain their needs and concerns, and report back to the Board of Commissioners by the end of 2012-13 fiscal year so that the county may proceed with implementation;
- Directed the Chair to meet with the three Mayors for a similar, parallel discussion;
- Adopted an interim funding plan for 2013-14 at the end of this fiscal year;
- Committed to further investigate both a Solid Waste Tax Service District and a Solid Waste Authority.

A county-wide Solid Waste Tax Service District approach is a more comprehensive and flexible option that would include the Towns and the current Rural Curbside Service Area. A Tax Service District can provide services via County staffing, contracted, optional or mandatory programs or otherwise formulated approaches to both solid waste and recycling services as long as services are delivered and funded on some basis county-wide in the unincorporated areas of the County and can allow one or more towns to opt into the District. The effective date of a new Solid Waste Tax Service District would be July 1, 2014.

There is a process to create a Solid Waste Tax Service District that is identical to the process used for the creation of Fire Service Districts completed in the spring of 2013.

#### **Schedule and Publish a Notice of Public Hearing:**

Prior to the Public Hearing, the County must prepare a Report on the district. A copy of the report must be kept in the Clerk's office. The report must contain the following:

1. A map of the proposed district, showing its proposed boundaries;
2. A statement showing that the proposed district meets the standards set out in subsection (a); and
3. A plan for providing one or more of the services listed in G.S. 153A-301 to the district.

The Report should also include:

1. The resident or seasonal population and population density of the proposed district.
2. The appraised value of property subject to taxation in the proposed district.
3. The present tax rates of the county and any cities or special districts in which the district or any portion thereof is located.
4. The ability of the proposed district to sustain the additional taxes necessary to provide the services planned for the district.
5. If it is proposed to furnish water, sewer, or solid waste collection services in the district, the probable net revenues of the projects to be financed and the extent to which the services will be self-supporting.
6. Any other matters that the commissioners believe to have a bearing on whether the district should be established

Notice of Public Hearing must be mailed (first class prepaid is fine), at least 4 weeks prior to the date of the public hearing, to the "owners as shown by the county tax records as of the preceding January 1 (and at the address shown thereon) of all property located within the proposed district." The preceding January 1 is the January 1 prior to the public hearing. The commissioners designate who handles the mailing. If the towns choose to be included in the district, the BOCC can designate the towns to conduct the mailing to all owners of district properties located within town limits.

The Notice of Public Hearing must be published at least one week prior to the public hearing. A map of the service district must be attached to the notice and the resolution.

If the Towns authorize the County to collect and charge a fee for recycling within their town limits, as Chapel Hill recently did for areas within its limits located in Durham County, there would be no need to include the towns in the service district. A fee structure similar to what the county has always had could be implemented. Included in the Fiscal 2013-2014 Annual

Budget, Chapel Hill gave the County authorization to collect recycling and impose fees in its Durham County jurisdiction. If this authorization was used by the towns it would be an easier way to reach the same goal.

The Town of Chapel Hill is exploring alternative options for solid waste disposal, as well as ways of increasing efficiency with solid waste collection. The Town contracted SCS Engineers to provide a Comprehensive Review of Solid Waste Collection and Disposal Options (study). The study examines the Town's current solid waste collections and disposal programs to identify opportunities to enhance these services, improve efficiencies, and evaluate innovative technologies in the solid waste industry. The Chapel Hill Town Council will begin discussion of Solid Waste options in October 2013 and is not ready make a commitment to join a Solid Waste Tax Service District.

Both the Town of Carrboro and the Town of Hillsborough have indicated an interest in being part of a Solid Waste Tax Service District.

In Fiscal Year 2013-14 the Basic 3R Fee of \$37/year was charged to all improved properties county-wide and funds various recycling operations such as the County Toxicity Reduction Improvement Program (Household Hazardous Waste, batteries, waste oil, electronics, etc.), recycling drop-off sites, recycling at solid waste convenience centers, education and outreach, enforcement, planning, etc. The Urban Curbside Fee of \$52/year, the Rural Curbside Fee of \$38/year and the Multi-family Fee of \$19/year were not billed in Fiscal Year 2013-14. Solid Waste Reserves were utilized to fund the County's Recycling Program in Fiscal Year 2013-14 and is not an option for Fiscal Year 2014-15.

