



**Orange County
Board of Commissioners**

Agenda

Regular Meeting

Tuesday, April 21, 2009

7:00 p.m.

Southern Human Services Center

2501 Homestead Road

Chapel Hill, NC 27514

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

Compliance with the "Americans with Disabilities Act" - Interpreter services and/or special sound equipment are available on request. Call the County Clerk's Office at 732-8181, extension 2130. If you are disabled and need assistance with reasonable accommodations, contact the ADA Coordinator in the County Manager's Office at 732-8181, extension 2300 or TDD# 644-3045.

1. Additions or Changes to the Agenda

PUBLIC CHARGE

The Board of Commissioners pledges to the citizens of Orange County its respect. The Board asks its citizens to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At any time should any member of the Board or any citizen 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

(We would appreciate you signing the pad ahead of time so that you are not overlooked.)

- a. Matters not on the Printed Agenda
- b. Matters on the Printed Agenda

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

3. Proclamations/ Resolutions/ Special Presentations

4. Consent Agenda

a. Minutes

The Board will consider correcting and/or approving the minutes from the Quarterly Public Hearing on February 23, 2009 as submitted by the Clerk to the Board.

b. Appointments

(1) Arts Commission – Reappointments

The Board will consider making reappointments to the Arts Commission.

(2) Transportation Services Board – Reappointments

The Board will consider making reappointments to the Transportation Services Board.

c. Motor Vehicle Property Tax Release/Refunds

The Board will consider adoption of a refund resolution related to 67 requests for motor vehicle property tax releases or refunds in accordance with North Carolina General Statutes.



d. Property Tax Refunds

The Board will consider adoption of a refund resolution related to three requests for property tax refunds in accordance with N.C. General Statute 105-381.

e. Property Tax Releases

The Board will consider adoption of a resolution to release property values related to thirteen requests for property tax release in accordance the N.C. General Statute 105-381.

f. Applications for Property Tax Exemption/Exclusion

The Board will consider nine untimely applications for exemption/exclusion from ad valorem taxation for the 2008 tax year.

g. Fair Housing Month

The Board will consider a proclamation recognizing Fair Housing Month and authorize the Chair to sign.

h. Drug Court Month

The Board will consider a proclamation declaring May 2009 as “Drug Court Month” and authorize the Chair to sign.

i. 2009 Audit Contract

The Board will consider approving the contract with McGladrey and Pullen to perform the annual County audit for the fiscal year ending June 30, 2009 and authorize the Chair to sign.

j. Contract for Preparation of the Schedule of State and Federal Financial Assistance

The Board will consider awarding the contract with Cherry Bekeart & Holland for preparation of the Schedule of State and Federal Financial Assistance for the fiscal year ending June 30, 2009 and authorize the Manager to sign.

k. Agreement Between Orange County and Figure 8 Films

The Board will consider approval of an agreement between Orange County and Figure 8 Films for the production of a program entitled “Pick of the Litter,” that would involve puppies placed from Orange County Animal Services and authorize the Chair to sign subject to final review by staff and the County Attorney.

l. Amendment to Approved Conservation Easement for the Future Northeast District Park (former Kirby property)

The Board will consider an amendment to the conservation easement that was approved previously by the Board for the future Northeast District Park (former Kirby property), subject to final review by staff and the County Attorney.

m. Fiscal Year 2008-09 Budget Amendment # 7

The Board will consider approving budget, grant, and capital project ordinance amendments for FY 2008-09.

n. Fair and Accurate Credit Transactions Act of 2003 (“FACTA”) Red Flags Rules

The Board will consider adopting an Identity Theft Prevention Program Policy to comply with the federal Fair and Accurate Credit Transactions Act of 2003 (“FACTA”) Red Flags Rules.

o. Smartcard and Camera Security System for Office Building and Library

The Board will consider purchasing Smartcard and camera security systems for the new office building and Library from ProNet Systems, Inc., Raleigh, NC in the amount of \$73,896.81 and authorize the Director of Purchasing to execute the paperwork.

p. Bid Award: Re-plastering Pools and Replacement Drains at Triangle Sportsplex

The Board will consider awarding a bid to Paddock Construction Co., Inc. of Rock Hill, South Carolina in the amount of \$108,151 to re-plaster and install new drains in the pools at the Triangle Sportsplex and authorize the Purchasing Director to execute the paperwork..

