



**Orange County
Board of Commissioners**

Agenda

Virtual Business Meeting

February 16, 2021

7:00 p.m.

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

Due to current public health concerns, the Board of Commissioners is conducting a Virtual Business meeting on February 16, 2021. Members of the Board of Commissioners will be participating in the meeting remotely. As in prior meetings, members of the public will be able to view and listen to the meeting via live streaming video at orangecountync.gov/967/Meeting-Videos and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

In this new virtual process, there are two methods for public comment.

- Written submittals by email
- Speaking during the virtual meeting

Detailed public comment instructions for each method are provided at the bottom of this agenda. (Pre-registration is required.)

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# 919-644-3045.

1. Additions or Changes to the Agenda

PUBLIC CHARGE

The Board of Commissioners pledges its respect to all present. The Board asks those attending this meeting to conduct themselves in a respectful, courteous manner toward each other, county staff and the commissioners. At any time should a member of the Board or the public fail to observe this charge, the Chair will take steps to restore order and decorum. Should it become impossible to restore order and continue the meeting, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed. The BOCC asks that all electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate. Please be kind to everyone.

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 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, Petitions and Comments by Board Members (Three Minute Limit Per Commissioner)

4. Proclamations/ Resolutions/ Special Presentations

- a. Proclamation Recognizing Robert A. Marotto
- b. OWASA Annual Update Presentation

5. Public Hearings

6. Regular Agenda

- a. Approval of the Disengagement Plan to Disengage from Cardinal Innovations Health Care and Realign with Alliance Health
- b. Re-naming the New Orange County Environmental Agricultural Center (EAC) to the Orange County Bonnie B. Davis Environmental and Agricultural Center

7. Reports

- a. Buckhorn Area Plan (Study)

8. 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. Advisory Boards and Commissions – Appointments
 - c. Resolution Acknowledging February 23, 2021 as Spay Neuter Day in Orange County, North Carolina
 - d. Designation of 401 Valley Forge Road, Hillsborough, NC as Surplus Property
 - e. Contract Approval for Fiber Backbone Connecting the West Campus to the New North Campus
 - f. Lease of Land for High Rock Waste and Recycling Center
 - g. Approval of a Resolution Authorizing a Revision in the Resolution Adopted April 21, 2020 That Authorized the Orange County FY 2020-2021 HOME Program Design
 - h. Zoning Atlas Amendment: Master Plan Development Conditional Zoning District (MPD-CZ) for Efland Station – Notice of Application Withdrawal

9. County Manager's Report

10. County Attorney's Report

11. *Appointments



12. Information Items

- February 2, 2021 BOCC Meeting Follow-up Actions List
- Memorandum – Annual Report of the Community Child Protection Team (CCPT)
- Memorandum – Financial Report - Second Quarter FY 2020-21
- Memorandum – Options for Increasing Affordable Housing in Orange County Through the Unified Development Ordinance
- Memorandum – Use of School Nurses and School Resource Officers by Chapel Hill-Carrboro City Schools and Orange County Schools during the COVID-19 Pandemic

13. Closed Session

14. Adjournment

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

***Subject to Being Moved to Earlier in the Meeting if Necessary**

Orange County Board of Commissioners' meetings and work sessions are available via live streaming video at orangecountync.gov/967/Meeting-Videos and Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

Public Comment Instructions

Public Comment – Written

(for Items not on the Agenda, Agenda Items and Public Hearings)

Members of the public may provide written public comment by submitting it to the ocbocc@orangecountync.gov email address by 3:00 PM on the afternoon of the meeting.

When submitting the comment, include the following:

- The date of the meeting
- The agenda item (example: 6-a) you wish to comment on
- Your name, address, email and phone number

The Orange County Board of Commissioners, County Manager, County Attorney and Clerk to the Board, will be copied on all of the emails that are submitted.

Public Comment – Verbal

(for Items not on the Agenda, Agenda Items and Public Hearings)

Members of the public will be asked to contact the Clerk to the Board using the email address ocpubliccomment@orangecountync.gov no later than 3:00 PM on the day of the meeting and indicate they wish to speak during the meeting.

When submitting the request to speak, include the following:

- The date of the meeting



- The agenda item (example: 6-a) you wish to speak on
- Your name, address, email and phone number
- The phone number must be the number you plan to call in from if participating by phone

Prior to the meeting, speakers will be emailed a participant link to be able to make comments during the live meeting. Speakers may use a computer (with camera and/or microphone) or phone to make comments. Speakers using the phone for comments must use the provided PIN/Password number.

The public speaker's audio and video will be muted until the BOCC gets to the respective agenda item(s). Individuals who have pre-registered will then be brought into the public portion of the meeting one at a time.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

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

SUBJECT: Proclamation Recognizing Robert A. Marotto

DEPARTMENT: Animal Services

ATTACHMENT(S):

Proclamation

INFORMATION CONTACT:

Irene Phipps, 919-932-4949

PURPOSE: To consider a proclamation recognizing and expressing gratitude to Robert A. (Bob) Marotto for his devotion and service to Orange County.

BACKGROUND: After 16 years of dedicated service to the Orange County community and animals, Bob Marotto is retiring on March 3, 2021.

Bob Marotto began his career of service with Orange County in 2005 in the newly created job as the director of Orange County Animal Services (OCAS). However, his career did not begin as an animal welfare professional and advocate. Prior to that, Bob had completed his education at the University of California, Santa Cruz, earning a Ph.D in Sociology. He taught at the University of Dayton for a while but missed working in the world outside of academia, and subsequently moved to Minnesota, acquired two dogs and began training them. Bob's interest in animals grew, facilitated by CENSHARE (Center to Study Human-Animal Relationships and Environments), and he began building his animal-related skills. This included working at Petco stocking shelves. Mr. Marotto became an accomplished dog trainer teaching "reactive dog" classes and working with aggressive dogs.

In 1994, Mr. Marotto joined the City of Minneapolis Animal Care and Control Program as an Animal Control Officer, then moving to Supervisor, leading him to serve as the program manager. In his 11 years there, he worked successfully with many different people and organizations as well as oversaw the multiple program developments, new shelter construction and handling and policy practices for the care, positioning and placement of animals. Bob served as a board member for the National Animal Control Association and worked occasionally for The Humane Society of the United States conducting animal shelter and program evaluations. After discussing with his wife the need to relocate to a warmer climate, Bob transformed from a Gopher to a Tar Heel.

With OCAS, Bob has been involved in the creation and management of numerous programs and progressive initiatives. He helped lead the major building project for the new Animal Services

Center, procured multiple grants to offset cost for spay and neuter programs for Orange County residents' pets, increased donations to aid in the care and comfort of Orange County animals and worked diligently with Orange County attorneys and District Courts to assure the protection of animals and that those responsible for the neglect and ill treatment were held accountable.

Mr. Marotto took a struggling animal shelter and animal control program and brought his knowledge, tenacity and creativity to provide the residents and animals of Orange County a state of the art facility and improve both shelter and animal control operations. This resulted in more animal rehabilitations, adoptions, public awareness and education and less animal euthanasia. Also during his time here, Bob has spent many hours resolving community concerns and restoring the community's confidence with OCAS.

Mr. Marotto currently serves as an officer of the North Carolina Animal Federation and is involved in a community index project for animal welfare supported by PetSmart Charities in partnership with The Association for Animal Welfare Advancement. Additionally, Bob has written essays and editorials that have appeared in the *Minneapolis Star Tribune, News & Observer* and *The Herald Sun*.

FINANCIAL IMPACT: There is no financial impact associated with consideration of the proclamation.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with consideration of the proclamation.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with consideration of the proclamation.

RECOMMENDATION(S): The Manager recommends that the Board approve and authorize the Chair to sign the attached proclamation recognizing and expressing appreciation to Bob Marotto for his service to the people of Orange County and wishing him well in his retirement.

ORANGE COUNTY BOARD OF COMMISSIONERS

PROCLAMATION RECOGNIZING AND HONORING ROBERT A. MAROTTO, RETIRING DIRECTOR, ORANGE COUNTY ANIMAL SERVICES

WHEREAS, in 2005, Robert A. (Bob) Marotto continued his career of public service and animal welfare by joining the Animal Services Department as the director; and

WHEREAS, Mr. Marotto's first task as director was overseeing the startup of the County's first free-standing and full service Animal Services Department; and

WHEREAS, during Mr. Marotto's years with the County, he has implemented multiple programs and policies that set the tone and direction for a progressive and top notch operations which have benefitted both the residents and animals of Orange County; and

WHEREAS, Bob's understanding of the human/animal bond has impacted many positive outcomes for animals and their owners; and

WHEREAS, while Mr. Marotto has always practiced education over enforcement, that has not deterred him from pursuing and advocating for the protection of animals and assuring they have a voice in seeking justice for the neglect and cruelty inflicted upon them; and

WHEREAS, as Director, Bob has established cohesive working relationships with other County departments, local law enforcement, district courts, animal rescue groups and other animal welfare agencies; and

WHEREAS, Mr. Marotto's commitment to community and outreach has been evident in his participation in multiple speaking engagements, special events and published essays and editorials; and

WHEREAS, Mr. Marotto has never put a dog and cat in the same cage and is known for grabbing a control pole and jumping in to help capture the most aggressive and elusive Chihuahua; and

WHEREAS, Mr. Marotto is retiring from Orange County on March 3, 2021 after 16 years of service and devotion for both people and animals, and will be missed;

NOW THEREFORE, we, the Orange County Board of Commissioners, do hereby recognize and express deep appreciation and respect for the services rendered by Robert Marotto to the Orange County community, and wish him well in his retirement.

This the 16th day of February, 2021.

Renee Price, Chair
Orange County Board of Commissioners

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

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

SUBJECT: OWASA Annual Update Presentation

DEPARTMENT: Board of County Commissioners

ATTACHMENT(S):

OWASA Quarterly Report with
Information and Powerpoint
Presentation on OWASA's Long
Range Water Supply Plan

INFORMATION CONTACT:

Laura Jensen, Clerk to the Board, 919-
245-2130
Andrea Orbich, Orange Water and
Sewer Authority, 919-537-4217

PURPOSE: To receive a presentation and information from the Orange Water and Sewer Authority (OWASA) on recent activities.

BACKGROUND: At the beginning of each calendar year, OWASA representatives appear before the Board of Commissioners to make a presentation on recent OWASA activities. This year an update on OWASA's Long-Range Water Supply Plan will also be provided.

OWASA Board Chair Ray DuBose and Board Secretary Jody Eimers, Orange County appointees to the OWASA Board, will present the annual update. OWASA Planning and Development Manager Ruth Rouse will provide an update to OWASA's Long Range Water Supply Plan (LRWSP).

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.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board receive the presentation and information and provide any feedback as necessary.



Orange Water and Sewer Authority

OWASA is Carrboro-Chapel Hill's not-for-profit public service agency delivering high quality water, wastewater, and reclaimed water services.

January 27, 2021

Mayor Pam Hemminger
Town of Chapel Hill
405 Martin Luther King Jr.
Blvd Chapel Hill, NC 27514

Mayor Lydia Lavelle
Town of Carrboro
301 West Main Street
Carrboro, NC 27510

Chair Renee Price
Orange County Board of
Commissioners
Post Office Box 8181
Hillsborough, NC 27278

Dear Mayor Hemminger, Mayor Lavelle, and Chair Price:

We are pleased to submit this report on our services, projects, and initiatives since October 2020. This report includes information on the following items:

1. Care to Share Day
2. Financial Update
3. Standard Collection Practices
4. Long-Range Water Supply Plan
5. COVID-19 Wastewater Testing
6. Youth Water Academy
7. Energy Management/Solar PV
8. New General Manager of Operations
9. Key Infrastructure Investments
10. Upcoming Board Appointments

Care to Share Day:

Care to Share Day 2020 was celebrated on November 19, 2020. OWASA launched a social media campaign using Twitter and Facebook to raise awareness of and funds for the bill-assistance program known as Care to Share that is administered in partnership with the Inter-Faith Council for Social Service.

We got the initial word out about Care to Share Day through an interview as part of Wonderful Water on WCHL on Monday, November 16. The concerted push on social media on Care to Share Day and throughout the campaign was successful in pushing more traffic to the website, where individuals could either sign up for monthly Care to Share donations or make a one-time gift to the IFC for Care to Share. This was boosted by our government partners and other stakeholders being aware of the effort ahead of time and helping to share OWASA's original messages or creating their own content to share.

The IFC reported more than \$6,000 in direct donations associated with the timing of Care to Share Day. OWASA also saw an increase in on-bill contributions correlating with this push.

OWASA would like to thank all of our government and non-profit community partners who helped make Care to Share Day a success.



Financial Update:

Water sales remain below what would be considered normal as the COVID-19 pandemic continues to impact our community.

We budgeted revenue for the first six months of Fiscal Year 2021 to be down by 12%, or about \$2.2 million, from what we would have expected, if not for the pandemic. Actual revenue was lower for the six months ending December 31, 2020, down 1.1% or roughly \$193,000 from the already-decreased budget for the combination of water, sewer, and reclaimed water revenue.

In anticipation of lower revenue, we asked each department to avoid spending on non-essential purchases until we have a better grasp on how long the lower water demand will last. For the six-month period ending December 31, 2020, expenses were roughly \$1.1 million under what was budgeted. However, continuing to defer operating expenses, including not increasing employee salaries, and delaying critical infrastructure projects is not a sustainable solution for the community.

We will continue monitoring water sales and work to reduce operating expenses where possible.

Standard Collection Practices:

Orange County extended its local State of Emergency related to the ongoing COVID-19 pandemic through March 31, 2021. Using the local State of Emergency as guidance, OWASA has deferred resuming standard bill collection practices for residential customers until a to-be-determined date in 2021. OWASA has committed to giving a 30-day notice before resuming standard collection practices.

Under standard collection practices, customers who miss two consecutive payments of their monthly bill risk service disconnection. OWASA will offer payment plans of at least 12 months.

OWASA has been tracking and communicating with customers who are past due on their accounts and encouraging them to seek assistance from various resources to pay down any balances, including OWASA's Care to Share bill-assistance program. These various funding resources have also been updated on OWASA's website throughout the pandemic, including the Orange County Housing Helpline. There was also large demand for the NC HOPE program using federal funds distributed through the State of North Carolina to assist with rent and utility payments. The \$117 million program announced it was accepting applications on October 15, 2020. By November 11, 2020, the applications were closed because the funding had been depleted. We are expecting this program to be revived with additional federal funding being allocated, but there has been no indication as to when that program will be accepting new applications.

Long-Range Water Supply Plan:

OWASA is in the process of updating the community's Long-Range Water Supply Plan.

We are currently soliciting community feedback, which has included stakeholder feedback, an appearance on Wonderful Water on WCHL, a webinar that was held for the community in November, and presentations in mid-January to the Town Councils in Carrboro and Chapel Hill.

A similar presentation to the Orange County Board of Commissioners is scheduled for February 16.

The work to date on the Long-Range Water Supply Plan indicates that OWASA has enough water for the next few decades. However, we are vulnerable during extended or back-to-back droughts. While OWASA plans to continue to use its local water supplies and encourage conservation, OWASA's Board recently acted to ensure there are no policy restrictions limiting OWASA's use of our Jordan Lake allocation. There is no way at this time, however, to guarantee accessing that allocation, particularly in a time of drought.

We are continuing to solicit community feedback before bringing an update to the OWASA Board of Directors in March.

COVID-19 Wastewater Testing:

OWASA is continuing to support COVID-19 research by providing wastewater samples to track the virus.

OWASA began providing weekly wastewater samples to researchers with the North Carolina Policy Collaboratory in mid-July. The goal of this phase of the project, which ended in December, was to perfect the analytical methods and to contribute valuable information to the State of North Carolina on the presence and persistence of COVID-19. A full report is under development and will be available by the end of January; we will share this report with our Board of Directors and local government partners as we receive it.

Meanwhile, North Carolina is one of eight states participating in the National Wastewater Surveillance System being initiated by Centers for Disease Control and Prevention and the United States Department of Health and Human Services. OWASA was contacted by the North Carolina Department of Health and Human Services in December to participate in this national surveillance monitoring.

Youth Water Academy:

OWASA was thrilled to be able to host the third-annual Youth Water Academy this year in a virtual setting.

Twelve water-conscious scholars from local high schools took part in the program this fall. The course covered five weeks and included virtual tours of OWASA's Water and Wastewater Treatment Plants, a career panel, a "choose your own adventure" game where they made choices to repair a broken water line, and a capstone project focusing on a water-related subject of their choice.

One new aspect of this year's Youth Water Academy included a scavenger hunt where participants could identify OWASA infrastructure in the community or create water-related educational content.

We look forward to hosting the next Youth Water Academy in the Fall of 2021.

Energy Management/Solar PV:

OWASA is making significant progress toward our energy management goals. An updated Energy Management Plan approved by the Board of Directors in November 2020 reported a reduction in our use of electricity by 29% and of natural gas by 28% since 2010. These results are a result of an organizational-wide commitment to energy conservation and investment in cost-effective energy efficiency projects. Our energy management efforts avoided over \$565,000 in energy costs last year, and these savings are expected to increase in future years.

To help us achieve our stretch goal of a 35% reduction in purchased electricity by 2022, we are currently installing three solar photovoltaic (PV) systems on OWASA facilities. Collectively, these solar PV systems will generate almost 428,000 kWh of clean energy every year (equivalent to the energy use of over 40 homes). Through a lease agreement with private partners and rebates from Duke Energy, we are able to install these systems for no additional cost to OWASA customers in Year 1. In future years, we project to spend less on lease payments than we save on our energy bill.

New General Manager of Operations:

Orange Water and Sewer Authority is excited to announce that Mary Darr has been selected as the next General Manager of Operations following a nationwide search.

Darr has most recently served as OWASA's Director of Engineering and Planning. She is succeeding Todd Taylor in the role after Taylor was named OWASA's Executive Director in July 2020.

In this role, Darr is responsible for overseeing OWASA's various operations, including the Water Distribution and Wastewater Collection Department, OWASA's Water Treatment Plant and Wastewater Treatment Plant, and OWASA's reservoirs and other land resources.

Darr's first day as General Manager of Operations was November 1.

Key Infrastructure Investments:

OWASA has made progress on several critical infrastructure projects since October 2020.

A water line replacement project in the Kensington Drive neighborhood was recently completed. A project replacing water and sewer lines in the area around Dobbins Drive near the intersection of Erwin Road and Fordham Boulevard was also recently completed.

Meanwhile, several other projects are in their early stages. A contractor will soon begin work to replace the water line on Bolinwood Drive at the bridge over Bolin Creek. OWASA construction crews are also starting a water line replacement project in the Kings Mill – Morgan Creek neighborhood.

Several projects are also underway at the Water Treatment Plant (WTP) on Jones Ferry Road. The projects total a roughly \$6 million investment to improve drinking water distribution and

treatment facilities at the WTP. Water line improvements directly in front of the WTP will build in additional redundancy and resiliency to support the community's water infrastructure and maintain a high level of service for customers. As part of the WTP improvement work, contractors will be making improvements to the WTP finished water pump system. Contractors will also be installing a new bulk chemical storage containment area, as well as making improvements to the existing bulk storage area.

Upcoming Board Appointments:

OWASA will have openings on its Board of Directors this year to be appointed by each local jurisdiction - Carrboro, Chapel Hill, and Orange County. A letter was sent to each local government partner on January 19, 2021, with information to assist with recruiting and selecting members to the OWASA Board. In addition, we have posted [information on our website](#) regarding Board Member recruitment.

Recruitment for Board applications is ongoing. We are committed to promoting Board membership in our community engagement efforts and appreciate your assistance in attracting a diverse applicant pool, as well.

OWASA embraces diversity and inclusion in everything we do, and we would like to encourage all interested candidates to apply for Board appointments. Our Board addresses a wide range of issues. The only true qualification needed is a genuine commitment to serve the community.

Thank you for your continued support in appointing members to OWASA's Board of Directors. If we can assist you, please let us know.

We would be happy to provide you more detailed information on the items above or other topics of interest as desired. Please feel free to contact our Executive Director, Todd Taylor (ttaylor@owasa.org or 919-537-4216), or me.

Sincerely,



Raymond E. DuBose, P.E., Chair
OWASA Board of Directors

Attachments

cc: Mr. David Andrews, Carrboro Town Manager
Ms. Bonnie Hammersley, Orange County Manager
Mr. Maurice Jones, Chapel Hill Town Manager
OWASA Board of Directors
Todd Taylor, OWASA Executive Director

Information on OWASA's Long-Range Water Supply Plan

January 29, 2021

Executive Summary

OWASA is committed to supplying reliable and high-quality water to our growing community and economy for years to come. The planning, permitting, and partnerships required in water supply development can take decades to develop and secure. That is why OWASA is planning for the water needs of our community two generations ahead.

In coordination with local planners, OWASA recently updated our 50-year forecast for water demands in the Chapel Hill-Carrboro community, as well as our projected water supply with current resources in a changing climate. These analyses show that OWASA has enough water under most circumstances for the next few decades.

We do have one vulnerability: the watershed that fills the Cane Creek Reservoir, which stores most of the community's water, is relatively small and the reservoir is slow to refill. University Lake has a relatively large watershed for its size, but it offers significantly less water storage than Cane Creek Reservoir and by itself does not meet the community's needs. Thus, when we experience an extended drought or back-to-back droughts in the future, we risk low water supplies, particularly in light of increasing climate variability.

Over the past six years, OWASA staff met with local government planners, UNC Chapel Hill (UNC), and developers, obtained input from Board members and neighboring utilities, and reviewed existing plans and documents to identify demand management, reuse, and supply alternatives to meet our long-term needs through 2070.

We considered the relative environmental, financial, and societal impacts in our evaluation of each alternative. Alternatives that are not currently legal, do not substantially close the gap between projected demands and supply, or are simply not cost-effective were removed from further evaluation. Conservation by residents and customers across the service area in recent years has greatly reduced our average daily water use. This means that our future water supply needs cannot be met through additional day-to-day conservation measures.

Based on our analysis, a suite of alternatives that improve our access to treated drinking water from Jordan Lake show the most promise in meeting our long-term needs. Some of these alternatives also provide an additional facility for water treatment (beyond our own Jones Ferry Road Water Treatment Plant), which further increases drinking water supply resiliency but would require significant capital investment. Some also have the potential to improve economies of scale of water treatment and transmission expenses by working with our regional partners. These alternatives for accessing water from Jordan Lake will be further reviewed by OWASA before a preferred alternative is selected in fiscal year (FY) 2022.

While Jordan Lake shows the most promise in meeting our long-term water needs, we will still mainly rely on our three local water sources here in Orange County to meet most of our water needs. However, we may use our allocation of water from Jordan Lake proactively to prolong

the use of our existing local supplies if local climatologists and weather experts are predicting regional drought.

What is OWASA's Long-Range Water Supply Plan?

OWASA's Long-Range Water Supply Plan (LRWSP) is an evaluation of our 50-year water needs (through 2070) and alternatives to meet those needs to ensure we have enough water for our community two generations from now.

Why do we need to look out 50 years?

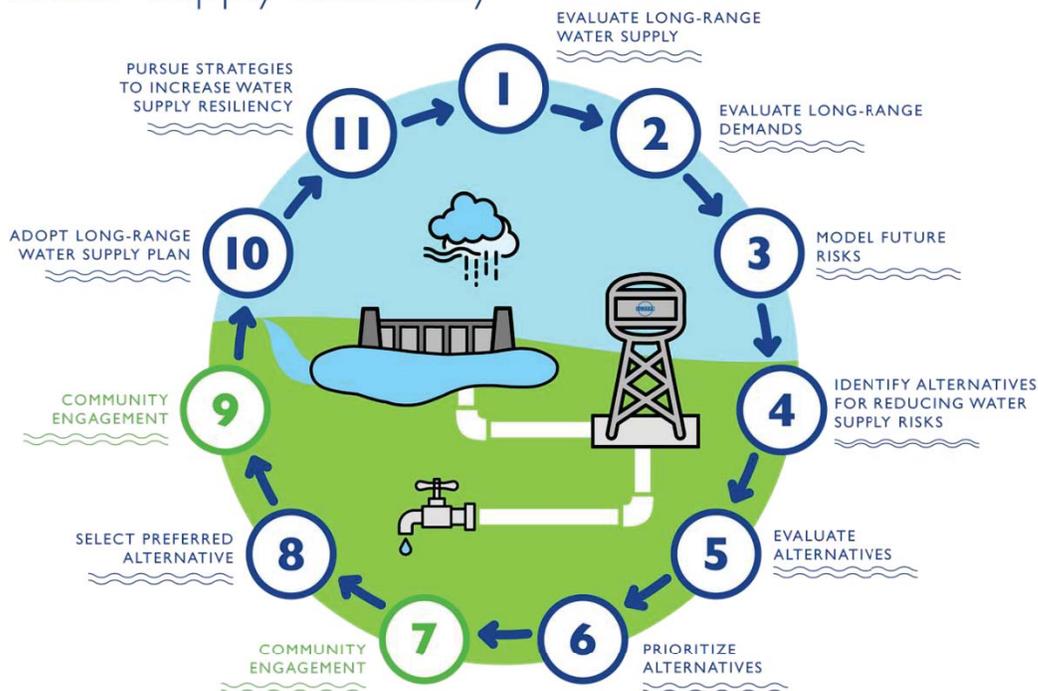
The planning, permitting, and partnerships required to develop new water supplies can take decades to develop and secure. Thus, it is common practice for water utilities to plan for water needs 30-50 years into the future, and even longer.

What are the key steps to develop the Long-Range Water Supply Plan?

Figure 1 illustrates the key steps to develop the LRWSP. Water supply planning is an ongoing process. The remainder of this document includes headers which are numbered according to the processes included in Figure 1.

Figure 1: Long-Range Water Supply Planning Process

Ensuring Long-Range Water Supply Resiliency

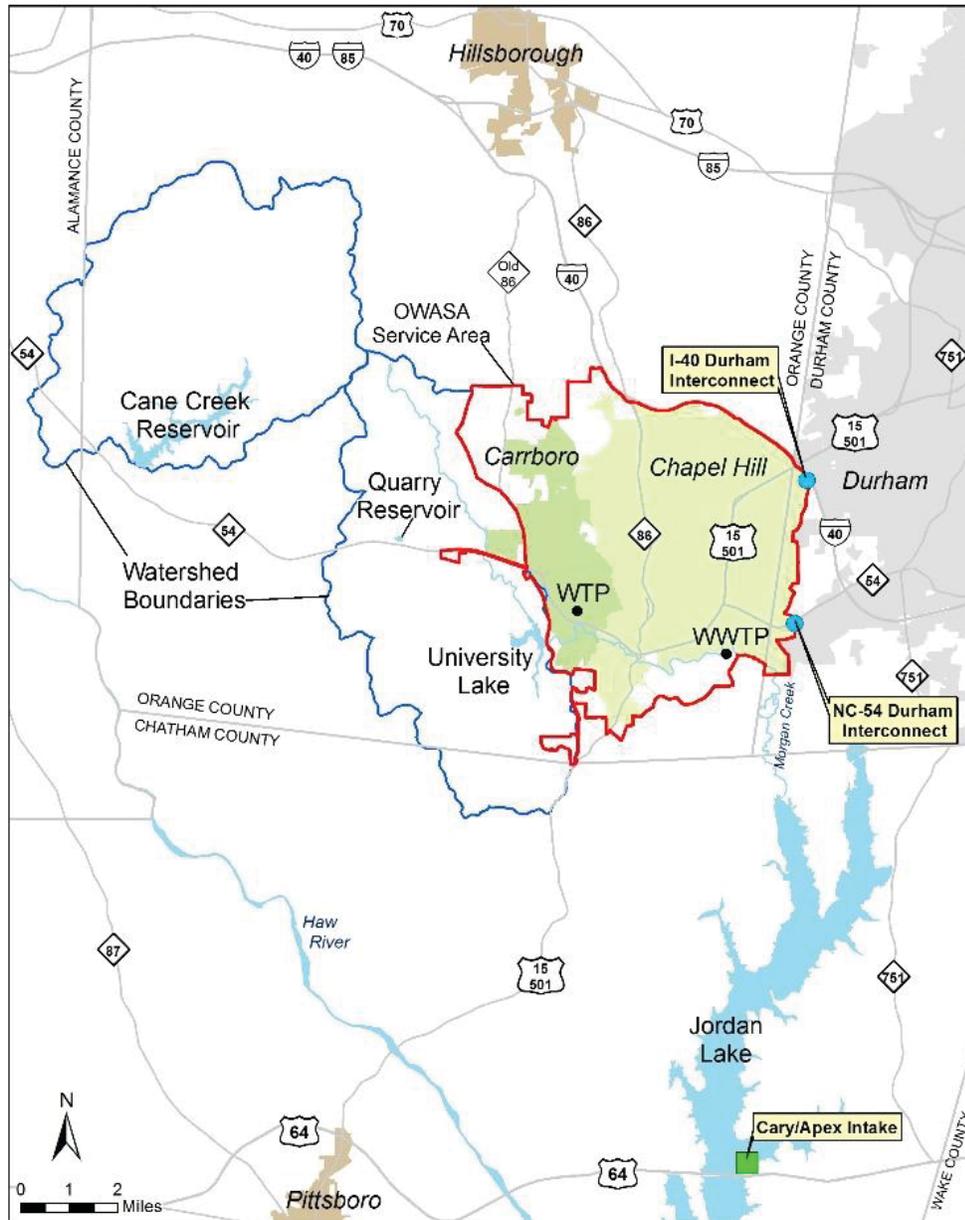


1. Evaluate Long-Range Water Supply

Where does OWASA currently get its water?

OWASA has three locally managed water supply sources including Cane Creek Reservoir, University Lake, and its Quarry Reservoir as illustrated in Figure 2. OWASA also has an allocation of 5 percent of Jordan Lake's water supply pool which we can access through our mutual aid agreements with the Town of Cary and City of Durham.

Figure 2: OWASA's Water Supply Sources



How much water do we currently have?

OWASA's three local reservoirs can provide approximately 10.5 million gallons per day (mgd) of water over the course of a year, assuming the drought-of-record. There are plans to expand our Quarry Reservoir, and when that expansion is completed in approximately 2035, we will have about 12.6 mgd of water. We expect that our allocation from Jordan Lake can reliably provide approximately 5 mgd, but we do not have the infrastructure in place to access that water on a permanent basis and have no guaranteed access to it.

How have we historically used our Jordan Lake allocation?

We have not used our Jordan Lake allocation for water supply purposes. We have received water from neighboring utilities during water emergencies in February 2017 and November 2018 and prior to Cane Creek Reservoir coming online. However, the City of Durham and Town of Hillsborough provided the water we received. Their water comes from local water supplies in the Neuse River Basin; neither of these communities currently have permanent access to their Jordan Lake allocations.

We have tested our interconnections with the City of Durham and Town of Cary to make sure we can receive water from our Jordan Lake allocation if needed.

2. Evaluate Long-Range Water Demands

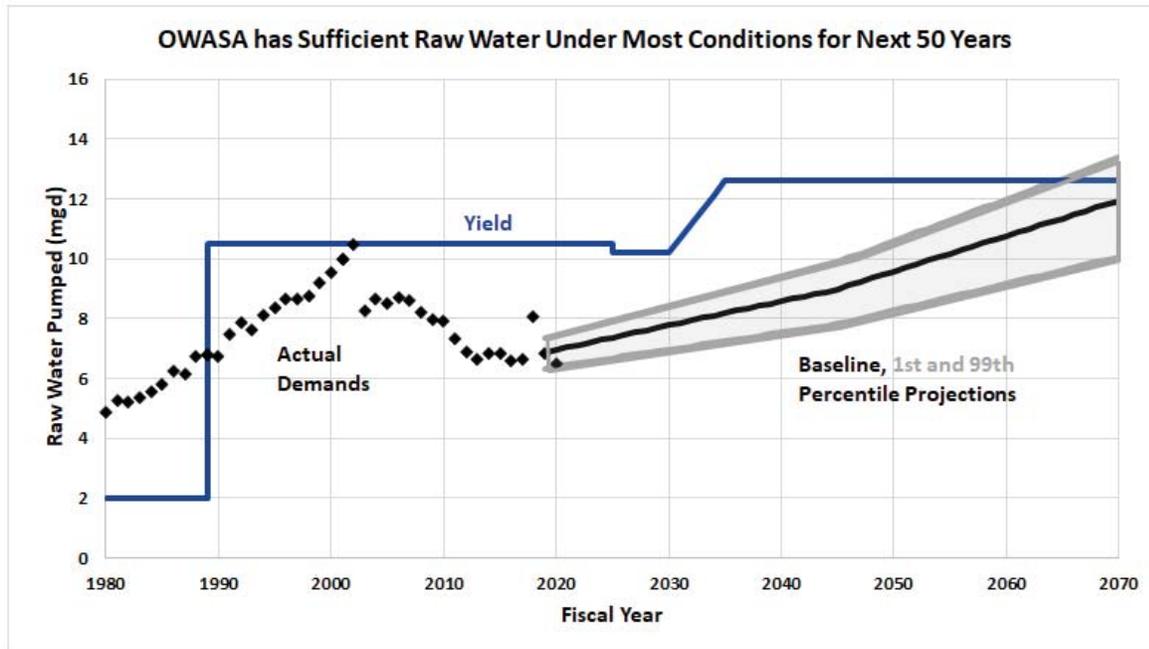
How much water do we currently use?

We currently use about 7 mgd of water on an annual average basis.

How much water will we need in the future?

Figure 3 illustrates the amount of water we can obtain from our existing water supplies and planned Quarry Reservoir expansion along with our 50-year estimated water demands.

Figure 3: The Yield of OWASA's Water Supplies and Long-Term Water Demands



3. Model Future Risks

How did OWASA develop its water demand projections?

OWASA based its water demand projections on regional growth projections that were finalized in 2018 for the regional Metropolitan Transportation Plan, in which the Towns of Carrboro and Chapel Hill and Orange County participated. The transportation planning effort also included information obtained from UNC about its expected growth. This regional transportation planning effort used a model to estimate the number of new single family and multi-family dwelling units and non-residential square footage for 2045 and build-out conditions based on land use plans provided by the local governments. OWASA then applied water use factors estimated from billing data for each residential dwelling unit and each square foot of non-residential space. We assumed that build-out will occur in 2070. We tested this assumption, and it appeared reasonable assuming a linear rate of growth. More details on the methods used to develop the water demands can be found in this [report](#).

OWASA recognizes that estimating water demands in 50 years has much uncertainty. Growth could occur faster or slower than anticipated, different types of growth could occur than anticipated (new large water user could move to area), our service area boundary could change, and water demands could change depending on behaviors and technology. Climate change could also impact the rate of growth (will people relocate from coastal areas to the Triangle) and water use (will we use more water as temperatures rise). Thus we included an uncertainty analysis in our demand projections as illustrated by the grey shading in Figure 3 (more information is [here](#)).

Is there also uncertainty in our yield estimates?

Yes. The following factors contribute to uncertainty in the yield estimates:

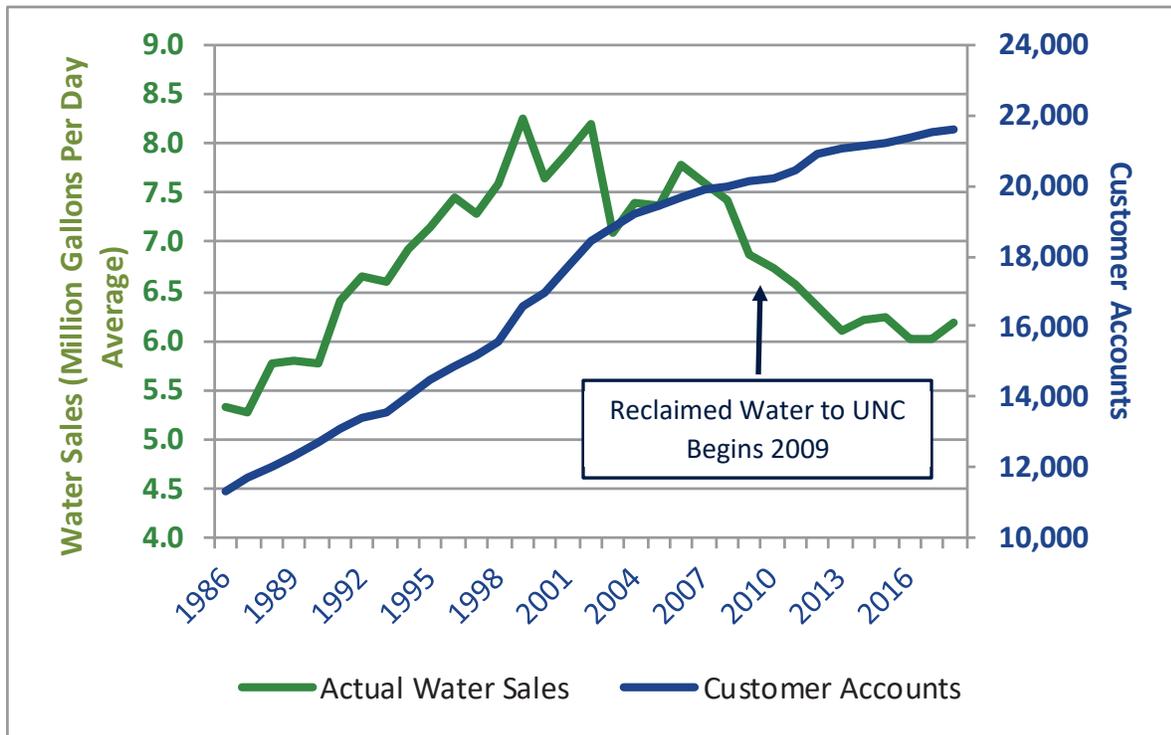
- Streamflow records – the stream flow records available to estimate the yield of our reservoirs have measurement errors and limited spatial and temporal extent. They may not be representative of long-term historical flows.
- Estimates in storage volume – potential errors in storage volume include (1) the accuracy of the original survey data, and (2) the rate of sedimentation into the reservoir
- Climate change – climate change will impact flows into our reservoirs and evaporation rates. The majority of climate change models indicate that the southeast will receive approximately the same or more rainfall on an average basis, but we will have more frequent high flow events. Some of those models also indicate there will be more intense droughts. More intense droughts and different types of droughts will impact our estimated yield.

Because of the difficulty in estimating uncertainty around climate change and the cost to develop an analysis similar to the one completed for the demand projections, OWASA opted not to perform a similar analysis for yield. However, our consultant did perform a sensitivity analysis around the inputs and noted that changing inflows to the reservoir have the highest impact on our estimated yield. Based on the sensitivity runs performed, OWASA's estimate yield after the expanded Quarry Reservoir is online could vary between 11.5 and 15 mgd (baseline estimated yield is 12.6 mgd).

What role does water conservation and water recycling and reuse play in our water needs?

Water conservation and recycling water have played a very important role in OWASA's service area resulting in reduced drinking water demands and energy use. As illustrated in Figure 4, we are using the same amount of water that we were using in the early 1990s despite an increase of about 70 percent in customer accounts. Following the droughts of 2001-02 and 2007-08, our customers conserved water and have continued to save water. In addition, UNC partnered with us to develop a reclaimed water system that allows them to use highly treated wastewater to meet non-drinking water needs such as for cooling buildings and irrigation. Our reclaimed water system now meets over 10 percent of the community's water needs. OWASA also developed a system to recycle water within its Jones Ferry Road Water Treatment Plant (WTP), which saves approximately 7 percent of our drinking water.

Figure 4: OWASA Water Sales and Customer Accounts



Our water demand projections assume that our customers will continue to look for ways to save water. We assume that conservation practices will continue to result in demands decreasing by 5 to 10 percent per account (factors varied depending on whether new/existing development and whether residential or commercial development) over the next 25 years.

Why do we need additional supplies or demand management strategies?

As seen in Figure 3, we will have plenty of water under most circumstances. However, it is imperative to the resiliency of our community that we plan for an unclear future given the uncertainty in our demand projections, the uncertainty in the model used to estimate the reliable yield of our reservoirs, and the uncertainty of a changing climate. We also need to be prepared to reliably meet demands should we have a major operational emergency at one of our water supplies.

While we have plenty of water under most circumstance, Cane Creek Reservoir is vulnerable to extended drought or back-to-back droughts. It was designed to maximize storage, which is generally good and provides us a higher yield. However, it has a relatively small drainage area for its storage volume and can take a long time to refill. University Lake refills quickly, but it does not hold enough water to meet our daily needs. Thus, the small watershed area of Cane Creek Reservoir leaves our water supply susceptible for a period of time after a drought.

Having options to meet future needs helps ensure the reliability and resiliency of our water. Running out of water is not an option.

4. Identify Alternatives for Reducing Water Supply Risks

What are supply and demand management strategies?

Supply-side options are strategies which increase the total reliable yield of our water supply system. In other words, they would raise the blue line shown in Figure 3. Demand-side management options are strategies which reduce raw water demands from existing and/or new development or lower the black line shown in Figure 3.

How did OWASA identify which supplies and demand management strategies to evaluate?

We met with local government planners and UNC, obtained input from Board members and neighboring utilities, and reviewed existing plans and documents to identify potential alternatives to meet our long-term needs through 2070. Through this process we selected demand management (increased water efficiency and conservation) and reuse strategies, as well as supply strategies to evaluate in further detail.

5. Evaluate Alternatives

What supplies and demand management strategies did OWASA consider?

OWASA evaluated nine supply alternatives which can be grouped into three major categories:

1. Jordan Lake alternatives (4 alternatives)
2. Quarry Reservoir (2 alternatives)
3. Indirect and direct potable reuse (3 alternatives)

Each of these alternatives are summarized below along with OWASA staff recommendation for next steps in its consideration.

The four Jordan Lake alternatives are summarized below:

- **Alternative 1 – Full Partner in New Intake and Water Treatment Plant (WTP) on Western Side of Jordan Lake** – OWASA would partner with the Western Intake Partners (currently City of Durham, Town of Pittsboro, and Chatham County) on a new water supply intake, water treatment plant, and major transmission infrastructure on the western side of Jordan Lake.
 - **Recommendation:** Continue to evaluate alternative
- **Alternative 2 – Continue with Mutual Aid Agreements** – This is our existing baseline condition. Under this alternative, OWASA would access its Jordan Lake allocation using its mutual aid agreements with the Town of Cary and City of Durham. This alternative does not guarantee access to our allocation.
 - **Recommendation:** Baseline condition; maintain for the time being
- **Alternative 3 – Develop New Agreement with Towns of Cary and Apex to Guarantee Access to Jordan Lake Water** – The Towns of Cary and Apex jointly own the only water supply intake on Jordan Lake and share a water treatment plant. Under this alternative, OWASA would develop a new agreement with the Towns to guarantee withdrawal and treatment of a certain amount of water on an annual basis.

- **Recommendation:** Alternative not feasible at this time
- **Alternative 4 – Develop Agreement with Western Intake Partners to Guarantee Access to Jordan Lake Water** – OWASA would develop an agreement with the Western Intake Partners to guarantee capacity in the proposed intake and water treatment plant on the western side of Jordan Lake. This agreement would guarantee a certain amount of water on an annual basis in return for payment from OWASA.
 - **Recommendation:** Continue to evaluate

Two Quarry Reservoir supply alternatives were evaluated:

- **Alternative 5 – Shallow Quarry** – access with existing pumping infrastructure. This is the alternative selected in the 2010 LRWSP and considered the future baseline alternative. The yield from the expanded Quarry Reservoir is included on Figure 3.
 - **Recommendation:** Baseline condition; included in our capital improvements program
- **Alternative 6 – Deep Quarry** – deeper quarry depths would be accessed with new pumping infrastructure when the expanded Quarry Reservoir is online.
 - **Recommendation:** Eliminate from further consideration due to high capital cost and does not address vulnerability of small Cane Creek Reservoir watershed

OWASA evaluated the use of reclaimed water (highly treated wastewater) for drinking (potable) water uses. As used in our LRWSP, indirect potable reuse involves mixing reclaimed water in an environmental buffer prior to being treated at the Jones Ferry Road WTP; direct potable reuse involves further treating the reclaimed water at the Mason Farm Wastewater Treatment Plant (WWTP) and then pumping it directly into our water distribution system. Potable reuse alternatives evaluated are summarized below:

- **Alternative 7a: Indirect Potable Reuse with Pretreatment Mixing Basin near Quarry Reservoir** – This alternative was developed to meet the requirements of a general statute which allows for indirect potable reuse mixed at specified ratios with another source water in an engineered pretreatment mixing basin. Reclaimed water from the Mason Farm WWTP would be pumped to a new pretreatment mixing basin near the Quarry Reservoir. This water would be mixed with water from Cane Creek Reservoir in accordance with the statute.
 - **Recommendation:** Eliminate from further evaluation since very high capital and life cycle costs
- **Alternative 7b: Indirect Potable Reuse with Return to Quarry Reservoir** – This alternative is similar to Alternative 7a, but water from the Mason Farm WWTP would be pumped to the Quarry Reservoir rather than a new pretreatment mixing basin.
 - **Recommendation:** Eliminate from further evaluation since very high capital and life cycle costs
- **Alternative 8: Indirect Potable Reuse with Return to University Lake** – Reclaimed water from the Mason Farm WWTP is returned to University Lake.

- **Recommendation:** Eliminate from further evaluation since it is not legal
- **Alternative 9: Direct Potable Reuse** – Under this alternative, additional treatment would be constructed at the Mason Farm WWTP and treated water would then be pumped directly to our distribution system. Two methods of treating the reclaimed water were identified: (1) use of carbon (generally preferred since typically lower capital and operating/maintenance costs) and (2) reverse osmosis – may be required to removed total dissolved solids.
 - **Recommendation:** Eliminate from further evaluation since it is not legal

OWASA considered four main demand management alternatives based on research and stakeholder engagement with the Towns and UNC Chapel Hill. Three of these alternatives involve the use of reclaimed water and one is a series of programmatic demand management strategies that collectively had the potential to reduce water demand to a degree that could delay the need for additional supply.

- **Alternative 10: Reclaimed Water to UNC Cogeneration Facility** – This alternative involves the installation, operation and maintenance of new infrastructure that would enable UNC to use RCW instead of drinking water at its Cogeneration Facility.
 - **Recommendation:** Eliminate from further evaluation due to very high capital cost per gallon of water saved and UNC concerns about quality requirements
- **Alternative 11: Expanded Reclaimed Water Use at UNC Main Campus** – This alternative involves expanding the use of reclaimed water on UNC's campus to meet certain non-drinking water demands in new buildings envisioned in the University's recently updated Master Plan.
 - **Recommendation:** Eliminate from further evaluation due to high life cycle cost per gallon of water saved
- **Alternative 12: Onsite Wastewater Treatment and Reuse** – This alternative evaluated the use of reclaimed water systems to meet non-drinking water needs at the building or major development scale.
 - **Recommendation:** Eliminated from evaluation due to high capital and life cycle costs per gallon of water saved
- **Alternative 13: Programmatic Demand Management Strategies** – Four alternatives were evaluated:
 - **Alternative 13a: Unit Submetering and WaterSense Installation** – Multi-family development is projected to be a significant area of water use growth in our service area. Sub-metering will help to ensure that the users of water within those developments are aware of the amount of water they use. This strategy was coupled with a requirement for developers to use high efficiency WaterSense fixtures. The impact was assumed to be relatively minor because most new developments are installing submeters without a requirement.
 - **Recommendation:** Eliminate from including as long-range water supply option because of minor impact on water use; consider as part of Water Conservation Plan

- **Alternative 13b: Water Efficiency Design Assistance and Conservation-Oriented System Development Fee** – Under this alternative, OWASA would provide individualized design review assistance for new development. This service would be complemented with a system development fee that further incentivizes efficiency beyond our current fee structure. Rather than a regulatory requirement, this alternative would act more as a customer service enhancement to encourage more efficient development.
 - **Recommendation:** Eliminate from including as long-range water supply option because of minor impact on water use; consider as part of Water Conservation Plan
- **Alternative 13c: On-bill Financing for Water Efficient Fixtures** – Older homes may have inefficient water fixtures, which became a requirement in 1994. Under this alternative, OWASA would loan a customer money to replace older fixtures, and the loan is paid back through an on-bill financing program.
 - **Recommendation:** Eliminate from further evaluation due to minor impact on water use and high cost per gallon of water saved
- **Alternative 13d: Minimize Need for System Flushing for Water Quality Purposes** – OWASA flushes its water lines to maintain high levels of water quality. There are some locations in the system where low water flow results in “stale” water (dead end lines) that require more frequent flushing. Under this alternative, OWASA would loop lines to remove dead end areas.
 - **Recommendation:** Eliminate from further evaluation due to high capital cost

6. Prioritize Alternatives

What option(s) are recommended for further evaluation?

We evaluated each of the alternatives against the three pillars of sustainability: social performance, environmental performance, and financial performance and more detailed information on the alternatives analysis is found [here](#). The section immediately above also briefly identifies whether OWASA plans to continue evaluating an alternative, and if not, why it is recommended to eliminate from further consideration.

OWASA has not yet selected a preferred alternative and will consider feedback from the community before it makes its final selection in FY22. The Jordan Lake alternatives are the most cost-effective alternatives that will meet our long-term needs. OWASA plans to develop guiding principles to evaluate the Jordan Lake alternatives against one another and perform additional analyses. Community feedback will be incorporated into the guiding principles and into the selection of a preferred alternative.

OWASA plans to evaluate the cost-effective demand management strategies in a Water Conservation Plan that will be included as an appendix or companion document to the LRWSP.

How does OWASA plan to use its Jordan Lake allocation?

While Jordan Lake shows the most promise in meeting our long-term water needs, we will still mainly rely on Cane Creek Reservoir, University Lake, and the Quarry Reservoir to meet most of our water needs. How we use the allocation will depend on which alternative is selected as our preferred alternative. Under any of the Jordan Lake alternatives, we may use our allocation proactively to prolong the use of our existing local supplies if local climatologists and weather experts are predicting regional drought.

What are OWASA's next steps? (Steps 7 through 11)

OWASA's next steps are as follows:

- Engage the community to obtain feedback on work completed to date and proposed path forward (in process).
- Develop guiding principles to evaluate the Jordan Lake alternatives against based on feedback from the community. The public is invited to participate in this process through OWASA Board meetings.
- Develop a Water Conservation Plan to be included as an appendix to the LRWSP.
- Perform evaluation of Jordan Lake alternatives.
- Draft LRWSP and select the preferred alternative.
- Engage the community to obtain feedback on the preferred alternative and draft LRWSP
- Adopt the LRWSP including the Water Conservation Plan.
- Pursue selected alternative(s) and conservation strategies to increase our water supply resiliency.

Attachment 2

Long-Range Water Supply Plan: Information to Board of County Commissioners

Ruth Rouse, Planning and Development Manager

February 16, 2021



Carrboro-Chapel Hill's not-for-profit public service agency delivering high quality water, wastewater, and reclaimed water services.

Purpose

- Provide information on work completed to-date on OWASA's Long-Range Water Supply Plan
- Receive questions and feedback on that work
- Receive feedback on proposed path forward



University Lake

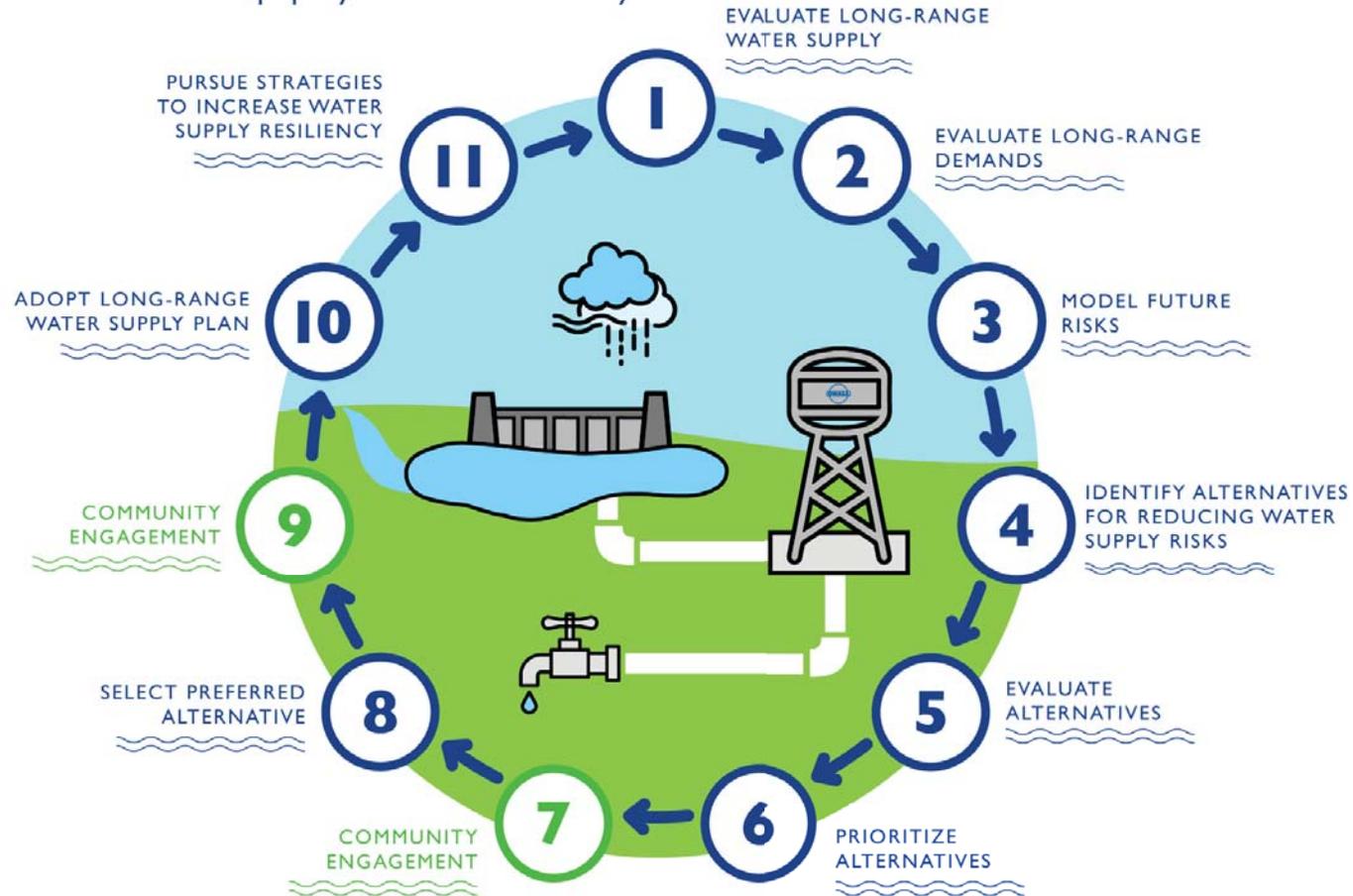
Key Messages

- We have a low risk of running out of water.
- Our largest vulnerability is in extended drought.
- Jordan Lake alternatives appear to be most cost-effective option for increasing resiliency.