**FINANCIAL IMPACT:** There is no financial impact to the County in discussing funding options for the County's Recycling Programs.

**RECOMMENDATION(S):** The Interim Manager recommends that the Board discuss a Solid Waste Tax Service District and provide guidance to staff.

**NOTICE OF PUBLIC HEARING  
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

Pursuant to the requirements of the General Statutes of North Carolina, Chapter 153A-302(c) notice is hereby given that the Board of County Commissioners will hold a Public Hearing in the meeting room located at \_\_\_\_\_, on Tuesday \_\_\_\_\_ at 7:00 p.m. for the purpose taking specific action on the following item:

Creation of a solid waste collection and disposal system service district.

1. A report prepared on the proposed district as required by N.C.G.S. 153A-302(b) may be inspected in the Office of the Clerk to the Board of County Commissioners located in the John Link Government Services Building located at 200 South Cameron Street, Hillsborough, North Carolina between 8:00 a.m. and 5:00 p.m., Monday through Friday.
2. A map of the proposed solid waste collection and disposal system service district is attached as Exhibit One.

Questions regarding the proposed solid waste collection and disposal system service district may be directed to the office of \_\_\_\_\_ located on the second floor of the \_\_\_\_\_, Hillsborough, North Carolina, 27278. Office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday. You may also call (919) 245-XXXX extension\_\_\_\_\_.

PUBLISH:  
NEWS OF ORANGE      CHAPEL HILL HERALD

**ORANGE COUNTY BOARD OF COMMISSIONERS  
RESOLUTION ESTABLISHING A SOLID WASTE COLLECTION AND DISPOSAL  
SYSTEM SERVICE DISTRICT**

**WHEREAS**, the Orange County Board of County Commissioners ("Board") has determined there is a need to establish a solid waste collection and disposal system service district in order to provide for the health, safety, and general welfare of the residents of the area shown on Attachment 1 hereto that being the solid waste collection and disposal system service district ("District"); and

**WHEREAS**, in accordance with Article 16 of Chapter 153A of the North Carolina General Statutes the Board conducted a public hearing on the establishment of the District; and

**WHEREAS**, during the public hearing and in determining whether to establish the District the Board considered the resident or seasonal population and population density of the proposed District, the appraised value of property subject to taxation in the proposed District, the present tax rates of the county and any cities or special districts in which the District or any portion thereof is located, the ability of the proposed District to sustain the additional taxes necessary to provide the services planned for the District, the probably net revenues of the projects to be financed and the extent to which the services will be self-supporting, and the overall need for solid waste collection, disposal, and recycling in the District.

**NOW, THEREFORE, BE IT RESOLVED**, the Board finds that there is a demonstrable need for providing solid waste collection, disposal, and recycling in the District as authorized by N.C.G.S. 153A-301(a)(5), it is impossible or impracticable to provide those services on a countywide basis, it is economically feasible to provide the proposed services in the District without unreasonable or burdensome annual tax levies, and there is a demonstrable demand for the proposed services by persons residing in the District.

**BE IT FURTHER RESOLVED** that for all the foregoing reasons the Orange County Board of Commissioners hereby establishes a solid waste collection and disposal system service district in the areas of Orange County shown on Attachment 1.

Passed the \_\_\_\_ day of \_\_\_\_\_, 201\_\_ and having an effective date of July 1, 2014.

\_\_\_\_\_  
Barry Jacobs, Chair  
Orange County Board of Commissioners

Attest:

\_\_\_\_\_  
Clerk to the Board of Commissioners

# Tax changes to hit conservationists

Laws that reward land donations for preservation become less generous at year's end

By BRUCE HENDERSON

bhenderson@charlotteobserver.com

North Carolina conservationists raced this month to close a flood of preservation deals before state and federal tax incentives expire.