q. Legal Advertisement for Quarterly Public Hearing – May 18, 2009

The Board will consider the legal advertisement for items to be presented at the joint Board of County Commissioners/Planning Board Quarterly Public Hearing scheduled for May 18, 2009.

r. Contract Amendment: Construction Manager at Risk Services, Hillsborough Commons Upfit for Social Services



The Board will consider approving a contract amendment in the amount of \$2,781,457 with Resolute Building Company, the Construction Manager at Risk for the upfit of space leased at Hillsborough commons as offices for the Department of Social Services and authorize the Chair to sign subject to final review and approval by the County Attorney.

s. **Unobligated 2006-2012 Triangle Area Rural Planning Organization (TARPO) Congestion Mitigation and Air Quality (CMAQ) Funds**

The Board will consider releasing Orange County's \$33,558 unused portion of 2006 – 2012 CMAQ funds from the Triangle Area Rural Planning Organization for use by Chatham County.

5. Public Hearings

a. **Zoning Ordinance Amendments to Clarify Procedures and Notification Requirements for Amendments to the Comprehensive Plan**

The Board will receive the Planning Board recommendation and consider approval of proposed amendments to Article 2 of the Zoning Ordinance to clarify the language and clearly articulate the procedures for amendments to the adopted Comprehensive Plan.

b. **Subdivision Regulations, Zoning Ordinance, and Atlas Amendments to Create a New Zoning Ordinance Overlay District and Incorporate Flood Protection Standards**

The Board will consider recommendations from the Planning Board on proposed amendments to Orange County Flood Damage Prevention Ordinance, Subdivision Regulations, Zoning Ordinance and Zoning Atlas.

6. Regular Agenda

a. **Transfer Station Site Search Follow-up Report**

The Board will receive follow up information on the solid waste transfer station site search and associated parallel track process as directed by the Board of County Commissioners on January 22, 2009 and provide feedback and directions for the next steps.

7. Reports

8. Board Comment (Three Minute Time Limit Per Commissioner)

9. County Manager's Report

10. Appointments

a. **Arts Commission – New Appointments**

The Board will consider making new appointments to the Arts Commission.

b. **Hyconeechee Regional Library – New Appointment**

The Board will consider making a new appointment to the Hyconeechee Regional Library.

c. **Orange Unified Transportation Board – New Appointments**

The Board will consider making new appointments to the Orange Unified Transportation Board.

d. **Transportation Services Board – New Appointment**

The Board will consider making a new appointment to the Transportation Services Board.

11. Information Items

- Memo Regarding Accessory Dwelling Units and Educational Facilities Impact Fees



12. Closed Session

13. Adjournment

Note: Access the agenda through the County's web site, www.co.orange.nc.us



Orange County water supply reservoir water levels

Available information as of 1:00 PM, Thursday, April 16, 2009

Lake Orange

- Water level is full and spilling
- Water storage capacity is at 100% (475 million gallons)
- Approximately 141 days of water supply remaining (at Capacity Use specified release rate).
- The Hillsborough gage indicates that current Eno River flows are at approximately 46 cfs (29.7 mgd). This flow represents a level that is slightly below the historical median flow level (57 cfs) for this day of the year.
- Orange Alamance continues the operation of its water plant five days a week (Monday-Friday) with average withdrawals of 300,000 gallons per day.

West Fork Reservoir (as reported 2/27/2009)

- Water level is full and spilling
- Water storage capacity remaining is 100 %
- Approximately 366 days of water supply remaining (assuming Town's current 30 day average water consumption rate (1.124 mgd).

OWASA Reservoirs

- Water level at Cane Creek Reservoir is full.
- Water level at University Lake is full.
- Total remaining water storage capacity is approximately 100 %
- Approximately 476 days of water supply remain with no additional rainfall (at the current 30-day average daily demand [7.5 million gallons per day])
- OWASA's year-round water conservation requirements are in effect

National Weather Service/NOAA Regional Precipitation data (through 4/15/2009) (inches above [+] or below [-] normal)

RDU

-0.08" since April 1, 2009

-0.59" since January 1, 2009

Piedmont-Triad

+ 0.70" since April 1, 2009

-1.04" since January 1, 2009

Miscellaneous notes

The NC Drought Management Advisory Council drought map, last updated April 14, 2009, indicates that all of Orange (and all surrounding counties) County lies within the area of the state characterized as experiencing no abnormally dry weather or drought conditions.