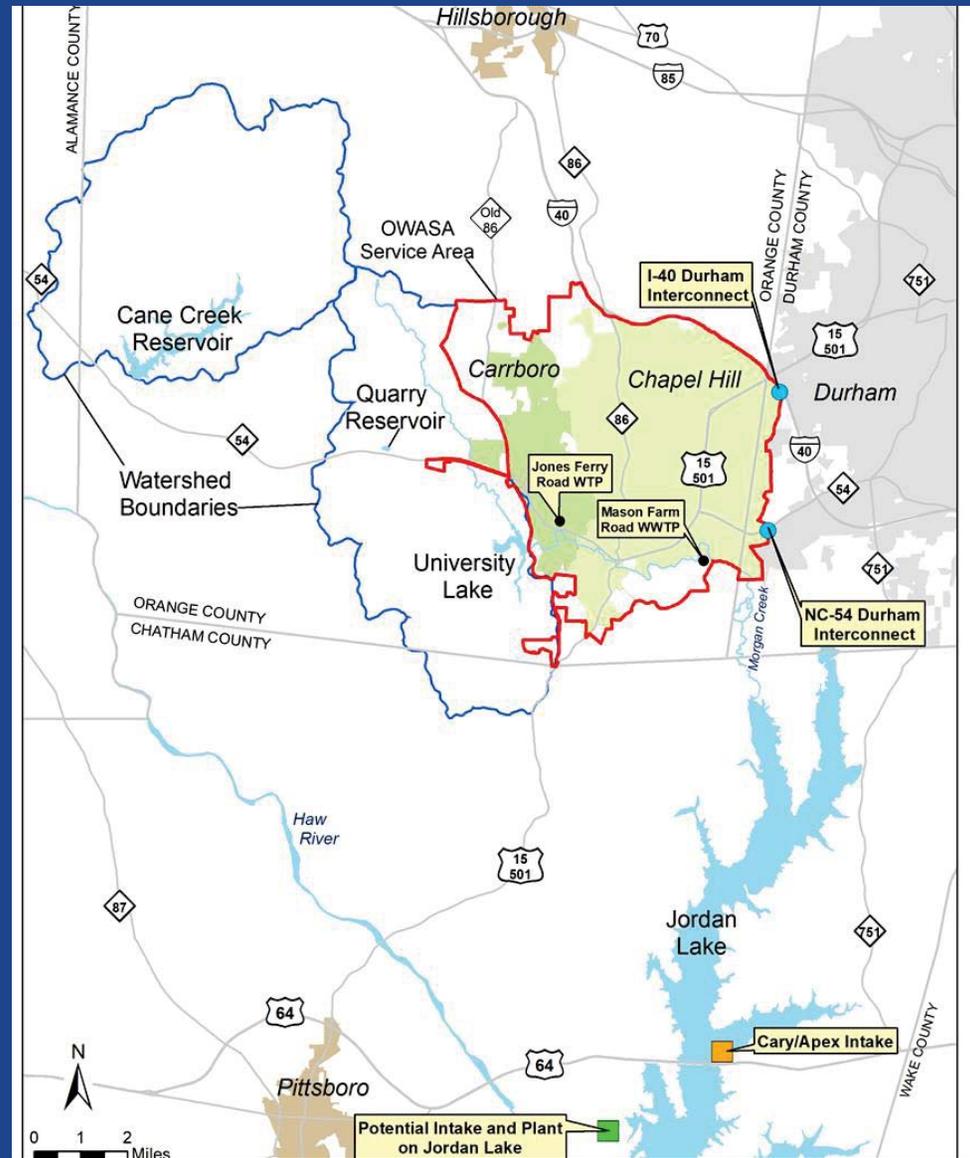
Intake on Cane Creek Reservoir

Ensuring Long-Range Water Supply Resiliency



OWASA's Water Supplies

- Local Water Supplies
 - Cane Creek Reservoir
 - University Lake
 - Quarry Reservoir
- Jordan Lake

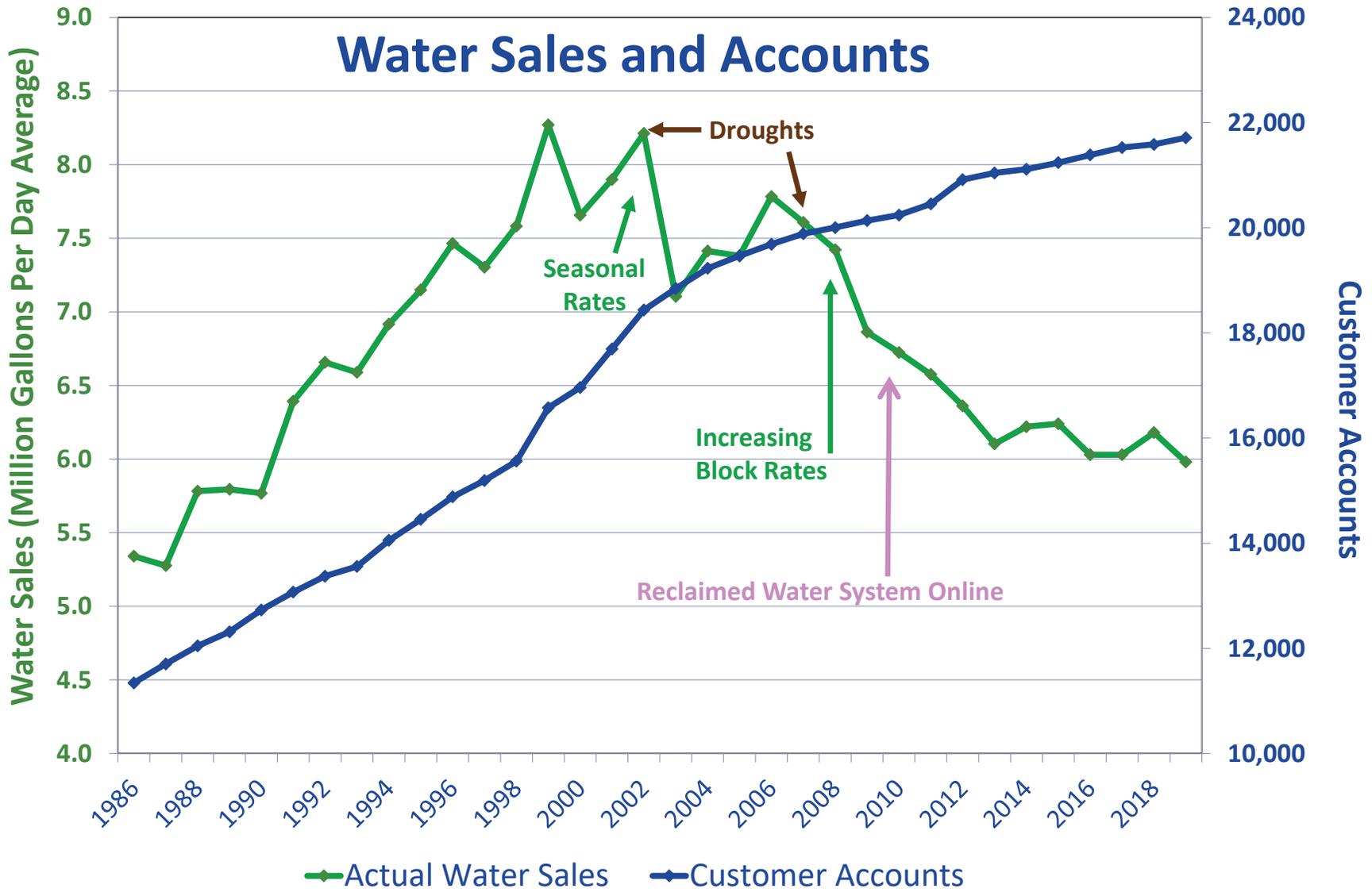


Jordan Lake

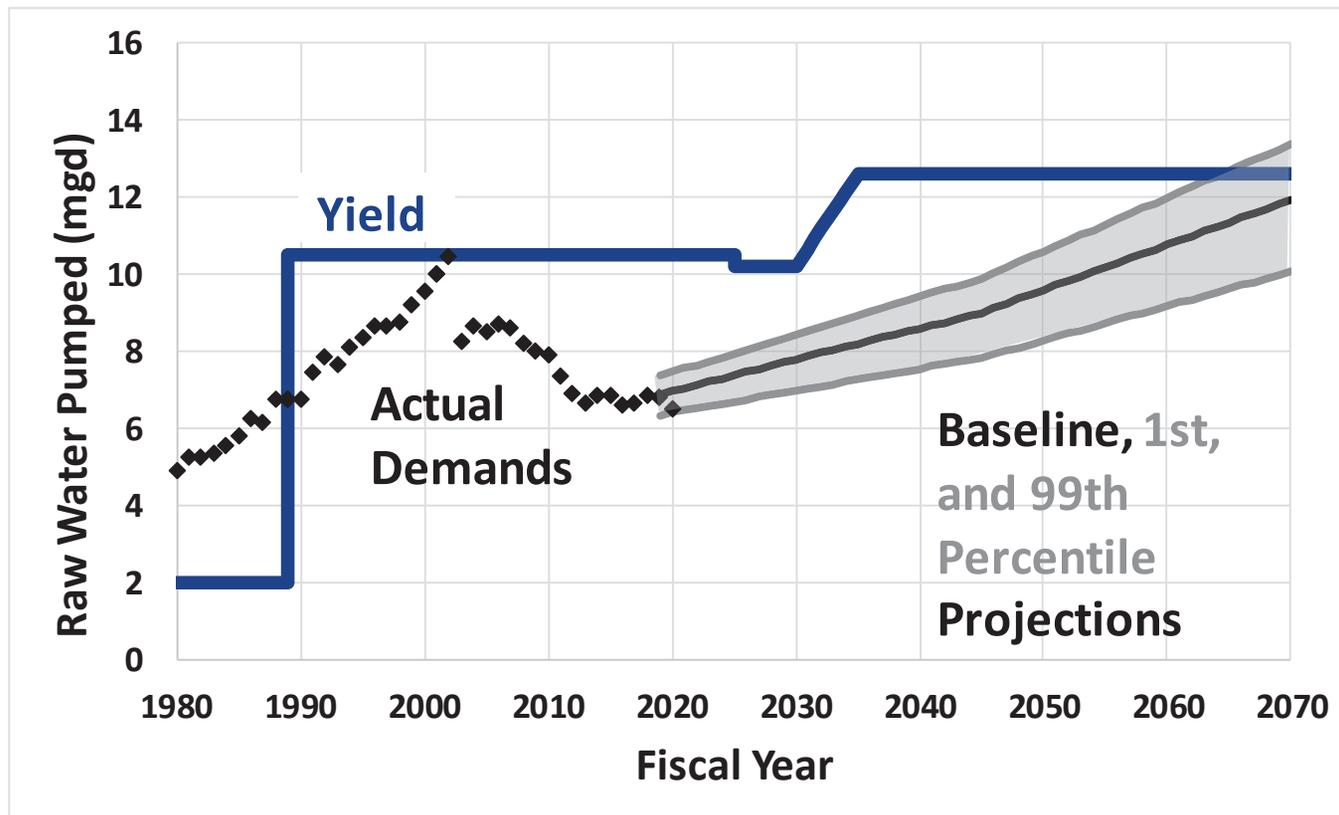
- Federal, multi-purpose reservoir
 - Flood control
 - Water supply
 - Downstream water quality
 - Recreation
- OWASA has had an allocation since 1988.
- Practice has been to only use Jordan Lake during water shortage
- We have no guaranteed access to Jordan Lake.



Jordan Lake

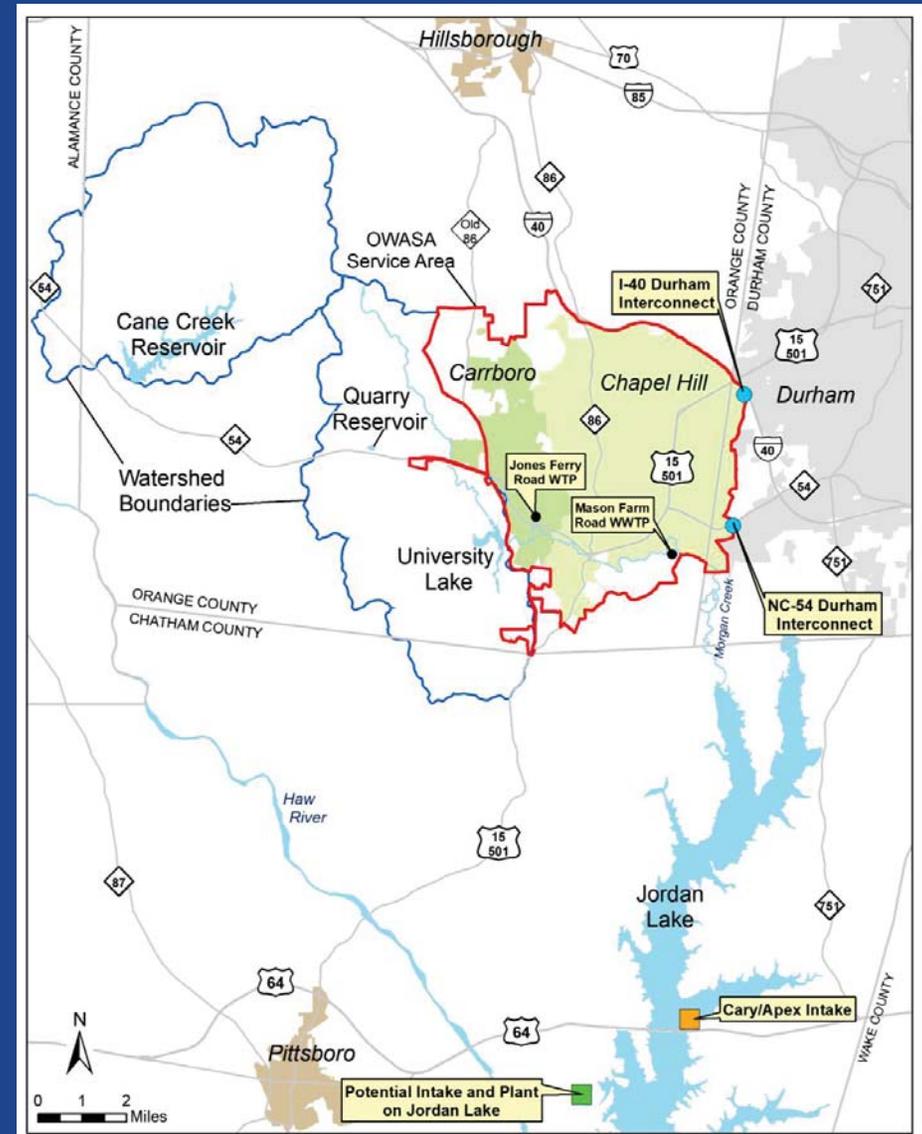


Our Water Supply Meets Demands Under Most Conditions

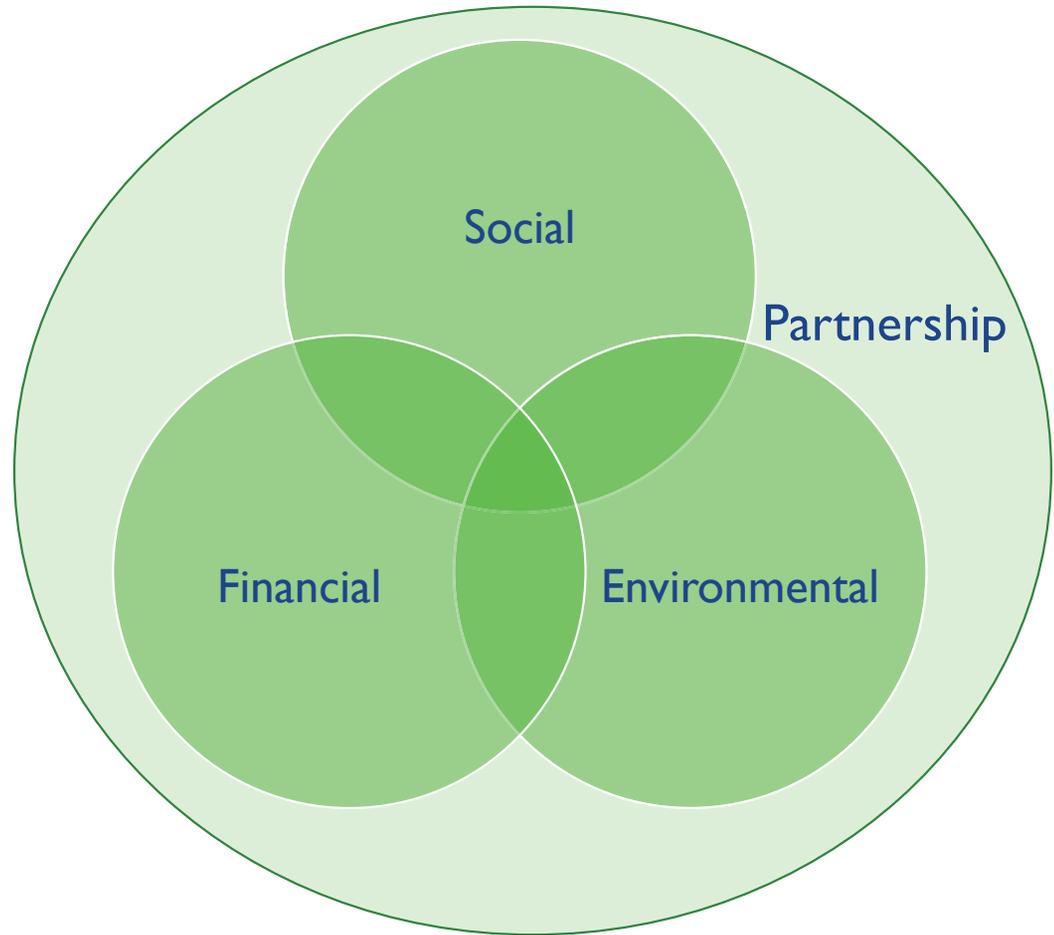


Our Water Supply Risk is Low

- Our predecessors set us up well
 - Supply
 - Conservation
- Cane Creek Reservoir has small watershed relative to its storage
- Long refill times following drought
- Our main vulnerability is extended drought
- Plan to proactively use Jordan Lake allocation
 - Reduce vulnerability
 - Reduce drought surcharges



Sustainability Principles



Identifying Alternatives to Evaluate



- Meetings
- Plans
- OWASA Board and others

- Potential water supply or savings
- Incremental costs
- Implementation

Apples to apples comparison across 3 pillars of sustainability

Preliminary Alternatives Analysis



Demand Management Alternatives

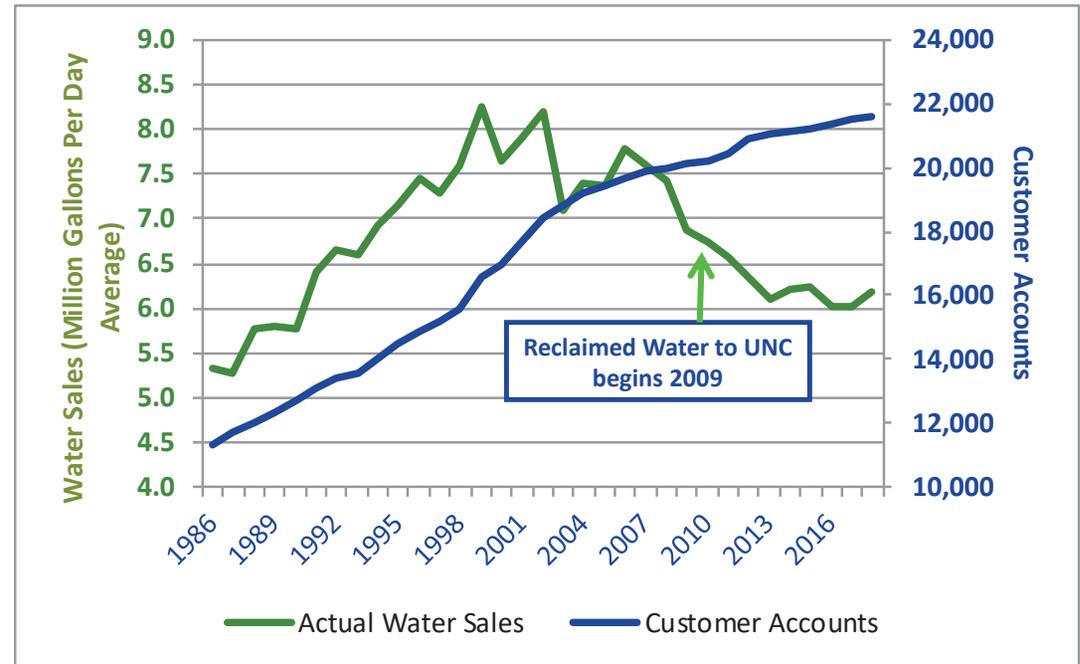
Reclaimed Water
Programmatic Strategies

Supply Alternatives

Quarry Reservoir
Potable Reuse
Jordan Lake

Demand Management Alternatives

- Do not meet long-term demands 
- Cost-effective strategies will be considered in Water Conservation Plan as Appendix to LRWSP



Supply Options

- Deep Quarry 
 - Does not diversify water supply
 - High capital cost
- Potable Reuse 
 - Options not legal or have uncertain permitting process
 - High capital cost
- Jordan Lake
 - Meets long-term needs and diversifies our water supply
 - Lower capital costs
 - Several potential ways to use Jordan Lake
 - Largely rely on our 3 local supplies

Where are we headed?

- Report to Board of Directors on community engagement - March
- Develop guiding principles to evaluate Jordan Lake alternatives – May/June
- Continue to evaluate Jordan Lake - FY22
 - Mutual aid agreements
 - Full partner in new intake and plant on western side of Jordan Lake
 - New agreement with Western Intake Partners to guarantee access to our Jordan Lake allocation
- Select draft preferred alternative - FY22
- Engage the community
- Develop final Long-Range Water Supply Plan with preferred alternative

Questions and Discussion

- Does the Council or community have any questions on our long-range water supply planning process?
- What feedback would you like shared with the OWASA Board of Directors regarding future evaluation of Jordan Lake water supply alternatives?
- Other?

Ruth Rouse/ rrouse@owasa.org



**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

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

SUBJECT: Approval of the Disengagement Plan to Disengage from Cardinal Innovations Health Care and Realign with Alliance Health

DEPARTMENT: County Manager's Office

ATTACHMENT(S):

1. Disengagement Plan
2. November 5, 2020 Agenda Abstract Authorizing Intent to Disengage

INFORMATION CONTACT:

Travis Myren, Deputy County Manager,
919-245-2308

PURPOSE: To approve the Local Management Entity/Managed Care Organization (LME/MCO) Disengagement Plan continuing the process of disengaging from Cardinal Innovations Health Care and realigning with Alliance Health to administer mental and behavioral health services for Orange County residents.

BACKGROUND: North Carolina General Statutes and the North Carolina Administrative Code authorize and prescribe the process through which a County may seek permission to disengage from one LME-MCO and realign with another. The final decision making authority rests with the Secretary of the Department of Health and Human Services.

The Board of Commissioners initiated the disengagement process by approving the County's Intent to Disengage on November 5, 2020. This formal notice was transmitted to the Secretary of Health and Human Services, the Co-Chairs of the Joint Legislative Oversight Committee on Health and Human Services, and the affected counties on November 16, 2020.

In addition to the Intent to Disengage, the Board of Commissioners is required to approve a Disengagement Plan. This abstract would approve the Disengagement Plan (*Attachment 1*) as required by law and initiate a sixty (60) calendar day public comment period. During the comment period, the County is required to solicit comments from consumers, advocates, self-advocates, and State and Local Consumer and Family Advisory Committees. Following the sixty (60) day comment period, the comments must be posted on the County's website for a minimum of thirty (30) calendar days.

Disengagement Plan Highlights

The Disengagement Plan details the disengagement process and efforts to involve stakeholders in this process. The important elements of the Plan include:

- Creating a Realignment Committee consisting of key county officials and agencies, Alliance Health and Cardinal Innovations Health Care representatives, and other appropriate stakeholders.
- Creating a Continuity of Services Plan to ensure continuity of services during the transition. Alliance intends to honor current service authorizations, annual plans and other authorizations essential to ensure a smooth transition and intends to honor provider rates following a financial due diligence period that is currently underway.
- Engaging the public and stakeholders impacted by the transition. These engagement efforts will include notification to affected providers and Medicaid recipients and those Orange County residents receiving state-funded services through Cardinal Innovations Health Care, and a concentrated effort to solicit comments, feedback and suggestions from consumers, advocates, providers, State and Local Consumer and Family Advisory Committees (CFACs), and other interested parties. The engagement efforts will use a variety of communication methods including a dedicated website, mailings, stakeholder meetings, press releases, and social media messaging as appropriate.

Additional Agreements

In addition to the process and commitments contained in the Disengagement Plan, Alliance Health has also agreed to provide the following to Orange County:

- One seat on the Alliance Health Board of Directors,
- Participation on the Alliance County Commissioners Advisory Committee,
- Access to the Alliance Health Child Crisis Facility,
- Completion of a services needs and gaps analysis during implementation prior to final realignment,
- Participation on the Alliance Health Consumer Family and Advisory Committee (CFAC),
- Participation on Alliance Provider Advisory Committee (APAC),
- Establishment of Community Directors Meeting in Orange County,
- Provider invitations to All-Provider Meetings and Learning Collaboratives,
- A dedicated Hospital and Court liaison, and
- Collaboration with the County to locate space for group or individual meetings.

Timeline

Upon approval of the Disengagement Plan by the Board of Commissioners, the process will proceed on the following timeline:

- February 17, 2021 – Publish this Disengagement Plan for public comment (60 days)

- April 18, 2021 – Post public comments received (30 days)
- May 19, 2021 – Submit the formal Request to Disengage to the Secretary with the required documentation. A decision by the Secretary is required within 90 days.
- August 17, 2021 – Anticipated approval by the Secretary
- Following Secretary Approval - Implementation phase
- January 1, 2022 – Effective date of transition

FINANCIAL IMPACT: No financial impact is associated with approving the Disengagement Plan.

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

- **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.
- **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.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends the Board approve the Disengagement Plan (*Attachment 1*) and authorizes the County Manager to take all necessary steps to implement the Plan.



LME/MCO Disengagement Plan

Purpose

On November 6, 2020, the Orange County Board of County Commissioners (BOCC) approved moving forward with disengaging from its current LME/MCO, to Alliance Health. North Carolina law authorizes and prescribes the process through which a county may disengage from one LME/MCO and realign with another. This Disengagement Plan is a description of Orange County's realignment from Cardinal Innovations Healthcare (Cardinal) to Alliance Health. Alliance Health is a Local Management Entity/Managed Care Organization (LME/MCO), a local political subdivision of the state that currently manages mental health, traumatic brain injury, substance use and intellectual/developmental disability services for residents in Durham, Wake, Cumberland and Johnston counties. Members of the Alliance Health Plan are insured by Medicaid or are uninsured.

Currently, our behavioral health services are managed by Cardinal. However, the BOCC has considered our preference for an LME/MCO, and we believe the most effective system for our citizens and community would connect Orange County with the other counties in the Research Triangle, namely Durham and Wake counties. Alliance Health shares Orange County's goal and priority of ensuring a community network of basic human services and infrastructure that maintains, protects, and promotes the well-being of all county residents. It is in consideration of this goal that the Orange County BOCC chose to pursue a relationship with Alliance Health to manage its Medicaid, State, County and other publicly funded behavioral health services for our residents. Orange County is pursuing this relationship with Alliance with the intention of completing the transition prior to Alliance's launch as a Tailored Plan (if awarded a contract) as part of North Carolina's Medicaid Transformation.

Our primary focus is to carry out this process with transparency, commitment to our community, and the involvement of those who will be impacted by the change. This plan outlines the process for Orange County's disengagement from Cardinal and its realignment with Alliance. Alliance has committed to working collaboratively with Orange County, Cardinal, and other applicable stakeholders to ensure a smooth transition for those involved. Orange County has every confidence and expectation that Cardinal will work collaboratively and cooperatively throughout the transition process.

I. BACKGROUND

North Carolina General Statutes and the North Carolina Administrative Code authorize and prescribe the process through which a county may seek permission to disengage from one LME/MCO and realign with another. The final decision-making authority rests with the Secretary of the North Carolina Department of Health and Human Services (DHHS).

On May 3, 2019, the BOCC sent a letter to the North Carolina Association of County Commissioners expressing our preference to become part of a Tailored Plan region that included Durham and Wake counties. While that action did not initiate the formal disengagement process, the same rationale for realigning with those counties within the Research Triangle remain applicable.

On November 5, 2020, the BOCC voted to disengage from our current LME/MCO, Cardinal, to realign with Alliance Health. This Board action is attached and also available on our website at www.orangecountync.gov, where other information on this process (including this Disengagement Plan) is or will be posted.

On November 16, 2020, Orange County's Letter of Intent to disengage was sent to the DHHS Secretary, the counties in the regional areas of both Cardinal and Alliance, and the Co-Chairs of the Joint Legislative Oversight Committee on Health and Human Services as required by law.

II. RATIONALE

As stated in our letter from May 3, 2019, Orange County is committed to ensuring that the best health systems, services and access to care are available to residents in our community. We believe that transitioning to Alliance will best accomplish that goal. From a service perspective, Orange County shares a regional transportation system, a regional workforce, and a network of providers with Durham and Wake counties. Orange County conducted a study of the provider network available to residents with behavioral health needs, and many providers used by County residents are located in Durham County. Other non-profit providers also serve residents from Orange, Durham, and Wake counties.

A good example of that is CASA, which operates in Durham, Wake, and Orange counties to provide housing for people with mental illness. CASA's operations and client access would be more efficient if Orange County were grouped with Durham and Wake counties. Connecting these counties would provide greater access, more varied services, and better public transportation opportunities than any other alignment. Another example is Alliance's partnership with UNC Health Care to address the behavioral health and I/DD needs of patients who are uninsured or on Medicaid. UNC Health Care supports Alliance's efforts to manage a Tailored Plan and is exploring avenues to make a fuller array of its health care system's services accessible to Alliance's prospective Tailored Plan members.

Orange County has always sought more local services and choices for County residents and Alliance's proximity allows greater access to quality services in the Triangle region. Orange County also agrees with Alliance's model of community priorities. Alliance utilizes its local networks of providers and community partners to effectively and efficiently serve individuals pursuant to the following priorities:

- Investment in crisis service continuum, which services are available to anyone, to stabilize individuals experiencing behavioral health crises to reduce unnecessary trips to the emergency department (ED), hospitalizations, and incarcerations. For example, Alliance partnered with community stakeholders to create local crisis facilities in three of its four counties and opened two behavioral health urgent care centers across its service area to connect people with appropriate care and services before urgent situations become crises.

- Enhancing the outpatient service continuum by developing comprehensive outpatient providers in Alliance’s communities. Outpatient services are available to everyone without a payer source who qualifies.
- Building a community-based System of Care, a network of local agencies and community partners to address social and environmental factors, including homelessness, food insecurity, lack of transportation, that particularly impact the overall health of individuals that lack health coverage.
- Organizing consistent community outreach and education initiatives to help individuals navigate the human services system and utilize available local resources.

Finally, Orange County seeks greater transparency and participation in decision making that directly impacts its most vulnerable residents. Alliance is governed by a talented and diverse Board of Directors responsible for comprehensive planning, budgeting, implementing and monitoring of community-based services to meet the health needs of Medicaid recipients and individuals without insurance in its catchment area. Realigning with Alliance would provide Orange County a seat on the Alliance Board of Directors and participation in its many advisory committees.

III. TIMELINE

Disengagement will be effective as soon as permitted by law and reasonable. While the estimated approval date is nine months from our November 16, 2020 Letter of Intent, Orange County believes a reasonable effective date for the transition would be January 1, 2022, although it reserves the right to realign sooner to minimize any negative impact on County residents from a slower transition. The official disengagement date will ultimately be approved by the DHHS Secretary.

To protect our residents in greatest need, disengagement with Cardinal will occur simultaneously with realignment or “engagement” with Alliance. The process will include a minimum of 60 days for the public to review and comment on this Disengagement Plan on our website. Following this comment period, the comments received will be posted for 30 days. Orange County intends to have ready for submission to the DHHS Secretary the *Written Request to Disengage* documentation and will look for approval from the Secretary within the 90 days as outlined in law.

Important dates in this process:

February 17, 2021 – Publish this Disengagement Plan 60 days for public comment

April 18, 2021 – Post public comments received for 30 days

May 19, 2021 – Submit the Request to Disengage to the Secretary

August 17, 2021 – Anticipated approval by the Secretary

Secretary Approval - December 31, 2021– Implementation phase

January 1, 2022 – Effective date of transition

IV. DISENGAGEMENT

This Disengagement Plan serves as a guide and is the first step in the process of transitioning from Cardinal to Alliance. While this Plan should not be considered all-inclusive, we have made every

effort to identify the areas on which we need to focus and the necessary steps to ensuring that the needs of our residents are met. Both Orange County and Alliance are dedicated to carrying out this Plan, as outlined in the following focus areas:

a. Transition Planning

To ensure thoughtful and effective community involvement in this transition and to facilitate input and feedback from stakeholders impacted by this change, the Orange County Manager will form an LME/MCO Realignment Committee consisting of key county officials and agencies, Alliance and Cardinal representatives, and other appropriate stakeholders. This will include the following, or their designee, plus others as appointed by the County Manager:

- County Manager (Chair)
- County DSS Director
- County Public Health Director
- Community Health Council Director
- District Attorney
- Orange County Sheriff
- County Finance Director
- UNC Health System Representative
- Local CFAC representative
- One or more Alliance executive and Board member
- One or more Cardinal executives and directors
- Provider representative
- Criminal Justice Resource Department
- Orange County Housing Director

This Committee will meet regularly and act in an advisory capacity to Orange County and Alliance in relation to the realignment efforts. Members of the Committee will be appointed by the County Manager and represent the community and key stakeholders critical to assisting the County with LME/MCO realignment and monitoring of transition milestones before the effective date. Members shall serve as the voice of their respective areas represented, providing valuable feedback and input into transition planning.

b. Continuity of Services Plan

Orange County recognizes the importance of ensuring services for its Medicaid recipients and those that are uninsured are uninterrupted and are provided with high quality, timeliness and a focus on community involvement. Therefore, a Continuity of Services Plan to ensure continuity of services during the transition which includes written notice to the providers with which the Cardinal contracts for treatment of Orange County residents is being developed by Orange County and Alliance. Alliance intends to honor current service authorizations, annual plans and other authorizations essential to ensure a smooth transition.

Alliance understands the importance of minimal system disruptions for members and providers and intends to extend invitations to the Alliance Network to those providers actively treating Orange County residents. Once the realignment is approved, Alliance will assess the network, identify and take advantage of opportunities, and further enhance it based on the strengths of the existing

network with a focus on innovation and evidence-based practices consistent with the philosophies of Alliance, the providers, and Orange County.

Alliance has every intention of honoring provider rates, in fact, if Alliance pays a higher rate, Alliance has agreed to make upward adjustments to those particular provider rates. A financial due diligence period will begin immediately.

c. Notification of Stakeholders

Orange County values and has a history of seeking input from consumers and stakeholders. We believe hearing from our constituents is critically important when making decisions that will impact their lives. This approach is consistent with Alliance's high level of consumer engagement which we have found in our due diligence.

Orange County and Alliance will collaborate to notify stakeholders impacted by this transition. This will include notification to affected providers and Medicaid recipients and those Orange County residents receiving state-funded services currently through Cardinal. Additionally, a concentrated effort will be made to solicit comments, feedback and suggestions from consumers, advocates, providers, State and Local Consumer and Family Advisory Committees (CFACs), and other interested parties. We will use established communication methods, primarily our website, as well as mailings, stakeholder meetings, press releases, and social media messaging as appropriate. All input is welcome and encouraged.

d. Community Initiatives

Orange County is assured that Alliance is committed to becoming embedded in our community and providing community initiatives involving behavioral health, as it has in its other counties. For example, establishing a "Directors Meeting" composed of key health and human services leaders and building on the local System of Care. Alliance provides an array of community services provided by quality local providers, and will work to ensure active connections to housing, social support and other everyday needs.

e. Distribution of Real Property Plan

In accordance with State law, a written plan which provides for the distribution of property, where appropriate, must be approved by Orange County during an LME/MCO realignment process. This disengagement involves no real property (land, buildings, etc.) to be distributed, and therefore no such distribution of property will occur.

f. Financial Liabilities

Orange County affirms that, to our knowledge, it has no outstanding financial liabilities to Cardinal, nor will the County have any within 30 calendar days of the request to disengage. Should Cardinal reasonably disagree, the County will work amicably and promptly with Cardinal to resolve equitably and, if unable to do so, defer the matter to the DHHS Secretary for resolution.

V. NEXT STEPS/PUBLIC COMMENT

Orange County is seeking public comment on this Disengagement Plan. For 60 days from the posting of this Disengagement Plan on our website at www.orangecountync.gov, public comment is welcome and encouraged by email to countymanager@orangecountync.gov or by mail addressed to:

ATTN: Orange County Manager
LME/MCO Realignment
300 West Tryon St.
Hillsborough, NC 27278

Following this public comment period, the County will post all responses received for an additional 30 days. Orange County will take into consideration feedback received, will review all written plans, and submit a written request to disengage to the DHHS Secretary for approval (details of which are outlined in the NC Administrative Code referenced below).

In keeping with our dedication to transparency, Orange County commits to keeping the public informed during this process, including public meetings, information and listening sessions with key stakeholders, impacted residents and groups, and more.

VI. AUTHORITY

This Disengagement Plan has been developed in accordance with current state laws and regulations governing a county's disengagement with an LME/MCO. Specifically, the following were used to create the plan and ensure compliance:

- North Carolina General Statute 122C-115 (a3)
- North Carolina Administrative Code 10A NCAC26C.0701-.0703

Approved this the 16th day of February, 2021 by Orange County Board of County Commissioners by a vote _____ to _____.

COPY

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

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

SUBJECT: Initiating the Process to Disengage from Cardinal Innovations Healthcare and to Seek Realignment with Alliance Health

DEPARTMENT: County Manager’s Office

ATTACHMENT(S):

1. Administrative Rules Governing Disengagement
2. Tailored Plan Preference Letter

INFORMATION CONTACT:

Travis Myren, Deputy County Manager
919-245-2308

PURPOSE: To authorize the County Manager to initiate the formal disengagement process from the County’s current Local Management Entity-Managed Care Organization, Cardinal Innovations Healthcare, and to seek realignment with Alliance Health to administer mental and behavioral health services for Orange County residents.

BACKGROUND: Local Management Entities – Managed Care Organizations (LME-MCOs) are public managed care organizations that administer behavioral health services for residents in need of mental health, developmental disability, or substance use services. The State of North Carolina is currently served by seven different LME-MCOs divided into regions. Cardinal Innovations Healthcare currently serves Alamance, Cabarrus, Caswell, Chatham, Davidson, Davie, Forsyth, Franklin, Granville, Halifax, Mecklenburg, Orange, Rockingham, Person, Rowan, Stanly, Stokes, Union, Vance and Warren counties. Alliance Health currently serves Cumberland, Durham, Johnston, and Wake counties.

North Carolina General Statutes and the North Carolina Administrative Code authorize and prescribe the process through which a County may seek permission to disengage from one LME-MCO and realign with another. The final decision making authority rests with the Secretary of the Department of Health and Human Services. The applicable administrative code is attached as *Attachment 1*.

The first step in initiating disengagement is providing written notice of the County’s intent to disengage to the Secretary of Health and Human Services, the Co-Chairs of the Joint Legislative Oversight Committee on Health and Human Services, and the affected counties a minimum of nine months prior to the proposed effective date of disengagement. This abstract would authorize the County Manager to send the disengagement notice letter and begin the formal disengagement process.

Once the disengagement notice is sent, the County is required to create a plan for disengagement. This plan must be approved by the Board of Commissioners and must be made available for public comment for a minimum of 60 calendar days. During the comment period, the County is required to solicit comments from consumers, advocates, self-advocates, and State and Local Consumer and Family Advisory Committees. These public comments must be posted for a minimum of 30 calendar days. The Board of Commissioners must also approve a written plan to ensure continuity of services during the transition and a plan which provides for distribution of real property if applicable.

In April of 2019, the Board of Commissioners approved a letter to the North Carolina Association of County Commissioners expressing its preference to become part of a Tailored Plan region that included Durham and Wake County. The Tailored Plan letter is attached as *Attachment 2*. While that action did not initiate the formal disengagement process, the same justifications for realigning with other counties in the Triangle Region are applicable. This prior action was also similar in terms of timing. The County was asked to express its preference for Tailored Plan regions prior to the implementation of Medicaid Transformation. At that time, Medicaid Transformation was scheduled to be implemented in February 2020. Implementation has since been delayed until July 2021.

FINANCIAL IMPACT: No financial impact is associated with authorizing the County Manager to initiate the LME-MCO disengagement process.

SOCIAL JUSTICE IMPACT:

- **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.

- **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 the Board consider authorizing the County Manager to initiate the formal disengagement process from the County's current Local Management Entity-Managed Care Organization, Cardinal Innovations Healthcare, and to seek realignment with Alliance Health to administer mental and behavioral health services for Orange County residents.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

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

SUBJECT: Re-naming the New Orange County Environmental Agricultural Center (EAC) to the Orange County Bonnie B. Davis Environmental and Agricultural Center

DEPARTMENT: County Manager

ATTACHMENT(S):

- 1) Letters of Support
- 2) Photograph of Bonnie B. Davis

INFORMATION CONTACT:

Bonnie Hammersley, 919-245-2306

PURPOSE: To discuss re-naming the new Orange County Environmental Agricultural Center (EAC) to the Orange County Bonnie B. Davis Environmental and Agricultural Center.

BACKGROUND: Bonnie B. Davis joined the North Carolina Cooperative Extension Service in the 1950's. Bonnie retired from Orange County Cooperative Extension Department in 1990 after over 40 years as the Family & Consumer Sciences Agent. She died on July 27, 2018.

- Bonnie B. Davis was appointed the first Orange County "colored" Home Demonstration Agent (now known as Family and Consumer Sciences Agent), a job she retained for 40 years.
- Bonnie B. Davis leadership strengths served as a foundation to facilitate racial integration in the Orange County Extension office. Her positive attitude spread among 4-H youth, home demonstration club members (better known now as Extension & Community Association), and Extension employees.
- Bonnie B. Davis drove to rural parts of the County to help youth practice demonstrations for 4-H short courses. Ms. Davis believed that everyone, regardless of where they started in life, could excel given the right opportunity, the necessary training and resources.
- Bonnie B. Davis displayed her steadfastness when she returned from maternity leave in 1956. The new courthouse had opened with a kitchen for the use of white agents and their clubs, but no facilities for the black agents and their clubs. Mrs.

Davis resisted this injustice and worked with the County Commissioners and others resulting in a new addition at the corner of Court and King Streets for the use of agricultural extension.

- Bonnie B. Davis was a founding member of Friends of Department of Social Services and the Women of Distinction Extension Club. She was an active member of the Mars Hill Extension Club and other Extension Clubs and these clubs have served as the community connection for the NC Cooperative Extension FCS program for years.
- Bonnie B. Davis was the Chairperson for the Board of Social Services, was a founding member of Orange Congregations in Mission, a member of the Regional Library Board of Trustee, and was an active board member of the Orange County Literacy Council.
- Bonnie B. Davis received many state and local awards and was a recipient of the Orange County Pauli Murray award in 2000.
- Bonnie B. Davis was a lifelong active member of Delta Sigma Theta and the Links Inc. She was a devoted member of Mount Bright Baptist Church for over 70 years, serving as a Deaconess, Co-Chair of the Kitchen Committee and the Christian Education Board.

In memoriam and appreciation of Bonnie B. Davis, the proposal to rename the new Orange County Environmental Agricultural Center (EAC) to the Orange County Bonnie B. Davis Environmental and Agricultural Center is presented to the Board of Orange County Commissioners for consideration.

FINANCIAL IMPACT: There is no immediate financial impact related to this discussion.

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.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact related to this discussion.

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

- 1) receive this information;
- 2) consider stating its intent to consider adopting a resolution at a future meeting renaming the new Orange County Environmental Agricultural Center (EAC) to the Orange County Bonnie B. Davis Environmental and Agricultural Center; and
- 3) if the Board states that intent, direct staff to present a proposed resolution to the Board at a future meeting.



N.C. Cooperative Extension
Orange County Center
orange.ces.ncsu.edu

P.O. Box 8181
306-E Revere Road
Hillsborough, NC 27278
919-245-2050
Fax: 919-644-3067

To: Bonnie B. Hammersley
Orange County Manager
300 West Tryon Street
P. O. Box 8181
Hillsborough, NC 27278

This letter is submitted in support of having the new North Campus Environmental Agriculture Center on HWY 70 West in Hillsborough, NC, named in honor of the late Mrs. Bonnie B. Davis, retired Extension Family & Consumer Science Agent (formerly Home Economics Extension Agent).

I was privileged to work with Mrs. Davis during my 23-year tenure as the Orange County Extension Director and was able to observe the outstanding contributions she made to the citizens of Orange County over her 40-plus years of service. She began her career in Extension during segregation, and in spite of the challenges of those times, was a calm, steady force throughout the integration of the Orange County Extension Service. Mrs. Davis retired in 1990, and over the course of her career, she gave tirelessly of her time, expertise, and resource on many occasions, sacrificing time away from her family to serve the needs of Orange County families.

Within Orange County, Mrs. Davis was known throughout Extension as a catalyst for new, visionary ideas and who had a knack for building inspired teams of doers. Her areas of organizational expertise were housing and food & nutrition, where she taught families how to live healthier lives regardless of their financial resources. Mrs. Davis believed that every individual could succeed if given the right training and educational resources. Both during and after my tenure as Extension Director, I have heard countless positive testimonies from county residents who were beneficiaries of the educational training they received from Mrs. Davis. Her devotion to the citizens of Orange County also extended to its young people, who she personally assisted in ensuring their admission to college on several occasions.

Over the course of her career, Mrs. Davis' contributions to Extension have been recognized at the local, state, and national level. In addition to numerous awards for meritorious service, Mrs. Davis was most proud of receiving the Pauli Murray Human Relations Award from Orange County, which was awarded for her service in pursuit of equality, justice and human rights for all citizens. She was also an engaged community advocate who served as a bridge that helped to unite both the rural and urban populations in the county. She worked actively behind the scenes with the Orange County Board of Commissioners, helping to shape the agenda of county affairs for the benefit of the communities she served.

In light of her outstanding contributions to Orange County, it would only be fitting to honor Mrs. Davis by naming the new Environmental Agriculture Center in her honor. If I can provide further support on this issue, please feel free to contact me.



Sincerely,

A handwritten signature in blue ink that reads "Fletcher Barber, Jr." with a stylized flourish at the end.

Dr. Fletcher Barber, Jr., Ed.D.

Former Orange County Extension Director (1988-2009)

fletcherbarberjr@gmail.com

(919)-614-1057

Emeritus Faculty Member

North Carolina State University

North Carolina Cooperative Extension Service

November 27, 2020

Bonnie B. Hammersley
Orange County Manager
P. O. Box 8181
Hillsborough, NC 27278

Dear Ms. Hammersley,

I am writing to support the nomination to name the new Northern Campus of the Environment and Agricultural Building after Bonnie B. Davis, who faithfully served the citizens of Orange County through her 40 years of work with the Cooperative Extension Service. I had the pleasure of working with Bonnie Davis as her co-worker for several years just before she retired in 1990. Having worked with Cooperative Extension for 12 years before coming to Orange County, I had heard of Mrs. Davis, since she had a statewide reputation as an excellent Extension Agent, but it was a pleasure to be able to work with her personally. Even though I was an experienced educator, she helped me hone my skills and become a much better and more effective professional.

Mrs. Davis was always willing to help people better their lives by giving them the skills necessary to excel, and she made a difference in countless lives during her career. I was always encountering young and old people who credited Mrs. Davis in helping them succeed in their lives and careers. She was always gracious, professional, regal, and a wonderful role model. She got along with people from all walks of life.

When Mrs. Davis started work with Extension in the 1950's, I think she was the first Black Extension Agent in Orange County and only worked with Black clientele. Extension had a volunteer organization called Home Demonstration Clubs at that time, who were community clubs that Extension delivered educational programs to on a regular basis. (The clubs have changed names through the years, and are now called Extension and Community Association or ECA Clubs.) Mrs. Davis organized many of the clubs during her career. Until the 1960's, the Black and white groups were separate. In the middle of the 1960's, the Extension Agents and the Home Demonstration Clubs were integrated. I spoke to the white Extension Agent who was Mrs. Davis's co-worker during that integration effort, and she told me that working with Mrs. Davis made the transition much easier, because Mrs. Davis was "thorough, smart, generous, and gracious." Since one of the Orange County Home Demonstration Club members was State President of the organization at that time, Orange County served as a model for the whole state. Mrs. Davis's calm, peacekeeping skills, and forgiving strength helped make this transition smoother.

Early in her career, Mrs. Davis also served as the person in charge of 4-H Youth programs for the Black community. She organized the first 4-H clubs in the northern part of the county. Those clubs have remained active for many years, and the youth who participated have gone on to successful careers and lives.

Also, in the 1960's, Mrs. Davis worked with three families to participate in an Extension Housing Demonstration program using Extension house plans to build an affordable house, and working with Farmer's Home Administration to finance the homes. This enabled Black families with limited resources to enjoy home ownership, and they and their families still live in the homes today. What an amazing accomplishment for affordable housing in the 1960's!

During her long career, Mrs. Davis taught educational programs for the public in home finances to help families learn to make wise decisions, taught workshops on energy conservation and repairs they could make to make their homes more efficient, taught them to refurbish items they had such as furniture, old trunks, make draperies, and many other skills to save money and make their living environment better with limited funds. She taught canning and food preservation workshops to learn how to safely preserve the foods that they could grow in their gardens. This was done years ago, long before the current trend to learn these skills! She taught foods and nutrition classes to help families learn how to prepare nutritious foods. She also gave leadership for many years to the Expanded Foods and Nutrition Program (EFNEP), which used paraprofessionals to visit homes of limited resource families with small children to teach them how to feed their children on a limited budget. For many years, she taught a weight-loss program called NoonLiting to help adults learn how to eat a healthy and balanced diet and to exercise. Many people lost weight as a result of the class, and many were able to decrease medication that they had been taking for health issues.

During her career, Mrs. Davis received the Distinguished Service Award, and the Continued Excellence Award, two of the highest national awards given by the National Association of Extension Home Economists, which was her professional association. Mrs. Davis's contributions were not limited to her work with Extension, nor did they cease when she retired from the organization in 1990. She was always an advocate for literacy, and served on the Literacy Council. She was a founding member of the Friends of Department of Social Services. She was an active member of her church and served on many committees. She was a life long active member of Delta Sigma Theta and the Links, Inc. She has served as a role model for many youth and adults throughout her life.

I cannot think of another individual who is more deserving of having this building named in her honor. Mrs. Davis touched the lives of so many people during her life in Orange County, and she was always a diplomatic presence whatever the circumstances. She continued to support Cooperative Extension programs until her death. If you have any questions, please feel free to contact me at alice_pettitt@ncsu.edu.

Respectfully,



Alice L. Pettitt
Orange County Extension Agent, 1987-2008
Field Faculty Emeritus
NC Cooperative Extension Service
North Carolina State University

104 Pebblestone Drive
Durham, NC 27703
December 3, 2020

Mrs. Bonnie B. Hammersley
Orange County Manager
P.O. Box 8181
Hillsborough, NC 27278

Dear Mrs. Hammersley:

It is my great pleasure to write this letter in support of an initiative to name the new Environment and Agricultural Building in honor of the late Extension Agent, Mrs. Bonnie B. Davis. Mrs. Davis is indeed worthy of this posthumous honor as a result of her overwhelming dedication and commitment to the families of Orange County.

I had the privilege of knowing Mrs. Davis from 1982 until the time of her death in 2018. I initially met Mrs. Davis in the early years of my career with NC Cooperative Extension. She possessed a very warm and welcoming demeanor, and served as a mentor and a role model to many younger agents. What I admired most about Mrs. Davis was that she would consistently strive to stay on the cutting edge of new information and ideas in order to maintain fresh and innovative educational programs. To put it simply, Mrs. Davis was not complacent. Although she was closer to the end of her career, she continued to improve and to grow as a professional.

In 1993, I transferred to Orange County to join the NC Cooperative Extension staff, where I filled the position that had been vacated by Mrs. Davis when she retired some years earlier. She remained in the community for several years during her retirement until she moved to Michigan to be cared for by her daughter. During the time when Mrs. Davis was still residing in the county, she provided a great deal of assistance and support to the Extension staff. Whenever we were attempting to implement major educational programs or events, she always provided hands-on support, advice, and wisdom. During the early years of my time working in Orange County, I vividly recall that many of the young African American department heads were mentored by Mrs. Davis. They looked upon her as a valued and trusted friend who they could rely on for sound advice and counsel. What I admired most about Mrs. Davis was that she was gifted in her ability to lead, but could also easily coexist in a supportive role. Although she was highly respected and even revered in the community, she had a very humble spirit and a servant's heart.

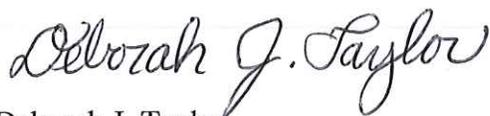
I've met numerous highly accomplished adults in Orange County over the years who credit Mrs. Davis for providing them with a firm foundation on which their current successes firmly rest. She established strong relationships with many families in the community, and worked with youth and adults on methods of improving their diet and health, managing their finances, and managing their homes. During the early years of Mrs. Davis' tenure with Cooperative Extension families did not have access to the proliferation of information from a variety of sources that we

enjoy today. As a result, she was a trusted and credible source of information in the community due to the reliable research-based information she provided.

The early years of Mrs. Davis' career were filled with overt racism as a result of the segregation of the NC Agricultural Extension Service (as it was known at the time). One of the indignities experienced by Mrs. Davis and other black Extension workers was they were not allowed to use the restroom facilities in the building where they worked, but instead had to use an outhouse. In spite of this and other indignities, Mrs. Davis never lost her determination to serve the community. As the parallel Extension organizations merged into one, Mrs. Davis' diplomatic skills, calm disposition, and spirit of forgiveness served as a bridge that aided in the transition. She was the perfect person at the perfect time.

Mrs. Davis' involvement and engagement extended well beyond her professional achievements. She was a devoted wife, mother, grandmother, sibling, friend, church member, and sorority sister, as well as a member of numerous boards, councils, and civic groups. Wherever she served, she gave generously of her time, talents, and resources. The Orange County community was greatly enriched by the life of Mrs. Bonnie B. Davis. Please feel free to contact me if you need additional information by calling 919-971-0643 or via email at dbrhta@aol.com. Thank you for your consideration.

Sincerely,



Deborah J. Taylor
Retired Family and Consumer Sciences Extension Agent
NC Cooperative Extension



State of North Carolina
General Court of Justice
15B Judicial District
 CHATHAM AND ORANGE COUNTIES

BEVERLY A. SCARLETT
 DISTRICT COURT JUDGE

ORANGE COUNTY COURTHOUSE
 106 E. MARGARET LANE
 HILLSBOROUGH, NC 27278
 TELEPHONE: (919) 644-4646
 FAX: (919) 644-4647

November 29, 2020

Ms. Bonnie Hammersley
 Orange County Manager
 P.O. Box 8181
 Hillsborough, North Carolina 27278

Dear Ms. Hammersley,

I write this letter in support of naming an Orange County facility in honor of Mrs. Bonnie Davis. I cannot think of a person more deserving of such an honor as I would not be who I am without Mrs. Davis' influence. Before I speak more about Mrs. Davis, I would like to express the need for Orange County to focus more attention on the work of People of Color in Northern Orange County. Our community would not be the lovely place it is, attracting people from around the world, without the hard work of these pioneers.

I am aware that Orange County has named a facility in honor of deceased Orange County Commissioner Richard Whitted. I am unaware of any other facility named in honor of a Person of Color living within and contributing to Northern Orange County. As a proponent of justice, I believe recognizing the work of an African American female by naming an Orange County facility in Mrs. Davis' honor will have a positive impact upon all women.

Honestly, I do not remember when Mrs. Bonnie Davis came to Orange County as she was an active part of my life for as long as I can remember. Mrs. Davis served Northern Orange County as a county extension agent. As a child, Mrs. Davis visited my mother at our home regularly and they eventually formed Eno Home Economics Club. The club consisted of African American women living within the township. Mrs. Davis did presentations on improving home economics such as canning, freezing and other forms of food preparation. She also worked with women teaching and improving their sewing skills. Mrs. Davis' partner, Mr. S.N. Shelton, work with the men teaching them improvements in agriculture. With the combined work of Mrs. Davis and Mr. Shelton, families were able to efficiently run their households and provide for their children without the need for federally subsidized programs.

Mrs. Davis used her power and authority as an extension agent to uniquely influence race relations. I remember Mrs. Davis visiting my mother to check in on sewing projects and cooking projects. It was confusing to me because I knew my mother came from an Indigenous family known for their cooking and sewing skills. Months later, I remember riding with my mother to Cole Mill Road in Durham. We pulled up to a large white house and mother went inside. I waited in the car for about an hour before my mother returned. When mother returned, we went home without discussing what happened in the big white house. A few weeks later, I saw my mother on television appearing on the Peggy Mann Show. Mother was demonstrating how to cook a particular dish. Mother did a series of appearances demonstrating cooking and sewing. I was nearly an adult when I learned that mother had been one of this area's first People of Color to appear as a guest on the Peggy Mann Show.

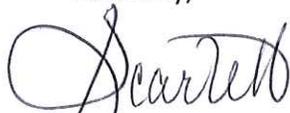
Mrs. Davis expanded Orange County's extension services among African Americans by encouraging home economics clubs to form 4-H clubs. My mother sprang into action and formed Eno 4-H Club. Although we had 4-H agents to come around and assist us with our meetings and projects, Ms. Davis visited independently. I began membership within our 4-H club with my first project being Bicycle Care and Repair. From there I moved into sewing. The sewing project included a competition where one modeled the article of clothing she made. I was extremely thin and painfully shy in my youth. With the encouragement of Ms. Davis, I actually, got on the homemade platform, which served as our runway, in the middle of University Mall in Chapel Hill and I modeled my outfit. I do not remember if I won the first time or second time, but I did win first place in my age group. The accolades from the audience and Mrs. Davis' act of introducing me as the winner and introducing me to strangers so they could ask me about my jumpsuit diminished my shyness.

A large part of my shyness stemmed from a speech impediment discovered early in my childhood. With the support of Ms. Davis, my mother declined the offer to place me in what would now be an exceptional children's curriculum. By the time I reached middle school, Mrs. Davis suggested that I should participate in the 4H speaking contest. Certain that I was doomed for death, I figured it was easier to just do it, endure the heckling, and be done for life. I wrote a speech about a popular subject in the news. Mrs. Davis approved the speech and instructed my mother to have me recite it daily. I did so. Mrs. Davis would drop in and gently correct me on pronunciation and enunciation. I followed her instructions. On the evening of the contest, we went to Hillsborough to the building that currently houses Adult Probation/Parole and The Department of Juvenile Justice. When my name was called, I managed to go to the front and stand behind the podium. I recited my speech taking care to slow down to enunciate certain words and I remembered not to use local dialect when pronouncing other words. At the end of the competition, I was the winner. That event, and other strategic opportunities suggested by Mrs. Davis-including working as a prosecutor in Orange County, led to my 26 year career of public service within my community of origin.

I am aware that Mrs. Davis' influence covers many African Americans in Orange County. I am not sure of all that she has done for others but I know how her influence shaped my life making me the person I am today.

I strongly recommend and encourage you to select Mrs. Bonnie Davis as the honored person for naming an Orange County facility. Should you have questions or need more information, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Scarlett". The signature is written in black ink and is positioned above the printed name.

Beverly A. Scarlett
District Court Judge
Judicial District 15-B
Orange and Chatham Counties

YOLANDA V. SCARLETT, MD
1214 TERRY ROAD
HILLSBOROUGH, NC 27278

Ms. Bonnie Hammersley
Orange County Manager
Post Office Box 8181
Hillsborough, NC 27278

November 29, 2020

Dear County Manager Hammersley,

I write to put forth the name of Mrs. Bonnie B. Davis to have a building named in her honor in Hillsborough, North Carolina. Orange County is my ancestral home and I am honored to live and work in Hillsborough and Chapel Hill, respectively. To my knowledge there is not a county building in Hillsborough named for an African-American female and Mrs. Davis deserves to be the first honoree.

My relationship with Mrs. Davis dates back to the early 1970's. I cannot remember the exact date, but I vividly recall the circumstances. Mrs. Davis was employed by the Orange County Extension Office and worked alongside Mrs. Fonrose Gore, in a newly desegregated environment, educating women and young girls about different topics pertaining to home economics. My mother was very active in the Eno Home Extension Club and Mrs. Davis empowered her to start a 4-H Club as an outlet for the boys and girls in our community for educational and cultural activities outside of the classroom. My first exposure to etiquette, public speaking, government and travel was through 4-H.

Mrs. Davis was of tall stature and was poised. I remember working on competitive 4-H projects and Ms. Davis periodically checking in with me to make sure that I was on point. She would always book time to coach me through a dry run before an actual public presentation. Though I was several inches shorter than Mrs. Davis, after working with her I always felt confident and taller than my 5 feet 6 inches. I'm not so naïve as to think that I am the only person that she coached, but she had the unique gift of making me think that I was her only charge and that I could conquer and win any 4-H competition.

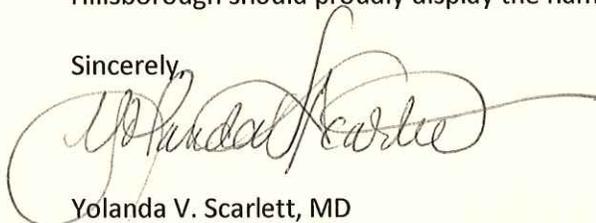
Mrs. Davis looked like me and was a force that complemented my mother. My mother definitely wanted the very best for my sisters and I and had the foresight to make sure that we were under the tutelage of Mrs. Davis who was a successful, educated woman of color. I watched Mrs. Davis coach and support her daughter, Bonita, as she competed in a local beauty pageant. Bonita was the only contestant of color and stood out not because she was the only African-American competing but because she was coached by her mom who was one of the smartest, most versatile women in Orange County.

My first lesson in networking came from Mrs. Davis. I did not know to call it such at the time. In 1976 as I was preparing to move a few miles south in Orange County to attend UNC-Chapel, Ms. Davis made a point to make sure that I connected with her nephew, Wayne Davis, who was from Robersonville, NC before we arrived as freshmen on campus. She asked us to make sure that we periodically checked in

with each other and introduce each other to people we met. Unfortunately, Wayne is no longer alive but I have a more than 40 year-old UNC friend group that Mrs. Davis unknowingly forged.