The tax laws reward landowners who donate their land for conservation or sign easements that protect it from development. But the favorable tax treatment becomes less generous at year's end.

A state tax credit of up to 25 percent of the gift's market value expires Jan. 1. Federal tax deductions for easement donors, unless renewed, drop from up to 50 percent of adjusted gross income over 16

years to 30 percent over six years.

December is typically a busy time for local land trusts, but they went into overdrive to close deals this year.

"I suspect this will be my least enjoyable Christmas" because of the December rush, Jason Walser, executive director of LandTrust for Central North Carolina said jokingly. "But it's good for land conservation."

The Salisbury-based conservation group worked to close nine agreements, totaling 1,100 to 1,200 acres, by year's end. That's three times the number of donations completed earlier in 2013.

Most landowners involved in the late-year rush were motivated by the expiration of the state tax credit, Walser said. Conservation owners who don't make the Dec. 31 deadline can still take deductions for their gifts, he said.

"So far what I'm getting are questions about the projects, and indications are that this is going to be a really big year," said Scott Pohlman, director of the state office that certifies properties eligible for tax credits.

North Carolina became the first state to allow an income-tax credit for donated easements in 1983. The credit has helped protect 238,000

acres — more than the land in the state park system — with a donation value of \$1.3 billion since then.

Legislators killed that and other tax credits in a flurry of tax reform this year.

The conservation credit cost the state \$146 million in revenue between 2003 and 2010 but protected land worth \$975 million, said Reid Wilson, executive director of the statewide group Conservation Trust for North Carolina.

The legislature also cut off the revenue streams of two conservation programs, the state natural heritage and parks trust funds. The

SEE LAND, PAGE 7B

natural heritage fund was rolled into the Clean Water Management Trust Fund, a major source of conservation grants.

"I think we will see a noticeable decrease in the number of conservation properties protected" in 2014, when tax incentives will be reduced, Wilson said. "It's hard to say how significant it will be."

The incentives are of varying importance to donors, conservation professionals say, with some primarily benefiting high-income donors.

"These changes do not help us, and all things being equal you would think they would reduce (conservation donation) volume," said executive director Tom Okel of the Charlotte-based Catawba Lands Conservancy. "But there's still a lot of people who want to do it for the sake of conservation, not just for the deduction."

The Catawba conservancy, which had closed on two conservation agreements this year, hoped to bring in 14 to 16 more by the end of the month.

Conservationists hope to eventually persuade legislators to restore the state tax credit and trust-fund revenue. There's also pressure on Congress to make the 50 percent federal deductions permanent.

For now, the Conservation Trust planned to spend up to \$1.5 million to help North Carolina's 23 local land trusts pay for surveys, appraisals and legal fees to close preservation deals by Dec. 31.

One million dollars of that came from a revolving loan fund Salisbury philanthropists Fred and Alice Stanback set up more than a decade ago. An unidentified donor added up to \$300,000 more.

One of those grants allowed the Davidson Lands Conservancy to complete an easement, in the works since 2008, that will protect native orchids on a 27-acre tract. The agreement was announced earlier this month.

The Conservation Trust expected to approve about 60 grants of up to \$25,000 each to cover transaction costs between September and the end of the year.

"It's been a mad dash to the finish," Wilson said.

## Enhanced federal

**deduction:** Since 2006, the maximum deduction for donating a conservation easement has been 50 percent of adjusted gross income, up from 30 percent. Qualified farmers and ranchers could deduct up to 100 percent of AGI. The number of years over which landowners could take the deductions increased from six years to 16 years.

Without the enhanced incentive, says the Land Trust Alliance, an agricultural landowner who earns \$50,000 a year and donated an easement worth \$1 million could take no more than \$90,000 in deductions. With it, that landowner could take up to \$800,000 in tax deductions.