Since buildings in Orange County bear the names of persons instrumental in its history a building in Hillsborough should proudly display the name Bonnie B. Davis in honor of Mrs. Bonnie Briley Davis.

Sincerely,

A handwritten signature in cursive script, reading "Yolanda V. Scarlett". The signature is written in black ink and features a large, stylized initial "Y" and a long, sweeping horizontal flourish extending to the right.

Yolanda V. Scarlett, MD

November 10, 2020

5608 Green Pine Road
Cedar Grove, North Carolina 27231

As I reflect on my development as a woman of color, I remember a tall statue of a woman named Mrs. Bonnie B. Davis close by my side. Prior to my marriage in the early 1950's she was instrumental in teaching women the proper techniques for canning; because many of us had large gardens and needed other avenues for preserving our fruits and vegetables. She came to my house and demonstrated the use of a pressure canner while using fresh grown peaches from our orchard. I only knew the hot water bath method which was taught to me by my mother. Mrs. Davis emphasized to me that the pressure canner method would save time for other chores around the house. She was the first woman of color in Orange County to become a Home Demonstration Agent.

Shortly thereafter, I married Willie Lawrence VanHook and moved away. I kept in touch with Mrs. Davis and was excited to hear that many other clubs had been organized; all prior to integration. In 1966, my husband and I built our house and Mrs. Davis and the County Farm Agent, Mr. Sherman Shelton guided us throughout the construction process for our home. With their combined knowledge and genuine concern for the progress of Blacks in the Northern Orange County they extended and shared their knowledge of the Farmers Home Administration which had been in existence for about six years. We applied for a loan and thereafter approved. Our home was built and an open house took place along with three other Black families that same day.

The dynamic duo capitalized on the moment and introduced 4-H to the Northern Orange community. This was the first for Blacks in Northern Orange County.

Mrs. Davis groomed the 4-Hers in food preparation and dress making; while Mr. Shelton concentrated on horticulture and gardening. Each one had their own unique characteristics; she was poised with grace and patience and he spoke with confidence and persistence. For the first time, young gifted black youth from Northern Orange County participated and competed. Many youth of all ages received county, district, and State awards. Through 4-H and sustainable leadership the Good-Will 4-H Club traveled on numerous occasions to the National 4-H Center in Washington, DC, ski trips in the mountains, and Rock Eagle 4-H Center, Eatonton, Georgia.

During the mid-1960's, Mrs. Davis was instrumental in spearheading the process for racial integration of Home Extension Clubs within the county. By 1967, with her grace, peacekeeping, calm and forgiving strength, served as a foundation to facilitate racial integration in the Orange County extension service (ref. obituary). To her credit many clubs gained National and International recognition. She made the unbelievable achievable.

In 2010, I was inducted into the North Carolina 4-H Hall of Fame for making a significant impact on the North Carolina 4-H Program. I give all the credit and honor to Mrs. Bonnie B. Davis for being my mentor and dear friend.

For this reason, I support the naming of the new Orange County Extension and Agriculture Center after Mrs. Bonnie B. Davis. She was our former Home Demonstration Agent; also known as the Family and Consumer Sciences Extension Agent.

Humbly submitted,



Hattie S. VanHook

ROSETTA AUSTIN-MOORE
804 Faucette Mill Road
Hillsborough, North Carolina 27278
Telephone: 919-732-2402

November 20, 2020

TO: WHOM IT MAY CONCERN:

As a resident of Orange County for over 57 years, it gives me a great pleasure to recommend to the committee responsible for naming the new Orange County Home Extension and Agriculture Center the name of **Mrs. Bonnie Briley-Davis**. Mrs. Davis was a former Home Economics Extension Agent in Orange County from 1950 to 1990.

She was married to Mr. Tarleton Z. Davis, a former elementary principal; they were the parents of one daughter, Dr. Bonita Davis-Neighbors. As a native of Robersonville, N. C., she had pleasant memories of her upbringings on a farm there; nevertheless, she quickly invested her talents, energy, and her heart in Orange County and its people. Orange County became her home in every sense of the word.

I was privileged to work with Mrs. Davis at her church, Mount Bright Baptist Church, in the many roles she held there as well as on her many volunteer projects and as a member of one of her extension clubs. She was always soft-spoken, calm, and goal oriented. Her main missions in life were to educate and serve the community. She used her influence to speak out on various home and community issues, to teach organizational skills, and to motivate young people to excel.

As a dedicated award-winning Home Economics Extension Agent, an educational advocate, a dependable and an involved church member, and an influential volunteer in civic and community activities, Mrs. Davis always contributed her talents as an extension agent to any group who desired her services.

Working with all classes and races of people in her pursuit of excellence in her professional and volunteer work was her trademark. She has touched the lives of people of all ages.

Mrs. Davis was recognized numerous times for her outstanding work. She received the N. C. Superior Leadership Award in 1986; the R. J. Reynolds Extension Service Agent Award of Excellence, as well as the N. C. Extension Service Superior Leadership Award in 1985; the Florence Hall Award in 1985 and the Distinguished Service Award in 1977, both from the N. C. Agricultural Service from the National Association of Extension Home Economists; Service to

Bonnie Briley-Davis

Page 2

Mankind Award in 1991 for Outstanding Services to the Community; and the Rotary Club of Hillsborough's Paul Harris Fellow for her contributions to society.

Mrs. Davis has served on many state and national committees and task forces related to her professional career. She retired from the N.C. Agricultural Extension Service in 1990.

After retiring from her job, she continued to serve the community in many volunteer capacities. She approached her volunteer assignments with the same high degree of commitment as she did her professional work. Listed below are some of the organizations that she served:

- Orange County Board of Social Services (chairman)
- Friends of Social Services
- Orange County Library Board of Trustees
- United Way of Orange County
- Regional Hospital Planning Council
- Delta Sigma Theta Sorority
- The Links
- Orange County Women's Center
- Child Care Networks
- Planned Parenthood
- Historic Hillsborough Commission
- Orange-Chatham Comprehensive Health Board
- Mount Bright Baptist Church (bookkeeper, choir, Christian Education Board, Kitchen Committee (chair), Hospitality Committee, Flower Committee (chair) etc.
- Orange Congregation in Mission (one of the founders)
- School Advisory Committees
- Board of Directors of the Orange Medical Foundation
- Young Women's Christian Association
- Pauli Murray Human Relations Award

Mrs. Bonnie Briley-Davis deserves to be recognized for her many contributions to Orange County.

Sincerely,

Rosetta Austin-Moore
Retired Educator



OCIM
Orange
Congregations
In Mission

300 Millstone Drive
 Old Mill Business Park
 Hillsborough, N.C. 27278

(919) 732-6194 ext. 10
 Fax (919) 644-1126

ocim300mill@mindspring.com

www.ocimnc.org

Reverend Sharon S. Freeland
 Executive Director

November 30, 2020

Ms. Bonnie B. Hammersley, Orange County Manager
 P.O. Box 8181
 Hillsborough, NC 27278

Dear Ms. Hammersley:

It is my great joy to write a letter of support for your consideration in the naming of the new Extension Building for Mrs. Bonnie Davis.

From the moment she arrived in Orange County, Bonnie brought her "down east" good manners, her love of the land and a true sense of family to our county. She grew up in a large family and was used to living off the land and making good use of all of the resources available in her community.

Bonnie brought those well-honed skills to our community and built upon them. She developed a plan to meet and greet as many groups of community folks as she could. She loved to eat so those Extension luncheon meetings were a top priority for her.

She jumped into her trusty Buick and took to the back roads of Orange County. All Bonnie needed was her trusty map. She surveyed the rural parts of the county and saw some heart-breaking living conditions. She called upon some of the Extension agents to arrange for her to meet with many of the community farmers, especially the women. Women wanted to know how to make their lives easier by providing nutritious meals from the bounty of the fields and create better living conditions for their families.

I think it is important to say that Bonnie did a remarkable job with race relations all over this county. Her love of people carried her into situations that could be difficult, but she did her job fairly and treated people with the respect they deserved, no matter what their station in life happened to be.

Samaritan Relief Ministry

Meals on Wheels

Thrift Shop





OCIM
Orange
Congregations
In Mission

300 Millstone Drive
 Old Mill Business Park
 Hillsborough, N.C. 27278

(919) 732-6194
 Fax (919) 644-1126

ocim300mill@mindspring.com

www.ocimnc.org

Samaritan Relief Ministry

Meals on Wheels

Thrift Shop



In that vein, Bonnie was a part of the Home Demonstration Project in North Carolina. Orange County was selected to participate in the program.

Much of the housing, especially in rural Orange County was dilapidated and needed repairs. Some homes needed to be demolished. Many of them were without running water and indoor plumbing. When the project was complete, families were able to live more comfortably. Because of the improvements, the county's tax base grew.

One of the families that Bonnie directly worked with on the Housing Demonstration project is still living and thriving in rural Orange County. The children have grown up to be productive citizens here. They have never forgotten the impact the extension service or Bonnie had on their family.

On another note, Bonnie served on the Board of Directors of Orange Congregations In Mission. She was instrumental in recruiting diverse, interfaith congregations to make up our ministry. She was a strong believer in community organizations and faith communities sitting down at the table with local governments where decisions were made. She made sure that a diverse group of rural and town folk were involved. She encouraged OCIM membership to get involved in the community and to actively serve on volunteer boards.

When OCIM outgrew its 3500 square foot building, Bonnie Davis was named the Building Committee chairperson. She had a strong local and statewide presence, and was able to lead the ministry in a successful fundraising effort.

Because of her commitment to the betterment of Orange County and its citizens, Bonnie gave her very best and always got the job done.

It is because of her faithfulness in all things, I highly recommend Bonnie Davis for this great honor.

The Reverend Sharon S. Freeland
 OCIM Executive Director

SSF/ras



**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: February 16, 2021**

**Action Agenda
Item No. 7-a**

SUBJECT: Buckhorn Area Plan (Study)

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Buckhorn Area Plan Focus Map
2. Suitability Values Table
3. Potential Future Growth Map
4. Future Growth Area and Primary Industrial Area Map in Mebane

INFORMATION CONTACT:

Craig Benedict, Director, (919) 245-2575
 Tom Altieri, Planner III, (919) 245-2579
 Tom Ten Eyck, Planner II, (919) 245-2567
 Steve Brantley, Economic Development Director, (919) 245-2326
 Amanda Garner, Assistant Economic Development Director, (919) 245-2330

PURPOSE: To receive a presentation on the Buckhorn Area Plan (Study).

BACKGROUND: In recent years, the City of Mebane has experienced increased interest in the development of properties in Orange County that were not addressed by its existing 2017 Comprehensive Land Development Plan (LDP), *Mebane By Design*. Per North Carolina General Statutes, the City of Mebane has an obligation to update its long-range plan so that its actions on development proposals, rezoning and annexations are consistent with its adopted plans. The City of Mebane and Orange County have coordinated to provide utilities in the greater Buckhorn area (Efland and westward to Mebane city limits) and have a Utility Service Agreement (2012 was the most recent update) that identifies a service area that, to a significant degree, coincides with the scope of the *Buckhorn Area Plan*. This Agreement is in need of an update due to new developments and growth pressures in and around the existing Mebane LDP, Efland Mebane Small Area Plan, and City of Mebane/Orange County Utility Service Agreement. The *Buckhorn Area Plan* may help inform future agreements or amendments.

As suggested by the Board of County Commissioners (BOCC) in late 2018, staff was to research the development potential of existing designated economic development zones, as well as other viable sites. A prior engineering analysis of strengths, weaknesses, opportunities, and threats (SWOT analysis) by Timmons Group of the economic development districts bolstered the need for additional study. Orange County's Planning and Economic Development departments worked together with their Mebane counterparts on this plan. As such, both jurisdictions funded the planning study to help inform future land use and potential utility service that could be mutually beneficial.

Orange County utilized funds available in the FY 2019-2020 budget to reimburse the City of Mebane for half of the consulting expenses of the *Buckhorn Area Plan*. The original goals have been to work together with a consultant to further analyze areas within Orange County – adjacent to and near Mebane – and to develop recommendations for a growth strategy. In

January 2020, Piedmont Triad Regional Council (PTRC) was selected as the consultant, and beginning on February 6, 2020, Orange County, Mebane, and PTRC have met monthly to discuss the geographic area of the study, the parcel development suitability criteria and mechanisms for feedback on the analysis.

During the course of the study, there have been developments in Orange County brought to Mebane with a focus to rezone and to annex into Mebane. Any development proposals that are in Orange County and that fall within the study area have been noted as such in Orange County Planning's feedback to Mebane during the informal courtesy review process. While Mebane has the ability to annex properties that are willing to be annexed pursuant to state law without County 'approval', Orange County Planning Staff's review of proposals has included language that informally recommends Mebane delay any further development of parcels that fall within the Buckhorn Area (but outside the existing utility service agreement) until the Plan is finalized and has been shared with the public and elected officials.

The BOCC received an Information Item on the *Buckhorn Area Plan* in its December 15, 2020 agenda packet.

THE BUCKHORN AREA PLAN (STUDY):

Staff will provide an overview of the *Buckhorn Area Plan*, which functions as a technical study, at the BOCC meeting. Some key aspects are provided as attachments herein. A copy of the full document can be downloaded via the following link:

<https://www.ptrc.org/Home/ShowDocument?id=10489>

The study uses GIS mapping to determine parcels most suitable for development within the focus area. The process allows for a technical review of multiple development factors including: developable acres, preservation areas, mean slope, watershed, sewer infrastructure, water infrastructure, interstate access, interstate visibility, roadway access, and access to existing rail. In addition to the parcel-level scoring based on objective suitability criteria, there are a few areas of clustered parcels that have been recommended for long-term growth based on a combination of final score and high economic development use potential.

The focus area (Attachment 1) for this study was defined after significant consideration of existing land uses, environmental impacts, and economic development potential. This does not mean that all areas in the study are proposed for potential change but just an area/base element of research. The boundaries for the focus area are the rail line to the North; Ben Wilson and Mattress Factory Roads to the west, Mt. Willing Road and parcels along the I-85 connector to the East; Bushy Cook Road and Seven Mile Creek to the South. The City of Mebane and Orange County Planning, Administrative, Public Works, and Economic Development staffs worked with the Piedmont Triad Regional Council to ensure parcels with the highest potential were included in the analysis. It is worth noting, however, that parcels with significant public utility (schools, churches, cemeteries) were marked as not available for development, regardless of how well they scored on the parcel suitability criteria.

Attachment 2 indicates the suitability criteria and values used in the scoring analysis contained in the study. Through the scoring analysis, five potential areas for growth based on size, access, and needs are identified in Attachment 3. The identification of these five potential growth areas is the key outcome of the *Buckhorn Area Plan* (Study). If and how all five potential

growth areas or a sub-set are further pursued through any changes to County land use plans or agreements is yet to be determined.

Growth Studies or Small Area Plans are researched based documents which can recommend or inform future land use plan or ordinance amendments. The adoption of such a study would provide a more formal planning and agreement process (could include multiple implementation options) which would need to be decided upon in accordance with the Unified Development Ordinance.

MEBANE PLANNING BOARD MEETING/FIRST PUBLIC MEETING:

The Mebane Planning Board reviewed the *Buckhorn Area Plan* and accepted public comment on November 9, 2020. This meeting was available to join online via Zoom, in-person (limited to 7 members of the public due to coronavirus protocols), and available to stream and re-watch on [YouTube](https://www.youtube.com/watch?app=desktop&v=ci2UakUtAD8) (<https://www.youtube.com/watch?app=desktop&v=ci2UakUtAD8>). A notification of the Planning Board and first virtual public meeting was mailed to all property owners within the Buckhorn Focus Area. A short presentation was given by the Piedmont Triad Regional Council outlining the planning process, parcel analysis, and recommendations. The Mebane Planning Board passed a motion to adopt the *Buckhorn Area Plan* and to amend the Mebane Comprehensive Land Development Plan. The same night, the Planning Board recommended approval of the *Buckhorn Area Plan* to the Mebane City Council.

MEBANE/ORANGE COUNTY OPEN HOUSE MEETING:

On Tuesday, November 10, 2020, the City of Mebane and Orange County held a public meeting on the *Buckhorn Area Plan*. The meeting was held on Zoom and welcomed guest questions, comments, and concerns after a short presentation on the overview of the plan. These questions and comments were taken into consideration, and changes were made to reflect the needs and concerns of property owners. Primary concerns were about development standards such as traffic, buffering, noise, and lighting. The meeting was two hours long, and 25 people attended.

MEBANE CITY COUNCIL MEETING:

The draft *Buckhorn Area Plan* was presented at the December 7, 2020 Mebane City Council meeting, and a public hearing was held and continued to January 4, 2021. At the January 4, 2021 Mebane City Council meeting, the Council continued the public hearing before closing it that evening. A decision was deferred until the January 7, 2021 City Council meeting. During the meeting on January 7, 2021, the City Council agreed to take NO action on the *Buckhorn Area Plan* until Orange County reviews the Plan and offers comments.

In the interim and in response to recent developer initiated requests for annexation and Mebane utility connections, the City of Mebane has amended its Comprehensive Land Development Plan (LDP), *Mebane By Design*, to include three properties south of West Ten Road and Future Growth Area "A". Maps are provided as [Attachment 4](#) illustrating the LDP before the recent amendment and after. Growth Area "A" is labeled in [Attachment 3](#). While the Mebane City Council believes that the *Buckhorn Area Plan* offers good guidance in determining the economic development potential of additional properties in the utility service area, the Council is not in favor of increasing the geographic extent of its LDP to include any portions of Areas B, C, D, or E without explicit Orange County support.

NEXT ORANGE COUNTY STEP: The Orange County BOCC is scheduled to meet in a joint meeting with the Mebane City Council on March 9, 2021 at 7:00 pm via Zoom.

FINANCIAL IMPACT: The portion of the study covered by Orange County has previously been budgeted and paid during FY 19-20.

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

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

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

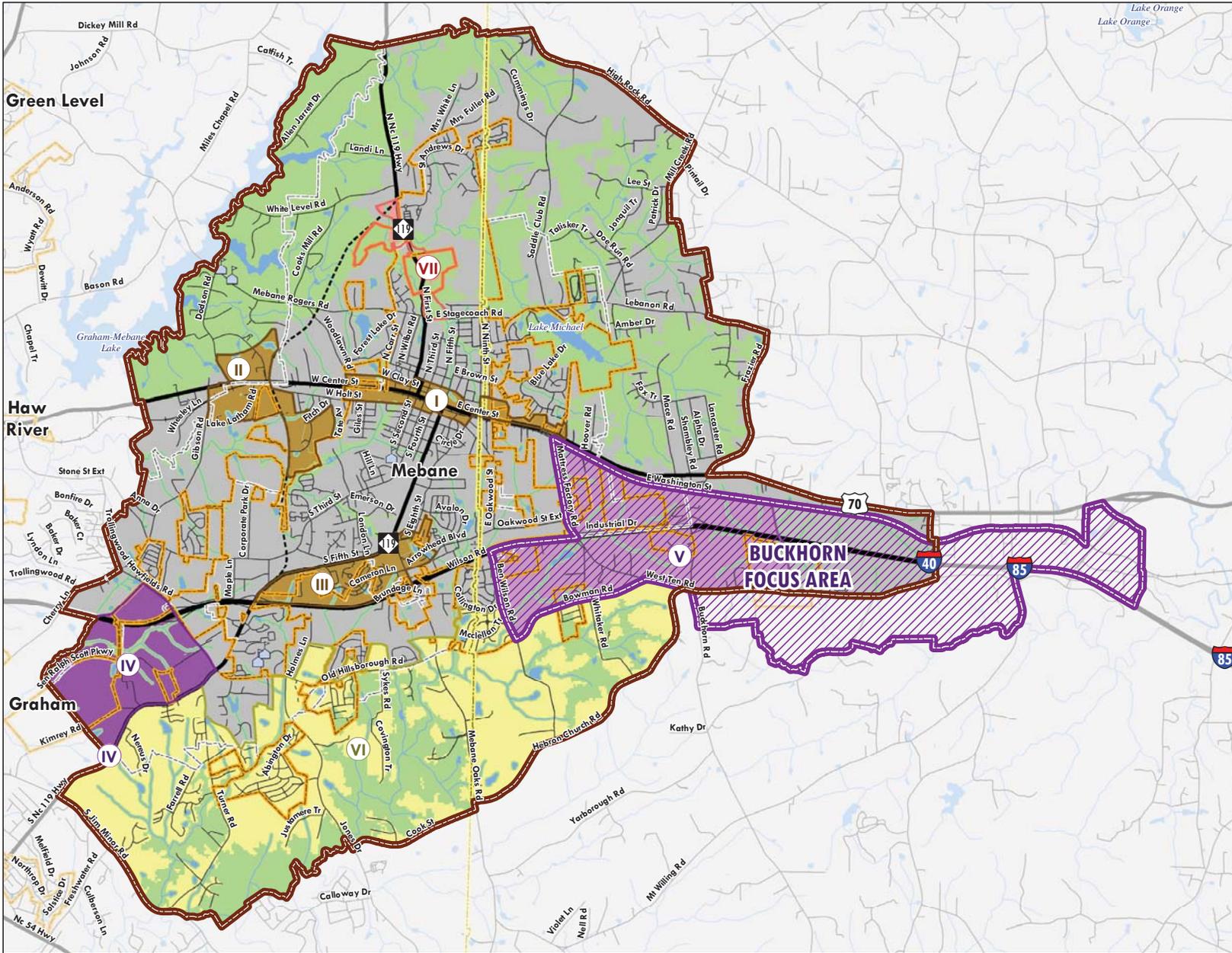
- **GOAL: ENSURE ECONOMIC SELF SUFFICIENCY**

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.

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts associated with this item.

RECOMMENDATION(S): The Manager recommends the Board:

1. Receive staff's presentation; and
2. Discuss as appropriate.



CITY OF MEBANE

Comprehensive Land Development Plan

GROWTH STRATEGY AREAS OVERVIEW

- Buckhorn Focus Area
- Growth Strategy Areas**
 - G-1, Mixed-Use
 - G-1, Industrial
 - G-2, Industrial
 - G-2, Residential
 - G-3, Mixed-Use
 - G-4, Secondary Growth Area
 - Conservation Area
- Other Features**
 - Highway
 - Proposed NC-119 Bypass
 - Other Proposed Road
 - Local Road
 - Railroad
 - Study Area Boundary
 - County Line
 - Municipal Limits
 - ETJ
 - Stream
 - Lake
 - School



Mapping provided by the
 Piedmont Triad Regional Council Planning Department
 Date: November 02, 2020



7 | PARCEL ANALYSIS

METHODOLOGY

The PTRC obtained GIS files from Orange County and the City of Mebane, including tax parcels, zoning, city limits, and water/sewer infrastructure for analysing tax parcels for their suitability to be developed as employment centers. Other GIS files were used from the State, including roads, railroads, hydrology, watersheds, LiDAR elevation, orthophotography, and conservation areas. After the stakeholder group determined the study area boundary, 569 parcels were selected for further analysis.

PARCEL ANALYSIS LAYERS

Orange County and City of Mebane Planning, Administration, and Economic Development staffs worked together to establish a list of factors that influence the suitability of a parcel for potential development. The layers include developable acres, preservation areas, mean slope, watershed, sewer infrastructure, water infrastructure, interstate access, interstate visibility, roadway access, and access to existing rail. This section explains the parcel analysis layers in more detail providing a map showing the weighted layers of parcels in the Buckhorn Study Area. The final sum value of each individual layer was then calculated for each parcel to determine a final suitability value. Parcels in the study area ranged from values of 2 to 16, with 16 being the most suitable for development. Parcels could have ranged from -7 to 18, but no parcels reached these minimum/maximum values.

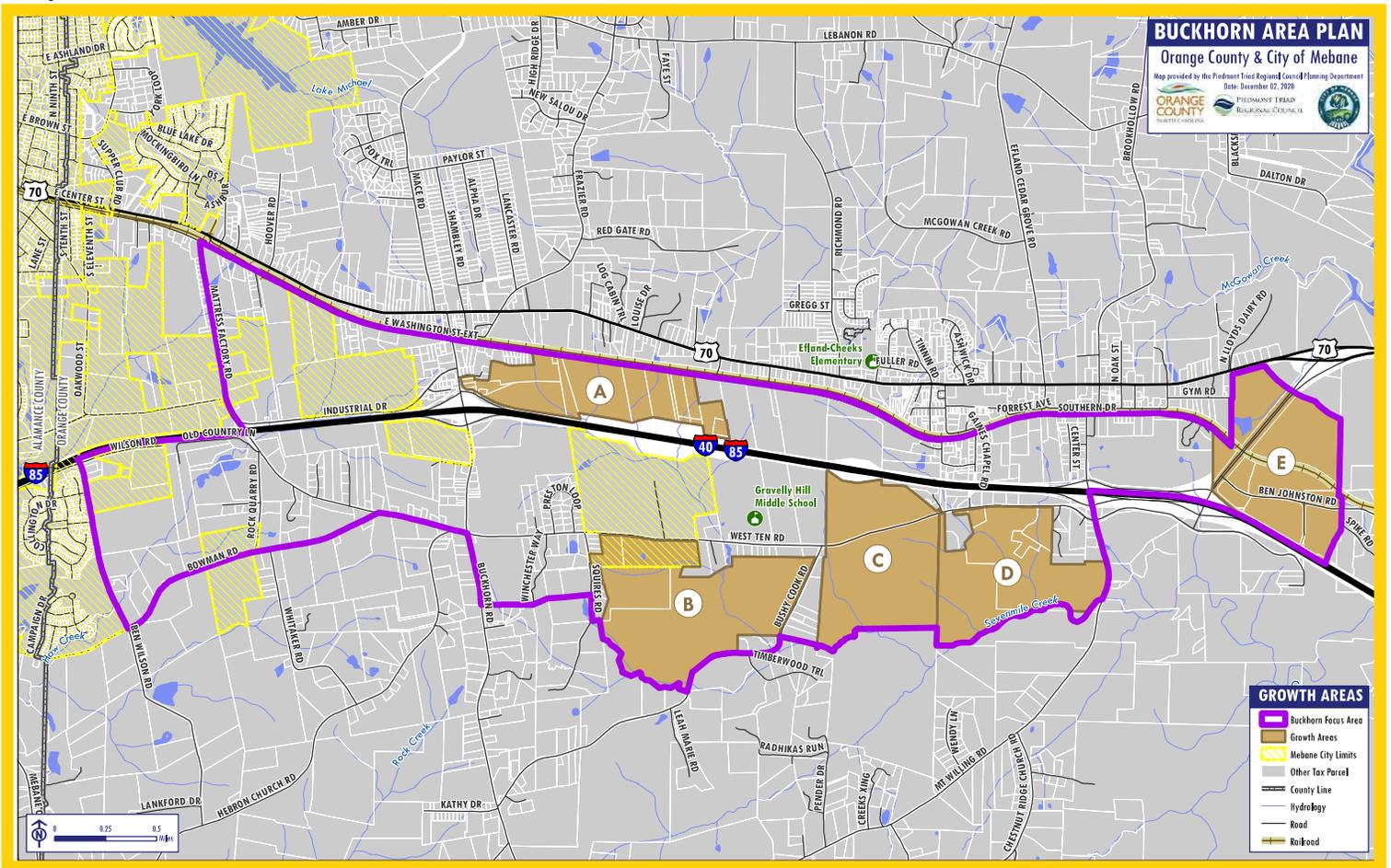
Layer	Criteria	Points
Developable Acres (Wetlands and floodplains removed; merged adjacent owners)	Under 2 Acres	-1
	2 to 19	1
	20 to 49	2
	50 to 99	3
	100 or More	4
Preservation Areas	Voluntary Ag District	-1
	Conservation Easement or Managed Area	-2
	Natural Heritage Element Occurrence or Significant Natural Heritage Area	-1
Mean Slope	< 6	1
	6 to 10	0
	> 10	-1
Watershed	NSW II-P	-1
Sewer Infrastructure	Available	4
	Potential to serve	2
	Unlikely to serve	0
Water Infrastructure	Available	2
	Potential to serve	1
	Unlikely to serve	0
Interstate Access	Within 1.5 Miles Driving Distance to Interchange	2
Interstate Visibility	Yes (Adjacent)	1
Roadway Access	Access to 2+ public roadways	3
	Access to 1 public roadway	1
Access to Existing Rail	Yes	1

study area are potentially accessible. Growth areas with rail access are identified in the next section.

POTENTIAL GROWTH AREAS

Five areas have been identified by City of Mebane and Orange County staff as potential areas for growth based on size, access, and needs. The five areas have been labelled from west to east, in their preferred development order or phasing, though not in a particular order of growth potential. Each of the five areas will be described in detail what elements are needed to encourage development. Maps 18 and 21 show the identified growth areas A through E.

Map 21: Growth Area Overview

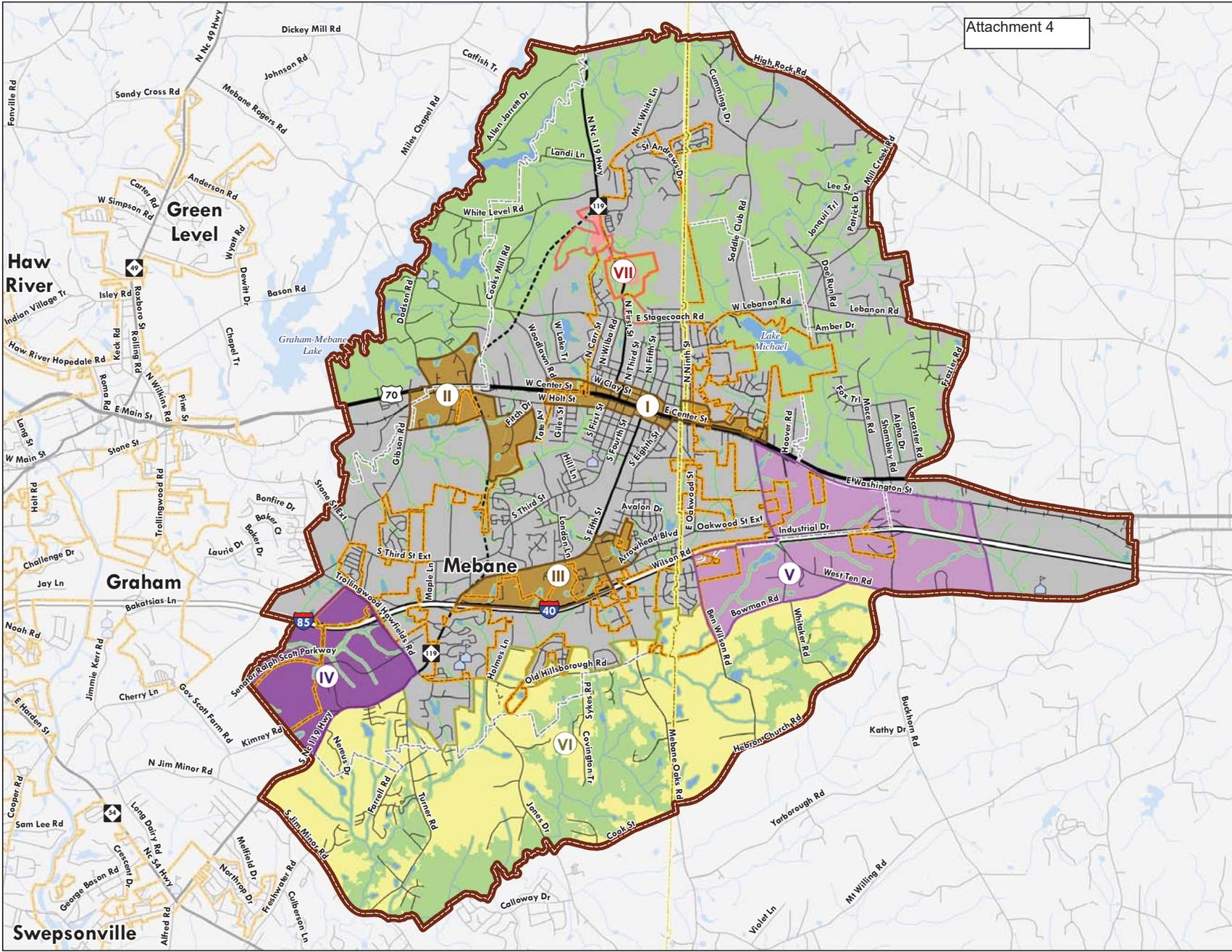


Attachment 4

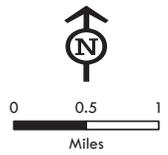
CITY OF MEBANE

Comprehensive Land Development Plan

GROWTH STRATEGY AREAS OVERVIEW



- Growth Strategy Areas**
- G-1, Mixed-Use
 - G-1, Industrial
 - G-2, Industrial
 - G-2, Residential
 - G-3, Mixed-Use
 - G-4, Secondary Growth Area
 - Conservation Area
- Roads & Other Features**
- Interstate
 - US Highway
 - NC Highway
 - Proposed NC-119 Bypass
 - Other Proposed Road
 - Local Road
 - Railroad
 - Study Area Boundary
 - County Line
 - Municipal Limits
 - ETJ
 - Stream
 - Lake
 - School



Mapping provided by the
 Piedmont Triad Regional Council Planning Department
 Date: January 11, 2017



CITY OF MEBANE

Comprehensive Land Development Plan

GROWTH STRATEGY AREAS OVERVIEW

Post Adoption Amendment to Growth Area V

Growth Strategy Areas

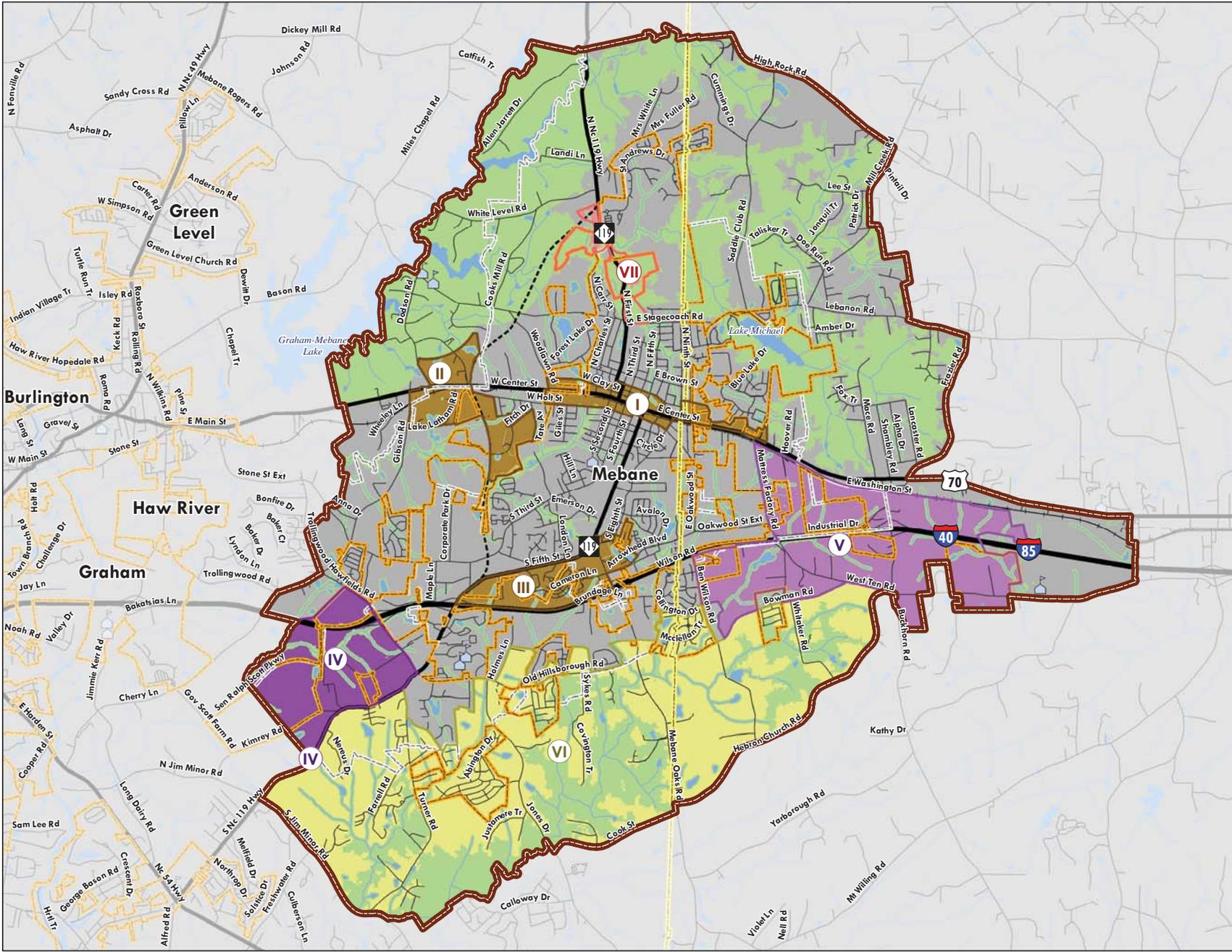
- G-1, Mixed-Use
- G-1, Industrial
- G-2, Residential
- G-3, Mixed-Use
- G-4, Secondary Growth Area
- G-2, Industrial
- Conservation Area

Other Features

- Highway
- Proposed NC-119 Bypass
- Other Proposed Road
- Local Road
- Railroad
- Study Boundary
- County Line
- Municipal Limits
- ETJ
- Stream
- Lake
- School



Mapping provided by the Piedmont Triad Regional Council Planning Department Date: December 18, 2020



**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

**Action Agenda
Item No. 8-a**

SUBJECT: Minutes

DEPARTMENT: Board of County Commissioners

ATTACHMENT(S):
Draft Minutes (Under Separate Cover)

INFORMATION CONTACT:
Laura Jensen, Clerk to the Board, 919-
245-2130

PURPOSE: To correct and/or approve the draft 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.

Attachment 1:	January 5, 2021	Virtual Public Hearing (continued to January 12, 2021)
Attachment 2:	January 19, 2021	Virtual Business Meeting

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.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

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

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**MINUTES
ORANGE COUNTY
BOARD OF COMMISSIONERS
VIRTUAL SPECIAL MEETING
JANUARY 05, 2021
7:00 p.m.**

8 The Orange County Board of Commissioners met for a Virtual Special Meeting on Tuesday,
9 January 05, 2020 at 7:00 p.m.

11 **COUNTY COMMISSIONERS PRESENT:** Chair Renee Price, Vice Chair Jamezetta Bedford,
12 and Commissioners Amy Fowler, Jean Hamilton, Mark Dorosin, Sally Greene, and Earl
13 McKee

14 **COUNTY COMMISSIONERS ABSENT:** NONE

15 **COUNTY ATTORNEYS PRESENT:** John Roberts

16 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy County Manager
17 Travis Myren, Clerk to the Board Laura Jensen, and Assistant Deputy Clerk II Allen Coleman
18 (All other staff members will be identified appropriately below.)
19

20 Due to current public health concerns, the Board of Commissioners is conducting a Virtual
21 Special Meeting on Tuesday, January 05, 2021. Members of the Board of Commissioners
22 participated in the meeting remotely. As in prior meetings, members of the public were able to
23 view and listen to the meeting via live streaming video at
24 <http://www.orangecountync.gov/967/Meeting-Videos> and on Orange County Gov-TV on
25 channels 1301 or 97.6 (Spectrum Cable).
26

28 **1. Call to Order**

29 Chair Price called the meeting to order at 7:00 p.m., and asked Commissioners to
30 accept a roll call.

31 Roll Call ensued.
32

33 **VOTE: UNANIMOUS**
34

35 **2. Introduction of Laura Jensen, New Clerk to the Orange County Board of
36 Commissioners**

37 Chair Price informally introduced Laura Jensen, the new Clerk to the Board. A formal
38 introduction will take place at the January 19, 2021 business meeting.
39

40 **BACKGROUND:**

41 Over the course of several meetings the Board of Commissioners reviewed a number of
42 applicants to fill the position of Clerk to the Board, a position reporting directly to the Board of
43 Commissioners. Upon interviewing the final candidates for the position the Board of
44 Commissioners selected Laura Jensen to fill the position and Ms. Jensen accepted the offer of
45 employment. Ms. Jensen has thirteen years of progressively responsible local government
46 experience. She has served as Interim Assistant County Manager in Person County and
47 currently serves as the Assistant Finance Director and Budget Manager.
48
49
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1
2
3 **3. Reconvene the Continued Public Hearing from the December 15, 2020 – Virtual**
4 **Business Meeting – Item 5-b Zoning Atlas Amendment: Master Plan Development**
5 **Conditional Zoning District (MPD-CZ) for Efland Station (Formerly Beaver**
6 **Crossing)**

7
8 Chair Price reviewed the following:
9

10 **BACKGROUND:**

11 On August 7, 2020 a Zoning Atlas Amendment application was received proposing to rezone 2
12 parcels, further identified utilizing Orange County Parcel Identification Numbers (PIN) 9854-16-
13 1576 and 9854-36-3711. Specifically, Buc-ee's Limited is seeking to rezone 2 parcels totaling
14 approximately 104 acres to Master Plan Development Conditional Zoning (MPD-CZ) district. As
15 indicated herein, due to the size of the application, it is available electronically on the County
16 website at: <https://www.orangecountync.gov/1722/Current-Interest-Projects>. This was a
17 continuation of the public hearing on the application from December 15, 2020.
18

19 Chair Price reviewed that the Board of County commissioners received the Planning
20 Board/staff recommendation and opened the public hearing at the December 15th meeting. The
21 Board was asked to reconvene the continued public hearing, receive public comments, and then
22 continue the public hearing to January 12, 2021.
23

24 **RECOMMENDATION(S):** The Manager recommends the Board:

- 25 1. Reconvene the continued public hearing;
26 2. Hear from the scheduled speakers;
27 3. Continue the public hearing to January 12, 2021 at 7:00 pm; and
28 4. Remind the public that anyone may continue to provide written comments to all
29 Board members by sending an email to ocbocc@orangecountync.gov
30

31 A motion was made by Commissioner McKee, seconded by Commissioner Greene
32 to continue the public hearing from December 15, 2020 and open the floor for public comment.
33

34 Roll call ensued.
35

36 **VOTE: UNANIMOUS**
37

38 **PUBLIC COMMENT:**

39 Kaye Brown said she is a licensed contractor and horse farm owner close to the
40 proposed Buc-ee's site, and feels that the data presented in the proposal is inaccurate. She
41 said the majority of Buc-ee's business must come from the sale of a large amount gasoline.
42 She said Buc-ee's will also employ people in low wage jobs that typically have high turnover
43 rates. She said residents of Efland are not looking for these type of jobs, as most are older and
44 well educated. She said Efland is a well-established and committed community, made up of
45 many African American homeowners. She urged the Board of County Commissioners (BOCC)
46 to deny the rezoning request.

47 Melissa Marsh said she has lived in Efland for a long time, and is stunned that the
48 BOCC is even considering the Buc-ee's proposal. She said this proposal is in conflict with the
49 area plan, and urged the Board of Commissioners to deny the rezoning request, based on the
50 possible impact on the community's character due to public safety issues, environmental

1 effects, and quality of life. She said Buc-ee's will be a blight on the landscape and character of
2 the area, and this is a generational decision that may be the legacy of this BOCC.

3 Arthur Sprinczeles read from a news article that expressed the positive benefits in
4 communities that have Buc-ee's stores. He cited positive economic benefits to other
5 businesses in the area because of Buc-ee's.

6 Richard Ward said he is a resident and business owner on Ben Johnston Rd, and
7 expressed that gasoline powered vehicles are not the future of transportation. He said he is
8 frustrated over the review process of the plans by the Planning Department, and said the public
9 was banned from an open meeting, amongst other violations. He opposed this project and
10 urged the BOCC to listen to its constituents and vote no.

11 Rhonda Parker said she is the former director of Camp Chestnut Ridge, and this land
12 was properly zoned years ago, and specifically prohibits gas stations. She said this zoning
13 should be preserved. She said she looked at the area plan, and finds the Buc-ee's proposal to
14 be in direct conflict with it. She said the Efland community wants to stay unique and any
15 development should be in line with the character of the residents and the desire to preserve the
16 environment, as well as being sustainable for generations to come. She urged the BOCC to
17 wait for a better development opportunity.

18 Anne Shortliffe read the following comments:
19

20 Good Evening. My name is Anne Shortliffe. For the past 37 years, I have lived on Ben
21 Johnston Road, a little over a mile from the proposed Buc-ee's site. I expect change and I
22 understand the need for development in Orange County. However, placing 120 gas handles on
23 a protected watershed is a needless development that harms the current residents and
24 businesses of our county. There are presently 20 different stations and 203 gas handles in the
25 15 miles of interstate highway between Hillsborough and Haw River. The supply is diverse and
26 stable, and the competition creates some of the lowest prices in the state. If there is no need for
27 further access to gasoline, why would we accept the increased air, water, noise and light
28 pollution created by the traffic chaos Buc-ee's would bring to our local community? Think of the
29 fumes from all the exhaust pipes as cars sit and wait for Buc-ee's traffic lights. Climate change,
30 brought on by fossil fuel consumption, has caused a substantial increase in the frequency and
31 intensity of hurricanes in our state. Ask yourself how Buc-ee's high tech storm water system
32 would handle a Hurricane Florence scale rain event. It won't. Be aware it only takes 1 gallon of
33 gasoline to poison 1 million gallons of water.

34 The market for transportation in this nation is rapidly moving to hybrid and electric
35 vehicles. Buc-ee's is part of a dying industry in a changing world. The Orange County Board of
36 Commissioners has committed to following the Paris Climate Accord and to switch to 100%
37 renewable energy by 2050. If these commitments are more than mere window dressing, you
38 simply cannot put the largest gas station in the world in our county.

39 The traffic problems created by Buc-ee's have been spelled out in many letters to the
40 Board, including one from our neighborhood that was signed by 19 residents and 11
41 businesses. If you haven't read this yet, please do. Buc-ee's 25,000 daily car trips will create
42 chaos at the merge of the 2 most dangerous highways in North Carolina. As someone who
43 uses exit 161 regularly, I can assure you it's already neither easy nor safe. Buc-ee's will make
44 this dangerous situation even worse.

45 Buc-ee's claims to pay up to \$15 per hour for entry level jobs, but these are dead end
46 jobs. Buc-ee's clearly states that management positions will be filled by residents of Texas. We
47 need jobs that offer career development oriented to the future. Scrubbing toilets at Buc-ee's
48 prepares you to scrub toilets somewhere else. Forward-looking development, such as the light
49 industry, office, and retail activities that are permitted under current zoning regulations, also
50 create substantially less disruptive traffic patterns.

1 Finally, the current UDO specifically calls for the retention of Efland's rural character. It
2 is hard to imagine a development that is in greater contradiction of that goal than Buc-ee's. I am
3 counting on the Commissioners, to be faithful to the past promises you have made to this
4 county and your constituents.
5

6 Alison Jones said she is a life long resident of Orange County, and lives near the
7 proposed Buc-ee's site. She expressed concerns about the size of the project, as well as the
8 possible environmental impact, which has not yet been completely studied. She cited the
9 impact on the Eno River. She urged the BOCC to deny the rezoning request.

10 Tim Spruill said he is a hydrologist, and has lived in Efland over 20 years. He said the
11 current zoning specifically prevents a travel center, such as the one proposed. He said he is
12 concerned about the negative impact on the water supply, and the review process from the
13 Planning department. He said this project is irresponsible and wrong for Orange County. He
14 cited the BOCC's commitment to the Efland/Mebane area and to curbing climate change, and
15 said voting to approve would be in violation of those commitments. He urged the BOCC to keep
16 the current designation, and vote no to rezoning.

17 Megan Doherty said she is a sustainable studies student at UNC, and a resident of
18 Chapel Hill. She said she is stunned and disappointed by the proposal. She said North
19 Carolina is known for two good universities, Duke and UNC, and does not want to add Buc-ee's
20 to that list. She said the State is committed to the Paris climate accord to curb climate change,
21 and this proposal is not aligned with that commitment. She urged the Board to stand with the
22 residents expressing that the proposal be denied.

23 Asher Skeen said he lives in Carrboro, and urged the BOCC to vote no the rezoning
24 request. He discussed the poor working conditions at Buc-ee's for its employees. He said the
25 company has sociopathic numbness towards Buc-ee's employees, with shifts lasting 10 hours
26 and no true breaks. He said work life balance does not exist, there are no raises, and
27 managers bully and bash on staff members. He quoted several reviews from Buc-ee's
28 employees and asked that the proposal be denied.

29 Hope Horton said she is resident of Cheeks Township, and this proposal stands in the
30 way of the kind of development the County needs and deserves. She quoted various positions
31 that members of the Board of Commissioners have taken on economic development being in
32 line with environmental stewardship and the culture of the community. She said this proposal
33 violates many of these statements, and is not worth what Buc-ee's is asking the County to
34 sacrifice: clean water, sustainable future, quality of life, etc. She urged Commissioners to vote
35 no on the proposal.

36 Mary McLaughlin said she is a newer resident of Mebane, and moved here due to an
37 attraction to Orange County's commitment to the environment and its residents. She said she is
38 concerned that Buc-ee's focused more on the number of cars that travel through the area,
39 rather than the community and character of the area. She said it makes no sense to disrupt the
40 community and traffic patterns, for the sake of underground gas tanks. She said she uses Ben
41 Johnston Road, and the traffic changes proposed will make her ability to travel home more
42 difficult, and she will have to use the highway more to get to and from work. She urged the
43 BOCC to consider the impact to the Efland community when making its decision.

44 Bill Riley said he is a 30-year resident of Efland, and does not support the rezoning
45 request. He said he attended the Orange County Planning Board meeting in November 2020
46 on the proposal, and felt there was no discussion between the board and the applicant and that
47 public input was merely tolerated and not incorporated into the process. He said the speed of
48 the decision made him feel that the attendees' concerns were not listened to. He said the
49 BOCC should postpone any decision until neutral parties can do greater research, and the
50 experiences of other communities that have hosted Buc-ee's can be considered. He said this is
51 a decision to make substantial changes to a fragile area in a rural community.

1 Lamar Proctor said he is an attorney, and lives 5 miles from the site in Efland. He said
2 he did a deep dive into all pertinent County documents pertaining to this proposal, and sought to
3 give the Buc-ee's application a fair shake. He quoted a portion of the ordinance that relates to
4 the development, and said the application is very problematic regarding the ordinance,
5 especially as it pertains to water. He said the water usage cited by the Applicant is not
6 accurate. He said there are other issues as well, including traffic. He said his parcel will be
7 developed, but the County can do better. He urged the BOCC to deny the rezoning request.

8 David McDuffie said he is speaking on behalf of the Environmental Ministry Committee
9 of the Episcopal Diocese of NC, who opposes the development of Buc-ee's. He said the
10 proposal will violate the desire to protect the environment and be good stewards of God's
11 creation. He said this project will effect the water supply, damage air quality, wildlife habitat,
12 drastically increased impervious surfaces, etc. He said this project is also simply not needed,
13 as there are sufficient fueling stations in the area already. He said gasoline is not a part of the
14 future. He said he is also a resident of Orange County, and this project does not represent the
15 character of the community, and will offer short-lived economic gain at too great a cost.

16 Margret Mueller said she lives off of Mt. Willing Road, and regularly travels in the area
17 near the proposed project. She said she has enjoyed listening to the comments of others, and
18 the community is better if we listen to a wide range of voices. She said she was moved by a
19 comment made by a lifelong Efland resident in a previous meeting that expressed support for
20 the proposal. She said it caused her to consider how her position is related to her privileges,
21 and to focus on what may be a better way to develop the land, as opposed to just voicing
22 dissent to this plan. She said Buc-ee's is a regressive and shortsighted development, but she
23 does not want the BOCC to ignore Efland's cry for help. She said development is necessary,
24 and asked the BOCC to consider what type of development meets the needs of the community
25 and can be respectful. She said the BOCC is committed to moving away from fossil fuels, and
26 this project is simply not the best use of this property.

27 Tom Allison said he is a lifelong resident of Efland, and agreed with many of the
28 comments of previous speakers. He said the BOCC is the only arbiters for the Efland
29 community, and he urged the BOCC to not overlook the potential problems. He said Eno River
30 and Seven Mile Creek, both of which will be impacted by water pollutions, border the proposed
31 site. He said extra revenues from Buc-ee's will not outweigh the revenue losses to other area
32 businesses.

33 Benny Cecil said he is speaking on behalf of the Efland community, and in support of the
34 Buc-ee's development. He said Buc-ee's has complied with the regulations and will bring in \$2
35 million in local revenue, including \$30,000 in revenue to the Efland fire station. He said area
36 churches and business will get free advertisement due to Buc-ee's. He said he is concerned
37 that those who do not live in Efland are the ones protesting against the development. He urged
38 the BOCC to approve the rezoning request, due to the benefits to travelers and local residents.

39 Lucy Lewis said she is a lifelong Orange County resident, and opposes the rezoning
40 proposal due to the unhealthy impact to the community and the watershed. She said working
41 conditions at Buc-ee's are horrendous, and she opposes continued reliance on fossil fuels. She
42 said she stands for the kind of community in which residents want to live and work. She said
43 she supports development, but encouraged the Economic Development office to attract a better
44 proposal for this area.

45 Heather Smith said she has lived in Efland for 5 years, and expressed support for
46 existing zoning that protects both the community and environment. She said corporations with
47 no connections to the area cannot dictate a community's future. She said this type of
48 development displaces residents and renters, and existing zoning helps to protect residents
49 from predatory developments. She said the community is being quite literally gaslit by
50 development plans. She said she does not want Orange County to be collateral damage, and
51 rejects tokens like the Efland name going on the sign.

1 Andrea Riley said most of the arguments in favor of the Buc-ee's proposal are for
2 increased tax revenue and more jobs in the Efland area. She said the quality of the
3 employment offered is not worth it. She quoted several Buc-ee's employees frustration with the
4 employment practices, noting many of the employees are college students. She said gas
5 stations are not allowed in this area, due to the current zoning. She said Buc-ee's is sweetening
6 the deal by suggesting their presence will bring a hotel, bank and other features to the site, but
7 these are not guaranteed, and cannot be required. She said the only guarantee is that Buc-ee's
8 will be built. She said 50% of existing Buc-ee's are surrounded by open land, and no other
9 businesses. She said most Buc-ee's are in Texas, where there is a lot more land.

10 Michelle Pope said she is a resident of Efland, and supports the rezoning request. She
11 said Buc-ee's fuel tanks are double-walled, and Buc-ee's has a fuel water separator before fuel
12 and debris meet the watershed. She said current gas stations in the area are not this
13 advanced. She said the traffic impacts will not affect most of Efland, and Buc-ee's is paying for
14 traffic improvements. She said Buc-ee's will support the community and local vendors, and
15 offers multiple types of fuel and electronic vehicle charging stations. She said Buc-ee's will
16 assist in getting better internet for the area. She said there are no regulations on development
17 in a high quality water area, as long as regulations are met, and Buc-ee's has agreed to the
18 meet those regulations.

19 Lorri Drozdyk said she has lived in Northern Orange County for 29 years, and asked the
20 BOCC to deny the rezoning request. She said a gas station of this size is not needed for the
21 community, and it is inconsistent with many positions of the County. She urged the BOCC to
22 represent the County and not Buc-ee's. She said she is concerned about added traffic
23 congestion, but he greatest concern is those residents who live nearby, and the County as a
24 whole. She said Buc-ee's size is absurd, and this is not the type of business these residents
25 need. She said she has grave concerns with nearby residents with wells, and problems happen
26 even with the best design. She urged the BOCC to be good stewards of the land, community,
27 and values and oppose the rezoning.

28 Blake Tedder said he is a 17-year resident of Orange County, and lives in Hillsborough.
29 He said he is opposed to the rezoning proposal, and Buc-ee's will not help the community, and
30 compared it to South of the Border. He said fossil fuels are a bygone era, and Buc-ee's will
31 make Orange County look like hypocrites in the future when it takes any action to protect the
32 environment. He said the western doorway into Orange County will be known as the "Buc-ee's
33 exit" leading to litter and tacky advertisements on the interstate for hundreds of miles around.
34 He urged the BOCC to vote no to rezoning.

35 Barney Caton said he serves on the Hillsborough Tourism Board (HTB), and read a
36 letter from this board. He said the HTB is interested in the project and finds potential
37 opportunity. He said the HTB would like to work with Buc-ee's to attract customers to
38 Hillsborough for dining and shopping opportunities. He thanked the BOCC for its thoughtful
39 consideration of the project.

40 Ronnie Pope said he is a lifelong resident of Efland, as well as a business owner. He
41 said he is in favor of the proposed project, as it offers sustainable jobs, and is a sustainable
42 company that grew in the awful year that was 2020. He said Buc-ee's has no reported gas
43 leaks, and carefully monitors environmental impacts. He said many projects have been
44 proposed for this area over the past 20 years, but have moved on elsewhere. He said most of
45 Orange County's businesses are in Chapel Hill, and this business is willing to invest in a
46 different part of the County, and is willing to meet all necessary requirements.

47 Margo Lakin said she is opposed to the rezoning request, and quoted statements from
48 Commissioners' campaign websites about commitment to the environment. She said Buc-ee's
49 is in direct conflict to such a commitment to the environment. She said Buc-ee's monitoring
50 systems only monitor and warm, they do no prevent environmental damage, and anyone should
51 expect answers for these concerns. She highlighted several questions about how Buc-ee's will

1 prevent and respond to failures. She urged the Board to demand better, sustainable, and
2 intelligent development for the constituents. She said this is wonderful land, and not worthless.

3 Paul Pepin said he lives in rural Orange County near the Cane Creek Reservoir. He
4 said he has witnessed progressive actions to protect this area, and discussed previous efforts to
5 protect watersheds in Orange County. He said well owners depend on Orange County to
6 protect the water. He said the rezoning proposal is the equivalent of 10-15 gas stations in one
7 area, and even small spills by consumers add up every day. He said clean water is priceless,
8 and contamination takes years to remediate. He said the contrasts between Orange County's
9 efforts to protect water in Chapel Hill and Carrboro versus Efland is noticeable, and wondered
10 why there is such a disparity.

11 Chris Smith said his home is 350 feet away from landscaped border of the proposed
12 property for development. He said Buc-ee's is a mirage, and does not make sense
13 economically, environmentally, or aesthetically for Efland. He said he fails to see how the
14 proposal meets the desire to lessen the impact of climate change on the community. He said
15 noise, light, and visual pollution are inevitable. He showed climate change maps to the
16 Commissioners, and cited studies of how gasoline runoff affects water supply. He urged the
17 BOCC to deny the rezoning, and said costs to mitigate climate change will be on residents, not
18 Buc-ee's. He said Orange County can do better than a Buc-ee's.

19 Diana Montgomery said she has been an Efland resident since 1997, and is a science
20 educator. She said current zoning was thoughtful, and well informed by the public. She said
21 this proposal does not provide needed services, does not adhere to ideals, and does not lift
22 people up, but rather brings them down. She asked if the BOCC will provide information to the
23 Commission for the Environment, and who will investigate Buc-ee's employment practices. She
24 said Buc-ee's own application cannot be the only assessment tool. She said this gateway to
25 Orange County could be a model for sustainable development, and become an important
26 regional transit hub for the area.

27 John Preyer said he lives on Orange Grove Rd. He said he chooses to live in Orange
28 County because he loves it, as it a uniquely diverse place where all share a love for the area.
29 He said the worries about the proposal are misplaced, and would hope residents can have an
30 open mind. He said he works in environmental and permitting compliance, and learned of Buc-
31 ee's 12 years ago when working in Texas. He said he has never seen an environmentally
32 sensitive watershed located between a highway and a railroad bed. He said he visited a Buc-
33 ee's in Texas, and described the quality of Buc-ee's stores. He said he visited several locations
34 around Texas, and the reason he kept going was how consistently clean the stores were and
35 how fun it was to walk around inside of them. He said it is hard for people who have not been in
36 the store to appreciate this. (At this point the commenter's video feed stopped, and he restarted
37 his comments later in the meeting).

38 Dr. Bob Lee said he has been a Cedar Grove resident for 25 years, and asked the
39 BOCC to deny the rezoning request, due to health and safety concerns. He said water supplies
40 for Hillsborough and Raleigh could be affected. He said the elimination of the highway exit
41 could be detrimental to the community. He said improvements to the highway exit would be
42 helpful, with a true braiding design of the ramps. He said the proposed stoplights will back up
43 traffic, and make it more difficult for public safety vehicles to travel. He said the current zoning
44 allows for all that is needed, without changing it. He urged the BOCC to vote no to Buc-ee's.

45 Janine Zanin said she has lived 1.7 miles from the proposed Buc-ee's site for 15 years.
46 She said the benefits of the recent Medline project outweighed the costs, but this proposal does
47 not. She said the two sources of potential revenue are property tax and sales tax, but she
48 questions if Buc-ee's numbers are accurate. She referred to Denton, Texas, where Buc-ee's
49 did not meet its expected tax valuation. She said she does not believe this development will
50 meet property tax projections, and questions if sales tax projections are accurate. She asked
51 the BOCC to read a letter submitted by her husband.

1 Del Ward said he is a 26-year-old musician who has lived on Ben Johnston Road for
2 almost his entire life. He said he is absolutely baffled that Orange County is considering this
3 development. He said there are many concerns with this project, but his greatest concern is the
4 traffic projections. He said 25,000 new car trips will be added to area each day with the
5 development. He said there are concerns about safety with the increased number of cars, as
6 well as delays associated with increased cars to buses, commuters, and public safety vehicles.
7 He said Efland residents daily use the highway exit that will be closed. He expressed frustration
8 with the Planning Department's process for review of project. He said Buc-ee's will put the lives
9 of Orange County constituents at risk, and urged the BOCC to deny the rezoning request.

10 Miriam Thompson said she is an Orange County resident, and a strong supporter of
11 Voice for Efland. She urged the BOCC to pay close attention to the comments, letters, and
12 testimonies citing concerns on traffic, revenue impacts, environmental issues, developer's
13 history of workforce abuse, etc. She said community groups have ideas that more readily align
14 with County's visions and plans.

15 Nicholas Trombetta said he is opposed to the proposal by Buc-ee's, and reacted with
16 shock and horror to hear that world's largest gas station might be built in Efland. He said
17 Governor Cooper has made commitments to reduce gas emissions, and approving a gas station
18 would show that Orange County has made false promises to reduce emissions. He said Efland
19 is a small town, and this is a large-scale operation. He said Efland does not have the
20 infrastructure to support such a development. He urged the BOCC to pursue development that
21 will bring lower traffic, but greater pay.

22 Patricia Roberts said she moved to Efland in 1996, and she is really excited by the idea
23 of Buc-ee's. She said land near the interstate is where this type of development should occur,
24 so that people do not have to drive further into the countryside for these services. She said
25 Orange County is not using its interstate exits well, and Buc-ee's would be a good use of
26 interstate space.

27 John Preyer (continued comments from earlier in the evening) said people that have
28 never been to a Buc-ee's cannot understand, because there is nothing else comparable. He
29 said he wants to see Orange County's quality of life protected, but he wants to make a point to
30 his neighbors, that criticizing the quality of Buc-ee's jobs is pretty easy when one has a steady
31 job. He said these jobs would be a Godsend to folks looking for work right now. He said some
32 people might benefit from these jobs more than you might think. He said he does not work for
33 Buc-ee's, and gives his opinion voluntarily.

34
35 A motion was made by Commissioner McKee, seconded by Commissioner Hamilton to
36 continue the public hearing on this item to January 12, 2021.

37
38 Roll call ensued.

39
40 **VOTE: UNANIMOUS**

41
42 **RECESS**

43
44 A motion was made by Commissioner Fowler, seconded by Commissioner McKee to
45 recess the special meeting at 9:10 p.m., and reconvene on Tuesday, January 12, 2021 at 7:00
46 p.m.

47
48 Roll call ensued

49
50 **VOTE: UNANIMOUS**

51

**CONTINUED VIRTUAL SPECIAL MEETING
JANUARY 12, 2021
7:00 p.m.**

The Orange County Board of Commissioners met for a Continued Virtual Special Meeting on Tuesday, January 12, 2020 at 7:00 p.m.

COUNTY COMMISSIONERS PRESENT: Chair Renee Price, Vice Chair Jamezetta Bedford, and Commissioners Amy Fowler, Jean Hamilton, Mark Dorosin, Sally Greene, and Earl McKee

COUNTY COMMISSIONERS ABSENT: NONE

COUNTY ATTORNEYS PRESENT: John Roberts

COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, Clerk to the Board Laura Jensen, and Assistant Deputy Clerk II Allen Coleman (All other staff members will be identified appropriately below.)

Due to current public health concerns, the Board of Commissioners is conducting a Continued Virtual Special Meeting on Tuesday, January 12, 2021. Members of the Board of Commissioners participated in the meeting remotely. As in prior meetings, members of the public were able to view and listen to the meeting via live streaming video at <http://www.orangecountync.gov/967/Meeting-Videos> and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

1. Call to Order

Chair Price called the meeting to order at 7:00 p.m. and asked Commissioners to accept a roll call.

Roll Call ensued.

VOTE: UNANIMOUS

2. Reconvene the Continued Virtual Special Meeting from January 5, 2021

Chair Price asked for a motion reconvening the continued virtual special meeting from January 5, 2021.

A motion was made by Commissioner McKee, seconded by Commissioner Fowler to reconvene the special meeting from from January 5, 2020, and open the floor for public comment.

Roll Call ensued.

VOTE: UNANIMOUS

3. Reconvene the Continued Public Hearing from the December 15, 2020 Virtual Business Meeting and January 5, 2021 Virtual Special Meeting – Item 5-b – Zoning Atlas Amendment: Master Plan Development Conditional Zoning District (MPD-CZ) for Efland Station (formerly Beaver Crossing)

Chair Price reviewed the following:

1
2 **BACKGROUND:**

3 On August 7, 2020 a Zoning Atlas Amendment application was received proposing to rezone 2
4 parcels, further identified utilizing Orange County Parcel Identification Numbers (PIN) 9854-16-
5 1576 and 9854-36-3711. Specifically, Buc-ee's Limited is seeking to rezone 2 parcels totaling
6 approximately 104 acres to Master Plan Development Conditional Zoning (MPD-CZ) district. As
7 indicated herein, due to the size of the application, it is available electronically on the County
8 website at: <https://www.orangecountync.gov/1722/Current-Interest-Projects>. This was a
9 continuation of the public hearing on the application from December 15, 2020.

10
11 Chair Price read the following: the Board of County Commissioners (BOCC) received the
12 Planning Board/staff recommendation and opened the public hearing at the December 15th
13 meeting. The Board continued the public hearing on January 5, 2021, received public
14 comments, and recessed the public hearing until January 12, 2021. The Board is asked to
15 reconvene the continued public hearing, receive public comments, and then close the public
16 hearing.

17
18 **RECOMMENDATION(S):** The Manager recommends the Board:

- 19 1. Reconvene the continued public hearing;
20 2. Hear from the scheduled speakers;
21 3. Close the public hearing; and
22 4. Remind the public that anyone may continue to provide written comments to all
23 Board members by sending an email to ocbocc@orangecountync.gov

24
25 A motion was made by Commissioner Bedford, seconded by Commissioner McKee
26 to reconvene the continued public hearing from December 15, 2020 and January 5, 2020 and
27 open the floor for public comment.

28
29 Roll call ensued.

30
31 **VOTE: UNANIMOUS**

32
33 **PUBLIC COMMENT:**

34 Rachel Heller said she is a 27 year resident of Orange County, and strongly opposes the
35 proposed rezoning for the Buc-ee's project. She said it offers nothing to meet community
36 needs, and would create air, water and 24/7 light and noise pollution, taking Orange County in
37 exactly the wrong direction. She said a fossil fuel based, car centric, economic model work will
38 not work, and the County must focus on a sustainable model. She said she is shocked that this
39 proposal has gotten this far. She said the BOCC adopted a resolution to transition to renewable
40 energy by 2050, and must keep this promise. She said she does not understand how the
41 County can even consider this proposal without an impact study. She said the project will use
42 so much water, and she wonders if the County will have to fight for water with Buc-ee's. She
43 said she is very concerned about the inevitable traffic complications, of which Buc-ee's has a
44 history. She said Buc-ee's also has a history of indentured servitude jobs, with very poor
45 conditions for its workers including a "moment" break. She said this seems illegal.

46 Kevin Brooks said he is the current chief of Efland Volunteer Fire Department. He said
47 the Efland Fire Department does not endorse candidates, projects, or any other issues. He
48 said, as the chief, he wrote a letter expressing his support of the Buc-ee's project, which
49 remains true. He said he wanted to address some of the things that have been said about the
50 Efland Fire Department, including the alleged acceptance of a \$30,000 bribe, which is
51 absolutely horse hockey, and plain not true. He said if the Buc-ee's proceeds, the fire

1 department will receive revenue from the fire tax, as it does from all other businesses. He said
 2 the traffic issues that will allegedly interfere with response times are also untrue. He said the
 3 fire department is modern and can respond effectively. He said he cares deeply about this
 4 community, and is disappointed that people are questioning his integrity. He said the fire
 5 department has served its community well, and will continue to do so. He said he supports the
 6 project, as it will bring development near the highway, allowing the rural areas to remain rural.

7 Hannah Adelman said if the request to rezone this site is approved, the citizens in Efland
 8 will have no further voice in how the town of Efland develops, and neither will the BOCC. She
 9 said Buc-ee's is not the right development for Orange County, and it will harm residents. She
 10 said the potential commuter headache that Buc-ee's will cause will slow down residential
 11 development. She urged the County to pursue sustainable development.

12
 13 Rob Golan read the following comments:

14 Good Evening Commissioners. My name is Rob Golan and I'm a long-time Efland
 15 resident who is opposed to Buc-ee's, but in favor of thoughtful growth that will benefit everyone.
 16 For the last couple of months, we have all received a steady stream of information warning of
 17 the negative impacts a Buc-ee's travel center could have on our community and beyond. Of
 18 course, it's all about money in the end. Is Efland being seen by government as a convenient,
 19 inconsequential, and compliant cash cow for all of Orange County?

20 When my property tax notice came in yesterday, I thought about how much money my
 21 wife and I have put into the county till over the last 25 years. Though we're just middle class
 22 folk, the total amount we have paid in taxes is considerable when added up. All Orange County
 23 households that pay their property taxes deserve a big fat "thank you" for their steadfast support
 24 of local government and its programs. But, those of us in Efland, despite our support of the
 25 county, might instead be gifted an obscene mega gas station that will do nothing to lower
 26 existing tax bills while possibly lowering our property values. We have literally invested in
 27 Orange County for decades and, as concerned citizens, we request that you really listen to us,
 28 your constituents, in turn. It has been argued that Buc-ee's will solve unemployment in Efland.
 29 After all, \$15/hr. jobs with benefits are a mighty tempting carrot for the unemployed regardless
 30 of work conditions. I struggled with under-employment years ago, living in fear and under
 31 constant stress. I know life on the edge only too well. People without work want work. Our
 32 neighbors in need deserve a future without built-in boundaries. Let us seek responsible
 33 development that will bring in jobs that won't close the door on real advancement. The
 34 unemployment rate in our country is below the state average and a better future for Orange
 35 County is certainly possible without Buc-ee's in our midst.

36 There has been a lot of talk about Orange County's resources lately and,
 37 commissioners, I would suggest you consider one asset that remains woefully un-tapped: the
 38 people of greater Efland. I have been blown away by the talent, knowledge, compassion, and
 39 energy of the folks fighting Buc-ee's and its self-described "invasion" of our state. Here in
 40 Efland, there is an incredible pool of potential board members, policy-makers, and, indeed,
 41 future county commissioners. These people are passionate about the well being of Efland in
 42 particular and our state as a whole. Orange County's governing bodies and advisory boards
 43 would do well to collaborate with these remarkable citizens who have demonstrated energetic
 44 and informed leadership during the present crisis. Please vote a resounding "NO" to Buc-ee's,
 45 work with the people, and help bring us all a better future.

46
 47 Kevin Brown said he has lived in Orange County for 27 years, and is lead IV pharmacist
 48 at Duke Regional hospital. He said Orange County is a forward thinking county, and petroleum
 49 based fuels are not part of the future. He said building a huge gas station near a protected
 50 watershed is a remarkably bad idea. He said the Buc-ee's promise to improve the highway exit
 51 is frankly rubbish. He said there will be a great increase in traffic at the highway interchanges

1 due to Buc-ee's, and he is concerned the federal highway commission may deny necessary
2 requests to accommodate Buc-ee's. He said previous speakers have referenced the poor
3 working conditions at Buc-ee's. He said one issue that has not been pointed out is the vulgarity
4 of the Buc-ee's mascot, a Beaver, which is a vulgar and misogynistic euphemism for a vagina.
5 He said he does not want to have to explain this to his grandchildren. He urged the BOCC to
6 vote no.

7 Matt Cartmill said he owns a small horse farm near Efland, and wants to discuss phase
8 two promises, on which Buc-ee's supporters dwell. He said there are claims of hotels, medical
9 offices, etc. He said the word gasoline is not mentioned for some time on the Efland Station
10 website, but 2/3 of Buc-ee's money is made by selling gas. He said Buc-ee's is about selling
11 gas, and phase 2 is an aspirational dream. He said he surveyed existing Buc-ee's sites using
12 Google aerial maps, and 48% of Buc-ee's have no neighbors. He said those that do have
13 neighbors, have fast food drive-thrus. He said decent development in the area does not
14 happen, because people do not want to locate next to a giant gas station. He said restaurants
15 etc., are already allowed on this land under the current zoning, but gas stations are not. He
16 urged the BOCC to vote no to rezoning.

17 Jared Cates said he is very concerned about the roughly 37 thousand gallons of fresh
18 water Buc-ee's will use daily. He said this estimate is not based on actual use, but rather typical
19 uses, and he thinks actual use will be much higher. He said 12,000 people per day will use an
20 estimated 21.6 thousand gallons of water just for flushing toilets and hand washing. He said the
21 UDO limits Industrial water use to less than 10,000 gallons a day, which Buc-ee's will obviously
22 exceed. He said the BOCC should look closely at this issue, and wonders if there is an attempt
23 to hide the water usage. He urged the BOCC to vote no.

24 Kathy Kaufman said she serves on the Orange County climate council, and is a retired
25 Air Quality specialist with the EPA. She thanked the BOCC for asking the CFE to evaluate the
26 proposal. She asked if Buc-ee's represents what Orange County wants its future to look like.
27 She said this area serves as a public water supply for Hillsborough residents, and the usage by
28 Buc-ee's will have critical impacts. She said there are high risks of leaks and spills, runoff into
29 ground water, and high carbon emissions. She said this project will make a mockery of Orange
30 County. She said Buc-ee's jobs only pay \$15 an hour, with poor working conditions, and the
31 BOCC should look at Buc-ee's record in Texas. She said there is no commitment to build
32 anything but a travel center, and asked if Buc-ee's is the best Orange County can do.

33 Jon Lorusso said he lives in Hillsborough, and wants to voice his opposition to the Buc-
34 ee's proposal. He said he spoke two months ago about his opposition to RTLP, and he has
35 similar concerns with this project. He said he understand the County needs tax dollar revenue,
36 and the impacts of the pandemic are not fully known. He said Buc-ee's is a Texas company
37 that is interested in taking money back to Texas. He said Orange County needs to think about
38 itself and invest in local business owners. He said Buc-ee's will not care about the pollution it
39 will cause in NC, but a local business owner will care about the environment, the impact to their
40 neighbors, and a sustainable economy. He urged the BOCC to vote no.

41 Kim Piracci said she serves on the Planning Board, and the Planning staff and
42 Developer did a really good job selling this project to the Planning Board, and she voted in favor
43 of the application. She said since that time, she has heard an outpouring of concerns. She said
44 at the November Planning Board meeting, the Developer stated this project was not in the upper
45 Eno critical protected watershed, which is true, but the Developer did not say this property has
46 two tributaries that empty into the 7 mile creek, which serves as a water supply for Hillsborough
47 and ultimately Raleigh. She said research shows that small spills, less than 40 gallons, do not
48 need to be reported to local agencies or the State. She said when she connects these dots,
49 multiple small spills could add up to a lot of gasoline spilling into Hillsborough drinking water.
50 She said Buc-ee's has never had a reportable fuel spill, which she now knows is not the same

1 thing as never having a spill. She said she wishes she could rescind her affirmative vote, and
2 urged the BOCC to vote no.

3 Geri LaPlaca said she was shocked as she read the details about this proposed project.
4 She said Buc-ee's is an ugly addition that could destroy the unique aspects of this area. She
5 said the world is at a critical time period in history, and the County must commit to reducing
6 fossil fuels. She said the light, noise, air and water pollution will have severely negative
7 impacts. She urged the BOCC to explore sound development, and vote to deny this request.

8 Carol Stanton said the Buc-ee's project goes against the Orange County commitment to
9 sustainable development. She said this tract of land is large enough to accommodate mixed
10 uses: affordable housing, shops, offices, perhaps a drive in movie theater or roller skating rink.
11 She said the Buc-ee's gas stations are huge eyesores, and do not benefit those who live in
12 Orange County. She said this land should not be sold to out of state people who are litigious,
13 with poor employment conditions. She said Buc-ee's has the "soul of a 7/11 and the footprint of
14 a Walmart". She highlighted many concerns stated by previous speakers. She said she moved
15 to Efland 20 years ago, and she hopes to live out her life here without seeing a Buc-ee's from
16 Texas. She urged the BOCC to please vote no.

17 Edna Tan's daughter spoke against the Buc-ee's development, saying it is a bad idea to
18 have Buc-ee's, as it will be bad for humans and animals. She said animals play a big role. She
19 said she and her siblings visit their aunt and uncle every year in Efland to study salamanders:
20 counting egg nests, and observing salamanders in their natural habitat. She said she and her
21 siblings get to hold the adult salamanders and learn about their skin, and can only use their
22 eyes at a museum. Her brother said children need to experience animals in their natural
23 habitats, and salamanders are very important to an ecosystem, and to humans as pest control.
24 He said salamanders are beautiful creatures, at risk of extinction. He said humans are not the
25 only species on this earth, and we are charged to respect our environment. He urged the
26 BOCC to protect the environment, children's opportunities to learn, and to please vote no to 120
27 gas stations.

28 Erica Cartmill thanked the BOCC for listening to all comments. She urged the BOCC to
29 vote no to the rezoning proposal. She said the area around the Seven Mile creek serves as an
30 animal corridor. She said her family's farmland backs up to the site, and it feels like paradise.
31 She said she sees animals like salamanders and owls, which are disappearing at fast rates.
32 She said the creek is a lifeline for species. She said the Commission for the Environment voted
33 no on this project, and the risks of this project are too great. She highlighted several of these
34 risks, and urged the BOCC to find more creative and sustainable possibilities for the site.

35 Linda Smith said she is a new resident of Orange County, and moved here for the rural
36 environment, pasture land, and the beautiful night sky. She said she and her husband plan to
37 keep a small footprint on this environment. She said pollution is an insidious thing, and it easy
38 to miss its harmful changes, until it is too late. She said Buc-ee's will cause damage:
39 contamination, light pollution, sleazy images around the Beaver logo, density of automobiles,
40 and loss of lovely grassland and trees in the Mt Willing Rd area. She said traffic congestion will
41 increase in the already hazardous interstate area. She urged the BOCC to keep Buc-ee's in
42 Texas, and vote no on the rezoning request.

43 Christine Peckman said she has lived in Efland for 20 years, and 5-6 days a week she
44 visits the post office, buys animal feed in Efland, goes to Missy's for milk shakes, and other local
45 businesses. She said the Efland shopping market is more of a convenience store, and a full
46 grocery store would be wonderful. She said she is invested in Efland, and is not anti-growth.
47 She said Buc-ee's would literally be adjacent to the town, which has the potential to be a quaint
48 vibrant town. She asked if the BOCC would want to live next to such an unpleasant
49 development. She said Buc-ee's will increase crime rate, and become a haven for drug and sex
50 trafficking. She said it will be hard to limit parked tractor-trailers, and responsibility to enforce
51 will fall to local law enforcement. She said if the BOCC chooses to rezone, it will throw the

1 residents under the bus. She said revenue can be generated by other businesses, and she
2 argued that this project would never be contemplated if it were being proposed at a Chapel Hill
3 or Hillsborough exit. She said the residents would not stand for it. She said there are many
4 commercial opportunities to benefit Efland, but this is not one of them.

5 Hope Thompson said she is a resident of Chapel Hill, studying Environmental Health at
6 graduate school at UNC. She said she has lived in Durham and Orange counties her entire life.
7 She said she is opposed to this rezoning request, and urged the BOCC to deny it. She said the
8 health and environmental implications have been understated, and will prove harmful to the
9 surrounding residents of Efland.

10
11 Bonnie Hauser read the following comments:

12 Good evening commissioners. Thank you for hearing the voices who know and care
13 about Efland. I'm Bonnie Hauser. I sit on the boards of Orange County Schools and United
14 Voice of Efland. Tonight, I am speaking for myself. I have been involved with the Efland
15 community for a long time and join the community in its support for the rezoning proposal for
16 Efland Station.

17 Efland Station advances plans that community leaders and county planners have been
18 working on for a long time. Those plans established this site as industrial because it sits
19 between a busy interstate and an active rail line. Your board invested \$4 million to bring sewer
20 service to the site in order to attract businesses just like this. According to your planners, the
21 project complies with county's strict lighting and noise ordinances, and exceeds your
22 requirements for impervious surface and stormwater management. I'm not a hydrologist, but it
23 appears that the project adds controls that will be better for the watersheds than doing nothing
24 at all.

25 Planners never imagined a large travel center on this site. That's why you are being
26 asked to consider this new use and whether it works with the intent of the planners and your
27 investments. I believe it does. But there are questions. You will need to resolve conflicting
28 information that you are getting about hydrology and risk. There's also the strategic question.
29 How does Buc-ee's plan to transition as cars eventually move away from fossil fuels? They are
30 already planning 10 EV charging stations. Certainly they can't sell gas if no one is buying it.

31 How many people in our County are already working as cashiers or custodians but not
32 being paid a living wage? Please appreciate that opportunities like this don't come to Efland.
33 Buc-ee's wants to invest \$50 million in this small community. The project is estimated to
34 generate over \$1 million a year in local taxes, of which \$350,000 will flow directly to our schools.
35 That's in addition to nearly 200 living wage jobs in a small community that hosts two Title 1
36 schools. Buc-ee's has done everything you've asked and is not asking for any incentives. This is
37 a big deal and the Efland community deserves their shot. Please approve this rezoning. Thank
38 you.

39
40 Jessica Sheffield said she is the Executive Director of the Eno River Association (ERA),
41 which is opposed to the proposal in front of the BOCC that would allow for damaging impacts to
42 Seven Mile Creek. She said the development would threaten what the State has already found
43 to be a sensitive water way. She said Orange County must be careful what it allows to be built
44 on this land. She said ERA is not anti-development, and seeks good development that
45 preserves the environment. She said she has spoken to the developer and engineers involved
46 with the project, who hoped she would support the project, but she cannot do so in good
47 conscience. She said she must speak up for the neighbors, and to maintain the wild and open
48 spaces to be resilient to climate change. She said ERA is concerned about sediment and heavy
49 metals, which will be deposited. She said this project will not improve the community, and
50 should not be permitted. She urged the BOCC to vote no.

1 Laura Streitfeld said she is the Executive Director of Preserve Rural Orange, a
2 grassroots nonprofit dedicated to sharing vital information about plans that would have a
3 negative impact on rural communities. She said the organization brings citizens and leaders
4 together to shape outcomes that protect the environment and citizen health. She read the
5 following comments:
6

7 First, welcome to new Board members Hamilton and Fowler and to the new Board Chair
8 and Vice Chair, Commissioners Price and Bedford. We're looking forward to your leadership
9 and vision in charting Orange County's future and upholding the public interest. Preserve Rural
10 Orange stands with communities opposing rezoning for the proposed Efland Station, a 140-acre
11 project that would store a quarter of a million gallons of gas underground in the Upper Eno
12 Protected Watershed. I'm asking you tonight to reject this project in its entirety. The developer's
13 Environmental Assessment (EA) raises more questions than it answers. It is unclear how
14 Planning staff concluded the project is in the public interest when there are significant questions
15 about threats to existing local businesses and residences, pollution, stormwater runoff,
16 groundwater contamination, massive water use, traffic and light pollution. Despite the project's
17 incompatibility with surrounding land uses and a long list of potential negative impacts, the
18 Developer's EA claims a Finding Of No Significant Impact. If this board does consider approving
19 any part of this project, we ask you first to require an Environmental Impact Statement (EIS).
20 More comprehensive than an EA, an EIS would require exploring in detail all alternatives to this
21 project, including the option of not developing the property at all, as well as examining the
22 secondary and cumulative impacts into the future. And if you consider approving this project,
23 know that the Master Plan Conditional Zoning would benefit the developer to the detriment of
24 Orange County citizens. A blanket, expedited approval process removes key safeguards
25 needed to protect communities from damaging impacts. The developer's application grossly
26 understates direct, secondary and cumulative impacts likely to occur, and we urge each of you
27 to deny the rezoning request and reject the proposed Buc-ee's travel center.
28

29 Please consider adding the following actions to the Board's agenda this winter: 1.
30 Increase and strengthen limits on development in the protected watershed in Orange County's
31 UDO. 2. Take this opportunity to review how environmental assessments reach a Finding Of No
32 Significant Impact. 3. For projects applying for zoning changes or special use permits, widen the
33 notification area from 1,000 feet to either township-wide or within a two-mile radius, to include
34 affected neighbors in rural communities. Fortunately, Efland citizens have gathered information
35 in record time to respond to this alarming proposal that would irreparably transform their
36 community. In a series of recent development decisions, we've heard that it's too late to stop
37 plans and that lessons learned will prevent similar mistaken approvals in the future. Please stop
38 this project before it starts. The proposed Buc-ee's travel center is out of step with Orange
39 County's commitment to sustainability and goal to reduce fossil fuel use. Thank you for taking
40 the time to allow for full public input before making this important decision.

41 Laura Doherty said she is opposed to the rezoning request on environmental grounds.
42 She said the Sierra Club Executive committee has submitted comments. She said the
43 Committee is opposed to the travel station, as it does not reflect values of community. She said
44 the project would be detrimental to water and air quality. She said 240,000 gallons of gasoline
45 will be stored underground, on top of the drinking water aquifer. She said there will be increase
46 sedimentation on Seven Mile Creek. She said Orange County already has air quality issues,
47 due to gasoline emissions, and the travel station would only make this worse. She said the
48 County must move to renewable energy, not gasoline, when there is a climate crisis.

49 Margaret McAdoo said she is a community advocate in Efland. She said she grew up in
50 Efland, but moved away after graduation, as there were no jobs for people who looked like her.
51 She said Efland has digressed instead of progressed. She said Efland was once a thriving

1 community, but it has faded over the years. She said she supports the Buc-ee's travel station
2 because of their outlook for the community, fire station, and will bring money for schools, which
3 is a blessing. She said money is not flowing in and out of Orange County, and there has been a
4 lot of misinformation. She said many who have spoken do not live in Efland, and do not know
5 the realities of the need. She said she served on the Efland small area committee, and every
6 time a builder would come in with a plan, it was rejected. She said there must be young people
7 living in Orange County for it to grow. She urged the BOCC to please vote yes to the rezoning
8 request.

9 Avra Janz said she wants to express concerns for how this gas station will contribute to
10 climate crisis. She said Buc-ee's will lock the County into a dangerous status quo. She
11 highlighted several examples of the impacts of climate change such as Hurricane Florence and
12 hotter summers, which will harm farmers and reduce produce. She said Orange County
13 residents deserve better, and Buc-ee's represents the precise opposite of what Orange County
14 needs. She said to build the largest gas station in the world in the midst of a climate crisis will
15 have grave consequences, and would make Orange County complicit in harmful climate
16 change. She urged the BOCC to vote no.

17 Amelia Brady said she is a resident of Hillsborough. She said she is a young person
18 facing a future of decimated natural resources, water resources, and the sixth mass extinction.
19 She urged the BOCC to set the County on the side of the environment, by denying the zoning
20 request. She said a behemoth gas station is not a valid choice for the County, whose future will
21 be snuffed out if this gas station is allowed to poison it. She echoed previous comments about
22 Buc-ee's as pertains to poor employment, traffic issues, and vulgar billboards. She asked the
23 BOCC to strive for better than meager crumbs and to prevent this terrible stain by voting no.
24 She said Orange County is better than this and deserves so much more than this.

25 Amy Halberstadt thanked the BOCC for listening so well, and reiterated the concerns
26 raised by previous speakers. She said when the use of gas goes down, Buc-ee's will go down
27 with it, despite claims of having 10 electric opportunities for cars. She said Orange County will
28 end up with the blighted land, damaged water, no jobs and no money. She said she knows, and
29 agrees, that the County needs revenue, and are jobs for her neighbors. She said there is an
30 argument that other development may be even worse than Buc-ee's, and another company
31 could come in with more impervious services and more light pollution. She sees this as the
32 wrong way to look at this, and would rather focus on what this land could be from a positive
33 lens. She urged the Board to vote no on Buc-ee's and rather rezone the land MPD-CZ.

34 Terra Proctor said she has lived in Efland her whole life, and sees Buc-ee's as a place
35 that will destroy the environment. She said her family lives on well water, which could be
36 polluted by Buc-ee's. She said the traffic will get worse, and she does not want the place she
37 live in to be known for a gas station that sells plastic trash. She said Buc-ee's will not help the
38 people or the environment, and will just be a pit stop, for filling cars and going to the bathroom.
39 She said she does not want Efland to be known for this.

40 Holly Reid said she lives in Hillsborough, serves on the board of the Eno River
41 Association, and previously worked for the EPA. She said she submitted a letter to the BOCC
42 on December 15, and highlighted key points. She said Buc-ee's will be no ordinary
43 development, and is a massive gas stop, with thousands of hourly stops. She said such a
44 project invites air quality degradation, noise and traffic issues, and sewage disposal. She
45 referred to the 2030 comprehensive plan, chapter 2 principles, which represent the Board's
46 values. She said Buc-ee's violates at least 3 of the 8 principles: #3 encourage energy
47 efficiency and lower energy consumption, and renewable energy; #6 protection of water
48 resources; and #8 preservation of community character. She said Buc-ee's does not Orange
49 County's principles, and would have the biggest carbon footprint in the County. She said
50 Orange is a forward thinking place, and Efland Station does not fit.

1 Tehila Rosenblatt implored the BOCC to vote no. She said she lives in rural
2 Hillsborough, and does not want this eyesore where she lives and works. She said she does
3 not want the area to be reduced to a pit stop. She said she does not want to worry about her
4 well water, and sitting in congested traffic. She said she wants to continue loving to living here.
5 She urged the BOCC to think of the future, and to use the land for the betterment of the County
6 and State.

7 Brooke Bauman said she is a resident of Chapel Hill, and urged the Board to deny
8 rezoning request. She said she grew up in the Triangle and visited biodynamic farms in Cedar
9 Grove as a child. She said Buc-ee's will create an eternal traffic jam and damage the
10 environment. She said North Carolina has a very different climate and land than Texas. She
11 said unlike the travel centers in Texas, Buc-ee's Efland Station will be surrounded by residents
12 who do not want to live next to large travel center. She said \$15 an hour is not a reasonable
13 living wage. She said if Buc-ee's built on a protected watershed, and pays poor wages, Orange
14 County cannot be proud.

15 Carol Staton said she lives 4 miles from the proposed Buc-ee's site, and is opposed to
16 the rezoning being approved by the BOCC. She said exit 160 is not a problem, and does not
17 need to be improved. She said exit 161 is a more dangerous ramp and is likely to cause greater
18 problems if Buc-ee's is allowed to proceed. She said trucks will fill up the short exit ramp. She
19 said Buc-ee's has gone too far to pull the wool over the County's eyes. She said it has
20 contested the property value. She highlighted all previous environmental concerns, and said
21 she supports developing the land, but urged the BOCC to wait for a better offer. She said the
22 land has been available for 30 years, but the infrastructure necessary to attract business is fairly
23 new, and she is certain a better development project can be found.

24 Lindsley Bowen said she is against the proposed Buc-ee's project. She said she is a
25 business owner in downtown Hillsborough, and believes Buc-ee's will route people out of
26 downtown Hillsborough.

27 Victoria Casey thanked the BOCC for its service. She showed the BOCC the fresh,
28 clean water from her well. She said she lives within 1 mile of the proposed Buc-ee's site, and
29 fears her water will be contaminated. She improved the Board to look closely and to do the right
30 thing. She said she lives on Ben Johnston Rd, and it is a little piece of heaven. She said she is
31 a nurse working with seniors in their homes, and sometimes has to get to their homes quickly.
32 She is concerned potential traffic changes will impact her work. She said democracy will only
33 work if elected officials have integrity. She said Buc-ee's is like the coronavirus, and the BOCC
34 is elected to protect the community from it.

35
36 Emily Sutton read the following comments:

37 I am the Haw Riverkeeper with Haw River Assembly. I don't live in Efland. I don't work in
38 the Eno River watershed. But I care about my friends and neighbors that live here. However,
39 this project would likely have far reaching impacts to the region, including the Haw River
40 watershed. There are reasons that Orange County has strict zoning, and it has had significant
41 benefits including watershed protection, land conservation, and open spaces. People want to
42 live here.

43 By allowing an exception of this scale, with such a blatant disregard for zoning, this
44 Board is inviting other similar projects to request more variances and zoning exceptions. This
45 project poses to store 6 underground storage tanks, holding 240,000 gallons in fractured shale
46 and bedrock. This is being proposed on the heels of one of the largest underground storage
47 tank spills in a decade in Huntersville, NC. Colonial pipeline was required to excavate
48 contaminated soil after 354,060 gallons of gasoline leaked from an underground fuel line.
49 Firefighting foam, a forever chemical known to cause cancers and long term health risks when it
50 contaminates drinking water supplies, was used to limit flammable vapors. Since the
51 Underground Storage Tank program began in 1988, there has been nearly 33,000 reports.

1 These incidents happen regularly. Even in the last decade, with improved monitoring and
2 enforcement, there has still been an average of nearly 70 per month across the state. With a
3 project of this scale, it will not be a question of if there will be an incident, but when.

4 When a leak occurs, Orange County will spend resources on enforcement and staff, but
5 it will also have jeopardized the health of thousands of residents through groundwater
6 contamination. Contamination could also include AFFF or firefighting foams, which have proved
7 to be impossible to remove from groundwater and can only successfully be filtered out through
8 costly reverse osmosis treatments. Unfortunately, there are several examples in our state to
9 demonstrate how difficult it is to sell property with contaminated wells. With 70 acres of
10 impervious surface, stormwater runoff will be a significant issue. Not only will volume, velocity,
11 and warmer temperatures have detrimental impacts on the surrounding streams and aquatic
12 life, but that stormwater will carry toxins from leaking gasoline and surfactants from the car
13 washing stations.

14 Lastly, I'd like to remind the board of the environmental injustice issues this project
15 would pose. This area of Efland is on the cross sections of two census blocks. In one block,
16 approximately 51% of the population is a minority, in the other, 66%. This is a majority minority
17 community. In terms of income, one block is classified as approximately 56% low-income. This
18 same community has already been burdened by 3 other underground storage tank incidents,
19 possibly contaminating their water supply and health. The project threatens the health of the
20 surrounding communities and the environment, and should not be approved.

21
22 Avery Gall said she is opposed to the Buc-ee's Efland station. She reiterated concerns
23 raised by previous speakers. She said this station will pollute Orange County water and air, and
24 opposed Orange County's own stated values. She urged the Board to find more sustainable
25 options, and please vote no.

26 Mindi Ramsey said she is a medical professional, mother of 2, and lives less than a mile
27 from proposed development. She said the project will offer a short term gain at the cost of long
28 term losses. She raised environmental concerns, and said the only way to guarantee the water
29 supply is to not put anything in it. She said Buc-ee's here violates commitments made by
30 Orange County, and will cause integrity into questions. She said she is also concerned about
31 the reduction of resident control and voice, should the zoning be changed. She said this is a
32 Texas based company that has no interest in supporting NC. She said she is also concerned
33 about traffic. She said she is a proponent of development, but Buc-ee's is not the answer. She
34 urged the BOCC to vote no to rezoning.

35 Amelia Covington said she is a field organizer with Climate Action NC, and is speaking
36 in opposition to the rezoning request. She said if Orange County is committed to fighting
37 climate catastrophe, it needs to transition from fossil fuels, and this is a proposal of the past.
38 She said there would be immediate environmental implications of this gas station, due to
39 placement near Eno watershed. She said the cost to local habitats and communities is not
40 worth it, and urged the BOCC to Listen to the concerns of nearby residents.

41 Kim Tesoro said there is an extremely limited job base in Efland, and the opportunity to
42 be employed locally at \$15/hour, with benefits, is life changing. She said it is an opportunity to
43 earn an Orange County living wage, and the County should hold these jobs as important. She
44 said the Efland Station project includes 5 charging stations and a comfortable area to wait. She
45 said Buc-ee's has built a strong following around its brand, and is known as a clean family
46 oriented place to stop. She said Buc-ee's offers the opportunity to present local artisans on its
47 shelves, encourages overnight visitors, and is exactly the opportunity the Chamber of
48 Commerce seeks. She said the existing laws and restrictions will address all previously
49 mentioned concerns, and she urged the BOCC to vote yes to the rezoning request.

50 James McAdoo II said he is a lifelong resident of Efland, and his family has had land
51 here for over 100 years. He said he raised a family here, and Efland has not changed in 48

1 years. He said Buc-ee's will be a welcome change. He said he has served as volunteer
 2 fireman and EMS, and commutes 20 minutes to work each day. He said there are not a lot of
 3 jobs in Efland that pay \$15 an hour, and Buc-ee's is the kind of change needed for this area. He
 4 urged the BOCC to vote yes to the rezoning request.

5 Alexandra Griffin related a story a medical emergency that her daughter experienced;
 6 when emergency personnel took a long time get to her house in Efland. She said this
 7 happened 27 years ago, and can only imagine how much worse a similar situation would be
 8 now if Buc-ee's were developed. She said the land around her is beautiful, it renews her, and
 9 must be protected. She said she has autism, and cannot provide another home for herself.
 10 She urged the BOCC to vote no.

11 Nelson Campbell said he understands the need to generate tax revenue and to create
 12 jobs. He said he is the founder of two organizations locally: Plant Pure and Plant Pure
 13 Communities. He said he is an entrepreneur, and understands the economic power from the
 14 creation of dynamic new businesses. He said there are so many ideas for this land that would
 15 create far greater long-term economic impact, and the County can do much better than Buc-
 16 ee's. He said Buc-ee's is a horrible idea for economic development, and it makes no sense. He
 17 said the community is overwhelmingly against the proposal. He urged the BOCC to think
 18 strategically, and to vote no to Buc-ee's

19 Kenneth Woods said any development project has pluses and minuses, and is important
 20 to consider which ones carry the most weight. He asked if there will be anything better for
 21 Northern Orange. He said other projects have been rejected, and have gone to neighboring
 22 counties, forcing residents to leave the County and spend money elsewhere. He said Walmart
 23 pays less than \$15 an hour, and no one is trying to run Walmart out. He said people are
 24 concerned about well water, but most residents drink bottled water. He said Orange County
 25 revenues rely heavily on property taxes, and Orange County taxes are higher than many other
 26 counties in the State. He said Buc-ee's will even out the taxes, and urged the BOCC to vote
 27 yes to the rezoning request.

28
 29 Chair Price said staff has several other speakers waiting, but the identities of the
 30 speakers are unknown. She asked if the BOCC wants to afford these speakers the opportunity
 31 to talk. She said she is inclined to deny the speakers based on the lack of identification.

32 Commissioner McKee concurred with Chair Price, and said the BOCC was clear on the
 33 requirement to sign up to speak.

34 The Board agreed by consensus.
 35
 36

37 **4. Close the Public Hearing for Item 5-b from the December 15, 2020 Business**
 38 **Meeting and authorize the acceptance of written comment(s) via e-mail to the**
 39 **Board at ocbocc@orangecountync.gov or by delivery to the Planning**
 40 **Department's office at 131 West Margaret Lane, 2nd floor, Hillsborough, North**
 41 **Carolina 27278, until 9:00 a.m. on Thursday, January 14, 2021**
 42

43 A motion was made by Commissioner Dorosin, seconded by Commissioner Greene to
 44 close the public hearing for Item 5-b from the December 15, 2020 Business Meeting and
 45 authorize the acceptance of written comment(s) via e-mail to the Board at
 46 ocbocc@orangecountync.gov or by delivery to the Planning Department's office at 131 West
 47 Margaret Lane, 2nd floor, Hillsborough, North Carolina 27278, until 9:00 a.m. on Thursday,
 48 January 14, 2021.

49 Roll Call ensued.
 50
 51

1 **VOTE: UNANIMOUS**

2

3 **5. Adjourn the Virtual Special Meeting**

4

5 A motion was made by Commissioner McKee, seconded by Commissioner Hamilton
6 to close the public hearing at 9:13 p.m.

7

8 Roll Call ensued.

9

10 **VOTE: UNANIMOUS**

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Renee Price, Chair

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16 Laura Jensen
17 Clerk to the Board

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MINUTES
ORANGE COUNTY
BOARD OF COMMISSIONERS
VIRTUAL BUSINESS MEETING
JANUARY 19, 2021
7:00 p.m.

The Orange County Board of Commissioners met for a Virtual Special Meeting on Tuesday, January 19, 2021 at 7:00 p.m.

COUNTY COMMISSIONERS PRESENT: Chair Renee Price, Vice Chair Jamezetta Bedford, and Commissioners Amy Fowler, Jean Hamilton, Mark Dorosin, Sally Greene, and Earl McKee

COUNTY COMMISSIONERS ABSENT: NONE

COUNTY ATTORNEYS PRESENT: John Roberts

COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, and Clerk to the Board Laura Jensen. (All other staff members will be identified appropriately below)

Chair Price called the meeting to order at 7:00 p.m.

Chair Price said Governor Cooper declared today as a day of remembrance of those that have died due to Covid-19, and the County will join the State by keeping the lights on this evening.

Chair Price introduced Laura Jensen, the new Clerk to the Board.

Bonnie Hammersley read a biography for Laura Jensen, and welcomed her to Orange County.

Laura Jensen expressed excitement for this new opportunity.

Roll call ensued; all members were present.

Due to current public health concerns, the Board of Commissioners (BOCC) is conducting a Virtual Business Meeting on Tuesday, January 19, 2021. Members of the Board of Commissioners participated in the meeting remotely. As in prior meetings, members of the public were able to view and listen to the meeting via live streaming video at <http://www.orangecountync.gov/967/Meeting-Videos> and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

In this new virtual process, there are two methods for public comment.

- Written submittals by email
- Speaking during the virtual meeting

Detailed public comment instructions for each method are provided at the bottom of this agenda. (Pre-registration is required.)

1. Additions or Changes to the Agenda

None.

Chair Price dispensed with the reading of the public charge.

Public Charge: The Board of Commissioners pledges its respect to all present. The Board asks those attending this meeting to conduct themselves in a respectful, courteous manner toward

1 each other, county staff and the commissioners. At any time should a member of the Board or
 2 the public fail to observe this charge, the Chair will take steps to restore order and decorum.
 3 Should it become impossible to restore order and continue the meeting, the Chair will recess
 4 the meeting until such time that a genuine commitment to this public charge is observed. The
 5 BOCC asks that all electronic devices such as cell phones, pagers, and computers should
 6 please be turned off or set to silent/vibrate. Please be kind to everyone.

7
 8 **Arts Moment** – No Arts Moment was available for this meeting.
 9

10
 11 **2. Public Comments**

12
 13 **a. Matters not on the Printed Agenda**

14 NONE

15
 16 **b. Matters on the Printed Agenda**

17 (These matters will be considered when the Board addresses that item on the agenda below.)
 18

19 **3. Announcements, Petitions and Comments by Board Members**

20 Commissioner McKee recognized the Health Department and Emergency Services
 21 workers for their administration of the vaccine and COVID testing. He shared his experience
 22 taking his parent to get the vaccine, and said he and his wife will be getting their vaccines soon.
 23 He encouraged the public to keep trying to get appointments. He thanked all who are working
 24 on these efforts.

25 Commissioner Fowler said she attended a small business loan committee/program,
 26 which will be dissolved as a private non-profit, and rather will be a fully County run program.
 27 She said all small businesses with outstanding loans were reviewed, and some were given no
 28 interest loans, or extensions. She said due to this change, the BOCC will need to approve her
 29 election to the new small business loan committee, in its new form. She said she observed the
 30 North Carolina Association of County Commissioners (NCACC) legislative conference, which
 31 was a useful experience in understanding how counties advocate at the state level. She said
 32 each county gets one vote, regardless of population. She said goals related to environment,
 33 federal, safety, education, etc. were considered. She echoed Commissioner McKee's
 34 appreciation for the vaccination effort. She said it is going well, and gave credit to staff.

35 Commissioner Bedford said she had no comments.

36 Commissioner Greene said it was her first experience at the NCACC legislative goals
 37 conference, which was very enlightening. She said many of Orange County's goals were
 38 adopted, and some were not. She highlighted a goal that was raised to ensure state funding
 39 follows every student, even if the student returns to home school from charter. She said
 40 currently if a student moves back, the funding stays at the Charter School. Commissioner
 41 Greene requested more information, and was told the issue is not legal, but logistical. She said
 42 she shared that Orange County refills that bucket when the money walks away, and would have
 43 an interest in addressing this. She suggested bringing it up again in the future.

44 Commissioner Dorosin said he had no comments.

45 Commissioners Hamilton said she had no comments.

46 Chair Price said the Health Department is really working hard to overcome the obstacles
 47 getting everyone vaccinated. She asked for the public's patience, and said staff is thinking of
 48 innovative ways to get everyone vaccinated as quickly as possible. She encouraged the public
 49 to call with concerns, so that staff can try to solve issues.
 50
 51

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

2
3 **a. Proclamation Recognizing and Expressing Appreciation to Cordelia Heaney**

4 The Board considered voting to approve a proclamation recognizing and expressing
5 appreciation to Cordelia Heaney for her devotion and service to the people of Orange County
6 during her tenure as executive director of the Compass Center and authorize the Chair to sign.

7 Commissioner Greene reviewed the background information below, and recognized two
8 members of the Compass Center, Chair of the Board of Directors Gillian Hare, and Associate
9 Director Susan Friedman, and then read the resolution:

10
11 **BACKGROUND:**

12 After approximately 5 years of service to the Compass Center for Women and Children in
13 Orange County, Cordelia Heaney is stepping down as the Executive Director. Ms. Heaney has
14 served the Compass Center and the residents of Orange County providing support for victims of
15 domestic violence with temporary housing, crisis counseling, safety planning, support groups,
16 and the Triangle community with career and financial education and legal resources.

17 Ms. Heaney is leaving the Compass Center on January 31, 2021 for a new professional
18 opportunity in New Orleans.

19
20 **ORANGE COUNTY BOARD OF COMMISSIONERS PROCLAMATION**

21
22 **RECOGNIZING AND EXPRESSING APPRECIATION TO CORDELIA HEANEY**

23
24 **WHEREAS**, the Compass Center for Women and Families in Orange County supports
25 victims of domestic violence with temporary housing, crisis counseling, safety planning,
26 support groups, and the Triangle community with career and financial education, legal
27 resources, and more; and

28
29 **WHEREAS**, Cordelia Heaney joined the Compass Center as Executive Director in 2015; and

30
31 **WHEREAS**, under Ms. Heaney's leadership, the Compass Center has changed lives by
32 helping people navigate their journey to health, self-respect, and safety, empowering
33 them and their families to lead productive lives; and

34
35 **WHEREAS**, Ms. Heaney has promoted equal access to the services of the Center
36 regardless of gender, gender identity, or economic status; and

37
38 **WHEREAS**, Ms. Heaney grew the Center's revenue from approximately \$700,000 to
39 almost \$2 million; and

40
41 **WHEREAS**, Ms. Heaney has grown the organization to include its first Black African
42 American Communities Services Coordinator, a support group coordinator for the Latinx
43 Program, a full-time communications professional, a finance coordinator, and part-time
44 positions in economic advocacy and enhanced services; and

45
46 **WHEREAS**, Ms. Heaney directed a major fundraising campaign to establish the Safe
47 Homes, New Lives program, a sustainable program for emergency shelter, restoring a
48 critical function that had been missing in the community for thirty years; and

49
50 **WHEREAS**, this program will consist of six apartments in Orange County to serve as
51 temporary housing for up to 150 survivors of domestic violence a year, with a crisis

1 housing coordinator on staff to coordinate and facilitate the work; and

2
3 **WHEREAS**, even given the difficult circumstances of the pandemic, the program has
4 opened its first apartment, and it has reached its \$675,000 goal for the first three
5 apartments and is working toward the fourth; and

6
7 **WHEREAS**, the rationale for this “scattered housing” approach is based on extensive
8 research conducted at Ms. Heaney’s behest by Professor Rebecca Macy and a team
9 from the UNC School of Social Work; and

10
11 **WHEREAS**, the “scattered housing” approach shares overlapping goals with Orange
12 County’s practice of “rapid rehousing” for people experiencing homelessness, and Ms.
13 Heaney has worked in collaboration with the Partnership to End Homelessness on the
14 issue of housing; and

15
16 **WHEREAS**, Ms. Heaney is leaving the Compass Center on January 31, 2021 to return
17 to New Orleans for a new professional opportunity;

18
19 **NOW THEREFORE** we, the Orange County Board of Commissioners, do hereby
20 recognize and express deep appreciation, gratitude, and respect for Cordelia Heaney for her
21 dedicated leadership and her service to the people of Orange County, and we wish her all the
22 best in her future endeavors.

23
24 This the 19th day of January, 2021.

25
26 _____
27 Renee Price, Chair
28 Orange County Board of Commissioners

29 A motion was made by Commissioner Greene, seconded by Commissioner Bedford to
30 approve the Proclamation recognizing and expressing appreciation to Cordelia Heaney for her
31 service to the people of Orange County and wishing her well in her future endeavors, and
32 authorize the Chair to sign the proclamation.

33
34 **Roll call ensued**

35
36 **VOTE: UNANIMOUS**

37
38 Cordelia Haney expressed gratitude for the County’s support in moving towards
39 economic equity and reduction in domestic violence. She said she hoped for continued support
40 for Gillian Hare and Susan Friedman, during the transition. She said she is so proud of the
41 work that has been done, and thanked the County for the honor.

42 Gillian Hare expressed her appreciation for Cordelia Heaney, and all of her
43 accomplishments. She said Cordelia Heaney believes in an empowerment model and array of
44 services. She said she will be greatly missed, and she is so proud of the work that has been
45 done. She thanked the County Commissioners for providing this honor.

46 Susan Friedman said she is very grateful for getting to work with Cordelia Haney. She
47 said the progress made is amazing, and especially highlighting gender based violence. She
48 said the work is not done, and the Compass Center will continue striving in its efforts. She
49 thanked the County for honoring Cordelia Haney.

50 Chair Price echoed the comments above, and wished Cordelia Haney well.
51

1 **b. Proclamation Honoring Dr. Kizzmekia Corbett**

2 The Board considered voting to approve a proclamation honoring Dr. Kizzmekia Corbett
3 for her role in the development of a vaccine to address the COVID-19 pandemic and authorize
4 the Chair to sign.

5 Chair Price introduced the item, and read the resolution:

6
7 **BACKGROUND:** Kizzmekia S. Corbett, PhD, is currently a research fellow in the Viral
8 Pathogenesis Laboratory at the National Institutes of Health [NIH], National Institute of Allergy
9 and Infectious Diseases [NIAID], Vaccine Research Center.

10
11 Dr. Corbett grew up in the Cedar Grove community of Orange County, North Carolina, and
12 attended Orange County Schools during which time she spent two summers in the Project
13 SEED Summer Intern program at the University of North Carolina at Chapel Hill.

14
15 After receiving her Bachelor of Science in Biological Sciences, with a secondary major in
16 Sociology, in 2008 from the University of Maryland-Baltimore County, Dr. Corbett earned her
17 Doctorate of Philosophy in Microbiology and Immunology at the University of North Carolina at
18 Chapel Hill in 2014.

19
20 Dr. Corbett was subsequently appointed to the Viral Pathogenesis Laboratory in 2014, and has
21 focused her work on developing novel coronavirus vaccines, including mRNA-1273, which has
22 become a primary vaccine against the virus that causes COVID-19.

23
24 In response to the COVID-19 pandemic, Dr. Corbett and her team designed the vaccine
25 concept incorporated in mRNA-1273 from viral sequence and rapidly deployed to Moderna, Inc.,
26 for FDA approved Phase 1 clinical trial, which began only 66 days from the viral sequence
27 release, and was shown to be 94.1% effective in Phase 3 trial and received Emergency Use
28 Authorization from the FDA.

29
30 **ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS PROCLAMATION**
31 **HONORING DR. KIZZMEKIA S. CORBETT**

32
33 **WHEREAS,** Kizzmekia S. Corbett, PhD, is currently a research fellow in the Viral Pathogenesis
34 Laboratory at the National Institutes of Health [NIH], National Institute of Allergy and Infectious
35 Diseases [NIAID], Vaccine Research Center; and

36
37 **WHEREAS,** Kizzmekia Corbett, raised in the Cedar Grove community of Orange County, North
38 Carolina, attended Orange County Schools during which time she spent two summers in the
39 Project SEED Summer Intern program at the University of North Carolina at Chapel Hill, thus
40 becoming a testament to her innate abilities and to the value of investing in the education of
41 youth; and

42
43 **WHEREAS,** Dr. Corbett received her Bachelor of Science in Biological Sciences, with a
44 secondary major in Sociology, in 2008 from the University of Maryland-Baltimore County, where
45 she was a Meyerhoff Scholar and an NIH undergraduate scholar; and

46
47 **WHEREAS,** Dr. Corbett earned her Doctorate of Philosophy in Microbiology and Immunology at
48 the University of North Carolina at Chapel Hill in 2014; and

49
50 **WHEREAS,** a viral immunologist by training, Dr. Corbett was appointed to the Viral
51 Pathogenesis Laboratory in 2014, and has focused her work on developing novel coronavirus

1 vaccines, including mRNA-1273, which has become a primary vaccine against the virus that
2 causes COVID-19; and
3

4 **WHEREAS**, in response to the COVID-19 pandemic, Dr. Corbett and her team designed the
5 vaccine concept incorporated in mRNA-1273 from viral sequence and rapidly deployed to
6 Moderna, Inc., for FDA-approved Phase 1 clinical trial, which began only 66 days from the viral
7 sequence release, and was shown to be 94.1% effective in Phase 3 trial and received
8 Emergency Use Authorization from the FDA; and
9

10 **WHEREAS**, Dr. Corbett has received numerous honors, awards and fellowships, has been a
11 keynote speaker and invited lecturer at universities, medical schools and research centers
12 across the nation, and has published as a co-author, senior author and first author; and
13

14 **WHEREAS**, Dr. Corbett has been acknowledged by Dr. Anthony Fauci, NIAID Director, for her
15 research and successful results in the development of a vaccine for the novel coronavirus, and
16 is now receiving national acclaim; and
17

18 **WHEREAS**, Dr. Corbett is an active member of the NIH Fellows Committee, an advocate of
19 STEM education and vaccine awareness, and a mentor, and engages in outreach to African
20 American youth and adults;
21

22 **NOW, THEREFORE**, the Orange County Board of County Commissioners, on behalf of the
23 people of Orange County, does hereby proclaim this day, Wednesday, January 20, 2021 as
24

25 **“DR. KIZZMEKIA S. CORBETT DAY”**

26
27 in recognition of her remarkable accomplishments in the sciences and medicine, in
28 acknowledgement of her unprecedented research and success in thwarting a life-threatening
29 pandemic, and in honor of her compassionate dedication to the health, safety and well-being of
30 humanity.
31

32 This the 19th day of January, 2021.
33

34 _____
35 Renee Price, Chair
36 Orange County Board of Commissioners
37

38 A motion was made by Chair Price, seconded by Commissioner Dorosin to approve the
39 Proclamation honoring Dr. Kizzmekia S. Corbett for her role in the development of a vaccine to
40 address the COVID-19 pandemic and authorize the Chair to sign the proclamation.
41

42 **Roll call ensued**

43 **VOTE: UNANIMOUS**
44

45 Chair Price recognized Dr. Kizzmekia Corbett.

46 Dr. Corbett acknowledged her ties to Orange County, and said she may return to the
47 area as a faculty member at UNC. She said this is home. She said the work does not stop.
48 She spoke of learning about coronaviruses several years ago, and wanting to work on vaccines.
49 She said, as a whole, the United States is not well prepared in this effort, and people are dying.
50 She said vaccine hesitancy concerns her, and she is committed to the effort of encouraging
51 vaccinations to change the pandemic. She said she appreciates the County's commitment to
equity and reaching people, and encouraged the County to do whatever it takes to get the

1 vaccine to everyone. She thanked her family and friends for supporting her, and she hopes that
2 she will one day come back to work in Orange County at UNC. She introduced her friends and
3 family. She encouraged people to wear masks, distance from family, and help others get the
4 resources they need in order to protect each other. She said each person must do his or her
5 part, and encouraged everyone to pray.

6 Representative Verla Insko expressed gratitude to Dr. Corbett, and said she looks
7 forward to when she comes back to the community. She said everyone is very proud of her.

8 Commissioner McKee said he looks forward to saying, "welcome home." He discussed
9 knowing about Dr. Corbett for many years.

10 Commissioner Fowler expressed gratitude for Dr. Corbett's efforts, and hopes that
11 people will get vaccinated thanks to Dr. Corbett's efforts.