BRUCE HENDERSON

## How the tax incentives work

**State tax credit:** In place since 1983, it allows donors of land or conservation easements a state income tax credit of 25 percent of the donated property's fair market value, up to \$250,000 for individuals and \$500,000 for couples. Unused portions of the credit may be carried forward for five years.

FOR IMMEDIATE RELEASE

DRAFT



**From:** Orange County  
Department of Environment, Agriculture, Parks and Recreation (DEAPR)  
PO Box 8181, Hillsborough, NC 27278

**For More Information Contact:**  
Rich Shaw, Land Conservation Manager, 919-245-2514  
David Stancil, Director, 919-245-2510

## **ORANGE COUNTY ACCEPTS CONSERVATION EASEMENTS TO PROTECT NATURAL AREAS ON TWO PROPERTIES**

On December 19, Orange County accepted two conservation easements on 47 acres of land for natural resource conservation purposes. Conservation easements are written agreements that permanently protect land for its natural or cultural resource values, while leaving it in private ownership. The two projects were accomplished through the County's Lands Legacy program.

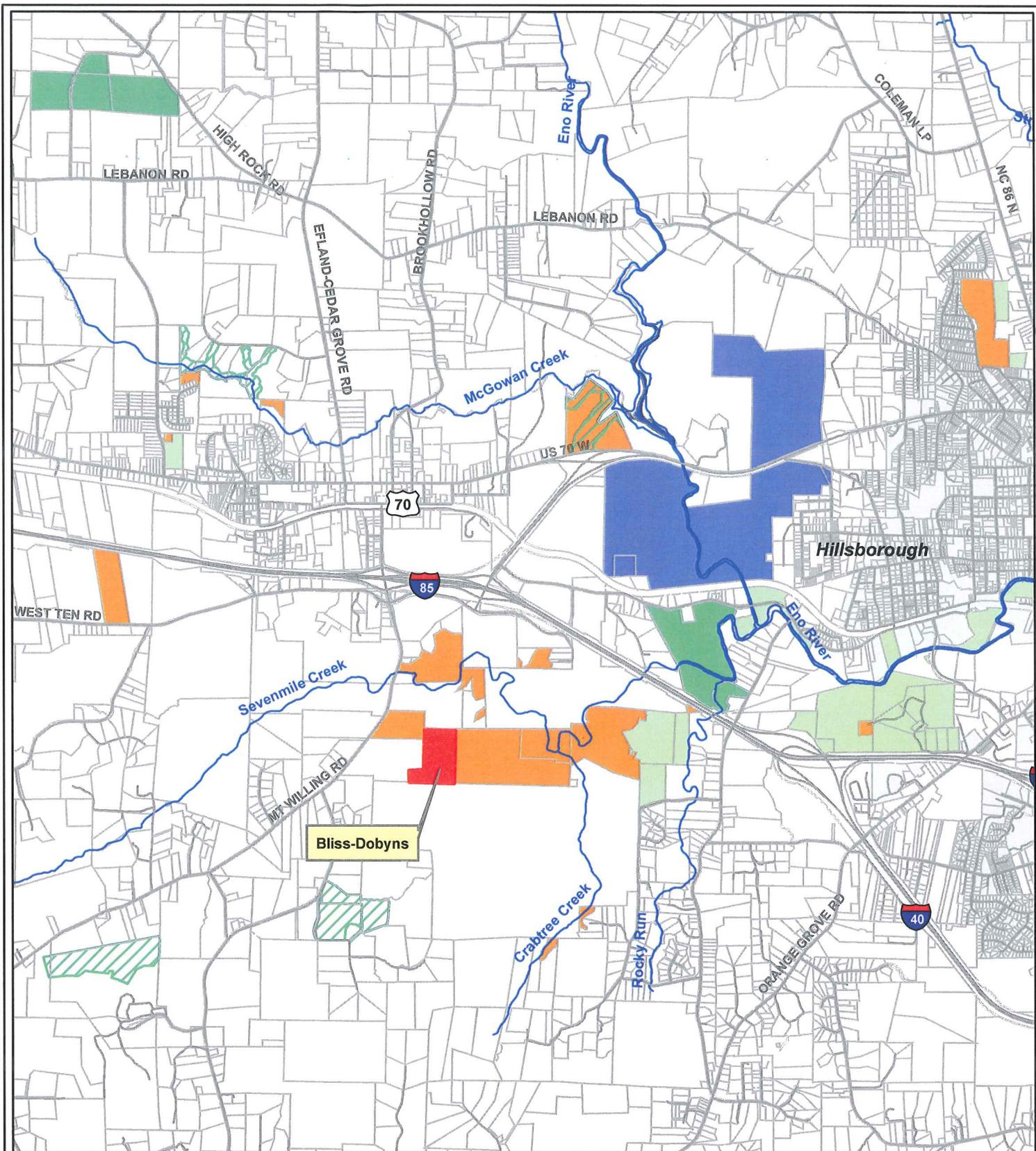
Michael Hughes and Dale Morgan donated a conservation easement that will protect an 11-acre portion of their land in southwestern Orange County. The forested site includes 1,200 linear feet of Collins Creek, which is on the State of North Carolina's 303d list of "impaired" streams. The site contains natural communities and diverse forest habitat and for a variety of native plants and wildlife. The conservation easement prohibits future subdivision and limits future improvements to the construction of nature trails and bridge crossings. Commercial timbering is prohibited; however some trees may cut to prevent personal injury and property damage, and to remove non-native species.