12 Commissioner Dorosin echoed previous comments, and highlighted Dr. Corbett's
13 comments about vaccine hesitancy. He shared concerns about disparities in access to vaccine,
14 and asked if Dr. Corbett had any advice for how the County can ensure the vaccine is
15 distributed in an equitable way.

16 Dr. Corbett said there is a tiered system because of availability, but the Government has
17 purchased enough doses for every citizen, and it is coming. She said some people will need
18 the vaccine almost brought to their door, and distribution on an individual level will help get it out
19 to the community. She said going to the health department may be a barrier for some, not out
20 of fear, but rather simply not knowing a vaccine must be valued. She said consistency in clear
21 messaging is very important. She said vaccine hesitancy is shining a light on what has always
22 been, and there must be an investment in vaccine education. She said the universe presents
23 this challenge and opportunity every flu season. She said a distribution pilot could be run every
24 flue season, and the County can learn from these efforts. She said it helps if people feel like
25 they are part of the process; help people feel like they are included in any way possible.

26 Commissioner Hamilton thanked Dr. Corbett for her work. She said she serves on the
27 Board of Health, and will think about how to pass on this information and ideas. She thanked
28 her for her words about education, and said she brings so much back to the community.

29 Quintana Stewart, Health Director, said the Department hears you loud and clear. She
30 said there was a first run of a mobile clinic in Hurdle Mills, and the Department plans to take the
31 vaccine to the people.

32 Dr. Corbett talked about how individuals can be advocates for vaccines, and said
33 messages have to be personal.

34 Quintana Stewart said that it helps to share with the African American community that an
35 African American woman helped to develop the vaccine and that it safe.

36 37 **c. National Mentoring Month Proclamation**

38 The Board considered voting to approve a proclamation designating January 2021 as
39 National Mentoring Month in Orange County and authorize the Chair to sign.

40 Chair Price said she works for a nonprofit related to the item, and there is no financial
41 benefit to the resolution.

42 Commissioner Bedford introduced the item and read the resolution:
43

44 **BACKGROUND:**

45 National Mentoring Month is a campaign held each January to promote youth mentoring in the
46 United States. It was inaugurated in 2002, and has been spearheaded by the Harvard School of
47 Public Health and MENTOR: The National Mentoring Partnership.
48

49 National Mentoring Month focuses national attention on the need for mentors, as well as how
50 individuals, businesses, government agencies, schools, faith communities and nonprofits can
51 work together to increase the number of mentors to help ensure positive outcomes for young

1 people. The campaign celebrates mentoring and the positive effect it can have on young lives,
2 with goals to:

- 3 • Raise awareness of mentoring in its various forms;
- 4 • Recruit individuals to mentor, especially in programs that have waiting lists of young
5 people; and
- 6 • Promote the rapid growth of mentoring by recruiting organizations to engage their
7 constituents in mentoring.

8
9 Mentoring is a critical component in young people’s lives, helping them make the decisions and
10 connections that lead to opportunity.

11
12 **ORANGE COUNTY BOARD OF COMMISSIONERS PROCLAMATION**
13 **NATIONAL MENTORING MONTH**
14

15 **WHEREAS**, January 2021 marks the 19th anniversary of National Mentoring Month, an annual
16 campaign to focus attention on the need for mentors, as well as how each of us can work
17 together to increase the number of mentors to help ensure positive outcomes for our young
18 people; and

19
20 **WHEREAS**, Orange County honors volunteer mentors who support young people by showing
21 up for them and demonstrating their commitment to helping them thrive; and

22
23 **WHEREAS**, mentoring programs such as MENTOR North Carolina make our communities and
24 our state stronger by building meaningful relationships that increase social capital for young
25 people and provide invaluable support networks; and

26
27 **WHEREAS**, during the COVID-19 pandemic, mentoring programs have stepped up to fill gaps
28 for young people and families, connecting them with resources and ensuring that mentoring
29 relationships continue virtually to ensure social connection despite physical distancing; and

30
31 **WHEREAS**, mentoring plays a pivotal role in career exploration and supports workplace skills
32 by helping young people set career goals, equipping mentors with the skills needed to support
33 the professional growth of young people, and driving positive outcomes for young people and
34 businesses; and

35
36 **WHEREAS**, quality mentoring promotes healthy relationships and communication, self-esteem,
37 emotional growth and well-being for young people; and

38
39 **WHEREAS**, students who meet regularly with their mentors are more than 52 percent less likely
40 than their peers to skip a day of school, and youth who face an opportunity gap and have a
41 mentor are 55 percent more likely to be enrolled in college than those who without a mentor;
42 and

43
44 **WHEREAS**, youth who meet regularly with their mentors are 46 percent less likely than their
45 peers to start using drugs and 27 percent less likely to start drinking; and

46
47 **WHEREAS**, almost half of adults today report having a mentor in their youth and those rates
48 appear to have been rising steadily over the past several decades, and
49

1 **WHEREAS**, National Mentoring Month is the time of year to celebrate and promote mentors,
2 mentees and the mentoring movement;
3

4 **NOW, THEREFORE, BE IT RESOLVED**, that the Orange County Board of County
5 Commissioners does hereby proclaim January 2021 as National Mentoring Month in Orange
6 County and encourages members of the community to elevate and encourage mentoring
7 throughout our county, the state and the nation for the sake of our younger generations and the
8 future.
9

10 This the 19th day of January, 2021.

11 _____
12 Renee Price, Chair
13 Orange County Board of Commissioners
14

15 A motion was made by Commissioner Bedford, seconded by Commissioner Hamilton to
16 approve the Proclamation designating January 2021 as National Mentoring Month in Orange
17 County and authorize the Chair to sign the proclamation.
18

19 **Roll call ensued**
20

21 **VOTE: UNANIMOUS**
22

23 Commissioner Bedford introduced Sonia Frischemeier, Vice President-External Affairs,
24 Mentor NC.

25 Sonia Frischemeier said Dr. Corbett is an example of what young people can achieve
26 from North Carolina school systems. She said she would like for students falling through the
27 cracks to have the same type of opportunities. She said various mentors helped Dr. Corbett,
28 and she also had support from her family. She said pre-COVID, 1 in 3 students did not have
29 this type of guiding hand, and she can only imagine what it is like now. She said there is so
30 much work to do to make sure our young people do not fall through the cracks.
31

32 **d. Presentation of Comprehensive Annual Financial Report for FYE 6/30/2020**

33 The Board received the Comprehensive Annual Financial Report (CAFR) for the fiscal
34 year which ended June 30, 2020.

35 Gary Donaldson, Chief Financial Officer, introduced the item and recognized speakers
36 Tim Lyons, auditor with the firm Maudlin and Jenkins. He said the County received the GFOA
37 award for excellence in reporting.
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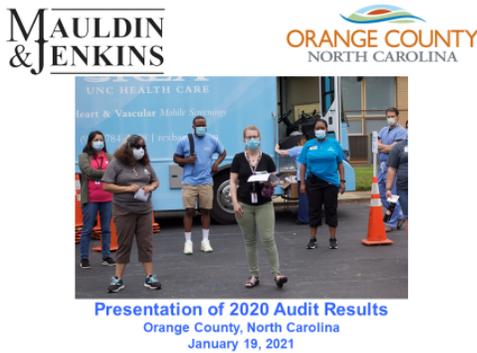
1 **BACKGROUND:**

2 The CAFR reports on all financial activity of the County for the fiscal year July 1, 2019 through
3 June 30, 2020. Mauldin and Jenkins, a firm of Certified Public Accountants, audited the financial
4 statements. The financial statements and audit are required by Chapter 159-34 of the North
5 Carolina General Statutes. The County prepares a Comprehensive Annual Financial Report
6 (CAFR) that meets the standards set by the Government Finance Officers Association (GFOA).
7 The CAFR is submitted to the GFOA in order to be awarded the Certificate of Achievement for
8 Excellence in Financial Reporting. The financial report for the Orange County Sportsplex, as
9 required under the management contract, is included in the County's CAFR.

10
11 The County received an unmodified (clean) audit opinion on the financial statements received
12 from the audit. The financial audit results indicate compliance with County financial policies. The
13 representatives of Mauldin and Jenkins will cover highlights of the report and answer any
14 questions.

15 Tim Lyons made the following PowerPoint presentation:

16
17 Slide #1



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19
20 Slide #2



1 Slide #3



Engagement Team

- **Mauldin & Jenkins, LLC, General Information**
 - Founded in 1918
 - Large regional firm serving the Southeastern United States.
 - Offices located in Atlanta, GA, Macon, GA, Albany, GA, Savannah, GA, Bradenton, FL, Chattanooga, TN, Birmingham, AL, and Columbia, SC, employing approximately 280 personnel.
 - In addition to our governmental practice, we have large banking, healthcare, not-for-profit, benefit plan and tax practices.
- **Mauldin & Jenkins, LLC, Governmental Sector**
 - Largest specific industry niche served by the Firm representing 25% of Firm practice.
 - Serve more governmental entities throughout the Southeast than many other certified public accounting firm requiring over 100,000 hours of service on an annual basis.
 - Over 100 professional staff persons with current governmental experience.
 - Current auditor for over 500 total governments in the Southeast, including approximately:
 - 57 counties;
 - 126 municipalities;
 - 62 school systems;
 - 48 state entities; and,
 - 120+ entities that submit a CAFR to OIGIA for participation in Certificate of Achievement program.
- **Engagement team leaders for Orange County**
 - Tim Lyons, Engagement Partner
 - James Deuce, Quality Review Partner



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4 Slide #4



Results of 2020 Audit

- **Our Responsibility Under Auditing Standards Generally Accepted in the United States of America (GAAS) and Government Auditing Standards (GAS)**
 - We considered the internal control structure for the purpose of expressing our opinion on the County's basic financial statements and not providing assurance on the internal control structure.
 - Our work was performed in accordance with GAAS and GAS.
 - Our objective is to provide reasonable—not absolute—assurance that the basic financial statements are free of material misstatement.
 - We did not audit the financial statements of the Orange County ADC Board. We reviewed and relied on the report of other auditors for amounts included in the County's statements related to the ADC Board.
 - The basic financial statements are the responsibility of the County's management.
- **Report on 2020 Basic Financial Statements**
 - We have issued an **unmodified** ("clean") opinion on basic financial statements.
 - Presented fairly in accordance with accounting principles generally accepted in the United States of America.
 - Our responsibility does not extend beyond financial information contained in our report.



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8 Slide #5



Results of 2020 Audit (continued)

- **Significant Accounting Policies**
 - The significant accounting policies used by the County are described in Note 1 to the basic financial statements.
 - The policies used by the County are in accordance with generally accepted accounting principles and similar government organizations.
 - In considering the qualitative aspects of its policies, the County is not involved in any controversial or emerging issues for which guidance is not available.
- **Management Judgment/Accounting Estimates**
 - The County uses various estimates as part of its financial reporting process – including valuation of accounts receivable, depreciation of capital assets, self-insurance claim liabilities, and pension and OPEB assumptions.
 - Management's estimates used in preparation of financial statements were deemed reasonable in relation to the financial statements taken as a whole. We considered this information and the qualitative aspects of management's calculations in evaluating the County's significant accounting estimates.



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11 Tim Lyons said the team reviews the County's estimates as a part of the audit. He said
12 the County is not involved in any controversial issues, or issues that are radically different from
13 other NC counties. He resumed the PowerPoint presentation:
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1 Slide #6




Results of 2020 Audit (continued)

- **Financial Statement Disclosures**
 - The footnote disclosures to the financial statements are also an integral part of the financial statements and the process used by management to accumulate the information included in the disclosures was the same process used in accumulating the statements. The overall materiality, consistency, and clarity of the disclosures was considered as part of our audit.
- **Relationship with Management**
 - We received full cooperation from the County's management and staff.
 - There were no disagreements with management on accounting issues or financial reporting matters.
- **Audit Adjustments**
 - There were several posted adjustments which were necessary during the audit process. Those entries have been provided to management and have all been recorded on the County's general ledger by management and they have agreed with all adjustments.
 - We have two (2) proposed and passed audit adjustments. The first passed adjustment pertains to depreciation errors that occurred in the prior year (\$468,000) and the second passed adjustment pertains to the County's net pension liability for LORS as more contributions were credited to the County's NP-L than were reported as deferred outflows as of June 30, 2019 (\$418,000).
- **Management Representation**
 - We requested and received written representations from management relating to the accuracy of information included in the financial statements and the completeness and accuracy of various information requested by us.



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4 Tim Lyons said working with staff was a good experience, and staff was diligent and
5 worked in a timely manner, despite the challenges due to the pandemic. He said adjustments
6 were discussed regarding net pension liability, as it relates to participation in local government
7 retirement system. He said adjustments were not material and not reflected in audit statements.
8 He resumed the PowerPoint presentation:

10 Slide #7



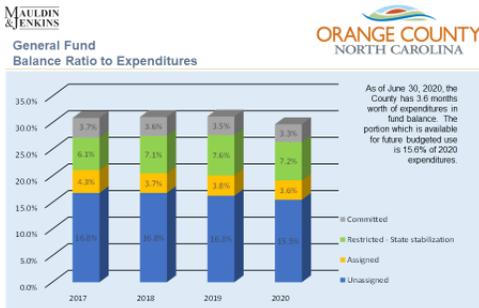

Results of 2020 Audit (continued)

- **Consultation with Other Accountants**
 - To the best of our knowledge, management has not consulted with, or obtained opinions from, other independent accountants during the year nor did we face any issues regarding outside consultation.
- **Significant Issues Discussed with Management**
 - There were no significant issues discussed with management related to business conditions, plans, or strategies that may have affected the risk of material misstatement of the financial statements.
- **Information in Documents Containing Audited Financial Statements**
 - Our responsibility for other information in documents containing the County's comprehensive annual financial report and our report thereon does not extend beyond the information specified in our report. If the County intends to publish or otherwise reproduce the financial statements and make reference to our firm, we must be provided with written proof for our review and approval before printing. The County must also provide us with a copy of the final reproduced material for our approval before it is distributed.
- **Auditor Independence**
 - In accordance with AICPA professional standards, MJJ is independent with regard to the County and its financial reporting process.
 - There were no fees paid to MJJ for management advisory services during fiscal year 2020 that might affect our independence as auditors.



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12
13 Tim Lyons highlighted that his firm operates independently from the County, and the firm
14 goes through rigorous checks to confirm this each year. He resumed the PowerPoint
15 presentation:

17 Slide #8



19

1 Lyons said even though the fund balance percentage is lower, given the challenges of
 2 the pandemic and the economy, right at 16% is a good place for the County to be. He resumed
 3 the PowerPoint presentation:

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 5 Slide #9



	Original	Amendments	Final	Actual	Variance
Revenues	\$ 225,188,824	\$ 5,021,220	\$ 230,207,044	\$ 228,292,446	\$ (1,914,598) -0.8%
Expenditures	229,128,760	7,886,279	236,985,039	226,963,988	10,141,071 4.3%
Net Other Financing Uses	(3,898,950)	3,380,712	(2,484,318)	309,934	2,794,272 115.7%
Net Change	\$ (7,828,000)	\$ (1,454,347)	\$ (9,282,353)	\$ 1,838,392	\$ 11,100,745 119.8%

- General Fund revenues were .8% less than the amended budgeted amount. The final budget reflects the addition of Round 1 of CARES Act Funding which the GASB requires to remain as unearned revenue until spent.
- Expenditures for many functional areas were less than budget by \$10.1million (4.3%) from the operating budget. Several departments came in under budget due to personnel vacancies and efforts to spend conservatively.
- Budgeted use of fund balance was not needed to the extent anticipated, as actual revenues and other financing sources exceeded expenditures.
- General Fund significant transfers were \$4,247,000 to School Capital Improvement Fund; \$3.0 million from School Capital Improvements; \$2,475,000 from County Capital Improvement Fund; and \$1,732,000 to non-major governmental funds.



6
 7
 8 Tim Lyons said expenditures were less than budgeted because of department efforts to
 9 control costs. He said, as a result, budgeted use of fund balance was not needed at the level
 10 anticipated. He said CARES act moneys that were not spent were required to be recorded as
 11 liabilities. He said this makes up a large amount of the variance, and is described as a technical
 12 variance. He resumed the PowerPoint presentation:

13
 14 Slide #10



Comments, Recommendations,
 and Other Issues (Continued)

Recommendations and Comments in the Management Letter

(1) The Information Technology environment is characterized by rapid change and there has been no shortage of headlines about cybersecurity attacks. While breaches of large organizations have been very high profile and have received a lot of press coverage, organizations of all sizes face the same types of threats and are experiencing similar breaches. Many organizations are still struggling to effectively address cybersecurity issues, however they are no longer ignoring them. During the performance of our audit of the financial statements of the County, we noted that the organization is taking measures to prevent such an attack on the County, but is lacking some elements of a Cybersecurity Framework or Cybersecurity Risk Management Program (CSRM). A functioning CSRM will assist the County with comprehensively identifying cybersecurity weaknesses, potential threats and risks, and controls used to safeguard information and systems. We recommend that the entity investigate and consider implementation of a Cybersecurity Risk Management Program including: continued coverage of monitoring and testing of controls in place.

(2) During the current year, the County entered into a debt transaction that refunded several notes and bonds payable. At the time of the transaction, the proceeds from the new debt were deposited with an escrow agent to retire the previously outstanding debt. While the net effect of the transactions was minimal (i.e., cash from the new debt relatively equaled the escrow agent deposits), generally accepted accounting principles (GAAP) require that the County's governmental funds reflect both the proceeds from the refunding debt as well as the payments made to the escrow agent to retire the refunded debt. As a result, audit adjustments were required to properly reflect the full transaction and correct the amounts reflected by the County on a net basis. Going forward, we recommend the County identify and categorize a debt transaction as either new money or as a refunding so that reviews of the accounting and reporting after the fact will more easily identify the proper accounting treatment to be applied to ensure amounts are presented in the County's financial statements in accordance with GAAP.



15
 16
 17 Tim Lyons said the management letter consists of items the firm thinks is important to
 18 communicate to management. He said cyber security is something that our clients need to think
 19 about on an ongoing basis, which affects all levels of government. He resumed the PowerPoint
 20 presentation:

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 22

1 Slide #11

Recommendations and Comments in the Management Letter (Continued)

- 3. During testing of the Jail Inmate Fund we noted there was \$10,359 in cash in the fund while the listing of balances owed to the inmates was approximately \$6,950. Based on discussions with the Sheriff's office, the excess funds were profits made from the commissary sales. As the Jail Inmate Fund is a fiduciary fund, these profits should be transferred out of the fund to a special revenue fund or to the General Fund and reported as revenues of the County and used to track expenditures for stocking the commissary or providing indigent services to the inmates. As the amount is immaterial to the General Fund an adjustment was not reported but by not specifically accounting for the profits separate from the inmate balances, the Sheriff's office is not able to perform monthly reconciliations of the cash balances to the subsidiary ledger of inmate balances. We recommend the Sheriff's office perform monthly reconciliations of the cash balances in the inmate account to the subsidiary ledger of inmate holdings.
- 4. During testing of the County's other postemployment benefits (OPEB) trust fund and the OPEB activity, we noted the County was making no contributions to the trust fund during the 2020 fiscal year, however, the direct benefits which are paid during the year were not recorded in the OPEB trust fund as contributions and benefit expenses. In accordance Governmental Accounting Standards Board (GASB) Statement No. 74, Financial Reporting for Postemployment Benefit Plans (Other than Pension Plans, paragraph 280), the fiduciary trust fund should include both contributions and benefit expenses for the benefits which come due and are paid by the employer without reimbursement by the trust fund. As such, an entry to record the \$2,452,218 of benefit payments and offsetting contributions was required.



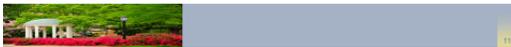
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Tim Lyons said OPEB adjustments were made to record contributions and benefit payments. He said jail inmate fund adjustments were made due to profits made on concessions sales, which should not be held in a custodial or fiduciary fund. He resumed the Power Point presentation:

Slide #12

Recommendations and Comments in the Management Letter (Continued)

- 5) North Carolina Statute 159-8(a) requires that all funds of the County should be operated under an annual balanced budget ordinance or a project ordinance. In light of this State requirement, we noted the following during our review of the County's budgets for the fiscal year under audit:
 - The Recreation Subdivision Fund, the Heuser Fund, the Library Development Fund, the School Capital Reserve Fund, the County Capital Reserve Fund, the COVID-19 Relief Fund and the Community Loan Fund of the County reported various levels of activity during the fiscal year; however, there was no budget adopted prior to or during the year for the activity.
 - The County appropriated \$167,853 and \$201,798 of fund balance in the original and final budgets, respectively, to balance the Emergency Telephone System Fund, however, the beginning fund balance of the fund was only \$67,683 and thus the original and final budgets were reflecting deficits of \$100,170 and \$134,117, respectively.
 The County needs to carefully review the budgets for all funds throughout the year, and adopt budgets as necessary to comply with applicable State of North Carolina laws.



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Tim Lyons said some funds were not budgeted that need to be, and actions at federal and state level could require more management than staff may realize. He resumed the PowerPoint presentation:

Slide #13

■ New GASB Pronouncements for Future Years

Statement No. 84, Fiduciary Activities, was issued in January 2017 and is effective for the first reporting period beginning after December 31, 2019. However, in light of the COVID-19 Pandemic, in May 2020 the GASB issued Statement No. 95 (Postponement of the Effective Dates of Certain Authoritative Guidance) which changed the effective date of Statement No. 84 to reporting periods beginning after December 30, 2019.

Statement No. 87, Leases, was issued in June 2017 and is effective for the first reporting period beginning after December 15, 2019. However, in light of the COVID-19 Pandemic, in May 2020 the GASB issued Statement No. 95 (Postponement of the Effective Dates of Certain Authoritative Guidance) which extended the effective date of Statement No. 87 by eighteen months. This statement increases the usefulness of government financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the principle that a lease is the financing of the right to use an underlying asset.

Under this statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about government leasing activities.

Definition of a Lease: A lease is defined as a contract that conveys control of the right to use another entity's nonfinancial asset (the underlying asset) as specified in the contract for a period of time in an exchange or exchange-like transaction. Examples of nonfinancial assets include buildings, land, vehicles, and equipment. Any contract that meets this definition should be accounted for under the lease guidance, unless specifically excluded in this statement.



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1 Slide #14

■ New GASB Pronouncements for Future Years (Continued)

Statement No. 87, Leases (Continued)

Lease Term: The lease term is defined as the period during which a lessee has a non-cancelable right to use an underlying asset, plus the following periods, if applicable:
Periods covered by a lessee's option to extend the lease if it is reasonably certain, based on all relevant factors, that the lessee will exercise that option.
Periods covered by a lessee's option to terminate the lease if it is reasonably certain, based on all relevant factors, that the lessee will not exercise that option.
Periods covered by a lessor's option to extend the lease if it is reasonably certain, based on all relevant factors, that the lessor will exercise that option.
Periods covered by a lessor's option to terminate the lease if it is reasonably certain, based on all relevant factors, that the lessor will not exercise that option.
A fiscal funding or cancellation clause should affect the lease term only when it is reasonably certain that the clause will be exercised. Lessees and lessors should reassess the lease term only if one or more of the following occur:
The lessee or lessor elects to exercise an option even though it was previously determined that it was reasonably certain that the lessee or lessor would not exercise that option.
The lessee or lessor elects not to exercise an option even though it was previously determined that it was reasonably certain that the lessee or lessor would exercise that option, and/or
An event specified in the lease contract that requires an extension or termination of the lease takes place.



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Slide #15

■ New GASB Pronouncements for Future Years (Continued)

Statement No. 87, Leases (Continued)

A lessor should recognize interest revenue on the lease receivable and an inflow of resources (for example, revenue) from the deferred inflows of resources in a systematic and rational manner over the term of the lease. The notes to financial statements should include a description of leasing arrangements and the total amount of inflows of resources recognized from leases.
Lease Modifications and Terminations: An amendment to a lease contract should be considered a lease modification, unless the lessee's right to use the underlying asset decreases, in which case it would be a partial or full lease termination. A lease termination should be accounted for by reducing the carrying value of the lease liability and lease asset by a lessee, or the lease receivable and deferred inflows of resources by a lessor, with any difference being recognized as a gain or loss. A lease modification that does not qualify as a separate lease should be accounted for by re-measuring the lease liability and adjusting the related lease asset by a lessee and re-measuring the lease receivable and adjusting the related deferred inflows of resources by a lessor.
Subleases and Leaseback Transactions: Subleases should be treated as transactions separate from the original lease. The original lessee that becomes the lessor in a sublease should account for the original lease and the sublease as separate transactions, as a lessee and lessor, respectively.
A transaction qualifies for sale-leaseback accounting only if it includes a sale. Otherwise, it is a borrowing. The sale and lease portions of a transaction should be accounted for as separate sale and lease transactions, except that any difference between the carrying value of the capital asset that was sold and the net proceeds from the sale should be reported as a deferred inflow of resources or a deferred outflow of resources and recognized over the term of the lease.
A lease-leaseback transaction should be accounted for as a net transaction. The gross amounts of each portion of the transaction should be disclosed.



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Slide #16

■ New GASB Pronouncements for Future Years (Continued)

Statement No. 88, Accounting for Interest Cost Incurred Before the End of a Construction Period was issued in June 2018 and is effective for reporting periods beginning after December 15, 2019 (meaning June 30, 2021). However, in light of the COVID-19 Pandemic, in May 2020 the GASB issued Statement No. 95 (Postponement of the Effective Date of Certain Authoritative Guidance) which changed the effective date of Statement No. 88 to reporting periods beginning after December 15, 2020.
Statement 90, Majority Equity Interests – An Amendment of GASB's No. 14 and 61 was issued in August 2018, and is effective for reporting periods beginning after December 15, 2018 (meaning June 30, 2020). However, in light of the COVID-19 Pandemic, in May 2020 the GASB issued Statement No. 95 (Postponement of the Effective Date of Certain Authoritative Guidance) which changed the effective date of Statement No. 90 to reporting periods beginning after December 15, 2019.
Statement No. 91, Conduit Debt Obligations was issued in May 2019 and is effective for the first reporting period beginning after December 15, 2020, meaning for those with year ends of December 31, 2021 and beyond. However, in light of the COVID-19 Pandemic, in May 2020 the GASB issued Statement No. 95 (Postponement of the Effective Date of Certain Authoritative Guidance) which changed the effective date of Statement No. 91 to reporting periods beginning after December 15, 2021.
Statement No. 92, Omnibus 2020 was issued in January 2020 and is effective, as follows: upon the effective date of Statement No. 87 and implementation Guide No. 2019-3, insurance recoveries and terminology used to refer to derivative instruments are effective upon issuance. For fiscal years beginning after June 15, 2020, relative to the requirements related to intra-entity transfers of assets and those related to the applicability of Statements No. 73 and 74. For reporting periods beginning after June 15, 2020, relative to the requirements related to application of Statement No. 64 to postemployment benefit arrangements and those related to nonrecurring fair value measurements of assets or liabilities. For government acquisitions occurring in reporting periods beginning after June 15, 2020. The requirements related to the measurement of liabilities (and assets, if any) associated with AROs in a government acquisition.



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Comments, Recommendations,
and Other Issues (Continued)



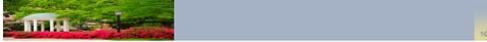
■ New GASB Pronouncements for Future Years (Continued)

Statement No. 83, Replacement of Interbank Offered Rates was issued in March 2020 and is effective for reporting periods ending after December 31, 2021, meaning December 31, 2022 for the Authority. However, in light of the COVID-19 Pandemic, on April 15, 2020 the GASB has proposed to postpone the effective date of this pronouncement for one additional year. As a result of global reference rate reform, the London Interbank Offered Rate ("LIBOR") is expected to cease to exist in its current form at the end of 2021, prompting governments to amend or replace financial instruments for the purpose of reducing LIBOR with other reference rates, by either changing the reference rate or adding or changing fallback provisions related to the reference rate.

Statement No. 84, Public-Private and Public-Public Partnerships and Availability Payment Arrangements was issued in March 2020 and is effective for fiscal years beginning after June 15, 2022, which means year ends of June 30, 2022 and following.

Statement No. 85, Postponement of Effective Dates of Certain Authoritative Guidance was issued as temporary relief to governments in light of the COVID-19 pandemic. Statement No. 85 delays the implementation of certain other standards by 12 months (to 6/15/23) and GASB Statement No. 87 by 18 months. However, during the current year the City has implemented GASB Statement No. 89, Certain Debt Disclosures.

Statement No. 86, Subscription-Based Information Technology Arrangements was issued in May 2020 and is effective for reporting periods ending after June 15, 2022. The statement provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government and end users. This statement (1) defines a SBITA, (2) establishes that a SBITA results in a right-to-use subscription asset as an intangible asset and a corresponding subscription liability, (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA, and (4) requires note disclosures regarding a SBITA. To the extent relevant, the standards for SBITAs are based on the standards established in Statement No. 87, Leases, as amended.



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Slide #18



Comments, Recommendations,
and Other Issues (Continued)



■ New GASB Pronouncements for Future Years (Continued)

Other Pending or Current GASB Projects - As noted by the numerous pronouncements issued by GASB over the past decade, the GASB continues to research various projects of interest to governmental units. Subjects of note include:

Re-examination of the Financial Reporting Model - GASB has added this project to its technical agenda to make improvements to the existing financial reporting model (established via GASB 34). Improvements are meant to enhance the effectiveness of the model in providing information for decision-making and assessing a government's accountability. GASB anticipates a final standard expected in early 2022.

Conceptual Framework - A constant matter being looked at by GASB. Current measurement focus statements (for governmental funds) to change to measure financial resources measurement. May dictate a period (such as 60 days) for revenue and expense recognition. May expense things such as supplies and prepaid assets at acquisition. Will look into which balances (at all statement levels) are measured at acquisition and which need to be re-measured at year-end. Project placed on hold for now.

Revenue and Expense Recognition - Another long-term project where the GASB is working to develop a comprehensive application model for recognition of revenues and expenses from non-exchange, exchange, and exchange-like transactions. The final standard is expected in 2023.

Compensated Absences - A technical topic being examined by the GASB currently due to significant changes in benefits offered by governmental employers. Current GAAP does not address certain items such as paid time off (PTO) and there is a wide divergence in practice. A final standard on this topic is expected towards the end of 2021.

Prior-Period Adjustments, Accounting Changes, and Error Corrections - A technical topic being examined by the GASB due to a wide diversity in practice regarding required presentation on the face of the financial statements, disclosures, etc. A final standard on this topic is expected in early 2022.



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Slide #19



Free Quarterly Continuing Education
for Governmental Clients



■ Since March of 2009:

Mauldin & Jenkins provides free quarterly continuing education for all of our governmental clients. Topics are tailored to be of interest to governmental entities. In an effort to accommodate our entire governmental client base, we offer the sessions several times per quarter at a variety of client provided locations resulting in greater networking and knowledge sharing among our governmental clients. We normally see approximately 100 people per quarter.

Examples of subjects addressed in the past few quarters include:

- | | |
|--|---|
| Revenue Accounting Requirements | GASB Updates |
| Internal Controls - Revenues & Receipts | Internal Controls - Expenses, Disbursements & Payroll |
| Collateralization of Deposits | SFR/ST Accounting, Reporting & Compliance |
| Capital Asset Accounting | Grant Accounting, Processes and Controls |
| Policies & Procedures Manuals | Segregation of Duties |
| GASB No. 51 - Intangible Assets | Single Audits for Auditors |
| GASB No. 54 - Governmental Fund Balance | Best Budgeting Practices, Policies and Processes |
| Internal Revenue Compliance (Payroll) | CAFR Preparation |
| GASB No. 60 - Service Concession Arrangements | GASB No. 61, the Financial Reporting Entity |
| GASB No. 63 & 65 - Deferred Inflows and Outflows | GASB No. 67 & 68, Accounting/Reporting Pension Plans |

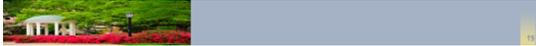


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Questions & Comments



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4 The BOCC accepted the report.

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6 **5. Public Hearings**
7 **NONE**

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9 Chair Price asked for a motion to recess for 3 minutes for the purposes of a break.

10
11 A motion was made by Commissioner Hamilton, seconded by Commissioner McKee to
12 recess the meeting 3 minutes.

13
14 **Roll call ensued**

15
16 **VOTE: UNANIMOUS**

17
18
19 **RECONVENE MEETING**

20
21 Chair Price asked for a motion to reconvene the meeting.

22
23 A motion was made by Commissioner Greene, seconded by Commissioner McKee to
24 reconvene the meeting 8:15 p.m.

25
26 **Roll call ensued.**

27
28 **VOTE: UNANIMOUS**

29
30 **6. Regular Agenda**

31
32 **The public comment period for 6-a closed at 9:00AM on January 14, 2021. The BOCC will**
33 **not accept any further public comment.**

34
35 **a. Zoning Atlas Amendment: Master Plan Development Conditional Zoning District**
36 **(MPD-CZ) for Efland Station (formerly Beaver Crossing)**

37 The Board considered receiving updates, Planning Board and staff recommendations,
38 beginning deliberation, and providing direction/taking action on an applicant initiated Zoning
39 Atlas Amendment for parcels north of Interstate 85/40, east of Mt. Willing Road, to Master Plan
40 Development Conditional Zoning (MPD-CZ) district. Specifically, the Board will be taking action

1 on an application submitted by Buc-ee's Limited to rezone two parcels with PIN numbers 9854-
2 16-1576 and 9854-36-3711 (hereafter 'the Property');

3
4 **FROM:** Office/Research and Manufacturing (O/RM); Upper Eno Protected Watershed Protection
5 Overlay District; Major Transportation Corridor (MTC) Overlay District; Efland Interstate Overlay
6 District.

7
8 **TO:** Master Plan Development Conditional Zoning (MPD-CZ) district; Upper Eno Protected
9 Watershed Protection Overlay District; Major Transportation Corridor (MTC) Overlay District;
10 Efland Interstate Overlay District.

11
12 **BACKGROUND:** BOCC review of this item began at the BOCC's December 15, 2020
13 Businessmeeting and concluded with the closure of the public hearing on January 12, 2021.
14 Agenda materials from the public hearing can be accessed at:
15 <http://server3.co.orange.nc.us:8088/WebLink/Browse.aspx?startid=61357&row=1&dbid=0>.
16 Video from the December 15, 2020 and January 5 and 12, 2021 meetings can be accessed at:
17 <https://www.orangecountync.gov/967/Meeting-Videos>

18
19 As indicated at the December 15 BOCC meeting, staff recommended the imposition of several
20 conditions designed to address potential impacts of the Project, including:

21 i. Stormwater: Imposition of a condition that requires the applicant to either:

22 a. Abide by nutrient reduction strategies as detailed in Section 6.14.7 of the UDO
23 without participation in the State recognized offsite mitigation program; or

24 b. Any off-site mitigation has to occur in Orange County near the Property, within the
25 County's Upper Eno Protected or Critical Watershed Protection Overlay District, to
26 ensure preservation of local water quality.

27 ii. Access Management:

28 a. Driveway access from the Interstate on/off ramp be restricted to two driveways, one
29 allowing access to the Project east of Mt. Willing Road (i.e. a right turn only into the Project) and
30 one allowing access to the on/off ramp west of the US
31 Highway 70/I-85 Connector Road (i.e. a right turn only out of the Project);

32
33 Staff has continued to work with the applicant and NCDOT officials to preserve
34 westbound Exit 160 as being part of a dual westbound exit for both Exit(s) 160 and 161 at the
35 existing Exit 161 location.

36
37 Attachment 2 contains the applicant's response to several recommended condition(s), including:

38 1. Alteration of land uses:

39 a. District 1: Proposed car wash eliminated;

40 b. Development Area 5: Building square footage reduced from 150,000 to 75,000
41 sq.ft.

42 2. Impervious area versus Open Space:

43 a. Impervious area limited to 60% or approximately 2,718,144 sq.ft. (62.4 acres) of land
44 area;

45 b. Open space increased to 40% or approximately 1,812,096 sq.ft. (41.6 acres) of land
46 area.

47 3. Setbacks: Northern boundary property line/land use buffer area increased to 50 ft. as
48 requested by staff;

49 4. Stormwater:

50 a. Install debris screens on all stormwater inlets to address comment(s) from the Eno
51 River Association;

1 b. Nutrient Removal: Project will not exceed:

2 i. Nitrogen: 1.2 pounds per acre per year; and

3 ii. Phosphorous: 0.24 pounds per acre per year.

4 Nutrient export loads are equal to/less than export loads from property in current,
5 undeveloped state.

6 5. Use of Private Mitigation Credits: Consistent with 6.14.7(D) of the UDO applicant shall:

7 a. Purchase approved 'private mitigation bank credits' within the Upper Eno River
8 Watershed. If no credits are available, applicant shall:

9 i. Purchase approved private mitigation bank credits within Orange County (if
10 available); OR

11 ii. Purchase approved private mitigation bank credits in the Falls Lake
12 Watershed (if available); OR

13 iii. Utilize any mitigation option permitted by the UDO.

14 Conditions must mutually be agreed to by the applicant. Staff is seeking direction from the
15 BOCC on said condition(s) for final review/agreement by the applicant. The current list of
16 condition(s) is contained within Attachment 5.

17 During review of the Project, local residents identified the following concerns:

18 a. The Project is out of character with the rural Efland community;

19 b. There has been insufficient public outreach, including concerns the Town of
20 Hillsborough had not been more involved in reviewing the Project;

21 c. Economic development benefits have been exaggerated and are overestimated;

22 d. The Project will not generate the types of jobs desired by the County (i.e. provision
23 of a living wage, jobs meeting County social justice goals, etc.);

24 e. Development of a '60 pump/120 individual fuel station' travel center is inconsistent
25 with a County goal of reducing dependency on fossil fuels;

26 f. There is no guarantee that 'Phase 2' of the Project (i.e. hotel, offices, retail,
27 manufacturing, etc.) will ever be developed;

28 g. Proposed traffic changes, including the elimination of Exit 160 and prohibition of
29 left turns from Ben Johnson Road to the I-85/US Highway 70 connector road, will
30 have negative impacts on motorists.

31 Traffic redesign will exacerbate existing traffic congestion and create public safety
32 concerns;

33 h. Stormwater runoff will have a negative impact on adjacent sensitive water features
34 as well as the County's Seven Mile Creek Preserve;

35 i. Insufficient information has been provided ensuring adequate protection of
36 groundwater from fuel contamination;

37 j. The Project will significantly increase/exacerbate existing light pollution in the area;

38 k. There is no justification for an 80 ft. tall freestanding sign advertising the Project.

39 Attachment 3 contains the applicant's responses to these concern(s). Staff's comments will be
40 provided separately.

41
42
43 Effect of Denial or Withdrawal: In the event the rezoning application is denied or withdrawn, it
44 should be noted that Section 2.2.8 of the UDO states that no application for the same or similar
45 amendment, affecting the same property or portion thereof, may be submitted for a period of
46 one year. The one year period begins on the date of denial or withdrawal.

47
48 Planning Director's Recommendation: The Planning Director recommends approval of the:

49 1. Statement of Consistency indicating the zoning atlas amendment(s) are reasonable
50 and in the public interest as contained in Attachment 4.

51 2. Ordinance amending the Zoning Atlas, as well as imposing development conditions,

1 for the identified parcels as contained in Attachment 5.
2

3 Michael Harvey, Current Planning Supervisor, reviewed the Abstract packet, including
4 attachments. He said summaries were sent to BOCC email addresses during the day on
5 January 19, 2021. He said if this application is denied or withdrawn, a similar petition cannot be
6 considered for a year. He said property owners could not apply for a new site plan that
7 proposes similar development that would require changes to the zoning plan.

8 Chair Price said an alternate statement of consistency recommending denial was also
9 emailed to Commissioners earlier in the day.

10 Beth Trahos said she is an Attorney with Nelson Mullins who is representing Buc-ee's.
11 She said she looks forward to hearing from the Commissioners, and reminded BOCC that Buc-
12 ee's is not a typical gas station. She said it is more like a general store with Buc-ee's being to
13 Sheetz, like Wegman's is to Piggly Wiggly. She said no drive thru restaurants will be permitted
14 on site. She said the travel center will create interest in Efland, and will attract other business.
15 She said the proposal complies with the comprehensive plan. She said the project is adjacent
16 to the highway, with 120,000 cars a day, and is already a noisy, well lit area. She said Efland
17 Station will provide full time jobs with pay at \$15 per hour and vacation and benefits. She said
18 all positions, save two management roles, will be hired locally. She said Orange County has
19 \$15/hour as a living wage, and some of Orange County's employees make the same amount.
20 She said Efland Station will bring tax revenue, and invest in infrastructure, road improvements
21 that would be required even without Efland Station. She said a water tower will provide capacity
22 for broadband. She said Buc-ee's is not asking for any tax incentives. She said Chapel Hill
23 gave \$4 million in incentives to Wegman's, which will create similar jobs to Buc-ee's. She said
24 Wegman's jobs starts at \$10 an hour, but somehow Buc-ee's jobs have been maligned. She
25 said Buc-ee's will bring environmental stewardship, and will not enter any local water supplies.
26 She said this area has been identified as appropriate for more intense uses. She said Efland
27 Station offers enhanced storm water nutrient removal, and noted the existing cattle farm has
28 more nutrient export than Efland Station/Buc-ee's will have. She said the phosphorous levels
29 will also be lower than the current cattle farm. She said Efland Station will exceed the required
30 open space. She said the current zoning allows for a much larger building area than Buc-ee's
31 will use.

32 Beth Trahos said an environmental assessment was completed, and new ones will be
33 done with each site plan, as required by conditions. She said gas tanks and pipes are
34 monitored, and should a leak occur, an alarm will sound and emails are sent to the local store
35 as well as Texas headquarters. She said monitoring wells are also placed in the fuel tank pits,
36 as a redundant monitoring measure. She said denying this project will not reduce
37 environmental risks, as the current cow farm already exceeds State and County requirements
38 for phosphorous exports. She said an existing gas station, with older technology, already exists
39 in this area, and 125,000 mostly gas-powered vehicles drive through this area each day. She
40 said Buc-ee's has committed to 10 EV charging stations, and will increase that number, as the
41 market demands it. She said Buc-ee's is fuel agnostic, and will change with the times.

42 Beth Trahos said she was disappointed that the review process by the Commission for
43 the Environment (CfE) did not acknowledge these facts about the project. She said the
44 Department of Environment, Agriculture, Parks and Recreation (DEAPR) has reviewed the
45 project, and its only comment was to suggest a conservation easement in the open space area,
46 which may be best managed by the County, rather than the property owner. She said the CfE
47 heard no staff analysis, and prior to the meeting a CfE board member circulated a letter in
48 opposition to the project to all other CfE board members. She said it was not a fair hearing.

49 Beth Trahos said the BOCC has received many requests to turn this proposal down.
50 She said every proposal will have some trades off, as no project is perfect. She said the current
51 zoning will have more negative environmental impacts. She said Efland has less density and

1 less affluent residents than Chapel Hill, and Chapel Hill had to offer large incentives for
2 Wegman's to come. She said Efland cannot make such deals, and the community will suffer
3 while people wait for something perfect. She said Efland residents need opportunities, and
4 more commercial tax base will help the County at large. She urged the BOCC to approve the
5 plan, and looks forward to engaging on the project.

6 Chair Price highlighted a letter in the BOCC packet from the CfE, requesting that this
7 project be denied. She said the Town of Hillsborough has also sent a letter in the past stating
8 concerns over the watershed.

9 Commissioner Dorosin referred to page 2 of the abstract packet, and said there is a note
10 that staff has been inquiring about preserving highway exit 160. He asked if there was a status
11 update on this issue.

12 Craig Benedict, Planning Director, said allowing access points for this project onto the
13 existing exit ramp would require another review process by North Carolina Department of
14 Transportation (NCDOT), which cannot happen until there is some adjudication of the
15 application in front of the BOCC. He said this exit is part of federal highway system, so any
16 NCDOR recommendation has to be reviewed by Federal Highway Commission. He said exit
17 160 east bound will stay as it is, and it is proposed to close the existing exit 160 west bound
18 ramp, and move it to be the same as 161. He said the exits will be named together, with signs
19 showing drivers which way to turn. He said the Federal Highway Commission system will
20 create naming and signage.

21 Commissioner Dorosin asked if this explanation is any different to that which the BOCC
22 has previously been presented.

23 Craig Benedict said no, this information is consistent with what is in the application.

24 Commissioner McKee said he wanted to respond to concerns about the possible
25 relocation of Ben Johnston Road, which would only allow for right turns. He said currently traffic
26 can turn both ways.

27 Beth Trahos the Applicant has heard this concern from residents. She said NCDOT will
28 not allow for full functioning at the current location of Ben Johnston. She said the Applicant
29 thought about relocating Ben Johnston to align with the entrance drive into the Efland Station
30 project, and thus act as a full access.

31 Commissioner McKee asked if further discussion with NCDOT is merited.

32 Beth Trahos said it is her understanding that NCDOT will not allow it, but referred the
33 Engineer Earl Llewellyn, Kimley Horn.

34 Earl Llewellyn recounted his conversation with NCDOT, and the current proximity of Ben
35 Johnston is very close to the I-40 ramps, and would present operational problems in the future.
36 He said NCDOT asked that the site drive location be shifted farther north so there is better
37 spacing of signals. He said this converted Ben Johnston to right in/right out movements. He
38 said an unsignalized break in the median was explored, but is not possible due to traffic
39 requirements.

40 Commissioner McKee asked if there are other discussions to be had. He said he is
41 concerned about no left turn off of Ben Johnston Road.

42 Stan Beard, Applicant, said he recognizes the concerns from the neighbors. He said he
43 has talked with a property owner, who also has land to the east of the 70 connector. He said
44 the portion of Ben Johnston Road that would be relocated, is on this property owner's land. He
45 said he has spoken with this landowner several times. He said Ben Johnston should be a full
46 access intersection, and he feels far enough along in the process, that he can characterize the
47 Ben Johnston Road realignment as necessary to get full final permitting from NCDOT.

48 Commissioner McKee asked if all road improvements will be at Buc-ee's expense.

49 Stan Beard said yes, all proposed improvements to date, and in the future, would be at
50 Buc-ee's expense.

51 Commissioner McKee said that would be a cost savings of millions of dollars to NCDOT.

1 Stan Beard said yes.

2 Commissioner Greene recalled a similar road shift at Whitfield Road and 86. She said
3 she would like Ben Johnston Road to be a full access interchange, and asked if the Applicant is
4 open to this being a condition.

5 Beth Trahos said yes, it is the Applicant's intention to do so.

6 Commissioner Fowler asked if more information could be provided on water usage, as
7 the graph in packet is hard to read.

8 Stan Beard said the estimated water usage has been provided from day one, based on
9 operating data from current similarly sized projects. He said this has never been an issue to the
10 Planning Department. He said he has plenty of data to share that will show the water usage
11 has been the same since day one.

12 Kelsey Hall, engineer with Applicant, shared a graph with water usage estimates, which
13 is in the BOCC packet. She reviewed the contents of the graphs. She said the car wash has
14 been removed from the project. She said average daily water use is about 20,000 gallons a day
15 for Buc-ee's, with increased use for Phase 2 development. She said total average daily
16 demand is 45,000 in Phase two, plus 20,000 gallons in Phase 1.

17 Commissioner Fowler asked if the current Buc-ee's site is a standard site or an efficient
18 site.

19 Kelsey Hall said Buc-ee's uses low flow fixtures, and, is thus, an efficient site.

20 Commissioner Fowler asked if confirmation of how the data was collected could be
21 provided. She asked if all three sites that were reviewed were of a similar size.

22 Kelsey Hall said yes. She said fixtures for phase 2 are assumptions, based on typical
23 uses of light industrial or a restaurant.

24 Kelsey Hall said the water usage graphs all show the same information, just in a variety
25 of ways. She said assumptions were made for phase 2 because there is no real data. She said
26 actual flows were taken from the EPA website.

27 Commissioner Fowler clarified that the total usage at full build-out is 65,000 gallons and
28 sewage is 54.

29 Kelsey Hall said yes.

30 Commissioner McKee referred to wages and working conditions at Buc-ee's, and asked
31 if the Applicant could respond to these concerns.

32 Stan Beard said Buc-ee's will employ around 200 full time people per year, and part-time
33 positions are not included in that number. He said the starting wage is \$15/hour minimum,
34 which includes 3 weeks paid time off, which can be paid out, used at time off or rolled over to
35 another year. He said the health benefits are a standard package with health, dental, and eye
36 after 60 days of employment. He said there is also a 401k and life insurance. He said full time
37 employees are the bulk of business, but one can request to be part-time if so desired.

38 Commissioner McKee asked about claims of abusive employment practices, such as 5-
39 minute breaks and employees having to work overtime for 10-12 days.

40 Stan Beard said these claims come from reviews online. He said Buc-ee's employs
41 4000 people, on whom the company relies, as they are the face of Buc-ee's. He said a shift is 8
42 hours, with a few breaks per shift, up to 10 minutes. He said it is not an easy job, but
43 employees are paid for all 8 hours of the shift. He said there is a lunch made on site, and
44 employees are asked to eat lunch, and then hustle back to work. He said a required 45-minute
45 lunch would be unpaid, and the desire is for employees to be paid.

46 Commissioner McKee said he understands this will be hard work, and is not an easy job.
47 He said he appreciated the clarifications.

48 Chair Price asked if there could be clarification offered about the impact of fuel tanks on
49 the watershed, Hillsborough's water supply and on those people who use wells. She said she
50 understands the technology is modern, but asked if an earthquake were to happen, would there
51 be an impact on the water supply.

1 Beth Trahos said Hillsborough gets its water from West Fork Eno Reservoir, which is
2 upstream from where the site drains. She said the same is true for the intakes for Orange
3 Alamance water system.

4 Craig Benedict said this project would flow into Seven Mile Creek, which flows into the
5 Eno River, which flows into the Lake Ben Johnston reservoir. He said this reservoir is relatively
6 small, but is the intake for the Hillsborough water supply. He said the West Fork of the Eno and
7 Lake Orange do flow into Eno River, and go downstream and are picked up at Lake Ben
8 Johnston. He said in between Lake Orange and West Fork of the Eno is Corporation Lake,
9 which is the intake for the Orange/Alamance water supply. He said it is true that the site does
10 not flow into Seven Mile Creek, but it does flow into Lake Ben Johnston, which flows into a
11 water supply.

12 Jason Harris, with Applicant, explained safeguards against vehicle damage and
13 corrosive decay. He said he does not know what would happen in an earthquake. He said the
14 tanks are tested and purposely built to be stronger than the stress that is put on them. He said
15 there are systems in place to address the more common problems that may arise, such as
16 piping problems. He said if a fuel alarm sounds at any point, the system shuts down. He said
17 there may be some release, but not an entire tank rupture.

18 Chair Price requested more information on water usage, does this site fall within the
19 typical Buc-ee's range or below.

20 Kelsey Hall said the numbers are similar to other Buc-ee's.

21 Chair Price asked if Mebane can meet the water estimates, and is there capacity for the
22 sewer system in Mebane.

23 Craig Benedict said this project would use 9-15% of remaining available capacity in
24 Mebane. He said Orange Alamance water system would also use 15% of available capacity.
25 He said staff double-checked with partner engineers and County engineers, and these numbers
26 are found to be credible.

27 Chair Price asked for clarification about changes to the road system. She clarified that it
28 is not yet certain that the Federal Highway Commissioner will approve the exit 160/161 or the
29 Ben Johnston Road recommendations.

30 Earl Lewellyn said this is a process, and several levels of approval are needed from
31 NCDOT along the way. He said it is his impression that NCDOT does not see a problem with
32 granting the changes to Ben Johnston Road plans. He said there have been preliminary
33 discussions with the Federal Highway System, and they also do not see a problem with
34 approving the changes related to exit 160.

35 Michael Harvey clarified that if there are changes to the plans, the Applicant may have to
36 come back for approval again by the BOCC. He said NCDOT needs some level of approval
37 from local government before it will do a full review, which may require another approval. He
38 said the Applicant is aware of this, and it is a bit of a chicken and egg situation.

39 Commissioner Dorosin said this is a challenging issue. He said he has heard from
40 opponents and proponents. He said there have been allegations of misrepresentations, which
41 has been disheartening. He said even the opponents acknowledge that this property will be
42 developed. He said the amenity the County has to offer is access to the highway, and the
43 universe of applicants to which this will appeal is not unlimited. He said it is not unreasonable
44 that a travel plaza would be interested in this land. He said he has tried to categorize concerns
45 and benefits. He said the primary concerns are traffic, environmental, water issues, and nature
46 of the use. He said a lot of those issues can be addressed if there is discussion about the scale
47 of the project. He said this is an enormous project, but some of the issues could be addressed
48 if there is a willingness on the part of the developer to reduce scale. He said he is curious to
49 know if the developer would consider downsizing to 60 or 40 pumps. He said a travel plaza is
50 a reasonable use for the property, but the scale raises issues. He said he is troubled by the
51 criticism of the jobs, as they are jobs a lot of people will appreciate. He said school custodians

1 do not even get benefits. He said he is also troubled by criticism of Buc-ee's being an out of
2 state company. He said the County will never reach its economic development goals if all
3 development must be NC based. He said the other large issue he has heard from opponents is
4 that while Phase 2 developments are attractive, they are far off and ambiguous. He asked if it is
5 possible to be more specific about phase 2 at this point.

6 Beth Trahos said the Developer is willing to discuss all elements of the project, but noted
7 that customers are looking for easy availability of gas. She said customers go into the store,
8 and get sucked in, leaving the car at the pump. She said the quantity of pumping stations are
9 necessary to accommodate the ease of people getting in and out of the center.

10 Stan Beard said discussion is always an option. He said the scale is what makes Buc-
11 ee's successful. He said at peak times of usage, all fueling positions are full, and the scale is
12 large, because there are a lot of visitors. He said any reduction in scale does not get rid of the
13 concerns being raised by the public, and it does not matter if there are 5 tanks or 6 tanks. He
14 said phase two will succeed because of Buc-ee's success. He said part of a successful Buc-
15 ee's operation is its large scale. He said he is open to discussing all issues, and hopes the
16 BOCC will allow the Applicant time to consider all items that come up tonight.

17 Commissioner Dorosin said he feels there is a difference in the amount of problems, if
18 there is less fuel stored. He said the common theme throughout the concerns is scale.

19 Beth Trahos said Buc-ee's is a lot smaller than what could be built under current zoning
20 conditions. She said Buc-ee's is 425,000 square feet, which is much smaller than 2 million
21 square feet of distribution center.

22 Commissioner Fowler asked if there is a reason why the water usage estimates have
23 changed from 20% to 17% to 15%.

24 Stan Beard said these numbers were based on bad information, and better information
25 has been received. He said every single number has been combed through, in order to get the
26 most accurate number possible. He apologized for fluctuations, and said data and numbers
27 moves. He said nothing has moved in a material way.

28 Kelsey Hall said removing the car wash did decrease the numbers.

29 Commissioner Fowler said Buc-ee's has had no reportable gas spills, but asked if the
30 number of unreportable has spills could be identified.

31 Jason Harris said there has never been a reportable release from a fuel center, and
32 anything that gets out is reportable. He said every 30 days evidence shows that no releases
33 have happened.

34 Commissioner Fowler asked if there have been surface spills.

35 Jason Harris said he cannot lie, and there are spills. He said there are customer
36 incidents, and there are mitigation responses. He said spills happen, and Buc-ee's does its
37 best to control these and has a high level of maintenance.

38 Commissioner Fowler asked if the number of storage tanks could be reduced from 6, as
39 the spots are often used for parking for those wanting to go into the store, as opposed to buying
40 gas.

41 Jason Harris said the system has to be designed to meet peak demand.

42 Commissioner Fowler asked if there is a reason why people cannot pull up to the store
43 to park, before shopping inside.

44 Jason Harris said Buc-ee's does provide that opportunity, but it does not seem to
45 happen.

46 Commissioner Fowler asked if there are parking spots available.

47 Stan Beard said the parking area excludes the space at the pumps, and the spots are
48 ample.

49 Commissioner Fowler asked if the EV charging stations will be located near the gas
50 pumps.

51 Stan Beard said they will be on the backside of the property, next to the pond.

1 Commissioner Fowler asked if all 10 EV charging stations will actually be functioning,
2 Stan Beard said he does not know, but there will be the infrastructure for 10 stations. He
3 said there are a lot of factors. He said Buc-ee's will accommodate fuel users, whether it is EV
4 or not. He said he does not know how many will be functioning on day 1.

5 Commissioner Fowler asked if Buc-ee's would be able to expand the EV sites.

6 Stan Beard said ideally it would be done into existing pump system. He said Buc-ee's is
7 ready to move with the market. He said EV is currently 1% of the market. He said Buc-ee's
8 wants customers in the store.

9 Commissioner Greene finds it strange that people would leave their cars parked at a
10 pump while shopping. She said her first main concern is traffic patterns. She said it was her
11 understanding that if the road is not realigned then there would not be a ground breaking, and
12 the Applicant would not need to come back before the BOCC for a new vote, as realignment
13 would be a condition of moving forward. She said her second main concern is Phase 2 plans,
14 and there is no guarantee or idea of what may come or when. She said residents have raised
15 concerns that other Buc-ee's have nothing around them, and she is skeptical of the promise that
16 development will just appear. She said her final main concern is the scale of the project. She
17 read from the Efland Mebane Small Area plan, regarding the geographic area and how
18 residents have long viewed the area as a gateway into Efland: "the character of the gateway is
19 an important factor in the perception of Efland as a rural village....the southeast portion of the
20 planning area also enjoys easy access to major transportation facilities including interstates 40
21 and 85, and the US 70 connector, because of this development potential for the area is high."
22 She said Buc-ee's is not interested in Efland, but rather desires to be near the highway. She
23 said the plan goes on to say, "both of these ideas can be accomplished if a development is
24 done in a context sensitive manner" and recommends a mixed use designation. She said the
25 County wants mixed use, and Buc-ee's is not this, but rather is a convenience store that is
26 bigger than a football field. She said this is not mixed use, and it is not a gateway to Efland.
27 She echoed the request to reduce the scale of the project, and said she would like to see a
28 contract on Phase 2 before Buc-ee's is built. She said, as it stands, this project does not meet
29 the Efland Mebane plan.

30 Beth Trahos said it is expected that NCDOT and the highways will approve the traffic
31 plan, but if it does not then the plan would have to be revisited. She said Ben Johnston Road is
32 a second issue that the Applicant is willing to make a condition of the plan. She said if NCDOT
33 does not approve this change, which she expects it will, then the Applicant would have to come
34 back before the BOCC.

35 Beth Trahos said the existing zoning allows for a 2 million square foot distribution center
36 as the entryway to Efland. She said Buc-ee's is proposing a travel center that will bring interest
37 for additional development.

38 Stan Beard said the scale of Buc-ee's brings travelers to stop, and when travelers stop
39 they become a prime target for another type of user, like a restaurant or hotel. He said some
40 residents have pointed out that many stores do not have anything around them. He said this is
41 true, as many Buc-ee's are built in the middle of nowhere, unlike Efland, which is in the middle
42 of a thriving metropolitan area. He said there will be hotels and retailers in thriving areas. He
43 said fast food will not be allowed in Efland Station. He said this area is a perfect location for a
44 community-based development. He said this is a far better option as a Gateway to Efland than
45 a distribution center.

46 Commissioner Greene said she is from Texas, and asked if there could be clarification of
47 about the Buc-ee's in Terrell, Texas.

48 Stan Beard said this location opened in 2017, and within two years there was hotels, fast
49 food, and a movie theater. He said Buc-ee's does not own that property, and most of the
50 development signed on after Buc-ee's started building, and all of it got developed after Buc-ee's
51 opened its doors. He said other Buc-ee's locations have hotels, outlets, etc. He said as Buc-

1 ee's are built, other folks follow. He said Efland is ripe for a good development, and Buc-ee's
2 wants to be it.

3 Commissioner Hamilton thanked all staff, commissions and representatives for their
4 work on project. She recognized the public from whom the BOCC has not heard. She reviewed
5 the 2030 Orange County Comprehensive Plan, and said it is a very relevant document for
6 today. She reviewed the 8 principles of the document, focusing on numbers 2-7, to see if Phase
7 1 of project fits in plan. She said this project does not promote sustainability, and does not
8 promote the encouragement of air quality improvements. She said these facts go against the
9 principles of the plan. She said there is no assurance of effective charging station/systems.
10 She said she did note there will be land set aside for a bus stop, but the current zoning allows
11 for that already. She said this project does not promote resource preservation of rural land use,
12 and she wonders if it will adversely affect existing farms due to changes with Ben Johnston
13 Road. She said she questions the impact of water usage, and despite claims of adequate
14 capacity, there is still a risk of spills and worst-case scenarios. She said worst-case scenarios
15 are not out of the question, and once the water supply is ruined, it cannot be repaired. She said
16 another principal is the promotion of economic prosperity and diversity. She said phase 1 does
17 have some potential in this area, such as \$1 million in revenue from property and sales. She
18 said the project does not provide business diversity, as there are already gas stations in the
19 area. She said it is important to consider what will be lost as local businesses are detrimentally
20 affected. She said phase 2 is consistent with the plan, but there is no guarantee of it
21 happening. She said the other part of diversity is jobs, and while jobs are being offered, there is
22 no guarantee that these jobs will go to Orange County residents. She said the final planning
23 principal is preservation of community character. She said Orange County is a smart,
24 innovative choice for employers and employees, due to several world-class hospitals and
25 companies. She said this is the County's brand. She said Buc-ee's has the potential to change
26 the community character.

27 Commissioner Hamilton said she watched the video of a Buc-ee's and what jumped out
28 to her is the promotion of the Buc-ee's brand, which she thinks may dominate the community
29 character of Efland. She said the only potential positive of this project is possible revenue,
30 which is not guaranteed, and does not outweigh all of the unknowns. She said the BOCC wants
31 to meet the needs of the present, without compromising the needs of the future. She said she
32 does not think project is the right one.

33 Commissioner McKee asked if the Applicant would be open to accepting the condition of
34 having 10 EV charging stations activated on day 1.

35 Stan Beard said he could not commit at this time, and needs to talk with his boss.

36 Commissioner McKee said he would also like a more definitive answer on Ben Johnston
37 Road, and is willing to continue this discussion.

38 County Attorney John Roberts said the Unified Development Ordinance (UDO) has a
39 provision that the Applicant must have a reasonable time to consider any newly proposed
40 conditions, and be able to return to the Board with a decision or compromise.

41 Michael Harvey said any changes regarding the relocation of Ben Johnston Road would
42 require meetings with staff and DOT officials, which will take some time. He said any such
43 changes would require modifications to the TIA for this project, which would also take some
44 time.

45 Commissioner McKee asked if the Applicant could elaborate on Buc-ee's involvement
46 with the local community.

47 Stan Beard said Buc-ee's takes a lot of pride in being involved with the local community,
48 and provided examples of ways it supports the community. He said Buc-ee's always has very
49 close ties with public safety and law enforcement. He said Buc-ee's is a big part of the
50 community. He said he has provided a great deal of details to County staff, and Buc-ee's is a
51 generous partner.

1 Beth Trahos referred to letters in the abstract packet from other communities discussing
2 the benefits of having Buc-ee's nearby.

3 Commissioner Bedford said she has examined the project based on various plans,
4 emails, minutes, planning board recommendations, economic forecasts, videos from the
5 Applicant, etc. She said she has especially considered the possibility of jobs and tax revenue,
6 and thanked County staff for its intense review of this project.

7 Commissioner Bedford said the Applicant will have to contract with outside vendors for
8 trash removal and recycling, and this is said to have "no impact to Orange County." She said
9 this waste will go somewhere, and it is likely to go to a lower income or minority neighborhood,
10 and she feels Orange County does have some obligation here. She said the County needs to
11 consider future cost benefit analysis, impact to residents, and broaden its view, just as we do
12 with other issues. She said she took an environmental science last fall, and learned about local
13 groups who are advocating composting. She said remediation is good, but there needs to be a
14 greater focus on reducing waste in the first place. She said the goal should be to prevent
15 pollution.

16 Commissioner Bedford said there are many pros to providing performance standards
17 and conditions. She said taxpayers have funded public water and sewer with that intent. She
18 said she supports economic development to diversify the tax base. She said this is a land use
19 decision, and the BOCC does not choose between specific preferences (e.g.: Outback vs, Olive
20 Garden). She said many of the arguments against this project do not apply because they do not
21 pertain to land use. She said the comprehensive plan does recognize the wide range of
22 interrelated planning areas, including economic development, housing, natural and cultural
23 systems, parks and recreation, services and community facilities, and transportation, in addition
24 to land use.

25 Commissioner Bedford said she reviewed the 8 principals of the comprehensive plan
26 and held them in mind while considering the application. She said the BOCC needs to wisely
27 use the investment of water and sewer. She said sustainable growth and development should
28 occur in a place where it can be long term, and this site is ideal for dense commercial growth.
29 She said the third principal is divided into 3a and 3b, with 3a being the encouragement of
30 energy efficient, lower energy consumption, and use of renewable energy resources. She said
31 this project flat out fails on part 3a. She said 3b is the promotion of both air quality protection
32 and development of effective transportation, and this project also fails here. She said the fourth
33 principle is the natural area resource preservation, which she narrowly interprets as the
34 protection of niche items, like hardwood forests. She said others likely have different
35 interpretations, but it did not really seem applicable. She said the fifth principle is preservation
36 of rural land use patterns, which this project could be argued as both for or against. She said
37 the sixth principle is water resources preservation, and she read from the comprehensive plan
38 about concerns of water availability and the protection of water being a high priority. She said
39 this project does not meet these criteria. She said the seventh principle is promoting economic
40 prosperity and diversity, and noted that jobs and tax revenue could contribute to prosperity, but
41 gas stations and convenience stores do not add to diversity. She said the final principle is to
42 preserve community character, and it is hard to argue that a large travel center does this,
43 despite its close proximity to the highways.

44 Commissioner Bedford said she returns to the second guiding principle of sustainable
45 growth and economic development, which links the economy with the environment. She said
46 clean air and water are essential for public safety, and environmental concerns are at the top
47 when making decisions. She said the proposed rezoning violates the second principle, and the
48 BOCC can advocate for economic development without the sale and storage gasoline. She
49 said the project is not consistent with the comprehensive plan, and the current zoning meets the
50 goals of the plan. She said the positives of the application do not outweigh the negatives.

1 Commissioner Greene expressed appreciation to the Applicant for being willing to
2 reconsider some of the plans, and having further discussions.

3 John Roberts said the BOCC can propose conditions, but must give the Applicant time
4 to review the conditions, and have the item brought back at a subsequent meeting.

5 Chair Price asked if it is appropriate for a Commissioner to make a motion for approval
6 or denial.

7 James Bryan, County Attorney's Office, said yes, that is appropriate should the Board so
8 desire.

9 Michael Harvey reviewed the conditions that he has heard raised this evening: the
10 realignment of Ben Johnston Road; the possibility of reducing the scale of the Buc-ee's; the
11 possibility of 10 EV Charging stations going live on day 1; additional information from County
12 staff on the application of the principles of the Comprehensive Plan; and additional information
13 about water.

14 Commissioner Fowler echoed Commissioner Dorosin and Commissioner Greene's
15 comments about the scale of Buc-ee's, and said there would need to be a significant reduction
16 in scale for her to be willing to support the rezoning request. She said she read every letter,
17 took phone calls, and listened to all discussions on this project. She said she understands Buc-
18 ee's interest in the site, and the zoning change is suited to their needs, but this type of project is
19 not allowed under existing zoning. She said she knows the County needs to renovate schools,
20 support fire and public safety, needs additional commercial tax revenue, etc. She said it is
21 unclear if this would be new revenue or replacing revenue. She said she would really like to
22 see development on this land, but she has many concerns that this proposal is not aligned with
23 the Comprehensive Plan, or land use goals, and the 2017 resolution to reduce greenhouse gas
24 emissions. She said the BOCC is charged to meet the needs of the present generation without
25 compromising the needs of the future generations, and this project does not meet the definition
26 of sustainable. She said this project does not decrease carbon emissions, and makes it easier
27 to continue the use of fossil fuels. She said she is concerned about water consumption, as this
28 project will use 15% of the available resources, which will impact what other projects can come
29 online in the future. She said she is also concerned about all the local residents who use well
30 water. She said this project will disrupt transportation, and people's ability to get where they
31 need to go.

32 Commissioner Fowler said the project would need to be 1/3 the size or less for her to
33 consider it. She said she would also want to discuss the height of the project, as well as many
34 other things. She said, as this project stands, she would vote no.

35 Commissioner McKee said the BOCC is voting whether or not to approve a zoning
36 change, not a project, but as Buc-ee's is the only project, it is joined at the hip to the rezoning
37 question. He said some people will never accept this project, and some people will, regardless
38 of any concerns. He said he currently falls somewhere in the middle. He said he is focused on
39 the human aspect of this project, and the equal access of opportunity. He said he does not
40 know if this is the best project for this parcel, but there have been multiple parties interested in
41 the parcel in the past, but the Applicants have all walked away to adjoining counties. He said
42 one previous applicant has now attracted two major pharma companies to their project in Wake
43 County.

44 Commissioner McKee said one of the reasons he ran for Commissioner in 2010, was
45 due to an anti-business and anti-commercial view he saw being expressed by the a
46 Commissioner at that time. He said that Commissioner stated that Orange County would
47 become the "bedroom community of the Triangle", which is all well and good if one makes
48 \$100,000. He said not everybody can afford the taxes on expensive homes. He said for him
49 this boils down to jobs and revenue for the County. He related a story about paying his taxes,
50 where he ran into a woman who was facing a decision about selling a car in order to pay taxes.
51 He said this is not unusual, and Orange County is losing some of its long-term, low-income

1 residents who can no longer afford to live in Orange County. He said progress always brings
2 impositions and tradeoffs. He said interstates 85 and 40 run parallel to the project, continuing
3 all the way to Greensboro, and if the project is declined, it will regenerate elsewhere. He said
4 he has seen this happen repeatedly over the past 30 years, and the revenues continue to go to
5 other counties. He said this revenue could be spent on so many needs in Orange County. He
6 said it bothers him that Orange County might be considered a bedroom community. He said
7 Buc-ee's provides a lot of what other companies do not provide. He said there are many
8 companies that do not pay \$15 an hour, and this company also gives benefits and 3 weeks of
9 vacation. He said this is an opportunity for a good job that is a stepping-stone to additional
10 success over time. He said people can take one small step at a time, and move from borderline
11 living to decent living.

12 Commissioner McKee described public comments that upset him. He said one speaker
13 said, "I don't care about people 10 streets away". He said he cares about everyone. He said
14 not one African American or Hispanic person spoke against the Buc-ee's project. He said
15 people from both of these communities have called him and emphasized the need for these
16 jobs. He said it was especially insulting to hear from public speakers that a \$15/hour job was a
17 dead end job that only allowed you to clean toilets. He said he does not understand this
18 thinking, and does not agree with denigration of individuals looking to improve their situation.

19 Commissioner Greene said she would support not making a decision this evening, giving
20 staff direction to prepare for a future meeting, and the Applicant time to consider
21 conditions/concerns that were raised this evening.

22 Commissioner Dorosin said Michael Harvey's list captured everything that had been
23 raised. He said if there is a possibility that this project will be considered, based on conditions,
24 he would support Commissioner Greene's suggestion. He said if there are 4 commissioners
25 who will vote no to this proposal, no matter what, then there is no point in wasting everyone's
26 time. He said he personally agrees with Commissioner Greene's suggestion.

27
28 A motion was made by Commissioner Greene, seconded by Commissioner McKee to
29 direct staff to develop conditions based on this meeting, and work with Applicant to develop a
30 response to conditions.

31
32 Commissioner Fowler said if there are conditions being added, she would like to add
33 some of her own. She said she wanted to know if significant scaling down is even possible,
34 because if Buc-ee's cannot scale down then further conversation may be a waste of time, and
35 she would be willing to make a motion to deny.

36 Commissioner Bedford said she would like more information on the data and history that
37 the Applicant does have on spills.

38 John Roberts said the Applicant must be allowed time to consider if significantly scaling
39 down is possible, as well to consider the other conditions.

40 Commissioner Hamilton asked if the motion passes does the BOCC have the
41 opportunity to approve or deny the project at a later time.

42 John Roberts said yes, and relayed the process moving forward.

43 Commissioner Hamilton asked if the Board would be voting on individual conditions, as
44 some Commissioner wants certain conditions, while others prefer different conditions.

45 John Roberts confirmed the Board has the ability to consider individual conditions, if it
46 would like.

47 Commissioner Fowler asked if the current motion passes, when does the BOCC get to
48 add additional conditions.

49 John Roberts said the Board members should add any conditions before the motion is
50 voted upon. He said motion could be amended to add conditions by a friendly amendment.

1 Commissioner Greene said she would entertain a friendly amendment to the motion to
2 add further conditions, if Commissioner Fowler wanted to add some. She said, alternatively, the
3 Board could vote on the motion as is, add conditions later and push final approval or denial to a
4 future meeting.

5 Commissioner McKee said he would also entertain a friendly amendment.

6 Commissioner Fowler made a friendly amendment to add the condition to lower the
7 signage to 24 feet, as is required under the current UDO. She said she sees no reason for such
8 a tall sign. She said she would also like to add the condition for solar energy options in Phase 1.

9 Commissioner Hamilton made note of the late hour, and that minds get tired as time
10 goes on.

11 Commissioner Greene and Commissioner McKee accepted Commission Fowler's
12 friendly amendment.

13 **Roll call ensued**

14
15
16 **VOTE: Ayes, 5 (Commissioner Bedford, Commissioner Dorosin, Commissioner Fowler**
17 **Commissioner Greene, Commissioner McKee); Nays, 2 (Commissioner Hamilton and**
18 **Chair Price)**

19 **MOTION PASSES**

20
21 Bonnie Hammersley said it would be appropriate for this item to return on the February
22 16 Business Meeting agenda.

23 The Board agreed by consensus.

24 25 **b. Amendment to the Code of Ordinances – Non-Discrimination Ordinance**

26 The Board considered amending the Code of Ordinances to add a Non-Discrimination
27 Ordinance.

28 Commissioner Dorosin introduced the item and provided background on the sweeping
29 measures enacted by the NC General Assembly. He said the national backlash was swift and
30 devastating to NC, both economically and reputationally.

31 32 **BACKGROUND:**

33 In 2016 the North Carolina General Assembly adopted House Bill 2, widely known as the
34 "bathroom bill." This law had the effect of discriminating against transgender people in the use
35 of public facilities and established a limited statewide non-discrimination law while
36 simultaneously prohibiting local governments from adopting their own non-discrimination
37 ordinances. In 2017 Governor Roy Cooper signed a repeal of the bathroom bill. Among the
38 terms of that repeal was a provision that repealed the prohibition on local governments enacting
39 non-discrimination ordinances, and it provided that local governments could only consider
40 action after December 1, 2020. In early 2020 the Board instructed the County Attorney to draft
41 a nondiscrimination ordinance for consideration by the Board. The draft ordinance was
42 submitted to the Human Relations Commission for review and comment and the Commission's
43 recommendations are incorporated. The attached draft non-discrimination ordinance is offered
44 for the Board's consideration.

45
46 If adopted the ordinance would:

- 47 • Establish a clear policy of non-discrimination in Orange County.
- 48 • Create a protected class consisting of persons who may not be discriminated against
- 49 based on "age (as defined in the Orange County Civil Rights Ordinance), race, ethnicity,
- 50 color, national origin, religion, creed, sex, gender, gender identity, gender expression,

1 marital status, familial status, source of income, disability, political affiliation, veteran
2 status, disabled veteran status.”

- 3 • Prohibit the denial to any person the full and equal enjoyment of the goods, services,
4 facilities, privileges, advantages, and accommodations of a place of public
5 accommodation on the basis of protected class status.
- 6 • Prohibit the printing, circulation, posting, or mailing of a statement, advertisement, or
7 sign which indicates that the full and equal enjoyment of the transportation, access,
8 goods, services, facilities, privileges, advantages, and accommodations of a place of
9 public accommodation will be refused, withheld from, or denied any person on the basis
10 of protected class status.
- 11 • Prohibit actions which directly or indirectly result in an individual's bodily injury or
12 property damage where such act is directed at an individual or a group of individuals
13 because of that person's or that group's perceived or actual protected class status.
- 14 • Require all potential contractors submitting a bid or proposal to certify they do not and
15 will not discriminate against any person based on the protected class status and to
16 require their subcontractors to do the same. Falsification or violation of the certification
17 would result in rejection of the bid or proposal or termination of the contract.
- 18 • Provide for the same investigation, enforcement, and remedies authorized by the
19 Orange County Civil Rights Ordinance. The relevant enforcement provisions may be
20 reviewed at
21 https://library.municode.com/nc/orange_county/codes/code_of_ordinances?nodetid=PTI
22 [GEOR_CH12CIRI](#)

23
24 A motion was made by Commissioner Dorosin, seconded by Commissioner Greene to
25 adopt the Ordinance and Resolution of approval and authorize the Chair to sign the Resolution
26 amending the Code of Ordinances.

27
28 Annette Moore, Human Rights and Relations Director, emphasized the importance of the
29 ordinance, and thanked the BOCC for its leadership.

30
31 **VOTE: UNANIMOUS**

32
33 **7. Reports**
34 **NONE**

35 **8. Consent Agenda**

- 36
- 37 • Removal of Any Items from Consent Agenda
- 38 • Approval of Remaining Consent Agenda
- 39 • Discussion and Approval of the Items Removed from the Consent Agenda

40
41 A motion was made by Commissioner McKee, seconded by Commissioner Greene to
42 approve the consent agenda.

43
44 Roll call ensued

45
46 **VOTE: UNANIMOUS**

47
48 **a. Minutes - None**

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

1 The Board adopted a resolution, which is incorporated by reference, to release motor vehicle
2 property tax values for five taxpayers with a total of five bills that will result in a reduction of
3 revenue.

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

5 The Board adopted a resolution, which is incorporated by reference, to release property tax
6 values for fifteen taxpayers with a total of fifteen bills that will result in a reduction of revenue.

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

8 The Board approved nine untimely applications for exemption/exclusion from ad valorem
9 taxation for nine bills for the 2020 tax year.

10 **e. Advertisement of Tax Liens on Real Property**

11 The Board received a report on the amount of unpaid taxes for the current year that are liens on
12 real property as required by North Carolina General Statute 105-369 and request March 31,
13 2021 as the date set by the Board for the tax lien advertisement and authorize the Chair to sign
14 the order.

15 **f. Request for Road Addition to the State Maintained Secondary Road System for**
16 **Bennett Orchard Trail in The Orchard Subdivision**

17 The Board made a recommendation to the North Carolina Department of Transportation
18 (NCDOT), and the North Carolina Board of Transportation (NC BOT), concerning a petition to
19 add Bennett Orchard Trail in The Orchard Subdivision to the State Maintained Secondary Road
20 System.

21 **g. Fiscal Year 2020-21 Budget Amendment #6**

22 The Board approved budget, grant, and capital project ordinance amendments for fiscal year
23 2020-21 for Animal Services; Health Department; Department on Aging; and Housing and
24 Community Development.

25 **h. Resolution in Support of NCACC Presidential Initiative to Promote Food System**
26 **Resiliency**

27 The Board approved a Resolution, which is incorporated by reference, in Support of NCACC
28 Presidential Initiative to Promote Food System Resiliency and authorized the Chair to sign.
29

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

31 Bonnie Hammersley highlighted the budget amendment in Consent Agenda for a grant
32 that Carrboro received to be transferred to Orange County for rental and hardship assistance.
33 She said this is a wonderful sign of partnership. She said the Agricultural Summit will be held
34 virtually over 3 days on February 8-10, for 3 hours a day, beginning at 8:30 a.m. She said
35 satellite Internet access will be available for residents at various locations throughout the
36 County.
37

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

39 John Roberts said he and James Bryan, Staff Attorney, have been working together on
40 the BOCC request to explore how the UDO could be amended to encourage more affordable
41 housing in Orange County. He said a report on this item will come to the BOCC at the February
42 16th meeting.
43

44 **11. *Appointments**
45 **NONE**

46
47 **12. Information Items**
48

- 49 • December 15, 2020 BOCC Meeting Follow-up Actions List
- 50 • Tax Collector's Report – Numerical Analysis

- 1 • Tax Collector's Report – Measure of Enforced Collections
- 2 • Tax Assessor's Report – Releases/Refunds under \$100

3
4

5 **13. Closed Session**
6 **NONE**

7

8 A motion was made by Commissioner McKee, seconded by Commissioner Fowler to
9 adjourn the meeting.

10

11 **Roll call ensued**

12

13 **VOTE: UNANMIOUS**

14

15 The meeting was adjourned at 11:06 p.m.

16

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Laura Jensen
Clerk to the Board

Renee Price, Chair

Submitted for approval by Laura Jensen, Clerk to the Board.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

**Action Agenda
Item No. 8-b**

SUBJECT: Advisory Boards and Commissions - Appointments

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):
No Attachments

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To approve the Advisory Boards and Commissions appointments as reviewed and discussed during the February 9, 2021 Work Session.

BACKGROUND: The following appointments are for Board approval:

- **Arts Commission**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
John Bemis	At-Large	First Full Term	03/31/2024
Anita Mills	At-Large	Second Full Term Re-appointment	03/31/2024
Frederick Joiner	At-Large	Second Full Term Re-appointment	03/31/2024

- **Chapel Hill Orange County Visitors Bureau**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Manish Atma	Chapel Hill- Carrboro Chamber of Commerce	First Full Term	12/31/2023

- **Orange County Housing Authority**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Adejuwon Ojebuoboh	At-Large	Partial Term	06/30/2024
Dr. Michael Webb	At-Large	Partial Term	06/30/2024

- **Orange County Parks & Recreation Council**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Mikki Fleming	Cheeks Township	First Full Term	03/31/2024

- **Orange County Planning Board**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Melissa Poole	Little River Township	First Full Term Re-appointment	03/31/2024
Lamar Proctor	Cheeks Township	First Full Term	03/31/2024
Carrie Fletcher	Bingham Township	Second Full Term Re-appointment	03/31/2024
Charity Kirk	At-Large	First Full Term	03/31/2024
Whitney Watson	At-Large	First Full Term	03/31/2024

FINANCIAL IMPACT: There is no financial impact associated with these appointments.

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.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board approve the recommended appointments as reviewed and discussed during the February 9, 2021 Work Session.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

**Action Agenda
Item No.** 8-c

SUBJECT: Resolution Acknowledging February 23, 2021 as Spay Neuter Day in Orange County, North Carolina

DEPARTMENT: Animal Services

ATTACHMENT(S):

Spay Neuter Day Resolution
2020 Community Spay/Neuter Program
Report

INFORMATION CONTACT:

Bob Marotto, Director, 919.932.4963
Cooper Hatch, Program Coordinator,
919.932.4965
Amanda Schwoerke, Chair, Animal
Services Advisory Board,
203.815.5481

PURPOSE: To officially resolve that February 23, 2021 is “Spay Neuter Day” in Orange County and receive a written update about the County’s spay and neuter program.

BACKGROUND: Animal Services staff and the Animal Services Advisory Board (ASAB) are recommending that the BOCC adopt a resolution designating February 23, 2021 as “Spay Neuter Day” in Orange County. The Humane Society of the United States (HSUS) has nationally designated the last Tuesday of each February as “International Spay Day.”

In Orange County, the issue of pet overpopulation is a priority. Working together, Animal Services staff and the ASAB prepared a five-year strategic plan on the basis of best practices in the field of animal welfare and public policy: ***Managing Pet Overpopulation: A Strategic Plan for Orange County, North Carolina.*** Fundamental to this plan is targeting spays and neuters in our county to decrease the rate of reproduction of dogs and cats, thereby containing the number of animals that must be sheltered and the costs of caring for those animals.

The latest phase of this plan is to address free roaming cats in Orange County. Accordingly, staff and the ASAB prepared a plan called ***Managing Free-Roaming Cats in Orange County, North Carolina.*** A central component of this plan is to more effectively sterilize these (and other) cats in order to reduce their numbers over time.

Significant developments for calendar year 2020 include:

- The total number of dogs and cats sterilized is 798 and 200 of those belonged to clients of the Department of Social Services.
- Five hundred and thirty-two (532) cats and dogs were sterilized through partnerships with AnimalKind and Spay Neuter Assistance Program – North Carolina.

- Due to the COVID-19 Pandemic, all Spay/Neuter surgeries were stopped at Animal Services and the County's partners (SNAP-NC, AnimalKind, and Independent Animal Rescue (IAR)), so no surgeries occurred from the end of March to early May.
- This pause in surgeries caused Animal Services to change to adopting out unsterilized animals and issuing the new owner a voucher to be used once surgeries began again. Some adopters qualified for the normal Spay/Neuter Program, but 79 of the surgeries in 2020 were owners that lived outside of Orange County or made more than 400% of the poverty level.
- Animal Services established a partnership with Independent Animal Rescue to help perform some of the Working Cat Surgeries, which provided for 200 more cats than in 2019.
- Animal Services was awarded a \$40,000 grant from The Petco Foundation. This grant will allow the Working Barn Cat program to continue and expand, helping County residents have working cats spayed or neutered, vaccinated, licensed and microchipped at no charge.

Orange County's subsidized spay and neuter for cats and dogs is continuing to expand to more residents than ever before. Orange County Animal Services received another grant from the Margaret T. Petrie Spaying and Neutering Foundation in the amount of \$15,000 to continue to cover the cost of spay and neuter for animals belonging to residents whose household income is between 200 and 400 percent of the federal poverty level. Previously, 200 percent was the ceiling for income-based qualification.

As discussed above, Orange County also continues its effort to sterilize cats from farms and stables in more rural parts of Orange County. Animal Services is continuing the Working (Barn) Cat Program that not only sterilizes but vaccinates, microchips, and licenses participating felines for free. The funding for this effort has shifted from only grant funded to both grant and donations received through Orange County's Community Giving Fund. As a result of outreach and a partnership with Independent Animal Rescue, Animal Services was able to sterilize 266 working cats in 2020.

FINANCIAL IMPACT: The resolution has no financial impact. Events and outreach provided in conjunction with this year's Spay Neuter Day involve funds already in the County's Community Spay and Neuter Fund. The FY2021 operating budget for the Community Spay and Neuter Fund is \$82,350 and there is a fund balance of approximately \$42,616. These funds primarily come from the \$20 differential license fee for reproductive cats and dogs, combined with reimbursement from the North Carolina Spay Neuter Reimbursement Program, significant donations from the public and grants awarded to Animal Services.

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

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends the Board receive the written program report, adopt the proposed resolution, and authorize the Chair to sign the resolution.

RES-2021-010

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

SPAY NEUTER DAY USA RESOLUTION

WHEREAS, cats and dogs provide companionship to and share the homes of thousands of individuals in Orange County; and

WHEREAS, the problem of pet overpopulation costs the taxpayers of Orange County hundreds of thousands of dollars annually through animal control and sheltering programs aimed at coping with unwanted and homeless cats and dogs; and

WHEREAS, humane societies and shelters throughout the country euthanize approximately four million cats and dogs each year, although many of them are healthy and adoptable, due to the lack of critical resources such as money, space, and good adoptive homes; and

WHEREAS, the Animal Services Advisory Board and the Animal Services Department have made correcting pet overpopulation a priority, taken a positive approach to improving quality of life for community cat populations, and prepared ***Managing Pet Overpopulation: A Strategic Plan for Orange County*** and ***Managing Free-Roaming Cats in Orange County North Carolina***; and

WHEREAS, Animal Services is collaborating with Independent Animal Rescue and other community partners to proactively and humanely manage free-roaming cats on the basis of their sterilization; and

WHEREAS, spaying and neutering cats and dogs, among other animal companions, has been shown to drastically reduce overpopulation; and

WHEREAS, Animal Services has partnered with community partners including the Department of Social Services, AnimalKind, and Spay Neuter Assistant Program-North Carolina to offer “low cost” and “no cost” spay and neuter to households who are economically disadvantaged or who receive public assistance; and

WHEREAS, veterinarians, animal care and control organizations, national and local animal welfare organizations, and private individuals have joined together again this year to advocate and support the spaying and neutering of companion animals on “Spay Day USA 2021.”

Now, therefore be it RESOLVED by Orange County that February 23, 2021 is declared “Spay Neuter Day USA,” and the Board of County Commissioners calls upon the people of the County to observe the day by having their own cats or dogs spayed or neutered or by sponsoring the spaying or neutering of another person’s cat or dog.

THIS THE 16th DAY OF FEBRUARY, 2021.

Renee Price, Chair
Orange County Board of Commissioners

Orange County Community Spay Neuter Program

2020 Program Report



Animal Services

February 2021



Targeted Spay & Neuter: The Theory

Targeted Spay / Neuter:

[Spay/Neuter that may
not otherwise not be done]

Fewer litters; fewer
“surplus pets”

Lowered animal
admissions

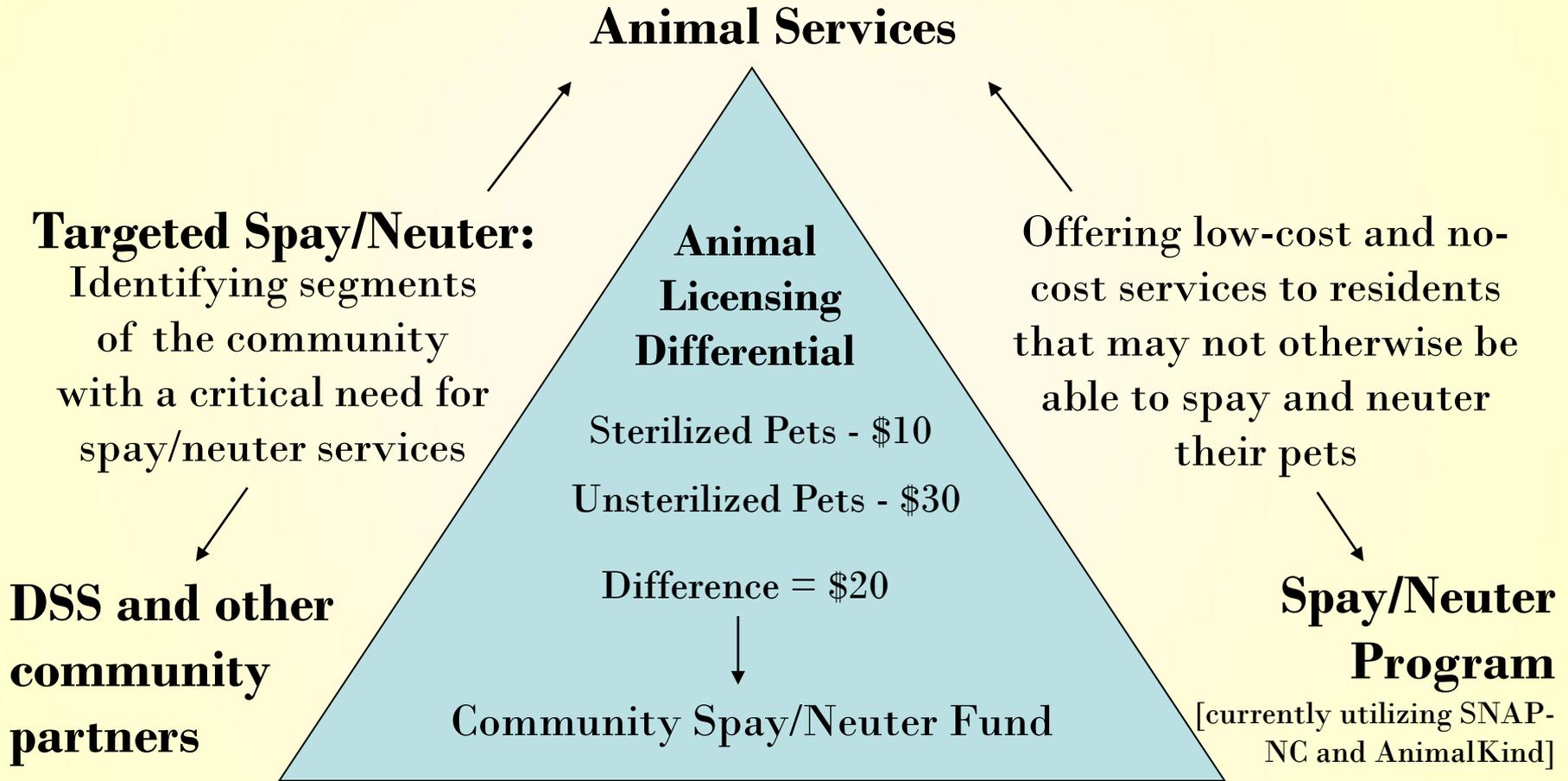
Less euthanasia

Controlling costs of
animal services



Community Spay Neuter Program

What It Is & How It Works



Funding provided by pet licensing differential, state reimbursements, donations and grants.

New Developments

- **Growing spay and neuter in the County:** Thanks to a fourth substantial grant from the Margo T. Petrie Foundation, we were able to make free spay and neuter services available to more county residents in 2020. Since 2017, these services have been available to residents with a household income of up to 400 percent of the Federal Poverty level rather than only 200 percent as well as residents who receive public assistance.
- **Working (Barn) Cat Program:** We launched the Working (Barn) Cat program in late 2017 as part of a broader effort to more humanely manage free-roaming cats. Thanks to a substantial multi-year grant from The Petco Foundation and a new, strong relationship with Independent Animal Rescue (IAR), we continued this program and helped county residents have working cats spayed or neutered, vaccinated, licensed and microchipped at no charge.



Effects of COVID-19 on Spay/Neuter and Our Response



- In April 2020, all spay/neuter surgeries were stopped by Orange County Animal Services and our partners (SNAP-NC and IAR) to preserve PPE since they were not considered essential.
- Before COVID, we did not adopt out animals that were not sterilized. However, to continue to be able to adopt out animals, we began adopting them out unsterilized. We sent them with a voucher to receive spay/neuter services from SNAP-NC.
- Some adopters qualified for our normal Spay/Neuter Programs and were counted in those areas to receive spay/neuter services. However, some adopters lived outside of Orange County or had income above 400% of the federal poverty level, so they were not able to be covered by our programs. We were able to spay or neuter 79 animals that were adopted from us that did not qualify for our normal programs.





If you are a Orange County
resident, you may qualify
to have your pet
spayed or neutered for

FREE!

Contact Cooper Hatch at
919-932-4965

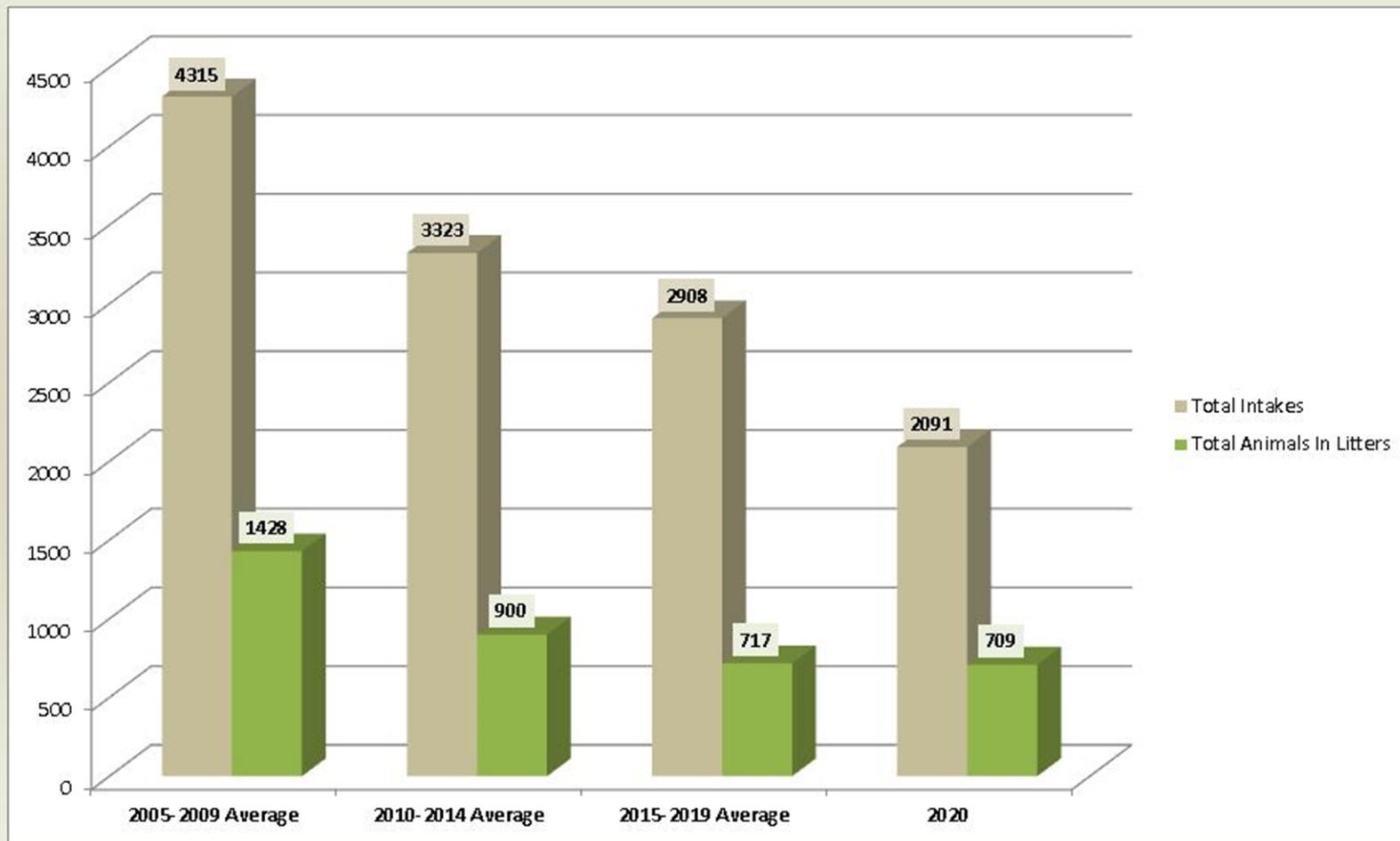
chatch@orangecountync.gov

ORANGE COUNTY ANIMAL SERVICES
1601 EUBANKS RD., CHAPEL HILL, NC

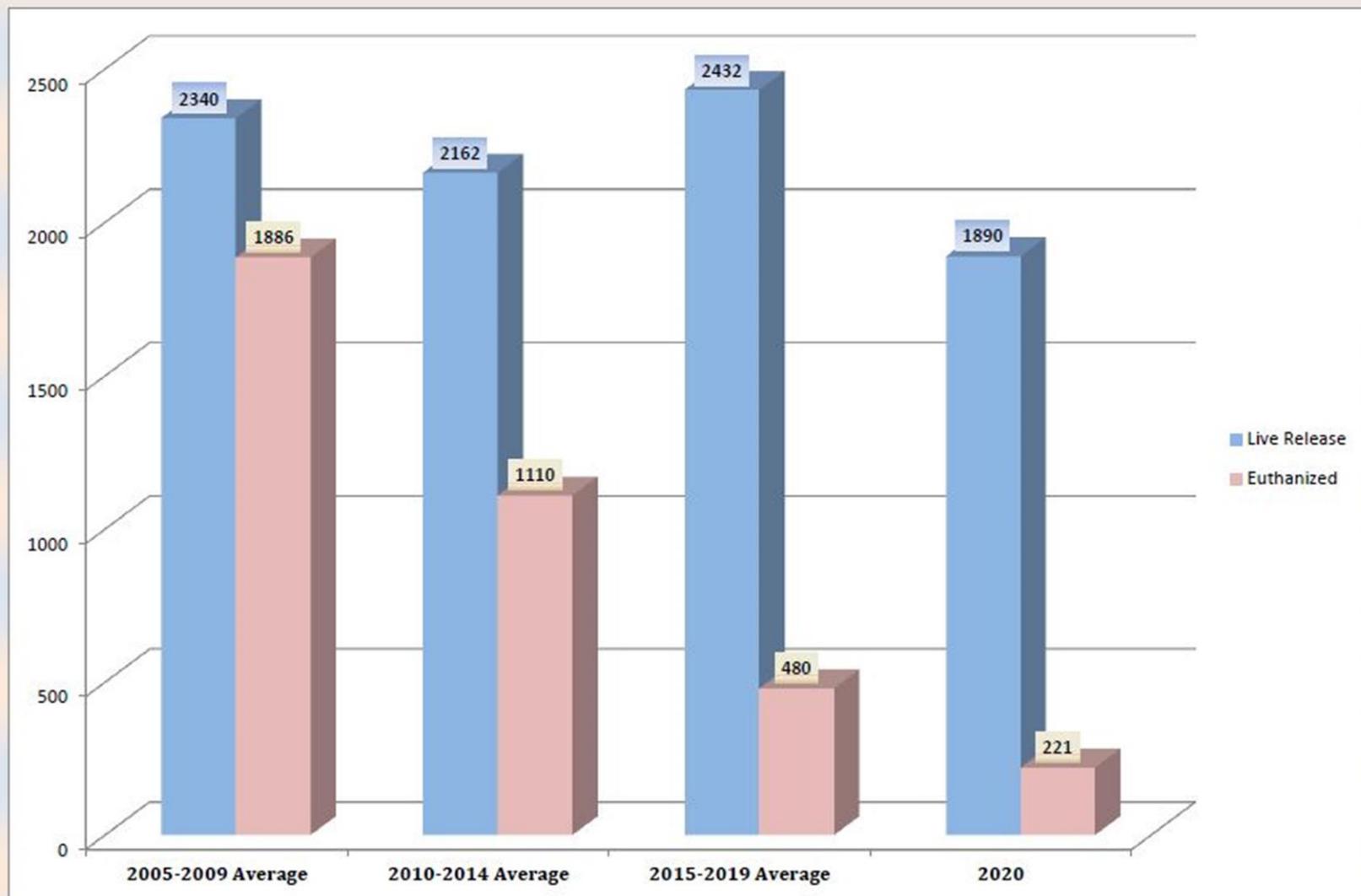


orangecountync.gov/animalservices

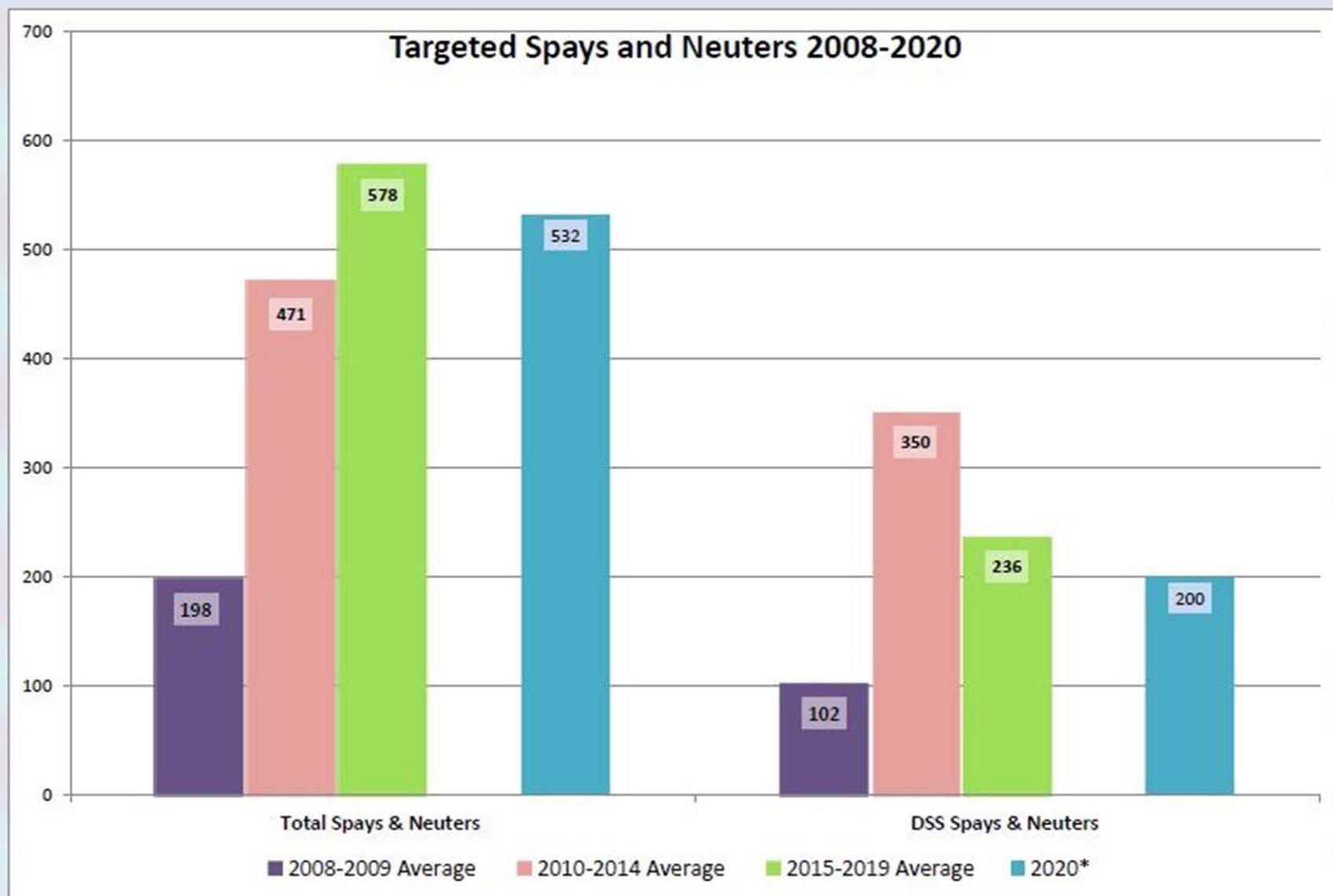
Animals Admitted 2005 - 2020



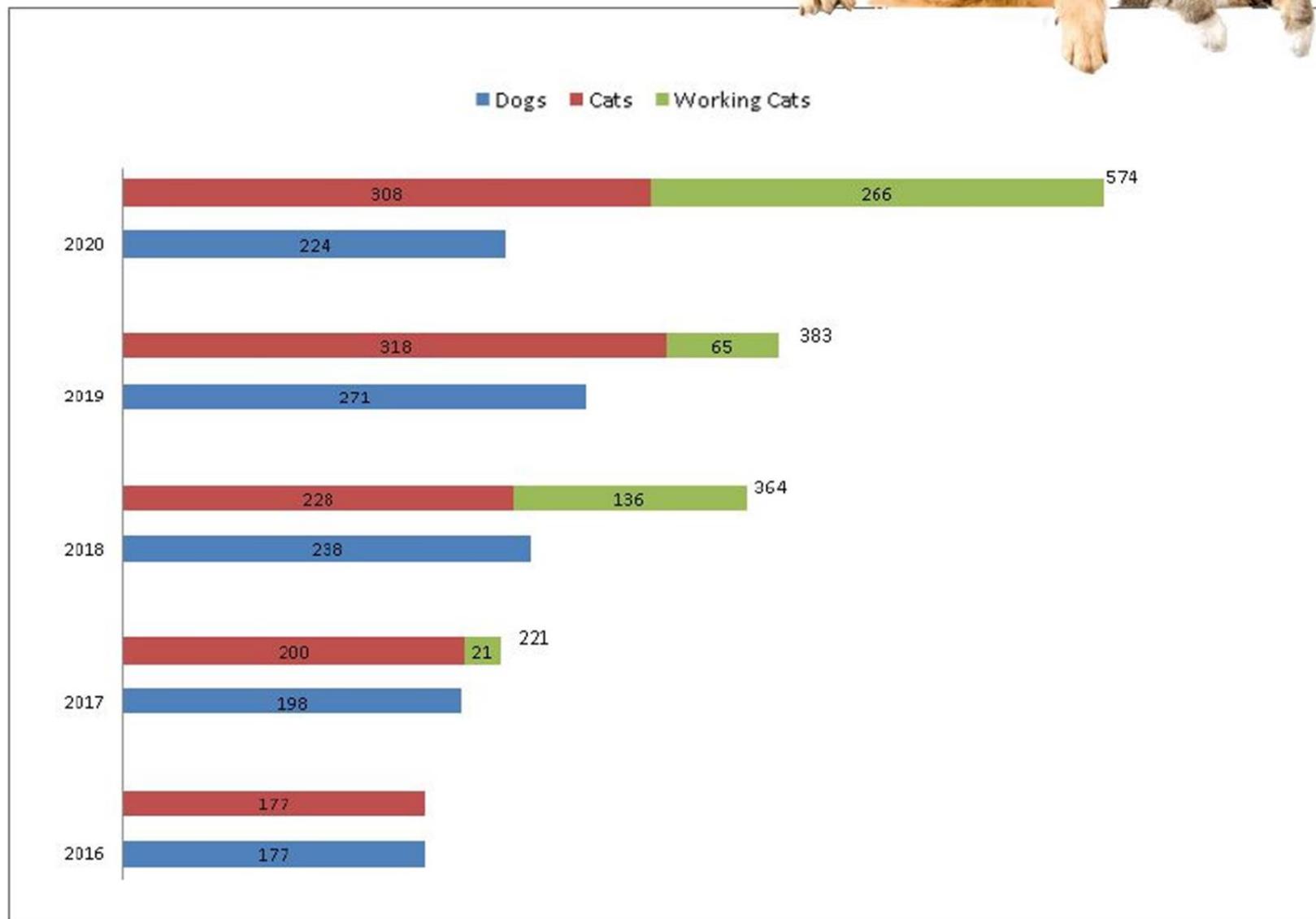
Animal Outcomes 2005 - 2020



*Live Release Rate is the total number of animals that were adopted, transferred, or returned to their owners out of all animals that left the shelter and were considered adoptable during a specific time period.



Dogs Vs. Cats Spay/Neuter



Opportunities & Challenges

- Sustain and increase the number of sterilized dogs and cats via enhanced communication and new initiatives.
- Overcome challenges that emerged during COVID-19 to maintain programs and services.
- Continue outreach to varied sectors of the community about the availability of free spay and neuter services to households with higher incomes.
- Grow the Working (Barn) Cat Program to include other cats that are loosely affiliated with residents. Resolve challenges such as funding for the program, trapping cats, and especially limited access to sterilization services.
- Strengthen relationships with community partners and continue to encourage community involvement and support in managing free-roaming cats in new ways using spay and neuter services.
- Sustain financial support from multiple sources to ensure that Community Spay and Neuter is an ongoing component of Animal Services' mission and operations.



WORKING BARN CAT PROGRAM

15

Orange County residents, get your barn cats spayed or neutered *for free!*

- **Mother cats with unweaned kittens under 6 weeks old should not be spayed.**
- **Cat's ear will be clipped for identification of spay or neuter**

**Call 919-932-4965 or email
chatch@orangecountync.gov**



ORANGE COUNTY
NORTH CAROLINA
Animal Services

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

**Action Agenda
Item No.** 8-d

SUBJECT: Designation of 401 Valley Forge Road, Hillsborough, NC as Surplus Property

DEPARTMENT: Asset Management Services
(AMS)

ATTACHMENT(S):

- 1) Aerial View of Property
- 2) 2017 Lease Modification

INFORMATION CONTACT:

Steven Arndt, 919-245-2658

PURPOSE: To:

1. Approve the designation of 401 Valley Forge Road, Hillsborough, NC as surplus property;
2. Approve the selection of Marcus & Millichap Real Estate Investment Services to market and solicit offers necessary to sell this property; and
3. Authorize the County Manager to sign a contract with Marcus & Millichap Real Estate Investment Services.

BACKGROUND: The County owns a 12.68 acre property located at 401 Valley Forge Road in Hillsborough. The property is zoned general commercial and contains a 105,000 square foot warehouse and distribution facility. The property was acquired in 1997 as the result of the retirement of revenue bonds owned by the Orange County Industrial Development Corporation. The intent of the purchase was to foster economic development and job creation. Attachment 1 provides an aerial view of the property.

The property and buildings were subsequently leased to Builders FirstSource, Inc., a Fortune 500 company that is a manufacturer and supplier of building materials. The company is headquartered in Dallas, Texas and is the largest supplier of building products, prefabricated components and value-added services in the US.

Builders FirstSource, Inc. has continuously operated from this location since 1997. A lease modification was approved by the Board of County Commissioners in 2017, providing a ten year lease extension with two, five year renewal options for the County. The lease has an expiration date of September 30, 2027. Exercising the two renewal options would extend the lease until September 30, 2037. The rent for the current ten year lease period is \$24,500 monthly, \$294,000 annually, with a full term value of \$2,940,000. A copy of the lease modification is provided at Attachment 2. Approximately 90 people are employed at the facility.

In late October/early November 2020, the Asset Management Services Department received two unsolicited contacts from national commercial real estate firms that specialize in this industrial niche of the market. Both firms inquired as to Orange County's potential interest in selling the Builders FirstSource site and provided brokerage price opinions that placed the value of the property between \$4 and \$5 million dollars. This information was then shared with appropriate members of County management and a decision was made to pursue the sale of this property.

The County Attorney's Office was consulted as to the process by which the County might proceed with the sale. Staff advised that the first step would be to declare the property as surplus. A review of general statutes indicated local governments can then sell surplus property by an upset bid process (G.S 160A-269). The statutes do not preclude the use of a commercial real estate brokerage firm to facilitate the sale, and it is staff's opinion that the utilization of a commercial real estate brokerage will result in the highest possible bid for the property, and in the shortest amount of time.

In order to help expedite the sale process, a Request for Proposals (RFP) was issued on January 29, 2021 to seek a Real Estate Firm to market and facilitate the sale of the property. Proposals were received and reviewed on February 8, 2021. Marcus & Millichap Real Estate Investment Services was determined to be the most qualified, responsible bidder.

It is proposed that the Board approve beginning the process of selling 401 Valley Forge Road, Hillsborough, NC. County staff would return to the Board to approve the sale upon receipt of the highest responsible bid at the conclusion of the upset bid process. A preliminary schedule of the sale is as follows:

- Board Approval of Surplus Designation: February 16, 2021
- Board Approval of Commercial Real Estate Firm: February 16, 2021
- Preparation of Marketing Materials/RFP: February 17 – March 1, 2021
- Post RFP/begin 30 days marketing property: March 2, 2021
- RFP Due date: April 2, 2021
- Begin 10 day upset bid process: April 5, 2021
- Conclude 10 day upset bid process, round 1*: April 15, 2021
- Board Approval of Highest Bid: April 20, 2021
- Due Diligence: April 21, 2021 – May 14, 2021
- Escrow/Inspections/Closing: April 21, 2021 – June 11th, 2021

* Assumes only one round of upset bidding

The terms of the sale would stipulate that the buyer honor all aspects of the existing lease, including rent schedule, term length, and extension options.

FINANCIAL IMPACT: The sale of 401 Valley Forge Road, Hillsborough, NC is projected to net approximately \$4,000,000. These funds will be utilized to offset projected budget shortfalls associated with current economic climate.

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

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

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

1. Approve the designation of 401 Valley Forge Road, Hillsborough, NC as surplus property;
2. Approve the selection of Marcus & Millichap Real Estate Investment Services to market and solicit offers necessary to sell this property; and
3. Authorize the County Manager to sign a contract with Marcus & Millichap Real Estate Investment Services to market and facilitate the sale of the property, upon final review by the County Attorney's Office.

Attachment 1

Aerial View of Property

401 Valley Forge Rd, Hillsborough, NC 27278



Return after recording to: Orange County Asset Management Services, 131 West Margaret Lane, Hillsborough, NC 27278

LEASE MODIFICATION

THIS MODIFICATION OF LEASE , and entered into this 19th day of September, 2017 by and between ORANGE COUNTY, NORTH CAROLINA (hereinafter "Lessor" and/or "Landlord" and/or "County"), and BUILDERS FIRSTSOURCE – ATLANTIC GROUP, LLC, as successor by conversion to Builders FirstSource – Atlantic Group, Inc. (hereinafter "Lessee" and/or "Tenant");

WITNESSETH

Recitals:

Whereas County and Tenant entered into that certain Lease Agreement dated June 3, 1997, in connection with certain premises situated and being in Orange County and the State of North Carolina being more particularly described in said Lease Agreement; and

Whereas Tenant has leased the Property known as 401 Valley Forge Road, Hillsborough containing 105,000 square feet and the associated site area which Lease Agreement has an expiration date of September 30, 2017; and

Whereas, County and Tenant desire to extend the Lease Agreement by amending its Terms;

Now, therefore, the County and Tenant hereto hereby agree as follows:

Terms:

1. The recitals to this Modification are hereby incorporated into and made a part of this Agreement.

2. The expiration date of the Lease shall be September 30, 2027.

3. The Rent for the premises for the Lease period shall be as follows:
Monthly: \$24,500 Annually: \$294,000 Full Term:\$2,940,000

4. Subject to County approval the Tenant will have the right to execute two (2) consecutive renewal options for a Term of five (5) years each for consideration to be mutually agreed upon by the County and the Tenant at a time preceding the contemplated renewal period:

Renewal option one (1): October 1, 2027 – September 30, 2032
Renewal option two (2): October 1, 2032 – September 30, 2037

5. The Tenant will ensure a facility roof replacement is completed no later than September 30, 2020 in accordance with the Lease. Specifications for the roof replacement will be reviewed and approved by the County prior to replacement; approval will not be unreasonably withheld.

6. In all other respects said Lease Agreement shall remain in full force and effect unchanged and shall not be altered in any way by this modification.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the County and Tenant hereto have executed this Modification of Lease the day and year first above written.