Katherine Bliss and Brian Dobyms granted a conservation easement over their 35-acre property located southwest of Hillsborough. The property includes the family's residence surrounded by a mixed hardwood forest that borders the County's Seven Mile Creek nature preserve. The Bliss-Dobyms land drains to Sevenmile Creek and eventually to the Eno River. The conservation easement prohibits future subdivision and limits future development to the one existing home site and associated residential and agricultural uses of the property. Nature trails and hunting are allowed, but commercial timbering is prohibited. The County compensated the landowners with a payment of \$117,000 equal to 75 percent of the fair market value of the development rights that were removed from their property.

The owners of both properties intend to take advantage of the NC Conservation Tax Credit program—available for easement donations that occurred prior to December 31, 2013. They will also pursue enhanced federal tax deductions available for qualified easement donations, which also expired at the end of 2013.

“Thanks to the vision of these two families, we’ve been able to protect 47 acres of significant natural resource land in Orange County,” stated County Commissioners Chair Barry Jacobs. “The conservation easements allow them to retain control of their property and to preserve their quality of life, yet assure protection of their sensitive acreage from development pressures and other degradation. These easement purchases are further success of our Lands Legacy program.”

With these acquisitions, the Lands Legacy program has conserved 3,078 acres of land for a variety of public purposes, including new parkland, nature preserves, watershed buffers, and farmland conservation. Over \$4 million in Federal and State grant funds have been used to match County land conservation funds in order to accomplish these projects.