LESSOR

TENANT

ORANGE COUNTY

BUILDERS FIRSTSOURCE – ATLANTIC GROUP, LLC

By: [Signature]
Chair, Board of Commissioners

By: [Signature]
SR. VICE PRESIDENT
Title

NORTH CAROLINA

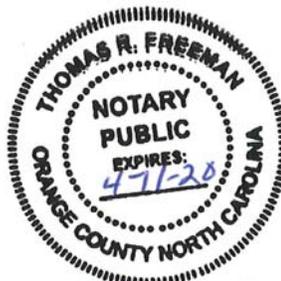
ORANGE COUNTY

I, Thomas R. Freeman, a Notary Public of Orange County, North Carolina certify that Mark Dorosin, Chair of the Board of Commissioners of Orange County, North Carolina personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal this 6th day of October, 2017.

[Signature]
Notary Public

My Commission expires : 4-11-2020



STATE OF Texas
Dallas COUNTY

I, Tracie Johnson, a Notary Public of Tarrant County, Texas certify that Don McAleenan personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal this 27 day of September, 2017.

[Signature]
Notary Public

My Commission expires : 11/18/2019



**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

**Action Agenda
Item No. 8-e**

SUBJECT: Contract Approval for Fiber Backbone Connecting the West Campus to the New North Campus

DEPARTMENT: Information Technologies

ATTACHMENT(S):

INFORMATION CONTACT:

Jim Northrup, Chief Information Officer,
919-245-2276

PURPOSE: To authorize the Manager to execute an Agreement with NetPlanner, Inc. in order to connect facilities with County owned fiber optic backbone, thereby distributing network and phone services to the following facilities:

1. West Campus
2. Whitted Building
3. North Campus
 - a. Detention Facility
 - b. Environment Agricultural Center
 - c. Parks Operations Base

BACKGROUND: In Fiscal Year 2017 (FY17), the County contracted with ECC Technologies, Inc. to provide “assessment, planning and consulting in support of the County's desire to develop fiber optic technologies linking County facilities and potentially creating a county-wide Open Access (OA) [fiber] system.” The resulting plan identified three phases of fiber build out to County facilities. Also, in FY17, Phase One funding was approved by the Board via the Capital Investment Plan budgeting process. Phase One, while not specifically defined at the time of approval, was further developed to include partnering and cost sharing with the Town of Hillsborough. The intention was to build out fiber runs between County facilities located in Hillsborough and, for the Town of Hillsborough's part, to lay the groundwork for a town built fiber to the home project. Phase One in that form never happened.

The contract approval currently before the Board seeks to build upon the original intention of the County to build a fiber network between the County facilities listed above and to create a fiber network that can be used with an eye toward economic development and internet expansion.

The Town of Hillsborough is aware of this project and is looking to partner with the County at a future date and tie into the fiber proposed in this contract.

Finally, Information Technologies along with Finance and Asset Management Services, issued a request for proposal (RFP) in October and again in December soliciting competitive bids for this work. The review team used the standard County RFP Evaluation Template that considers the following factors:

- Vendor experience as it relates to the scope of work
- Total cost of each project
- Project Timeline and Methodology
- Project Organization

Scoring when averaged resulted in NetPlanner, Inc. with the highest score. Additionally, NetPlanner, Inc. was the only bidder to propose a fully underground or buried fiber solution with scalability, i.e., one conduit for running the fiber and another spare conduit for future use.

FINANCIAL IMPACT: Based on the Board Approved FY17 Capital Investment Plan, there are available funds for this contract. The contract cost is \$302,532.14.

Using raw numbers, the leased network service cost to connect these buildings is approximately \$2,000 per month. Therefore, the County would start seeing savings after approximately thirteen years. Fiber infrastructure has an amortization rate of twenty-four years per section 168-c of the Federal IRS depreciation statute for fiber optics and has a life span well beyond this amortization rate. The County currently owns fiber that is greater than twenty-five years old, i.e., the downtown campus fiber optic network.

This contract for \$302,532.14 was reviewed by the County Attorney's Office and does not deviate from the standard requirements of the Attorney's Contract Template. The term of contract is from February 22, 2021 to June 18, 2021.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are 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.
- **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.

This project and the larger project of which it is a part and as outlined in the Fiber Strategic Plan, will allow private parties, e.g., internet service providers or entities, to leverage unused fiber along this backbone. Additionally, while social justice is not intrinsic to fiber optic in and of itself, social justice is implicit to the missions of the departments served by this infrastructure.

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts associated with this item. This project will follow all applicable state and local laws regarding environmental impact.

RECOMMENDATION(S): The Manager recommends the Board authorize the County Manager to execute the Agreement and to execute any subsequent amendments for contingent and unforeseen requirements up to the approved budgeted amount on behalf of the Board and upon final County Attorney review.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

**Action Agenda
Item No. 8-f**

SUBJECT: Lease of Land for the High Rock Waste and Recycling Center

DEPARTMENT: Solid Waste

ATTACHMENT(S):

Lease

INFORMATION CONTACT:

Robert Williams, 919-918-4904

PURPOSE: To authorize entering into and the execution of a twenty (20) year lease of land for the High Rock Road Waste and Recycling Center.

BACKGROUND: The Capital Improvement Plan for Orange County Solid Waste has had improvements to the High Rock Road Waste and Recycling Center scheduled to include the modernization of the High Rock Road Center. The High Rock center is currently located on leased property, with the lease set to expire in 2023. The County has leased this property since 1987. Prior to beginning the renovation and improvement of the Center, the Department of Solid Waste Management (Department) is requesting approval of a twenty (20) year lease of the land.

FINANCIAL IMPACT: The current lease rate is \$610 per month with a monthly increase of \$20 per month scheduled each year. With the additional improvements, the property owner has requested a rate increase. The new lease rate is \$1,312.50 per month for the twenty (20) year term, for a total lease cost of \$315,000.

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

Orange County seeks to create, preserve, and protect a natural environment that includes clean water, clean air, wildlife, important natural lands, and sustainable energy for present and future generations.

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impact is applicable to this item:

- **ENERGY EFFICIENCY AND WASTE REDUCTION**

Initiate policies and programs that: 1) conserve energy; 2) reduce resource consumption; 3) increase the use of recycled and renewable resources; and 4) minimize waste stream impacts on the environment.

The provision of Waste and Recycling Centers minimizes waste stream impacts on the environment.

RECOMMENDATION(S): The Manager recommends that the Board authorize entering into the lease of the High Rock property for a twenty (20) year term and authorize the Chair to sign the lease.

Prepared by: Joseph E. Herrin, Orange County Attorney's Office
 Mail after recording to: Robert Williams, Orange County Solid Waste, P.O. Box 17177, Chapel Hill, NC 27516

NORTH CAROLINA

ORANGE COUNTY

**LEASE AGREEMENT AND
 RIGHT OF FIRST REFUSAL**

THIS AGREEMENT made and entered into this ____ day of _____, 20____, by and between Orange County, a body politic and corporate of the State of North Carolina, (hereinafter called the "County"), and RLSL Walters Properties, LLC (hereinafter called the "Owner");

WHEREAS, on May 16, 2012, the County and Elizabeth T. Walters entered into a certain lease ("the 2012 lease") recorded in Book 5368 at Page 576, Orange County Registry, whereby Elizabeth T. Walters leased to the County for a period of ten (10) years, commencing July 1, 2012, the premises known and described in Deed Book 220 at Page 195, Orange County Registry;

WHEREAS, on May 14, 2014, Elizabeth T. Walters and Roland L. Walters acquired by North Carolina Warranty Deed recorded in Deed Book 5793 at Page 500, Orange County Registry, the 10.01 acres identified as "Tract A" on a plat recorded in the records of the Orange County Register of Deeds at Plat Book 84, Page 152 ("the Property");

WHEREAS, on September 28, 2017, RLSL Walters Properties, LLC, acquired by North Carolina General Warranty Deed recorded in Deed Book 6374 at Page 181, Orange County Registry, the Property subject to the 2012 Lease;

WHEREAS, the County intends to make significant improvements to the solid waste convenience center located on the Property at a substantial financial investment;

WHEREAS, the parties have mutually agreed to the termination of the existing lease of the premises upon the "effective date" as indicated below, of the new lease of the premises described herein, subject to the terms and condition of this lease agreement ("Lease Agreement");

W I T N E S S E T H:

The Owner hereby agrees to lease the property described herein to the County upon the following terms and conditions:

1. The Premises. The premises herein leased is a tract and parcel of land, together with all improvements located thereon, located in Cedar Grove Township, Orange County, North Carolina and more particularly described in Deed Book 220 at Page 195, Orange County Registry.

2. The term of this lease shall be for an Initial term of 20 years commencing on March 1, 2021, hereinafter referred to as the “effective date”. Except as herein otherwise provided, all terms and covenants contained in this Lease Agreement shall be in full force and effect during any extension period unless otherwise agreed upon in writing by both parties.

3. **Guaranteed Minimum Rental.** The County agrees to pay to the Owner the guarantee rental of \$1,312.50 per month (hereinafter referred to as the “Rental Rate”) during the Term of the lease, payable on or before the 10th day of each calendar month commencing with the effective date of this Lease Agreement.

4. **Right of First Offer to Purchase and Right of First Refusal.**

- a. Subject to the terms of this Lease, the Owner expressly reserves the right to sell the Premises at any time during the Term, including any extension thereof. In the event the Owner sells, transfers, or exchanges the Premises or any portion of the Premises, the following shall pertain:
 - i. Subject to the terms of this Lease, the Owner may sell, transfer, or exchange the Premises or any portion of the Premises to Roland L. Walters and/or Stacey R. Walters (hereinafter, “the Managing Member” or collectively, “Managing Members”) as an individual or remaining member, provided however, the Owner shall obtain the written agreement, in form satisfactory to the County, of any Managing Member of the Owner company acquiring the Premises or any interest therein, that such acquisition is subject to the requirements of this Lease. The Owner agrees that the County may void any sale, transfer, or exchange of the Premises or any portion of the Premises if the member interest holder fails to assume in writing the requirements of this Lease.
 - ii. Any assignment, sale, transfer, conveyance, or other disposition of the Premises or any part of the Premises to a person or entity other than that described in sub-paragraph 4.(a)(i), above, shall be subject to the following:
 - 1. The Owner covenants that it will not list nor offer the Premises for sale without first giving the County written notice in the manner prescribed in Section 8 of this Lease Agreement, of its desire to sell the Premises and having allowed County ninety (90) days from the date of such notice in which to attempt to secure a binding agreement with the County for the purchase of the Premises. The Owner agrees that any and all offers to purchase submitted by the County during said ninety-day period will be held in strictest confidence, will be given every reasonable consideration in good faith and if unacceptable, will remain confidential and will not be used at any time to enhance its efforts to otherwise market said Premises.

2. The Owner further grants to the County during the Term, including any extension thereof, the exclusive right at the County's option, to purchase the Premises on the same terms and at the same price as any bona fide offer, and each time any such bona fide offer is received, the Owner shall immediately notify County in the manner prescribed in Section 8 of this Lease Agreement, with full details of such offer including a copy of the same (the name and address of the offeror may be omitted if County is unwilling or unable to maintain the name and address of the offeror confidential). County shall have ninety (90) days from the date of notice in which to elect to exercise this right of first refusal. No sale or transfer of title to the Premises shall be binding on the Lessee unless and until these requirements are fully complied with. This provision shall not pertain to a sale, transfer, exchange, or assignment of the Premises to a Managing Member of Owner company, provided the Managing Member agrees to acquire the Premises subject to the terms of this Lease as described in subparagraph 4.(a)(i), above.

b. The right of first refusal herein granted shall be continuing and pre-emptive, binding on Owner's successors or assigns, and the failure of County to exercise this right in any one case shall not affect the County's right to exercise the right of first refusal in other cases thereafter arising during the Term or any extension of the Term.

c. Upon Owner and County reaching a binding written agreement for the purchase and sale of the Premises, or upon Owner's receipt of County's notice of election to exercise any right of first refusal granted herein, County shall have a reasonable time in which to examine title to the Premises, but in no event more than ninety (90) days and upon completion of such examination, if the title is found to be satisfactory, County shall tender the purchase price to Owner and Owner shall thereupon deliver to County a good and sufficient Warranty Deed conveying the Premises to the Lessee free and clear of all encumbrances. The rent shall be pro-rated between the Owner and County as of the date of the closing of the purchase and sale of the Premises. Current year's ad valorem property taxes on the Premises shall be paid or prepaid by Owner (grantor) with County's (grantee's) pro-rated share of those taxes added to the agreed purchase price.

5. Improvements and Maintenance.

a. The County shall have the right to enter the Premises upon the execution and recording of this Lease Agreement and prior to the effective date of the lease and thereafter during the lease term to make any and all temporary improvements to the premises as deemed necessary and desirable to the County for the intended use of the premises, and to make permanent improvements as deemed necessary and desirable to the County for the intended use

of the premises. The intended use of the premises by the County will continue to be a Solid Waste Convenience Center. The County can only use the premises for the stated intended use unless the Owner and County agree otherwise in a written statement agreed upon and signed by all parties. The County shall continue to maintain a buffer strip, within the leased premises, around the Solid Waste Convenience Center of at least (40 feet) in width through the use of fencing and natural vegetation. This buffer shall be fashioned in a manner to permit entrance to the Solid Waste Convenience Center constructed on the premises from High Rock Road to the Solid Waste Convenience Center.

b. All improvements to and maintenance of the leased premises, as well as any needed remediation and decontamination of the Premises caused by the lease of the premises by the County, shall be solely at the County's expense. Any improvements constructed or provided at the leased premises shall be, upon termination or expiration of the lease, the Premises of the Owner, unless the same can be removed by the County without damage to the leased premises. Provided, however, at Owner's request at the termination of the lease, the County shall remove all such improvements, unless the Owner and the County agree otherwise, in writing. At the termination of the lease, the County shall remove any trash, waste and soils contaminated by the County's use of the premises and take all proper and necessary remediation measures needed resulting from any water or soil contamination that occurred from the County's use of the leased premises.

c. During the term of the lease the County shall be responsible for maintaining the leased premises in a neat, clean and orderly condition at all times and shall comply with the applicable Rules and Regulations set forth by the North Carolina Department of Environmental Quality relative to the operation and management of a Solid Waste Center, including North Carolina Administrative Code Title 15A Chapter 13 Solid Waste Management and North Carolina Administrative Code Title 15A Subchapter 2L Groundwater Classification and Standards. Roadways, parking areas, and other public access ways shall be maintained by the County. Fences and natural vegetation buffers installed on the leased premises by the County shall also be maintained by the County. Any additional ad valorem taxes resulting from any permanent improvements to the leased premises shall be responsibility of the County.

6. Taxes. Owner agrees to pay all taxes and assessments during the term of the lease, including but not limited to municipal, county and state taxes assessed against the leased premises which are incident to the ownership of the leased premises.

7. Representations and Warranties of Owner. Owner represents and warrants to the County (each of which representations and warranties shall be true as of the date Owner executes this Lease) as follows:

- a. The Owner has full right, power and authority to enter into this Lease Agreement and to consummate the lease contemplated herein. No person or entity has been granted any license, lease or other right relating to the use or possession of the

premises or any part thereof, except the County as expressly provided in this Lease Agreement.

- b. No person or entity has been granted an option to purchase, right of first offer or right of first refusal as to the Premises except the County and as otherwise set forth in Section 4 above as expressly provided in this Lease Agreement.
- c. To the best of the Owner's knowledge, there is not action, suit or proceeding pending or threatened against or affecting the Premises or any part thereof, or relating to or arising out of the Owner's ownership of the Premises or any part thereof, or by any federal, state, county or municipal department, commission, board, bureau or agency or other governmental instrumentality, nor is there any attachment, execution, assignment for the benefit of creditors or voluntary or involuntary proceeding in bankruptcy or under other debtor relief laws contemplated by or pending or threatened against the Owner or the Premises.
- d. There exists no contract, service agreement or obligation affecting the Premises which is in addition to or different from those which have been furnished or otherwise disclosed to the County.

8. Insurance and Indemnity

- a. The County shall at the County's expense obtain and keep in full force during the term of the lease Comprehensive Public Liability policy with limits of no less than \$300,000/\$300,000 for person injury or death and \$100,000 for property damage applicable to the County's use of the leased Premises. The Owner shall be listed as an additional insured on the Comprehensive Public Liability policy if permitted by the North Carolina Association of County Commissioner's Insurance Pool, at no cost to Owner.
- b. To the extent permitted by North Carolina law and to the extent provided for In insurance contracts owned by the County, the County shall indemnify and hold harmless the Owner from and against any and all claims arising from the conduct of the County's business or from any activity, work or things done, permitted or suffered by the County in or about the leased premises.

9. Notices. All notice to be given under this lease shall be made in writing and mailed by certified mail, return receipt requested to the other party at its address set forth below or at such address as the party may provide in writing from time to time. Any such notice shall be deemed to have been received upon the date signed for the return receipt.

OWNER:

RLSL Walters Properties, LLC
Attn: Roland L. Walters
7119 High Rock Road
Efland, NC 27243

COUNTY:

Department of Solid Waste
Attn: Robert Williams
P.O. Box 17177
Chapel Hill, NC 27516

10. Parties. This lease shall be binding and shall inure to the benefit of the parties and their heirs, successors, and assigns.

11. Entire Agreement. This lease contains the entire agreement of the parties and there are no other representations, inducement or other provisions except as set forth herein. All changes, additions or deletions hereto must be made in writing and signed by the parties. Any provision of this lease found to be prohibited by law shall be ineffective to the extent of such prohibition without invalidating the remainder of this lease. The waiver by the County or the Owner of any breach by the other of any term, covenant or condition hereof shall not operate as a waiver of any subsequent breach thereof.

12. 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. By executing this Agreement Owner affirms that Owner and any subcontractors of Owner are and shall remain in compliance with Article 2 of Chapter 64 of the North Carolina General Statutes. By executing this Agreement Owner certifies that Owner has not been identified, and has not utilized the services of any agent or subcontractor identified, on the list created by the State Treasurer pursuant to G.S. 147-86.58. By executing this Agreement Owner certifies that Owner has not been identified, and has not utilized the services of any agent or subcontractor identified, on the list created by the State Treasurer pursuant to G.S. 147-86.81.

13. Non-Appropriation. The Owner 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 the Owner 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 the Owner of such limitation or change in County's legal authority.

[SIGNATURES ON FOLLOWING PAGE]

IN TESTIMONY WHEREOF, the parties hereto have executed this Lease Agreement and Right of First Refusal on the day and date first above written.

RLSL WALTERS PROPERTIES,LLC:

**By: Roland L. Walters, Managing Member
of RLSL Walters Properties, LLC**

**By: Stacey R. Walters, Managing Member
of RLSL Walters Properties, LLC**

ORANGE COUNTY:

ATTEST:

**Chair
Orange County Board of Commissioners**

Clerk to the Board

[SEAL]

STATE OF NORTH CAROLINA,
_____ COUNTY.

I, _____, a Notary Public for said County and State, do hereby certify that Roland L. Walters and Stacey R .Walters personally appeared before me this day and acknowledged that each of them is the Managing Member of RLSL Walters Properties, LLC and has signed the foregoing Lease Agreement and Right of First Refusal for the purposes herein expressed.

WITNESS my hand and official stamp or seal, this ____ day of _____, 20__.

Notary Public

My commission expires: _____.

STATE OF NORTH CAROLINA,
 _____ COUNTY.

I, _____, a Notary Public for said County and State, do hereby certify that the Clerk to the Board of Commissioners for Orange County personally appeared before me this day and acknowledged that (s)he is the Clerk to the Board of Commissioners for Orange County, North Carolina and that by authority duly given and as the Act of said County the foregoing instrument was signed in its name by the Chair of said Board of Commissioners and attested by her as Clerk to said Board of Commissioners.

WITNESS my hand and official stamp or seal, this ____ day of _____, 20__.

 Notary Public

My commission expires: _____.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 16, 2021

**Action Agenda
Item No.** 8-g

SUBJECT: Approval of a Resolution Authorizing a Revision in the Resolution Adopted April 21, 2020 That Authorized the Orange County FY 2020-2021 HOME Program Design

DEPARTMENT: Department of Housing and
Community Development

ATTACHMENT(S):

Attachment 1: Mark-up Resolution
Authorizing a Revision in the
Resolution Adopted April 21,
2020 That Authorized the
Orange County FY 2020-
2021 HOME Program
Design

Attachment 2: Clean Resolution
Authorizing a Revision in
the Resolution Adopted
April 21, 2020 That
Authorized the Orange
County FY 2020-2021
HOME Program Design

INFORMATION CONTACT:

Emila Sutton, Director, Housing and
Community Development, (919) 245-
2490

PURPOSE: To approve a revision in the resolution adopted April 21, 2020 that authorized the Orange County FY 2020-2021 HOME Program Design.

BACKGROUND: Several revisions to the resolution to approve the project activities for the 2020-2021 HOME Program, adopted by the Board on April 21, 2020, are proposed due to project changes and funding source requirements.

The first revision is to the award of \$94,138 to Habitat for Humanity of Orange County (Habitat) to provide deferred payment, zero interest second mortgages for three (3) homes in the Fairview Community in Hillsborough and Northside Neighborhood in Chapel Hill. Habitat has determined that it will be able to assist more than three (3) homebuyers with the allotted funds. As such, it is requested that the language be revised to read “*at least* three (3) homes.”

The second revision is to the award of \$200,000 to CASA to provide gap financing for a forty-eight (48) unit rental development on Merritt Mill Road. CASA has determined that it no longer requires

the \$200,000 gap financing, and has requested to return that award. As such, it is requested that the resolution be revised to remove the award to CASA.

The final revision is to the award of \$56,228 in HOME Community Housing Development Organization (CHDO) set-aside funds to EmPOWERment, Inc. as a predevelopment loan for a proposed rental development on Johnson Street in Carrboro (PEACH Apartments). After the resolution was approved and further research pursued by Orange County Housing and Community Development into funding restrictions on CHDO funds, it was determined that a predevelopment loan in that amount is not allowable per HOME regulations. As such, it is requested that the resolution be revised to read “*development* loan” rather than “predevelopment loan.”

These revisions are reflected in the attached “mark-up” resolution amendment (Attachment 1) and “clean” amendment (Attachment 2).

FINANCIAL IMPACT: There is no negative impact to the County. The \$200,000 of the returned HOME award will be available for reallocation to another eligible HOME use.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are applicable to 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 creation and preservation of affordable housing options helps to meet a basic need and advances economic self-sufficiency.

- **GOAL: CREATE A SAFE COMMUNITY**
The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

Affordable housing options allow individuals to reduce risks associated with being un-housed.

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts applicable to this item.

RECOMMENDATION(S): The Manager recommends that the Board approve and authorize the Chair to sign the resolution (Attachment 2) authorizing a revision in the resolution adopted April 21, 2020 that authorized the Orange County FY 2020-2021 HOME Program Design.

**RESOLUTION AUTHORIZING A REVISION IN THE
ORANGE COUNTY FY 2020-2021 HOME PROGRAM DESIGN**

BE IT RESOLVED, by the Orange County Board of Commissioners as the lead entity of the Orange County HOME Consortium approves the revisions in the Resolution adopted April 21, 2020 to allow for more than three (3) homes to be assisted through the Homeownership Assistance activity; to remove the award allocated to CASA for Rental Development; and to revise the language in the award to EmPOWERment, Inc. to read “development loan” rather than “predevelopment loan”, such that the FY 2020-2021 HOME Program Design reads as follows in its entirety:

Homeownership Assistance

Funds will be allocated to Orange County Habitat for Humanity to provide deferred payment, zero interest second mortgage for ~~at least an estimated~~ three (3) homes in the Fairview Community in Hillsborough and the Northside Neighborhood in Carrboro. Homes will be sold to households earning between thirty percent (30%) and sixty percent (60%) of the area median income.

(Requested amount: \$390,000)

\$94,138

Rental Development

~~Funds will be allocated to CASA to provide gap financing for a forty-eight (48) unit rental development on Merritt Mill Road in Chapel Hill and Carrboro. Units will be leased to households earning between thirty percent (30%) and sixty percent (60%) of the area median income.~~

~~*(Requested amount: \$350,000)*~~

~~**\$200,000**~~

PreDevelopment Loan

Funds will be allocated to EmPOWERment, Inc. as a ~~pre~~development loan for a proposed rental development with eight (8) to ten (10) units on Johnson Street in Carrboro. Units will be leased to households earning between thirty percent (30%) and eighty percent (80%) of the area median income.

(Requested amount: \$200,000)

\$56,228

Program Administration

\$37,485

BE IT FURTHER RESOLVED, that the County Manager is hereby designated as the authorized representative of the County to act in connection with the submission of this plan and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

This is the ___ day of _____, 2021

Renee Price, Chair
Orange County Board of Commissioners

SEAL

**RESOLUTION AUTHORIZING A REVISION IN THE
ORANGE COUNTY FY 2020-2021 HOME PROGRAM DESIGN**

BE IT RESOLVED, by the Orange County Board of Commissioners as the lead entity of the Orange County HOME Consortium approves the revisions in the Resolution adopted April 21, 2020 to allow for more than three (3) homes to be assisted through the Homeownership Assistance activity; to remove the award allocated to CASA for Rental Development; and to revise the language in the award to EmPOWERment, Inc. to read “development loan” rather than “predevelopment loan”, such that the FY 2020-2021 HOME Program Design reads as follows in its entirety:

Homeownership Assistance

Funds will be allocated to Orange County Habitat for Humanity to provide deferred payment, zero interest second mortgage for at least three (3) homes in the Fairview Community in Hillsborough and the Northside Neighborhood in Carrboro. Homes will be sold to households earning between thirty percent (30%) and sixty percent (60%) of the area median income.

(Requested amount: \$390,000)

\$94,138

Development Loan

Funds will be allocated to EmPOWERment, Inc. as a development loan for a proposed rental development with eight (8) to ten (10) units on Johnson Street in Carrboro. Units will be leased to households earning between thirty percent (30%) and eighty percent (80%) of the area median income.

(Requested amount: \$200,000)

\$56,228

Program Administration

\$37,485

BE IT FURTHER RESOLVED, that the County Manager is hereby designated as the authorized representative of the County to act in connection with the submission of this plan and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

This is the ___ day of _____, 2021

Renee Price, Chair
Orange County Board of Commissioners

SEAL

**ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: February 16, 2021**

**Action Agenda
Item No. 8-h**

SUBJECT: Zoning Atlas Amendment: Master Plan Development Conditional Zoning District (MPD-CZ) for Efland Station – Notice of Application Withdrawal

DEPARTMENT: Planning and Inspections

ATTACHMENTS:

1. February 5, 2021 Letter from Applicant
Withdrawing Application

INFORMATION CONTACT:

Michael D. Harvey, Planner III, (919) 245-2597

PURPOSE: To allow the Board to formally acknowledge the withdrawal of a Master Plan Development Conditional Zoning District (MPD-CZ) application.

BACKGROUND: The BOCC was scheduled to take action at its February 16, 2021 Business meeting on a Zoning Atlas Amendment, submitted by Buc-ee's Limited, rezoning two parcels within the Cheeks Township to MPD-CZ allowing for the development of Efland Station.

On Friday February 5, 2021, the County received a letter from Mr. Stan Beard, the Director of Real Estate for Buc-ee's Limited (Attachment 1), formally withdrawing the application. As a result, no further action on the request is required by the County.

Per Section 2.2.8 of the Unified Development Ordinance (UDO), no application: ... *for the same or similar amendment, affecting the same property or a portion of it, may be submitted for a period of one year. Said one year period begins on the date of denial or withdrawal, as appropriate.* While staff is able to process site plan application(s) proposing development consistent with current land use designations and regulations, submittal of a new MPD-CZ application proposing similar development (i.e. travel center with gas pumps, office, restaurant, light manufacturing, etc.) will not be possible until **February 5, 2022**.

FINANCIAL IMPACT: There are no financial impacts associated with the Board acknowledging the request has been withdrawn by the applicant.

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

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION: The Manager recommends the Board formally acknowledge the MPD-CZ for Efland Station has been withdrawn by the applicant.

327 FM 2004
Lake Jackson, Texas 77566



3
346.774.2242
Stan.Beard@Buc-ees.com

February 5, 2021

Mr. Michael Harvey
Orange County Planning Department
131 West Margaret Lane, Suite 201
Hillsborough, NC 27278

Efland Station MPD-CZ Application
Via: mharvey@orangecountync.gov

Dear Mr. Harvey,

Please accept this letter as notice of our decision to withdraw from consideration the above referenced zoning application. The Orange County Board of Commissioners meeting on January 19th and your follow-up letter dated January 26th have lead us to conclude that Orange County is just not a good fit for Buc-ee's.

I want to personally thank you, Mr. Benedict, and the rest of the Orange County Planning staff for your professionalism throughout the entire process. Beth Trahos will follow up with you regarding the logistical requirements of the application withdrawal. Please feel free to contact me with any questions you may have.

Best regards,

Stan Beard, Jr.
Director of Real Estate

cc: Orange County Board of Commissioners
Beth Trahos, Nelson Mullins
Travis Myren, Orange County
Steve Brantley, Orange County

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
2/2/21	Review and consider request by Commissioner Hamilton that the Board receive agenda materials for meetings 1 week prior to meetings	4/2021	Bonnie Hammersley	Staff to discuss and provide information to the Board
2/2/21	Review and consider request by Commissioner Hamilton that the Board actively implement the 3-minute limit for Board members sharing information as part of Section 3 on Business Meeting agendas – Announcements, Petitions and Comments by Board Members (Three Minute Limit Per Commissioner)	6/2021	Laura Jensen	To be reviewed as part of Board Rules of Procedure when Clerk's Office returns to necessary staffing level
2/2/21	Review and consider request by Commissioner Price that the Board consider a resolution in support of the CROWN Act at its February 16, 2021 Business meeting	3/2021	Annette Moore	To be reviewed and considered; Tentatively scheduled for March 2, 2021 Business meeting
2/2/21	Move forward with Broadband Task Force meetings, including utilizing TJCOG as a resource for information	3/2021	Jim Northrup Travis Myren	Meetings to move forward
2/2/21	Move forward with BOCC Elections Advisory Group meetings	3/2021	John Roberts Greg Wilder	DONE



SOCIAL SERVICES

Nancy Coston, Director | 113 Mayo Street, Hillsborough, NC 27278 | 919.245.2800

MEMORANDUM

TO: Board of County Commissioners

FROM: Nancy Coston, Director

DATE: January 28, 2021

SUBJECT: Annual Report of the Community Child Protection Team (CCPT)

Per North Carolina General Statute 7B-1406, each local Community Child Protection Team should submit an annual report to the Board of County Commissioners. This report outlines the activity of the team for 2020. The 2020 Orange County CCPT report is attached.

Orange County Community Child Protection Team 2020 Annual Report

Overview

The 1991 General Statute 7-B-Article 14 of the North Carolina Juvenile Code established a Community Child Protection Team (CCPT) in every county in North Carolina to review active cases as selected by the team in which abuse, neglect or dependency is found. Each local team consists of representatives of public and nonpublic agencies in the community such as law enforcement, Guardian Ad Litem, health departments, among others that provide services to children and their families.

The case reviews are to ensure that families have resources available to them, to enhance their ability to provide safe environments for their children, to inform the community regarding child protection issues that impact the ability of families to protect their children, to facilitate collaboration of team and community resources in order to protect vulnerable children, and to make recommendations for legislative changes.

Activities and Findings

The CCPT reviewed the cases of five families with 12 children who were actively involved with Child Protective Services (CPS). These reviews occurred over four separate meetings. The team assisted in identifying resources for children. Recommendations were made regarding follow up.

- a. Substance abuse was an issue for four families.
- b. Mental health was an issue for three families.
- c. Domestic violence was present in four families.
- d. Educational neglect/truancy was present in two families.

Actions and Accomplishments

- Met four times in 2020 to review child protection and child fatality cases. In depth discussion with identification of needs and subsequent recommendations occurred.
- Discussed alterations in service provision of community resources due to the COVID-19 Pandemic.
- Reviewed CCPT Operating Procedure and adapted to new virtual meeting requirements due to COVID-19 Pandemic.

Recommendations

1. Increase awareness and training with public and private partners around racial equity in child welfare.
2. Improve relationships with multicultural centers (ex. refugee centers) to ensure timely and accurate service provision to families.
3. Increase parent's access to healthcare and insurance in order to access services to address their needs in order to prevent further maltreatment.



FINANCE *and* ADMINISTRATIVE SERVICES

Gary Donaldson, CTP, Chief Financial Officer | gdonaldson@orangecountync.gov | PO Box 8181, Hillsborough, NC 27278 | 919.245.2453

MEMORANDUM

To: Board of County Commissioners

From: Gary Donaldson, Chief Financial Officer

Date: February 16, 2021

Re: Financial Report- Second Quarter FY 2020-21

The COVID-19 induced recession resulted in County measures as part of the FY 2020-21 Adopted Budget. This second quarter report provides an updated status of Revenue and Expenditure of the County's Operating Funds as compared with the prior fiscal year. National Revenue Outlook reports by both Moody's Analytics and S&P Global reports project 2021 revenue declines for State and Local Governments due to the COVID-19 induced recession. Following a review of the first six months of FY 2020-21 General Fund, Sportsplex and Visitors Bureau revenues are projected to be lower than budgeted. Below is the General Fund revenue impact.

Table 1: FY 2020-21 General Fund Revenues

COVID-19 Impacted Revenues	Notes
Federal Detention Fees	\$ (1,000,000) Potential to be larger revenue declines
Motor Vehicle	\$ (700,000) Lower motor vehicle sales
Investment Earnings	\$ (400,000) Lower interest rate environment
Planning/Inspection Fees	\$ (220,000) Decreased inspections due to permittee closures
DEAPR Fees	\$ (200,000) Public health restrictions and County facility closures
Estimated Loss	\$ (2,520,000)

As noted, Property Tax and Sales Tax are not included above for recession fiscal impact for FY 2020-21; the rationale for property tax is further gleaned in the table below for the S&P CoreLogic/Case-Shiller Index of National Home Price Index which increased 9.49% from November 2019 through November 2020. This is an underlying difference between the Great Recession which was induced by the sub-prime real estate market crisis and this public health induced recession. As noted in Table 2 below, current economic declines have not impacted the real estate tax base as compared to the revenue streams listed above. The Orange County housing market sector is consistent with the Case-Shiller Index increases below.

Table 2: Orange County Average Sales Price and Case-Shiller National Home Price Index

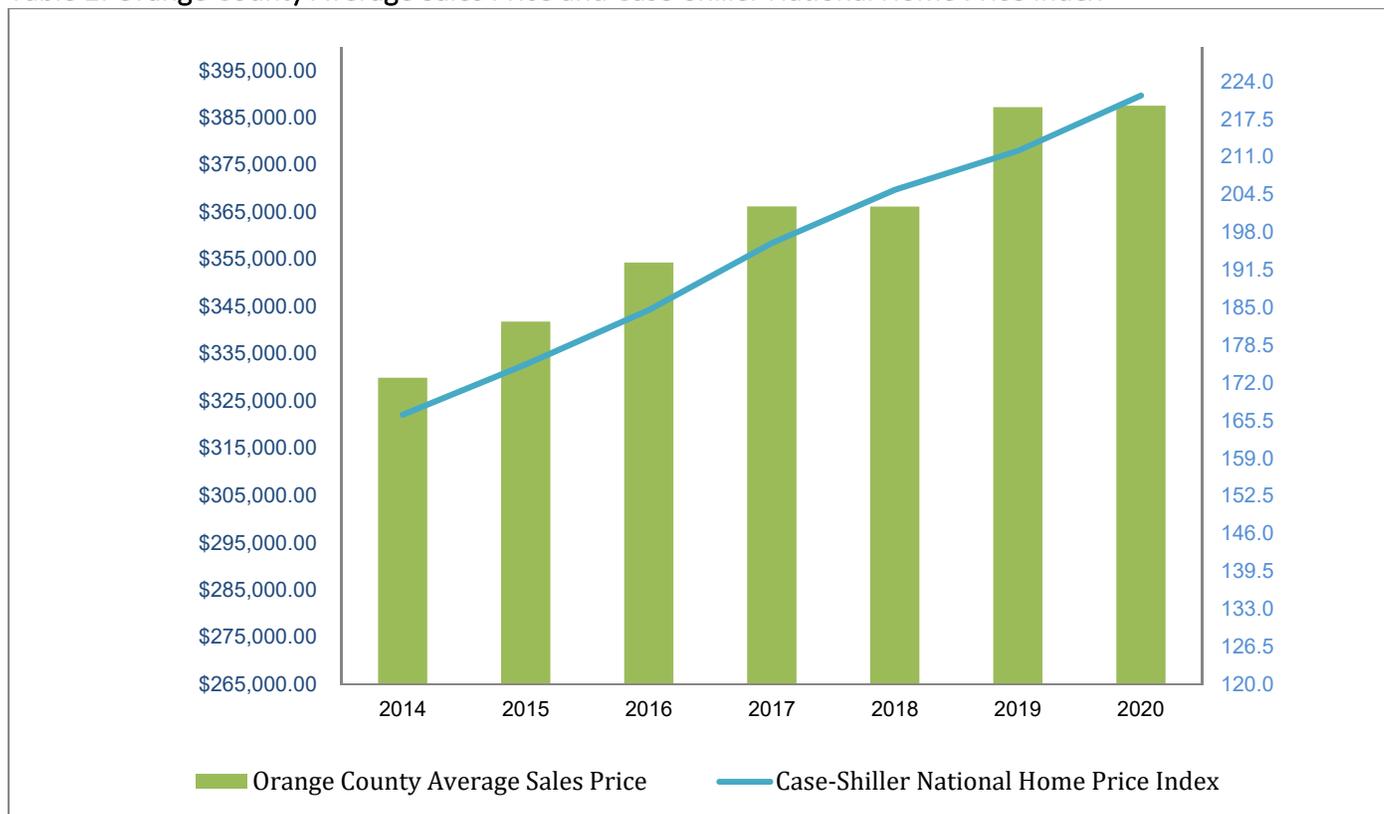
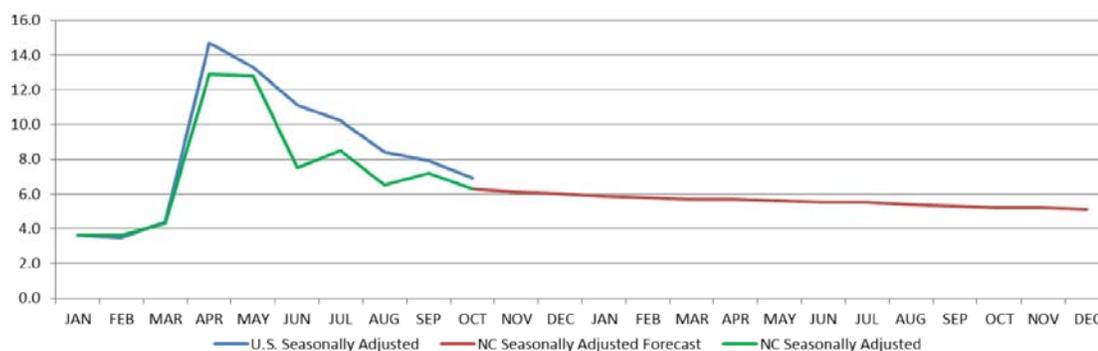


Table 3: UNC-Charlotte Economic Forecast

2020-2021 NORTH CAROLINA UNEMPLOYMENT RATE



FORECAST reports historical seasonally adjusted monthly unemployment rates for North Carolina and the United States and forecasts the seasonally adjusted monthly unemployment rate for North Carolina. The seasonal adjustment accounts for variations in labor market conditions that cause regular fluctuations in the unemployment level each month.

The graph at the top of this page provides a summary of the monthly unemployment rates for 2020 and 2021. The solid blue line represents the United States seasonally adjusted historic unemployment rate. The seasonally adjusted unemployment rate for the North Carolina is represented by the solid green line. The North Carolina seasonally adjusted unemployment rate forecast is represented by the solid red line. The seasonally adjusted rates for the United States and North Carolina can be compared directly and provide more reliable estimates than the unadjusted rates.

Based on the first six-months of FY 2020-21 activity, additional mid-year financial measures are necessary to achieve General Fund breakeven results. The County's Long-Term Financial Model projects using \$3.7 million of the \$8.2 million appropriated fund balance. Alternative strategies rather than any actual use of fund balance are in implementation to remain in compliance with the County's Unassigned Fund Balance Policy.

General Fund Summary

GENERAL FUND		FY 2021				FY 2020		FYs 2021 vs 2020		
		Original Budget	Revised Budget	YTD Actual*	Percentage	YTD Actual*	Percentage	YTD	% Variance*	
Revenue	Property Tax	\$167,694,880	\$167,694,880	\$140,261,324	83.64%	\$135,702,146	82.17%	\$4,559,178	1.47%	1
	Sales & Use Tax	\$23,827,353	\$23,827,353	\$7,136,219	29.95%	\$7,081,317	27.91%	\$54,902	2.04%	
	Licenses and Permits	\$274,550	\$274,550	\$72,675	26.47%	\$65,299	20.84%	\$7,376	5.63%	
	Charges for Services	\$12,645,090	\$12,645,090	\$4,488,448	35.50%	\$6,034,138	47.40%	-\$1,545,690	-11.90%	2
	Intergovernmental	\$17,710,005	\$24,213,182	\$10,174,823	42.02%	\$5,226,123	27.69%	\$4,948,700	14.33%	3
	Transfers In	\$5,486,817	\$5,511,817	\$0	0.00%	\$0	0.00%	\$0	0.00%	
	Miscellaneous	\$3,139,009	\$3,493,398	\$488,674	13.99%	\$885,857	24.17%	-\$397,183	-10.18%	4
	Appropriated Fund Balance	\$8,268,603	\$7,812,302	\$0	0.00%	\$0	0.00%	\$0	0.00%	
	Total	\$239,046,307	\$245,472,572	\$162,622,163	66.25%	\$153,691,283	64.18%	\$8,930,880	2.07%	
Expenditure	Community Services	\$14,322,250	\$14,976,592	\$6,806,321	45.45%	\$6,703,250	45.14%	\$103,071	0.31%	
	General Government	\$10,525,739	\$10,980,760	\$5,285,998	48.14%	\$5,581,438	51.49%	-\$295,440	-3.35%	
	Public Safety	\$27,994,203	\$28,282,669	\$14,145,155	50.01%	\$12,519,973	45.62%	\$1,625,182	4.39%	
	Human Services	\$41,614,328	\$42,937,557	\$18,222,726	42.44%	\$18,470,470	43.95%	-\$247,744	-1.51%	
	Education	\$93,440,414	\$93,560,414	\$45,025,409	48.12%	\$45,026,694	48.15%	-\$1,285	-0.03%	
	Support Services	\$12,773,209	\$14,094,304	\$9,288,542	65.90%	\$6,668,694	55.70%	\$2,619,848	10.20%	5
	Debt Service	\$33,410,925	\$33,410,925	\$18,440,583	55.19%	\$13,478,282	43.83%	\$4,962,301	11.37%	6
	Transfers Out	\$4,965,239	\$7,229,351	\$0	0.00%	\$0	0.00%	\$0	0.00%	
	Total	\$239,046,307	\$245,472,572	\$117,214,734	47.75%	\$108,448,801	45.29%	\$8,765,933	2.46%	

Notes:

* - Actual amounts include Encumbrances.

+ - Based on percentage.

1 - Property tax revenue are attributed to collections timing.

2 - Charges for services due to lower Federal Detention bed utilization and Planning Inspection fees due to COVID-19.

3 - Intergovernmental includes CARES funds from the State.

4 - Miscellaneous includes facility lease rentals, donations and lower investment earnings.

5 - Support services increases reflects Non-Departmental expenditures per capita payments to the towns, Asset Management Services expenditures related to CARES funding. Additionally, Retiree Health expenditures were paid out of the 70 Fund instead of the General Fund in FY 2019-20 through Second Quarter.

6 - Debt service increases reflects the Series 2019A and B Bonds to support the Capital Improvement Program

General Fund revenues are 66.2% of budgeted revenues compared to 64.1% the prior fiscal year. The variance is due to FY 2020-21 Intergovernmental revenues which includes Round 1 (\$2.6 million) and Round 2 (\$2.8 million).

General Fund Revenues

- Property Tax collections are 83.6% of the total Property tax budget compared to 82.2% the prior fiscal year; this represents a timing variance in collections. Real and personal taxes are due September 1 but peak at the end of December tax collections prior to the January assessment of penalties and interest. Assessed Values for FY 2020-21 by statute are as of January 1, 2020. The property tax category includes

real, personal, and motor vehicle taxes and with the exception of motor vehicles, the COVID impact on property taxes is limited.

- Motor vehicles are 52.7% of the Motor Vehicle budget as compared to 51.2% in the prior fiscal year. The FY 2020-21 estimate has been updated to reflect a \$700,000 decline attributed to decreased motor vehicle sales.
- Motor vehicle taxes are payable on the vehicle renewal date and the tax is based on market value of the vehicle. The State remits this tax to the County on a monthly basis.
- Sales Tax for Articles 39, 40 and 42 are 29.9% of the budget as compared to 27.9% in the prior fiscal year. The amounts listed above includes collections for three months (July, August and September); there is a three-month revenue lag from the NC Department of Revenue (NCDOR). This sales tax distribution reflects the State continuation of Phase 3 public health restrictions and steps to expedite unemployment insurance claims. Executive Order unemployment claims protections for the unemployed. As noted in the first quarter report, other sales tax factors on the sales tax include:
 - Online Sales Tax collections resulting from NCDOR enforcement of online retailers as consumers increased their Internet purchases.
 - Federal Stimulus spending from CARES Payroll Protection Program
 - Gradual Easing of Business restrictions

Below is a three-year historical sales tax revenues, FY 2020-21 budget and FY 2020-21 estimate which provides context for sales tax performance during this recession.

FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21 Budget	FY 2020-21 Estimate
\$ 25,678,025.00	\$ 27,844,578.66	\$ 28,126,261.22	\$ 25,595,372.00	\$ 27,266,000.00
Percent Change	8.4%	1.0%	-9.0%	6.5%

- Charges for services are 35.5% of the budget as compared to 47.4% lower the prior fiscal year. The decline is attributed to COVID-19 public health measures for inmate inhabitants at the County Detention Center which reduced population and commensurate cost recovery from the Federal Government. Aging, Animal Services and DEAPR, Planning and Inspection fees are slightly lower as well due to COVID-19 related revenue impacts as indicated previously. As noted earlier the full impact is estimated at \$1.5 million but could be near \$2 million.
- Miscellaneous revenue variance of 13.9% of budgeted revenues as compared to 24.1% the prior fiscal year is due to the reclassification of \$252, 411 in Aging Grants from the General Fund to the Grant Fund.

The timing of Asset Management lease rental revenues for County facilities and lower investment earnings attributed to interest rate declines.

General Fund expenditures are 47.7% of budgeted expenditures as compared to 45.2% the prior fiscal year. The variance is attributed to debt service, emergency services COVID-related contracted services and reclassified non-departmental retiree health care benefits previously paid from the Health and Dental Fund.

General Fund Expenditures

- General government represented 48.1% of total general government as compared to 51.5% the prior fiscal year. This is a timing variance attributed to property casualty and workers compensation premium being paid in installments as compared to upfront payments in the prior fiscal year.
- Support services represented 65.9% of total support service as compared to 55.7% the prior fiscal year. The increase reflects \$1.3 million in Round 2 CARES funds paid out of a Non-Departmental to the towns and \$1.2 million in Retiree Health fund post-employment benefits are now paid from the General Fund this fiscal year rather than the Health and Dental Fund in the prior fiscal year.
- The remaining Functional Leadership teams are consistent with historical spending rates and compliance with the County's proactive measures in response to the COVID related economic crisis.
- Education appropriations are 48.1% of its budget as compared with 48.1% the prior fiscal year. School appropriations are paid to both School systems by the 15th of each month. The remaining Education budget includes School Health and Safety Contracts, Deferred Maintenance, Durham Tech Current Expense and Recurring Capital. Through FY 2020-21 second quarter there were no payments to both school districts for School Nurses or School Resource Officer as the payments are based on receipt of invoices and County staff verification. This compares to FY 2019-20 second quarter expenses of \$205,844 (Orange County School Nurses) and \$11,362 (Orange County Schools Equity Training). The County requested and received in late December how both school districts have been utilizing School Resource Officers and Nurses prior to making any disbursements. The County also provided \$120,000 from Round 2 CARES funding for 800 Hot Spots to Orange County Schools for remote learning.
- Second Quarter debt service represents 55.2% of total debt service as compared to 43.8% the prior fiscal year. This is due to prior Limited Obligation Bonds (LOB) issuances.

Summary of Other Funds

OTHER FUNDS		FY 2021				FY 2020		FYs 2021 vs 2020	
		Original Budget	Revised Budget	YTD Actual*	Percentage	YTD Actual*	Percentage	YTD	% Variance*
Revenue	29 - Annual Grants Project Fund	\$149,095	\$149,095	\$10,345	6.94%	\$22,360	15.62%	-\$12,015	-8.68%
	30 - Multi-Year Grant Projects Fund	\$631,947	\$912,324	\$621,642	68.14%	\$211,587	39.27%	\$410,055	28.87%
	32 - Multi-Year Community Development Fund	\$1,899,076	\$7,300,766	\$757,332	10.37%	\$224,512	12.44%	\$532,820	-2.07%
	33 - Housing Fund	\$4,448,289	\$4,527,659	\$2,084,042	46.03%	\$2,157,088	48.65%	-\$73,046	-2.62%
	35 - Emergency Telephone Fund	\$755,471	\$755,471	\$314,780	41.67%	\$238,844	30.54%	\$75,936	11.12%
	37 - Visitor's Bureau Fund	\$1,621,017	\$1,941,778	\$703,371	36.22%	\$949,872	49.19%	-\$246,501	-12.97%
	38 - Spay/Neuter Fund	\$82,350	\$82,350	\$36,642	44.50%	\$19,208	19.83%	\$17,434	24.66%
	50 - Solid Waste Enterprise Fund	\$12,092,884	\$12,092,884	\$8,977,009	74.23%	\$8,765,964	69.70%	\$211,045	4.53%
	53 - Sportsplex Fund	\$3,796,991	\$3,796,991	\$1,055,795	27.81%	\$1,818,196	39.70%	-\$762,401	-11.90%
	70 - Employee Health & Dental Fund	\$14,085,214	\$14,085,214	\$6,604,699	46.89%	\$5,766,730	33.70%	\$837,969	13.20%
Expenditure	29 - Annual Grants Project Fund	\$149,095	\$149,095	\$38,311	25.70%	\$85,841	59.96%	-\$47,530	-34.27%
	30 - Multi-Year Grant Projects Fund	\$631,947	\$912,324	\$351,885	38.57%	\$363,178	67.40%	-\$11,293	-28.83%
	32 - Multi-Year Community Development Fund	\$1,899,076	\$7,300,766	\$4,570,792	62.61%	\$669,340	37.09%	\$3,901,452	25.52%
	33 - Housing Fund	\$4,448,289	\$4,527,659	\$2,159,326	47.69%	\$2,149,541	48.48%	\$9,785	-0.79%
	35 - Emergency Telephone Fund	\$755,471	\$755,471	\$415,373	54.98%	\$433,793	55.47%	-\$18,420	-0.49%
	37 - Visitor's Bureau Fund	\$1,621,017	\$1,941,778	\$1,198,282	61.71%	\$1,233,357	63.87%	-\$35,075	-2.16%
	38 - Spay/Neuter Fund	\$82,350	\$82,350	\$21,953	26.66%	\$27,589	28.49%	-\$5,636	-1.83%
	50 - Solid Waste Enterprise Fund	\$12,092,884	\$12,092,884	\$5,146,318	42.56%	\$5,509,920	43.81%	-\$363,602	-1.25%
	53 - Sportsplex Fund	\$3,796,991	\$3,796,991	\$1,130,847	29.78%	\$1,618,692	35.35%	-\$487,845	-5.56%
	70 - Employee Health & Dental Fund	\$14,085,214	\$14,085,214	\$6,102,427	43.33%	\$7,344,800	42.92%	-\$1,242,373	0.41%

Notes:

* - Actual amounts include Encumbrances.

+ - Based on percentage.

7 - Multi-Year Grant includes reclassification of Carol Woods Grant from the General Fund.

8 - Reflects higher E-911 subscriber fees.

9 - Reflects COVID-19 impact on occupancy tax revenues.

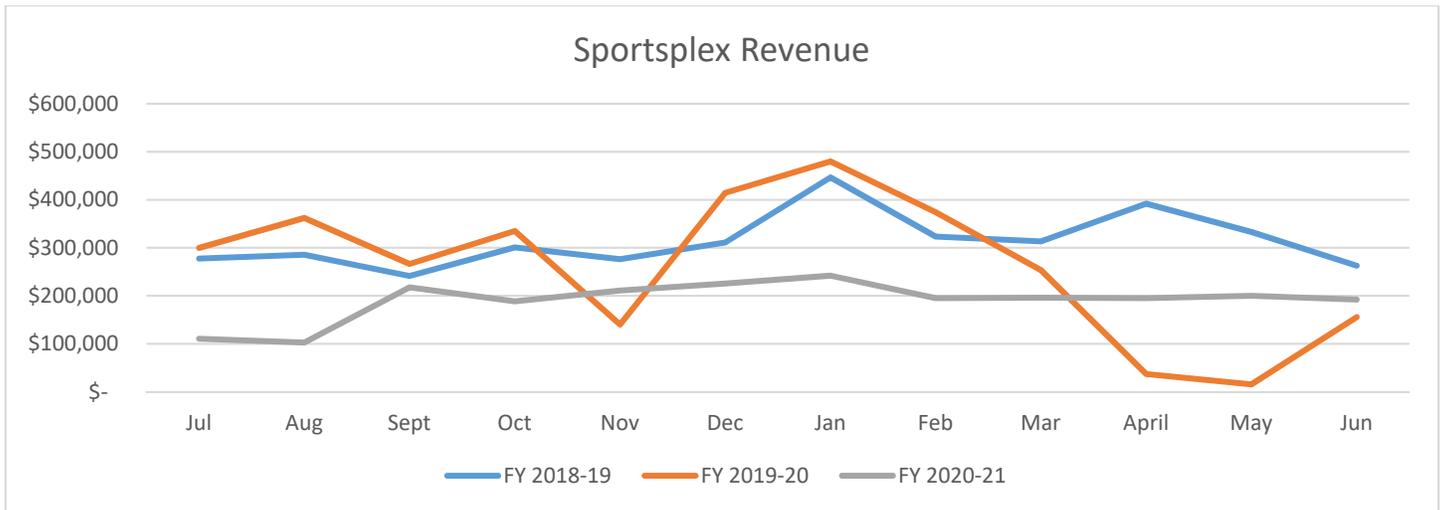
10 - Reflects COVID-19 impact on user fees.

11 - Approved FY 2020-21 CARES and NCORR HOPE funds to counter COVID-19 impacts.

Sportsplex Fund

Sportsplex revenues are 27.8% of budget as compared to 39.7% the prior fiscal year due to the public health restriction impacts on user fees. Sportsplex expenditures are 29.8% of budget as compared to 35.3% the prior fiscal year. FY 2020-21 revenues are \$1,055,795 and expenditures are \$1,130,847 for the Second Quarter. FY 2019-20 revenues were \$1,818,196 and expenditures were \$1,618,692 for the Second Quarter.

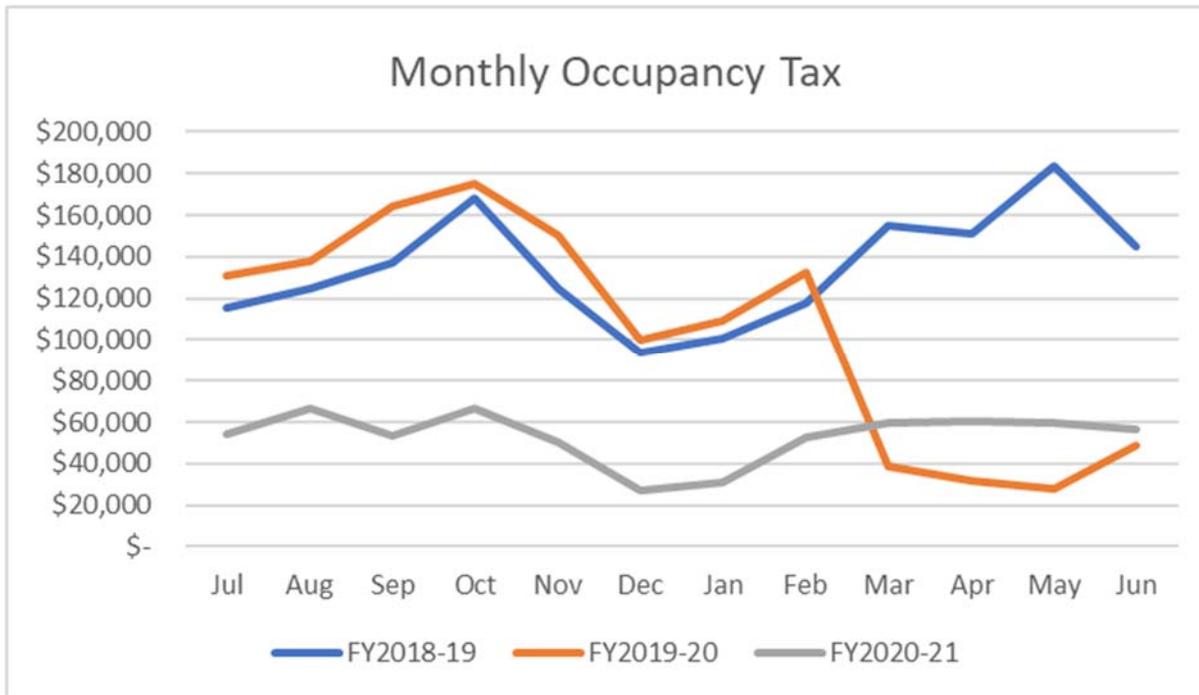
The monthly Sportsplex revenues below provides comparative trends for the past two fiscal years and FY 2020-21 Year-To-Date Actuals and Forecasted January 2021 through June 2021 forecasted. As noted the public health restrictions has resulted in a revised revenue estimate of \$2.2 million. Sportsplex revenues include ice skating activities, ice rink rentals, and a new adult league hockey season. Sportsplex management will continue with cost containment measures in response to the revised revenue estimates as the State remains in Phase 3.



Visitors Bureau Fund

Visitors Bureau revenues are 36.2% of budget as compared to 49.2% the prior fiscal year due to the public health restrictions. Visitors Bureau expenditures are 61.7% of budget as compared to 63.8% the prior fiscal year. FY 2020-21 revenues are \$703,371 and expenditures are \$1,198,282 for the Second Quarter. FY 2019-20 revenues were \$949,872 and expenditures were \$1,233,357 for the Second Quarter.