### Bliss-Dobyns Conservation Easement Vicinity Map

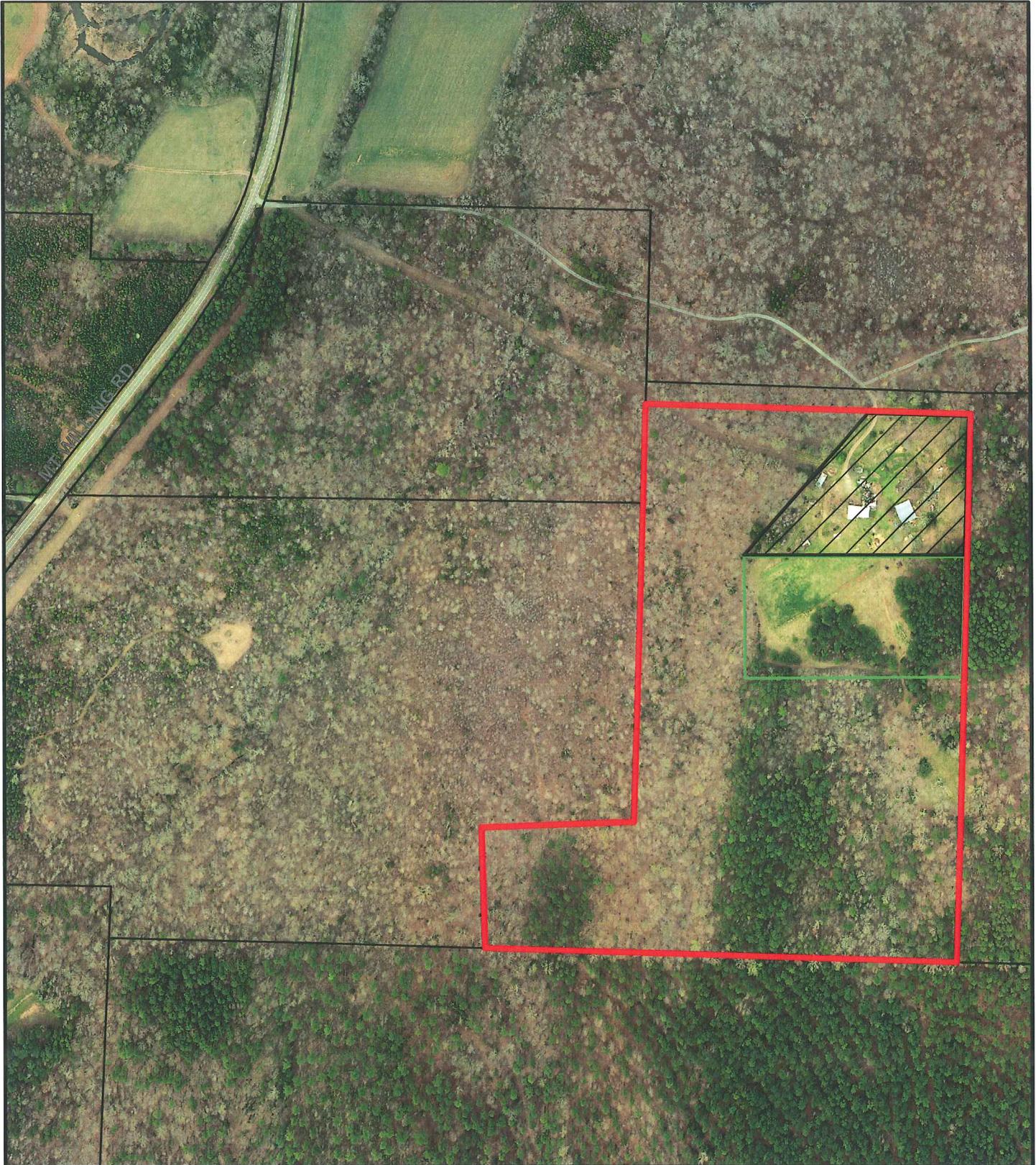
- |  |  |   |                          |
|--|--|---|--------------------------|
|  | Bliss & Dobyns property                      |  | Duke University property |
|  | Conservation easements held by others        |  | Streets                  |
|  | Conservation easements held by Orange County |  | Lakes & reservoirs       |
|  | Orange County parkland & openspace           |  | Major streams            |
|  | Non-county parkland & open space             |  | Parcel boundary          |
|  |  |  | Municipal boundary       |



1 inch = 3,880 feet

Map prepared by Land Records/GIS Division  
6/25/2013 for Dept. of Environment,  
Agriculture, Parks & Recreation <OC 220K  
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**Bliss-Dobyns Conservation Easement (35.46 acres)**  
**Aerial Map**

- Bliss-Dobyns property boundary
- Residential envelope (4.1 acres)
- Agricultural envelope (4.8 acres)
- Parcel boundary

2012 Orthophotos



1 inch = 384 feet

Dept. of Environment, Agriculture, Parks & Recreation  
 Map by Land Records/GIS Division 8/29/2013  
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# Hughes-Morgan Conservation Easement Site Map

Site Map

-  Hughes-Morgan boundary
-  Easement area (11.21 acres)
-  Parcel boundary
- 2012 aerial



1 inch = 369 feet



Dept. of Environment, Agriculture,  
Parks & Recreation M. Jones  
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# Home electric use falls again

**U.S. homeowners now using the same amount of energy to power houses as they did in 2001**

By JONATHAN FAHEY  
Associated Press

**NEW YORK** The average amount of electricity consumed in U.S. homes has fallen to levels last seen more than a decade ago, back when the smartest device in people's pockets was a Palm-Pilot and anyone talking about a tablet was probably an archaeologist or a preacher.

Because of more energy-efficient housing, appliances and gadgets, power usage is on track to decline in 2013 for the third year in a row, to 10,819 kilowatt-hours per household, according to the Energy Information Administration.

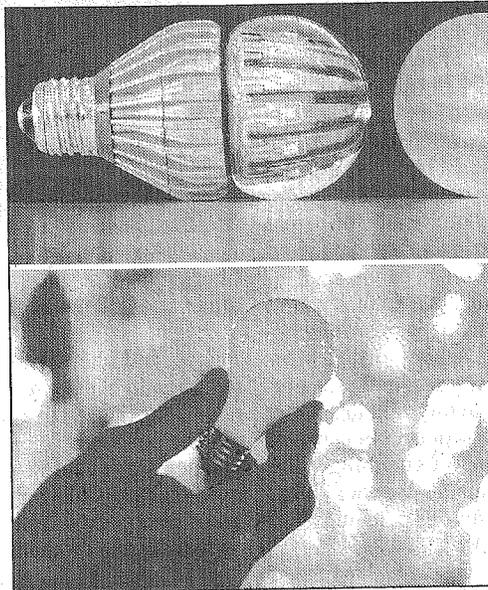
That's the lowest level since 2001, when households averaged 10,535 kwh. And the drop has occurred even though our lives are more electrified.

Here's a look at what has changed since the last time consumption was so low:

**Better homes**

In the early 2000s, as energy prices rose, more states adopted or toughened building codes to force builders to better seal homes so heat or air-conditioned air doesn't seep out so fast. That means newer homes waste less energy.

Also, insulated windows and other building technologies have dropped in price, making retrofits of existing homes more affordable. In the wake of the financial crisis, billions of dollars in



LED bulbs, top, are increasingly replacing the older and more expensive-to-use incandescent light bulbs, below, in homes.

Recovery Act funding was directed toward home-efficiency programs.

**Better gadgets** Big appliances such as refrigerators and air conditioners have gotten more efficient thanks to federal energy standards that get stricter ever few years as technology evolves.

A typical room air conditioner – one of the big-

gest power hogs in the home – uses 20 percent less electricity per hour of full operation than it did in 2001, according to the Association of Home Appliance Manufacturers.

Central air conditioners, refrigerators, dishwashers, water heaters, washing machines and dryers also have gotten more efficient.

Other devices are using less juice, too. Some 40-inch LED televisions bought today use 80 percent less power than the cathode ray tube televisions of the past. Some use just \$8 worth of electricity over a year when used five hours a day – less than a 60-watt incandescent bulb would use.

Those incandescent light bulbs are being replaced with compact fluorescent bulbs and LEDs that use 70 to 80 percent less power. According to the Energy Department, widespread use of LED bulbs could save output equivalent to that of 44 large power plants by 2027.

**On the other hand ...** We are using more devices, and that is offsetting what would otherwise be a more dramatic reduction in power consumption.

DVRs spin at all hours of the day, often under more than one television in a home. Game consoles are getting more sophisticated to process better graphics and connect with other players, and therefore use more power.

Still, Jennifer Amman, the buildings program director at the American Council for an Energy-Efficient Economy, says she is encouraged.

"It's great to see this movement, to see the shift in the national numbers," she says. "I expect we'll see greater improvement over time. There is so much more that can be done."