The monthly occupancy tax revenues below provides comparative trends for the past two fiscal years and FY 2020-21 Year-To-Date Actuals and Forecasted January 2021 through June 2021 forecasted. Staff has identified contractual expenses in the amount of \$327,352 to counter declining revenues however Visitors Bureau fund balance may still be needed.



Solid Waste Fund

Solid Waste revenues are 74.2% of the total revenues as compared to 69.7% the prior fiscal year. The solid waste program fee of \$142 is billed as a line item on the Property Tax bill. As noted previously, peak collections occur by the end of December. Solid waste expenditures are 42.5% of total expenditures as compared to 43.8% the prior fiscal year.

Functional Leadership Teams by Department

Community Services - Animal Services, NC Cooperative Extension, DEAPR, Economic Development, Orange Public Transportation, Planning and Inspections.

General Government - Board of Elections, Clerk to the Board, County Attorney, County Manager, Register of Deeds and Tax Administration

Public Safety – Courts, Emergency Services, Criminal Justice Resource Department, and Sheriff’s Office

Human Services – Department on Aging, Child Support, Housing, Human Rights, and Community Development, Library, Public Health and Social Services

Support Services - Asset Management Services, Community Relations, Finance, Human Resources, and Information Technology

Thanks to the Budget Division for their support in the preparation of this quarterly report.

cc: Bonnie Hammersley, County Manager

Barings/UNC Charlotte Economic Forecast December 10th, 2020

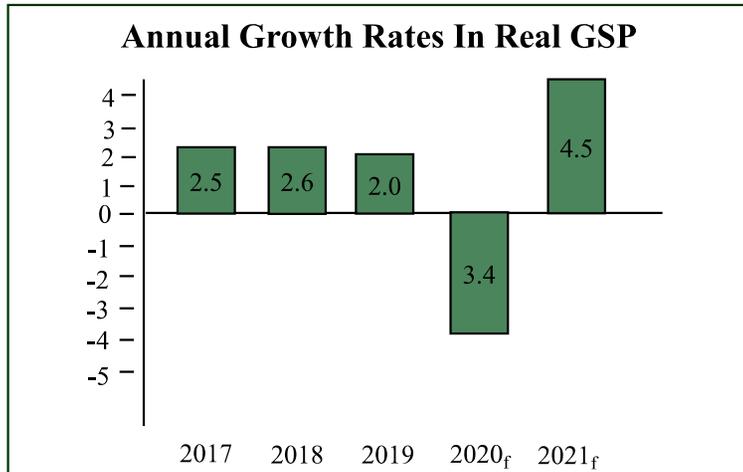


CELEBRATING 50 YEARS

BARINGS

The data used in this report comes from the websites for the U.S. Department of Commerce's Bureau of Economic Analysis (www.bea.gov) and the North Carolina Employment Security Commission (www.ncesc.com) as of November 24, 2020. The opinions expressed in this Forecast by Professor Connaughton (the Barings Professor of Financial Economics at the Belk College of Business) and UNC Charlotte do not necessarily represent the views of Barings.

FORECAST HIGHLIGHTS



- For 2020, NORTH CAROLINA real GSP is expected to decrease by 3.4 percent over the 2019 level.

Twelve of the state's fifteen economic sectors are forecast to experience output decreases during 2020. The sectors with the largest expected declines are hospitality and leisure services with a projected real decrease of 33.9 percent, other services with a projected real decrease of 10.7 percent, durable goods manufacturing with a projected real decrease of 9.3 percent, health services with a projected real decrease of 6.9 percent, and retail trade with a projected real decrease of 3.7 percent.

- For 2020, NORTH CAROLINA establishments are expected to lose 224,100 net jobs during the year, a decrease of 4.8 percent.

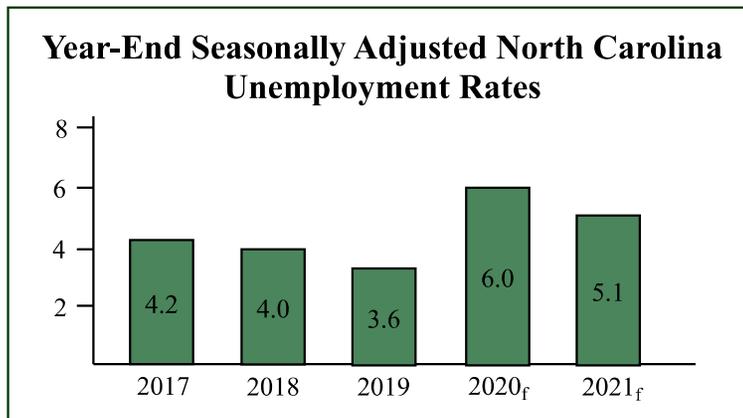
- For 2021, NORTH CAROLINA real GSP is forecast to increase by 4.5 percent over the 2020 level.

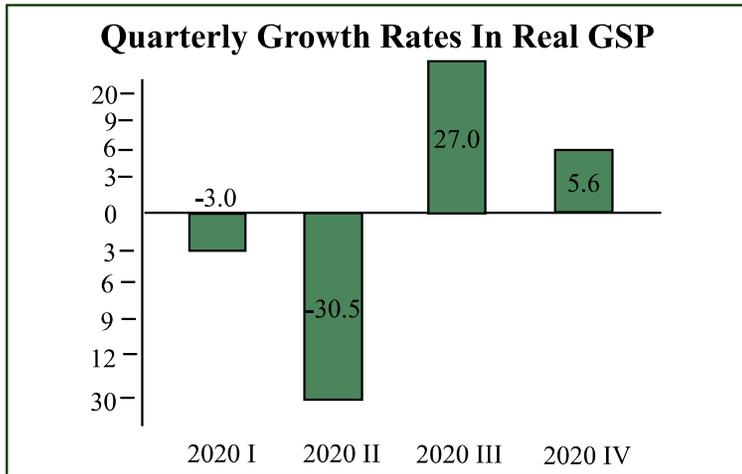
All fifteen of the state's economic sectors are expected to experience output increases during 2021. The sectors with the strongest expected growth rates are agriculture with a real growth rate of 21.7 percent, hospitality and leisure services with a real increase of 7.3 percent, educational and health services with a real increase of 6.8 percent, information with a real increase of 6.0 percent, other services with a real increase of 5.6 percent, wholesale trade with a real increase of 4.8 percent, retail trade with real increases of 4.7 percent, and business and professional services with a real increase of 4.6 percent.

- For 2021, NORTH CAROLINA establishments are forecast to add 245,100 net jobs, an increase of 5.4 percent.

- The North Carolina unemployment rate peaked at 12.9 percent in April and by December 2020, the state's unemployment rate is expected to be around 6.0 percent.

GSP/Gross State Product is a yardstick that measures the total output of a state's economy for a given year. It is analogous to the U.S. Gross Domestic Product (GDP).





2020 Highlights

Gross State Product (GSP) is expected to reach a level of \$560,309.2 million in 2020. Real (inflation-adjusted) GSP is expected to decrease by 3.4 percent over the 2019 level. The Covid-19 shutdown in early 2020 ended the ten plus year economic expansion that the North Carolina economy had experienced since 2010.

For 2020, first quarter GSP decreased by an annualized real rate of 3.0 percent as the Covid-19 response slowly kicked in. During the second quarter, GSP decreased by an annualized real rate of 30.5 percent, during which the U.S. economy was essentially shutdown by government action. In the third quarter, GSP is expected to increase by an annualized real rate of 27.0 percent as recovery begins. In the fourth quarter of 2020, GSP is expected to increase by an annualized real rate of 5.6 percent.

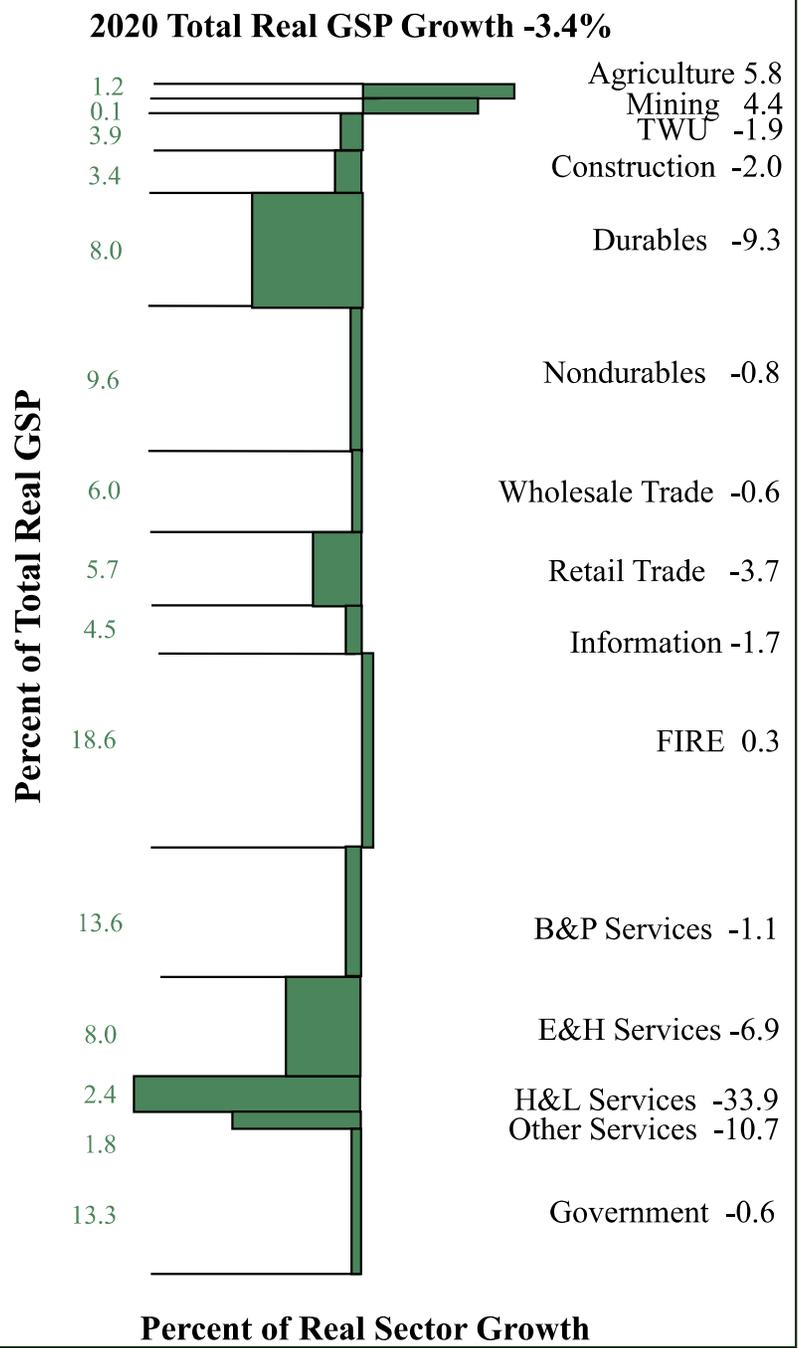
The North Carolina economy, like the U.S. economy, experienced its biggest decline in GDP since the Great Depression of the 1930s. The decline was caused not by an economic disequilibrium, but by a designed action by the government to shutdown normal economic interaction to save lives in response to an unprecedented pandemic. Not since the Spanish Flu pandemic of 1918 have we seen anything approaching this year’s health crisis. However, in 1918 scientists did not understand as much about viral spread as we do today, and shutting down the economy and social distancing were not considered. In fact, because of the weapons production associated with World War I, the U.S. economy actually expanded during 1918.

Going forward from the middle of 2020, the number one question is how long before the economy gets back to its 2019 level and will the unemployment rate again approach “full employment.” Given the devastating hit the economy took during the second quarter of 2020, it is likely to take until late 2021 before GDP reaches the 2019 quarter 4 high point. Unfortunately, the unemployment rate will take another 6 to 9 months before it again approaches 4.0 percent.

	2020 *	Percent Change
Current Dollars		
Total Gross Product	560,309.2	-2.1
Constant (2012 Dollars)		
Total Gross Product	495806.9	-3.4
Agricultural	5785.0	5.8
Mining	660.5	4.4
Construction	19,123.6	-2.0
Manufacturing	87,098.7	-4.8
Durable Goods	39,462.6	-9.3
Nondurable Goods	47,636.1	-0.8
TWU	19,123.6	-1.9
Wholesale Trade	29,486.4	-0.6
Retail Trade	28,341.8	-3.7
Information	22,444.1	-1.7
FIRE	92,379.58	0.3
B & P	67,252.6	-1.1
E & H	39,477.8	-6.9
H & L	11,987.6	-33.9
Services	8,877.8	-10.7
Government	65,863.5	-0.6

* millions of dollars

2020 GSP SECTOR ANALYSIS



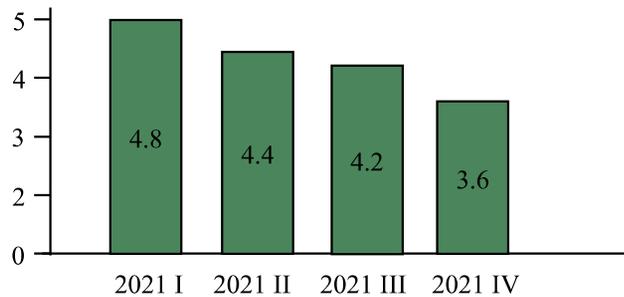
The chart to the left presents the projected contributions of each major economic sector to North Carolina's Gross State Product (GSP). The real (inflation-adjusted) growth rate for 2020 is forecast to decrease by 3.4 percent. Projected real growth rates for each sector (displayed in black type) are plotted on the horizontal axis. Projected percentages of GSP contributed by each sector (displayed in green type) are plotted on the vertical axis. The resulting rectangles show the expected weighted importance of each sector's growth during 2020. All of the sector information presented in the table to the left is based on the new North American Industry Classification System (NAICS) definitions.

Twelve of the state's fifteen economic sectors are forecast to experience output decreases during 2020. The sectors with the largest expected declines are hospitality and leisure services with a projected real decrease of 33.9 percent, other services with a projected real decrease of 10.7 percent, durable goods manufacturing with a projected real decrease of 9.3 percent, health services with a projected real decrease of 6.9 percent, and retail trade with a projected real decrease of 3.7 percent.

Seven other sectors are expected to experience GDP declines, but at levels less than the overall 3.4 percent GSP real decline. These sectors are construction with a projected real decrease of 2.0 percent; transportation, warehousing, and utilities (TWU) with a projected real decrease of 1.9 percent; information with a projected real decrease of 1.7 percent; business and professional services with a projected real decrease of 1.1 percent; nondurable goods manufacturing with a projected real decrease of 0.8 percent; government with a projected real decrease of 0.6 percent; and wholesale trade with a projected real decrease of 0.6 percent.

Three sectors: Finance, insurance, and real estate (FIRE); agriculture; and mining are expected to experience growth in 2020.

Quarterly Growth Rates in Forecasted Real GSP



2021 Highlights

	2021*	Percent Change
Current Dollars		
Total Gross Product	589,766.5	5.2
Constant (2012 Dollars)		
Total Gross Product	517,942.7	4.5
Agricultural	7,045.3	21.7
Mining	676.63	2.4
Construction	17,638.3	3.6
Manufacturing	89,718.3	3.0
Durable Goods	40,546.8	2.7
Nondurable Goods	49,171.5	3.2
TWU	19,761.7	3.3
Wholesale Trade	30,906.1	4.8
Retail Trade	29,681.7	4.7
Information	23,789.3	6.0
FIRE	95,213.6	3.1
B & P	70,356.7	4.6
E & H	42,179.3	6.8
H & L	12,874.1	7.3
Services	9,370.9	5.6
Government	68,728.2	4.3

* Millions of dollars

2021 GSP

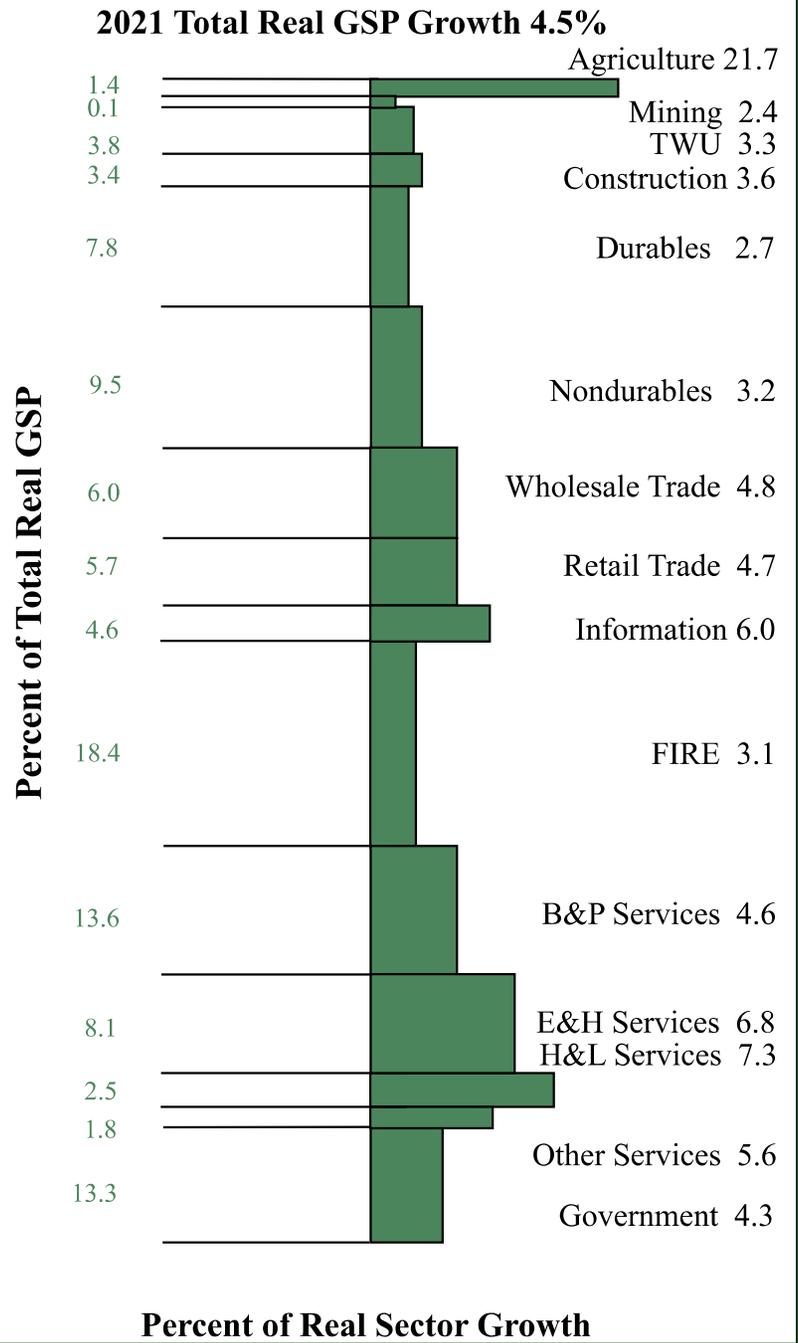
Gross State Product (GSP) is forecast to reach a level of \$589,766.5 million in 2021. Real (inflation-adjusted) GSP is expected to increase by 4.5 percent over the 2020 level. This growth in 2021 will represent the first year of growth since Covid-19.

For 2021, first quarter GSP is expected to increase by an annualized real rate of 4.8 percent. During the second quarter, GSP is expected to increase by an annualized real rate of 4.4 percent. In the third quarter, GSP is expected to increase by an annualized real rate of 4.2 percent. In the fourth quarter of 2021, GSP is expected to increase by an annualized real rate of 3.6 percent.

2021 represents the first full year of the economic comeback from the Covid-19 recession of 2020. The Covid-19 recession resulted in a more severe downturn than what we experienced during the Great Recession in 2008. However, this recession is markedly different than any recession we have experienced. In most recessions, the cause comes from an imbalance in one or more sectors of the economy. In the Great Recession, it was the finance industry that almost collapsed in the fall of 2007 which led to the downturn. The 2001 recession was caused by investment overhang that resulted from the Y2K buildup during 1998 and 1999. This recession was caused by a mandated shutdown of many sectors of the economy.

What resulted was a very different looking decline. Normally, during a recession, GDP begins to fall, and 6-9 months later we see unemployment begin to rise. During the recovery phase after a normal recession, GDP begins to rise and the unemployment rate doesn't start to pickup until 6-9 months later. After that, it can take more than two years before the unemployment rate recovers. In the Covid-19 recession, the unemployment rate was leading the downturn. In April of 2020, the North Carolina unemployment rate jumped to 12.9 percent but by October, it had fallen back down to 6.3 percent.

2021 GSP SECTOR ANALYSIS



The chart to the left presents the projected contributions of each major economic sector to North Carolina's Gross State Product (GSP). The real (inflation-adjusted) growth rate for 2021 is forecast to increase by 4.5 percent. Projected real growth rates for each sector (displayed in black type) are plotted on the horizontal axis. Projected percentages of GSP contributed by each sector (displayed in green type) are plotted on the vertical axis. The resulting rectangles show the expected weighted importance of each sector's growth during 2021. All of the sector information presented in the table to the left is based on the new North American Industry Classification System (NAICS) definitions.

All fifteen of the state's economic sectors are expected to experience output increases during 2021. The sectors with the strongest expected growth rates are agriculture with a real growth rate of 21.7 percent, hospitality and leisure services with a real increase of 7.3 percent, educational and health services with a real increase of 6.8 percent, information with a real increase of 6.0 percent, other services with a real increase of 5.6 percent, wholesale trade with a real increase of 4.8 percent, retail trade with real increases of 4.7 percent, and business and professional services with a real increase of 4.6 percent.

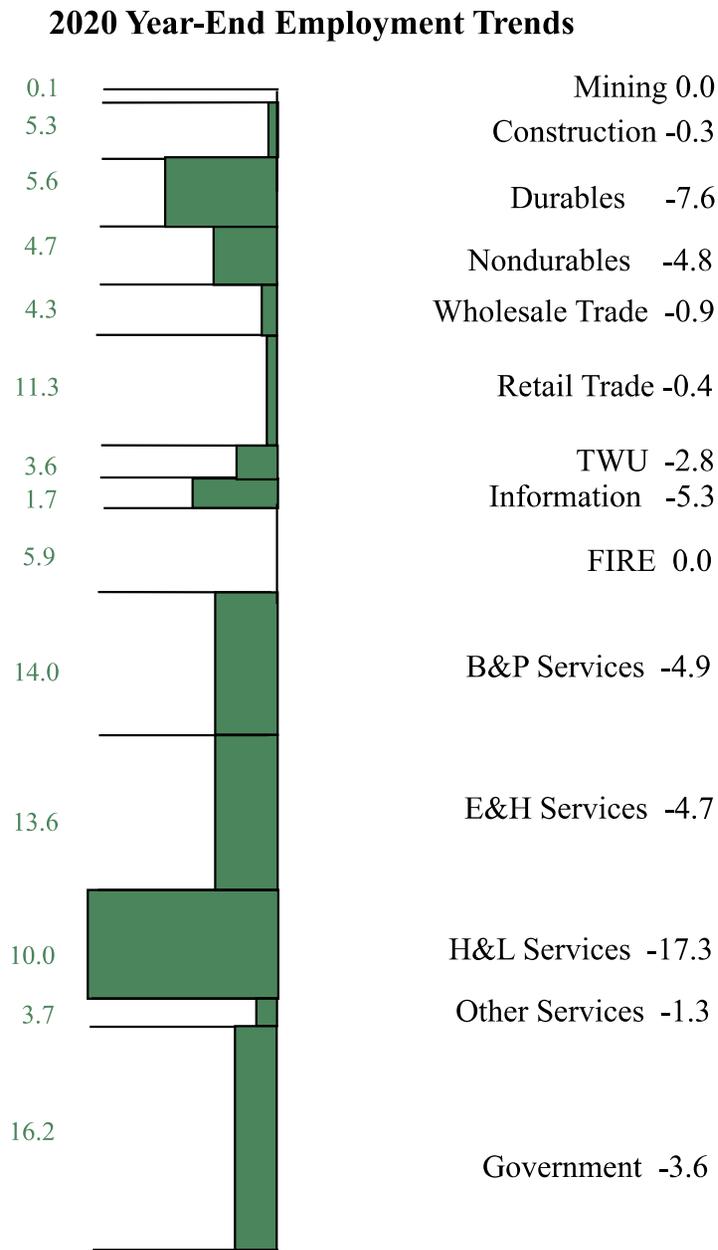
Seven other sectors are expected to experience growth rates, however, at levels below the overall 4.5 percent GSP real growth rate. These sectors are government with a real increase of 4.3 percent; construction with a real increase of 3.6 percent; transportation, warehousing, and utilities (TWU) with a real increase of 3.3 percent; nondurable goods manufacturing with a real increase of 3.2 percent; finance, insurance, and real estate (FIRE) with a real increase of 3.1 percent; durable goods manufacturing with a real increase of 2.7 percent; and mining with an annual real increase of 2.4 percent.

2020 EMPLOYMENT SECTOR ANALYSIS

The sector employment analysis presented on this page is based on the new North American Industrial Classification System (NAICS). Seasonally adjusted nonagricultural employment in North Carolina is expected to reach 4,369.800 persons by December 2020, a decrease of 4.8 percent over the employment level in December 2019. The state is expected to lose 224,100 net jobs during the year.

Twelve of the state's fourteen nonagricultural sectors of the economy are expected to experience employment decreases during 2020. The sectors with the largest expected employment decreases in 2020 are hospitality and leisure services at 17.3 percent, durable goods manufacturing at 7.6 percent, and information at 5.3 percent.

Percent of Total Employment



Percent of Sector Employment Growth

2020 Employment Highlights

	Year-End*	Percent Change
Total Establishment		
Employment	4,369.8	-4.8
Mining	5.6	-0.0
Construction	230.9	-0.3
Manufacturing	448.7	-6.3
Durable Goods	242.3	-7.6
Nondurable Goods	206.4	-4.8
Wholesale Trade	187.4	-0.9
Retail Trade	494.0	-0.4
TWU	158.0	-2.8
Information	73.8	-5.3
FIRE	259.6	0.0
B&P Services	612.3	-4.9
E&H Services	593.2	-4.7
H&L Services	436.8	-17.3
Other Services	160.5	-1.3
Government	709.0	-3.6

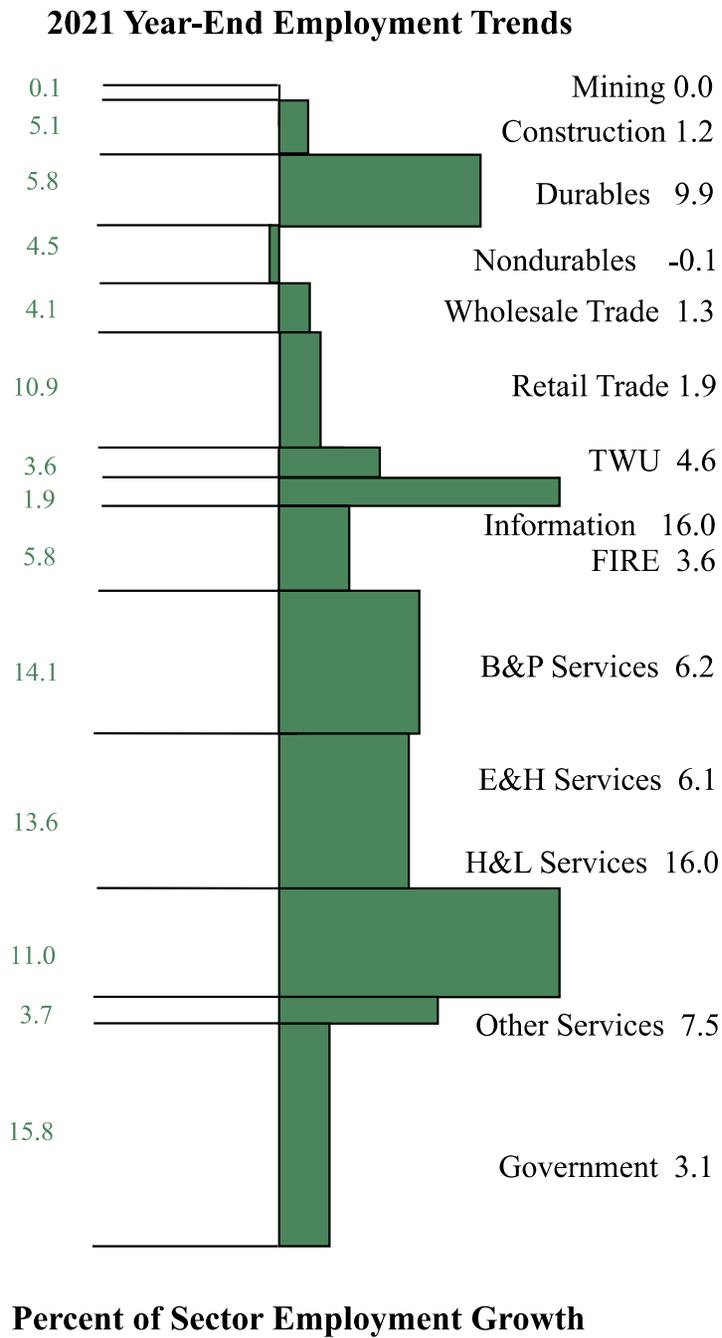
*thousands of persons

2021 EMPLOYMENT SECTOR ANALYSIS

The sector employment analysis presented on this page is based on the new North American Industrial Classification System (NAICS). North Carolina employment is expected to reach 4,614,900 persons by December 2021, an increase of 5.4 percent over the employment level in December 2020. The state is expected to add 245,100 net jobs in 2021.

Twelve of the state’s fourteen nonagricultural sectors of the economy are expected to experience employment increases during 2021. The sectors with the expected strongest employment increases in 2021 are hospitality and leisure services and information, both at 16.0 percent.

Percent of Total Employment

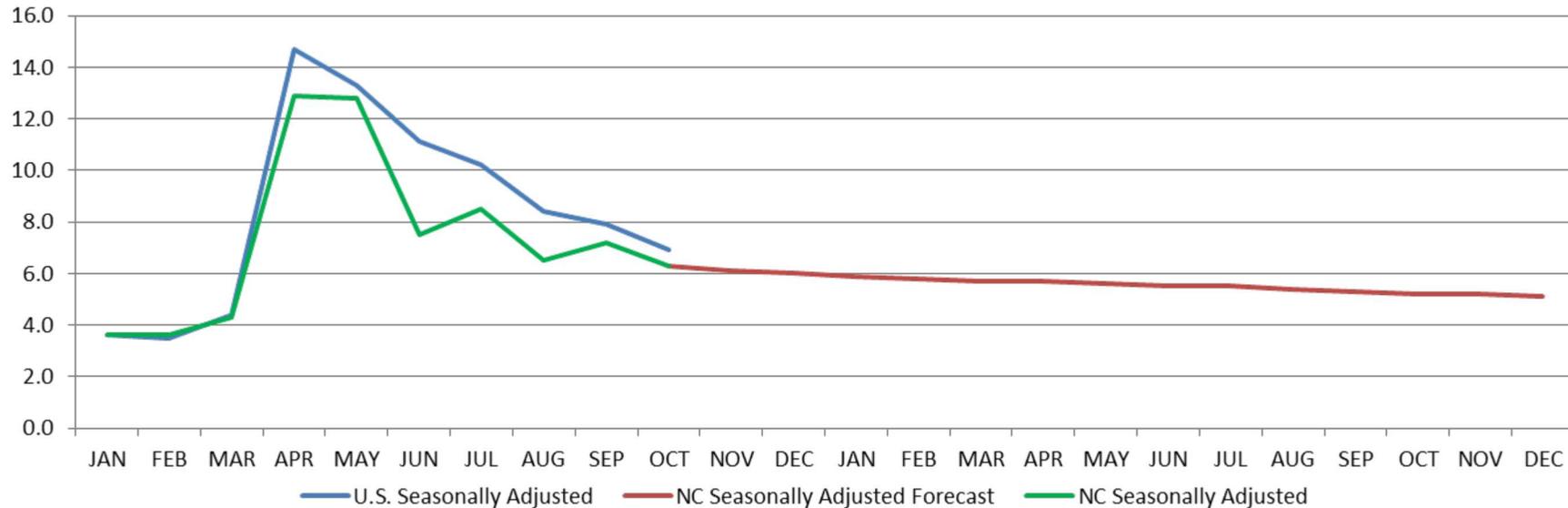


2021 Employment Highlights

	Year-End*	Percent Change
Total Establishment		
Employment	4,614.9	5.4
Mining	5.6	0.0
Construction	233.6	1.2
Manufacturing	472.6	5.4
Durable Goods	266.3	9.9
Nondurable Goods	206.3	-0.1
Wholesale Trade	189.9	1.3
Retail Trade	503.5	1.9
TWU	165.3	4.6
Information	85.6	16.0
FIRE	268.9	3.6
B&P Services	650.6	6.2
E&H Services	629.2	6.1
H&L Services	506.8	16.0
Other Services	172.5	7.5
Government	730.8	3.1

*thousands of persons

2020-2021 NORTH CAROLINA UNEMPLOYMENT RATE



FORECAST reports historical seasonally adjusted monthly unemployment rates for North Carolina and the United States and forecasts the seasonally adjusted monthly unemployment rate for North Carolina. The seasonal adjustment accounts for variations in labor market conditions that cause regular fluctuations in the unemployment level each month.

The graph at the top of this page provides a summary of the monthly unemployment rates for 2020 and 2021. The solid blue line represents the United States seasonally adjusted historic unemployment rate. The seasonally adjusted unemployment rate for the North Carolina is represented by the solid green line. The North Carolina seasonally adjusted unemployment rate forecast is represented by the solid red line. The seasonally adjusted rates for the United States and North Carolina can be compared directly and provide more reliable estimates than the unadjusted rates.

The United States started 2020 with an unemployment rate of 3.6 percent, which fell to 3.5 percent in February. North Carolina started the year with a 3.6 percent rate of unemployment. Both the U.S. and North Carolina unemployment rates jumped dramatically in April to 14.7 and 12.9 percent respectively. Since then, both the U.S. and North Carolina rates have fallen dramatically to 6.9 percent and 6.3 percent by October. The North Carolina rate should decline through the rest of the year and reach 6.0 percent by December 2020 and 5.1 percent by December of 2021.

MEMORANDUM

TO: Board of County Commissioners

FROM: James Bryan, Staff Attorney

DATE: February 4, 2021

SUBJECT: Options for Increasing Affordable Housing in Orange County Through the Unified Development Ordinance

ATTACHMENT(S): Affordable Housing Report, Incentives & Opportunities Chart, Framework Chart, Regulatory Process Chart, Survey Summary

BACKGROUND: The County Attorney was asked to report to the Board on all available options to incentivize affordable housing in Orange County, focusing on potential changes to the Unified Development Ordinance. This report aims to build upon a similar response from October 2019 by providing a list of actionable items as well as incorporating feedback from the development community. James Bryan, the staff attorney who works most with the Planning Department was tasked with this item.

While a list of seventeen actionable incentives and opportunities are included, staff sees four as being the most fruitful although some would be controversial and others would require assistance from the towns. In no particular order these are: First, the initiation of an updated comprehensive plan likely followed by the adoption of a more modern UDO. Second, seek expansion to existing special legislation to allow for an increased density bonus program allowing for payment in lieu of construction or donation of land. Third, initiate discussion with stakeholders in the Joint Planning Agreement (“JPA”) and Water Sewer Management Planning Boundary Agreement (“WSMPBA”) to allow exceptions for affordable housing. Fourth, revise major subdivisions to be an administratively reviewed process.

The Incentives & Opportunities Chart is a compilation of seventeen potential options. The Framework Chart lists traditional regulatory or financial incentive, indicating the statutory limitations and comparison to other jurisdictions. The Regulatory Process Chart demonstrates the review process and the multiple decision points along the way. The Survey Summary describes the feedback from developers.

Affordable housing is a ubiquitous issue that could seemingly endlessly benefit from further consideration. Some communities, most recently Apex, utilize outside consultants to provide guidance. The longstanding history of housing here and elsewhere also makes it a worthwhile topic for consideration under the lens of racial equity.

While staff did receive feedback from the development community, much of that is anecdotal. At the Board’s direction, staff can compile comparison data for abutting jurisdictions and seek more concrete financials.

In addition to this report, on October 1, 2019 Michael Harvey, Current Planning Supervisor, provided a memorandum to the Board discussing the Development of Affordable Housing in Orange County, which addressed many of the same items found in this report. Mr. Harvey’s report may be viewed [here](#).

Should the Board wish to further explore any of these seventeen items the County Attorney’s office will work with the Planning Department to bring them forward as expeditiously as possible.

Report on Affordable Housing Incentives

February 2021¹

Zoning and land development incentives for affordable housing are necessarily tied to financial costs. These incentives often aim to lower the transactional costs by allowing greater density or flexibility to make the process quicker, more certain or cheaper.

Staff from the Orange County Housing & Community development reached out to several developers (both non-profit and for-profit) to have them identify regulatory, financing and other barriers. Developers responded that it was a long, slow and expensive review process.

The regulation of development inherently contributes to transactional costs and dampens the market's full potential to provide low cost housing. To incentivize guaranteed affordable housing (i.e. protected by covenants) local governments have some limited options such as fast track permitting. The more powerful incentives, such as density bonuses, require special legislation from the NC General Assembly. In 1991 the County received such special local authority (codified in UDO 6.18) but this incentive has never been utilized by a developer.

The general belief is that developers, both for-profit and non-profit, have largely written-off Orange County as too difficult to work in. Aside from land costs, the development process was seen as unwelcoming due to a lengthy process with uncertain results. There are reasons warranting that feeling as the UDO itself is lengthy, dense and confusing. For instance, there are expedited, exempt, minor and major subdivision classifications with major subdivisions being further broken down into five subcategories with three different permitting processes. All of those distinctions have true differences, but perhaps for little purpose as there were 100 subdivisions in the last five years yet only four subdivided into more than five lots. Subdivisions which require approval by the governing board involve a long process with uncertain outcomes. In contrast, all subdivisions in Alamance County are handled administratively.

Compounding the problem of an anti-development perception were outdated plans. The Comprehensive Plan was adopted in 2008 using, for example, housing price data from 1970-2000. While a '30 year plan,' the document itself called to be reviewed annually and then an update by 2015. There have been periodic amendments to the plan necessitated by rezonings and text amendments to the UDO, but no review in its entirety. Likewise, there are new demographics and notes from advisory boards, although these are not adopted by the governing board as a formal update to the plan. The amount of attention to the plan and resulting development may have reinforced the perception that the County was not interested in attracting development. A new comprehensive plan would likely be a prelude to a wholesale replacement to the UDO to drastically reduce the over 700 pages and create clear pathways to desired results.

In the past two decades there have been considerable shifts in planning regulations allowing much greater legislative tools to replace cumbersome quasi judicial hearings. The General Assembly has provided for

¹ This report was drafted by and reflects the opinions of James Bryan, Staff Attorney with recognition of tremendous contributions and assistance from the Housing & Community Development Department (Emila Sutton, Erika Brandt, Maria Dewees) and Planning & Inspections Department (Craig Benedict, Ashley Moncado, and Molly Boyle).

Conditional Zoning and Development Agreements—both legislative processes that allow for the placement of conditions and provision of public infrastructure. These powerful tools replace outdated methods of regulation with more straightforward procedures. There have also been the codification of regulatory trends, such as with form based codes.

The County has been steadily amending its land use ordinance. It added some of the new tools, but retained the outdated or unused tools. Staff recently updated the table of permitted uses and will be recommending streamlining of the subdivision approval process. However, this piecemeal approach has kept the ordinance large and complex. This is an ordinance which requires a quasi-judicial hearing, five months of processing and more than a thousand dollars of fees to determine whether a taxidermy business is appropriate in the Agricultural Residential zoning district with no guiding standards for the Board of Adjustment other than the statutory minimum (e.g. being in harmony with the area).

The availability of land suitable to dense development is also a concern heard from the home builders. There are three existing policies which exist primarily due to concerns about the environment or urban sprawl, but consequentially also reduce the availability of land. The Joint Planning Agreement contains minimum lot sizes within the Rural Buffer, the Water and Sewer Management, Planning and Boundary Agreement limits the availability of public utilities and the Water Supply Watershed Overlay District limits impervious surface on lots. These three policies cover the majority of land in the unincorporated county. None of the policies have allowances to incentivize affordable housing.

Staff has compiled a list of available incentives in the Incentives & Opportunities Chart. Several other attachments aim at providing context. The Framework Chart lists each traditional regulatory or financial incentive, indicating the statutory limitations and comparison to other jurisdictions. The Regulatory Process Chart demonstrates the review process and the multiple decision points along the way. The Survey Summary describes the feedback from developers.

The most direct incentive would be to expand the current density bonus which would require special legislation. Next, allowing exceptions for affordable housing in the rural buffer would create more opportunities, but would require initiating a discussion with stakeholders in the JPA and WSMPBA. Streamlining the subdivision process to be entirely administratively reviewed would make the process both quicker and more certain. Finally, an update to the comprehensive plan and adoption of a modern UDO would signal to the development community a recognition that affordable housing is a current priority.

Incentives and Options Chart

Action Item	Description
1. Streamline the Subdivision Processes	<p>Reduce the number of options and increase the lot threshold required for greater scrutiny.</p> <p>The most comprehensive review occurs at 20 units at which point there are 5 types of major subdivisions.</p>
2. Increase Density Bonus	<p>Allow a greater density for those projects which contain housing for low- to moderate-income households. To date, a developer has never pursued this policy.</p> <p>Current policy generally allows for 25% more density where at least 40% of units are affordable. This bonus is not available in the protected watershed.</p> <p>Current bonus is authorized by special legislation, and thus alterations to this bonus would likely require additional special legislation.</p>
3. Government Initiated Rezonings	<p>Similar to previous economic development efforts, staff may examine and identify areas well suited for affordable housing and initiate pre-zonings to accommodate that use.</p>
4. Alter Approval Authority to Expedite Subdivision Process	<p>Allow for more subdivision processes to occur with administrative review versus board review which require public hearings.</p> <p>Assess the existing development review process, specifically related to residential development, including schedules, review times, and fees to determine if there are any excessive requirements or measures impacting housing affordability.</p>
5. Expedite Review Time for Subdivisions and Rezonings	<p>Create a shorter timeframe for staff and board reviews of approvals.</p>
6. Reduce Development Fees	<p>Allow for reduced, refunded, or waived fees or maintenance guarantees.</p>
7. Alter Development Standards Specific to Affordable Housing Projects	<p>Alter standards for affordable housing projects. Standards include road construction requirements; dimensional standards; recreation and open space requirements; flag lot prohibitions; access to roadways; landscaping; stream buffers; and traffic impact improvements. May require special legislation.</p>
8. Alter Development Standards Applicable to All Development	<p>Alter standards for all residential development. Standards include road construction requirements; dimensional standards; recreation and open space requirements; flag lot prohibitions; access to roadways; landscaping; stream buffers; and traffic impact improvements.</p>
9. Utilize Development Agreements	<p>Use development agreements for particular affordable housing projects. Engage with individual developers or create a general policy to exchange vested rights in long term projects for several considerations including the provision of affordable housing.</p>
10. Expand Accessory Dwelling Units	<p>Allow for the expanded use of ADUs. There are limitations due to existing water and sewer capacity and well/septic requirements.</p>
11. Amend WASMPBA to Increase Access to Public Water and Sewer Service	<p>Increase access to public water and sewer service to allow more dense development.</p>

Incentives and Options Chart

12. Equity and Inclusion Review	Conduct a review of past, current and future endeavors in light of equity, diversity and inclusion principles. A consultant has begun work reviewing current programs.
13. Affordable Housing Impact Fee	Seek local legislation from the NC General Assembly to allow an affordable housing impact fee. This would be a fee charged on non-residential or residential (new market rate housing) development which is utilized for various affordable housing programs including construction of affordable housing or rehabilitation of existing affordable housing units.
14. Innovative Wastewater Systems	Evaluate existing standards and new opportunities to support and allow for offsite septic facilities for wastewater treatment. By reviewing existing standards and exploring modern advances in offsite septic infrastructure and technology, the Unified Development Ordinance may allow for flexible residential site design and accommodate smaller lot sizes compared to the traditional onsite septic system.
15. Rural Buffer and JPA Modifications	Modify existing ordinances, plans, policies, and agreements related to development in the Rural Buffer to accommodate denser development projects which contain substantial affordable housing.
16. Update the 2008 Comprehensive Plan	Initiate the overdue update to the 2008 Comprehensive Plan to incorporate updated data information and current County objectives.
17. Unified Development Ordinance Rewrite	Complete a thorough review and redrafting of the Orange County Unified Development Ordinance. This item would most likely come subsequent to a recommendation from an update to the Comprehensive Plan.

FRAMEWORK CHART

	Standard Statutory Limit	Special Legislation or Special Considerations	Orange County
Density Bonus	Set density restrictions by zoning district or by overlay (e.g. watershed)	SL 1991-246 Allows for >25% increase in density if developer agrees to 1) rent 40% of units to those at <60% median income, 2) rent 20% of units to those at <50% median, 3) sell 2 or more units to <80%, or 4) donate land.	Offers affordable housing density bonus (UDO 6.18); Restricts density in water supply watershed through impervious surface limitations;
Fee Reduction or Waiver	Assess user fees for regulatory services provided such fees are reasonable. Prohibited from charging different rates to similarly situated customers.	Fee reimbursements possible for affordable housing under 157-9 and 153A-376(b) (160D-1311).	\$1,500+ rezoning \$3,000+ Conditional Zoning Major Subdivision \$2,500 (\$310+ concept plan, \$1,600 Preliminary, \$500 final)
Fast-Track Permitting	Set a maximum time for review or set separate review procedures.		Earliest approval for major subdivision submitted on 1/3/20 would be 5/5/20 with >dozen intermediary deadlines.
Relaxed Development Standards	Modifiable standards include setbacks, minimum lot size, parking, etc.	Greater density can trigger other threshold requirements such as minimum lot size. A modification of lot size would need to be objective or be reviewed with subjective guidance by a quasi judicial body.	Restrictions in place by the Rural Buffer (JPA), impervious surface (Watersheds), and open space requirements; no allowance for increased density.
Miscellaneous Development	Development Agreements likely could include affordable housing provisions. Payment in lieu (similar to recreation).	Payment in lieu would likely require special legislation.	

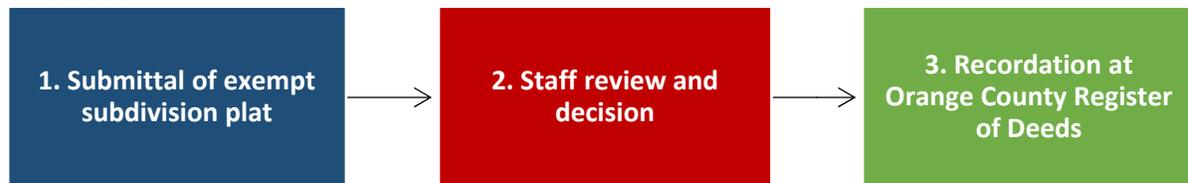
Summary of the Residential Review Process

Currently, the Orange County Unified Development Ordinance contains nine different review processes for residential subdivisions. These vary based on number of lots proposed and designation in the rural or urban areas of the County. The various process are summarized below.

Exempt Subdivisions

Definition - The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County, including private road justification standards, as detailed within this Ordinance. The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved. The public acquisition by purchase of strips of land for widening or opening streets. The division of a tract in single ownership of the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the County as shown by its subdivision regulations.

Review Process



Review Schedule – One to five days from submittal to recordation.

Expedited Subdivisions

Definition – A subdivision shall be classified as “expedited” for divisions of a tract or parcel of land in single ownership meeting all of the following criteria:

1. The tract or parcel to be divided is not exempt under the provisions of the Ordinance,
2. No part of the tract or parcel to be divided has been divided within the past 10 years from the date of application submittal,
3. The entire area of the tract or parcel to be divided is greater than five acres,
4. No more than 3 lots result from the division,
5. All resultant lots comply with the following:
 - a. Lot dimension and size requirements of applicable land use regulations,
 - b. The use of the lot(s) is in conformity with applicable zoning requirements, and
 - c. A permanent means of ingress and egress is recorded for each lot.

Review Process



Review Schedule – Five days maximum, as contained in the UDO. However, in reality, these subdivisions are experiencing a two to four week review period.

Minor Subdivisions

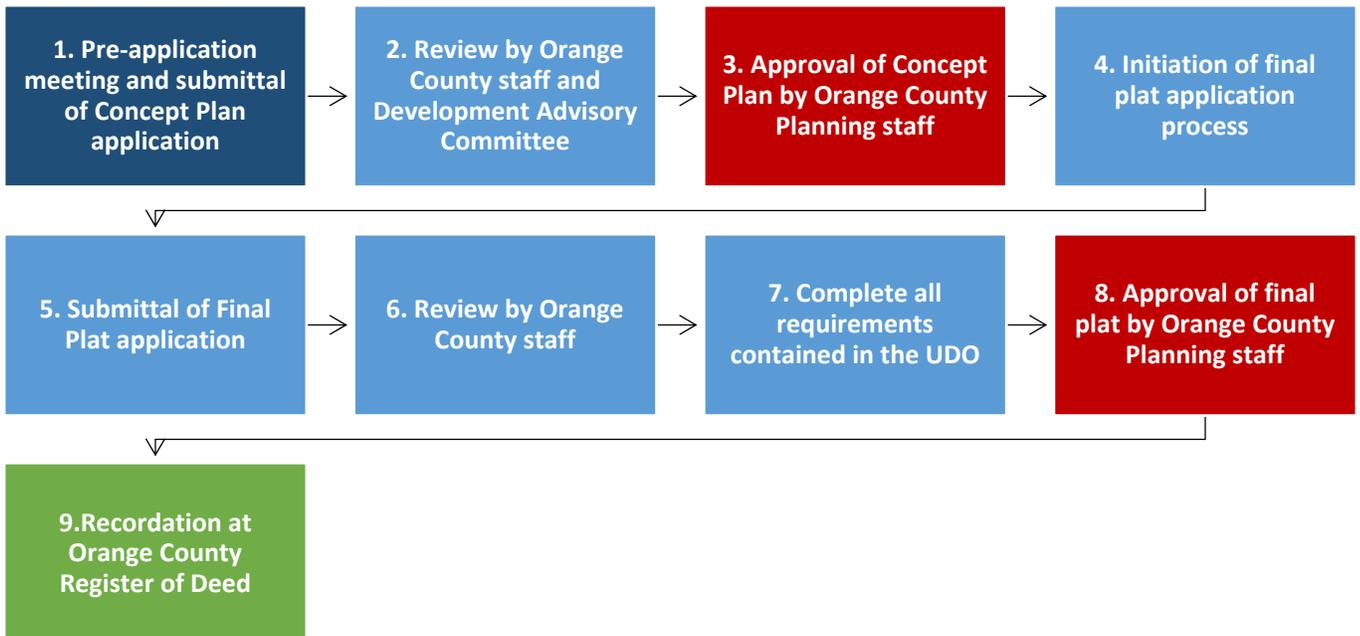
Definition - A subdivision shall be classified as “minor” if it does not:

1. Create more than:
 - a. Five lots, including the residual acreage, following the Conventional subdivision design model; or
 - b. Twelve lots, including the residual acreage, following the Flexible Development subdivision design model, from any one tract of land in any ten year period;
2. Dedicate or improve any new public street other than widening an existing public street;
3. Extend public water and/or sanitary sewerage systems other than laterals to serve individual lots; and

Necessitate the installation of drainage improvements, which would require easements through one or more lots to serve other lots.

Traditional

Review Process



Review Schedule – Average three to five month review process from submittal to recordation.

Minor Subdivisions

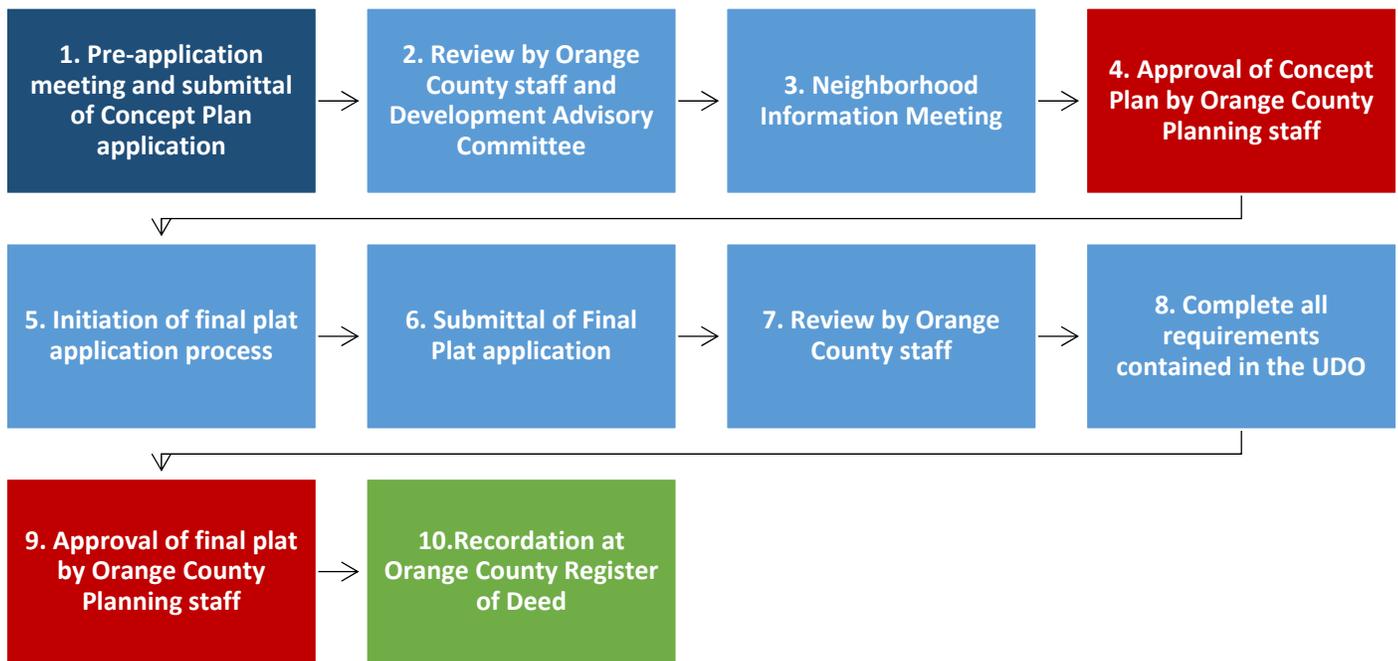
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 - a. Five lots, including the residual acreage, following the Conventional subdivision design model; or
 - b. Twelve lots, including the residual acreage, following the Flexible Development subdivision design model, from any one tract of land in any ten year period;
2. Dedicate or improve any new public street other than widening an existing public street;
3. Extend public water and/or sanitary sewerage systems other than laterals to serve individual lots; and

Necessitate the installation of drainage improvements, which would require easements through one or more lots to serve other lots.

Flexible Development

Review Process

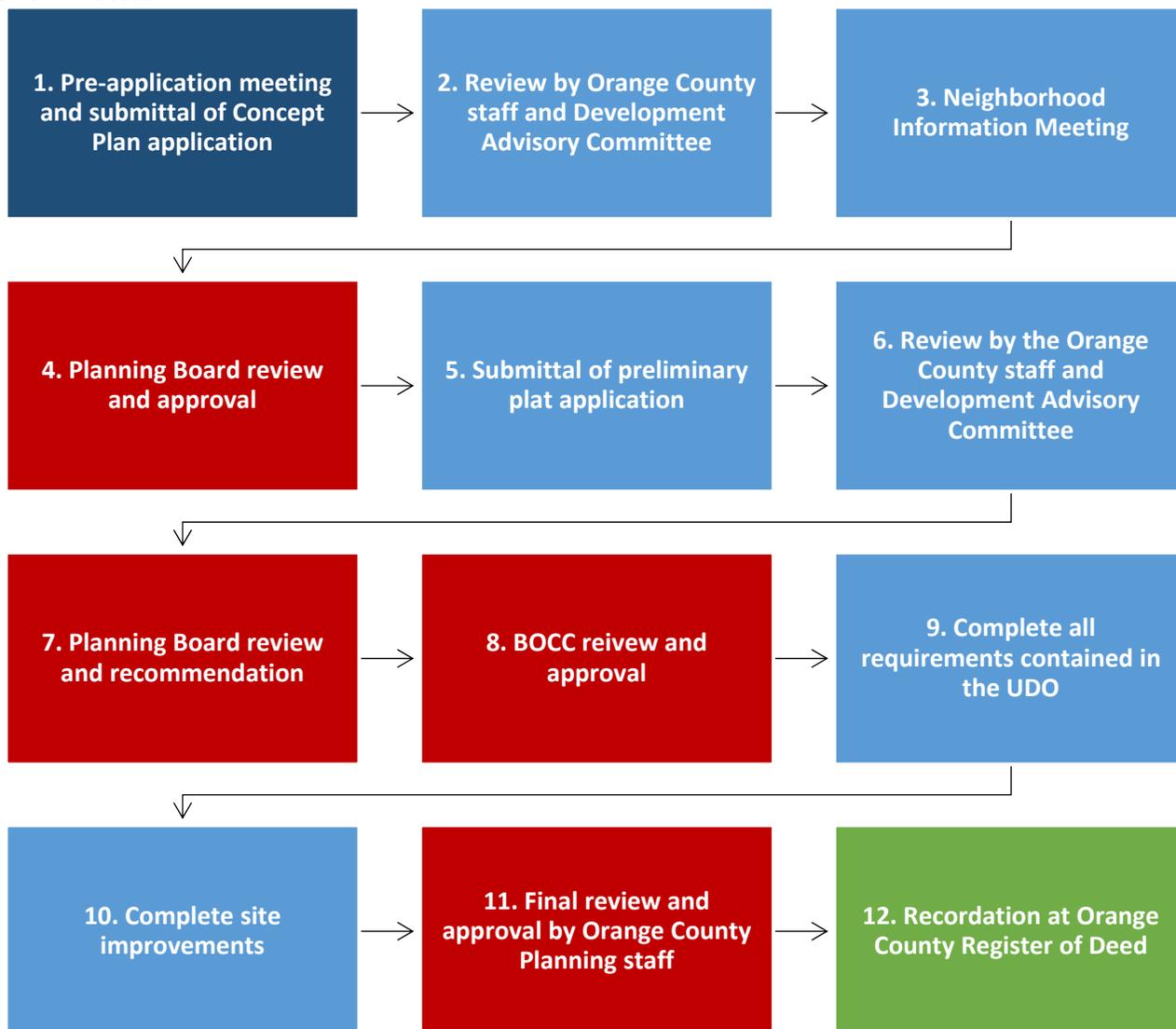


Review Schedule – Average four to six month review process from submittal to recordation.

Major Subdivisions – Standard

Definition – Any division of land that is not classified as an Exempt or Minor subdivision. Proposed for a subdivision of 20 lots or less.

Review Process

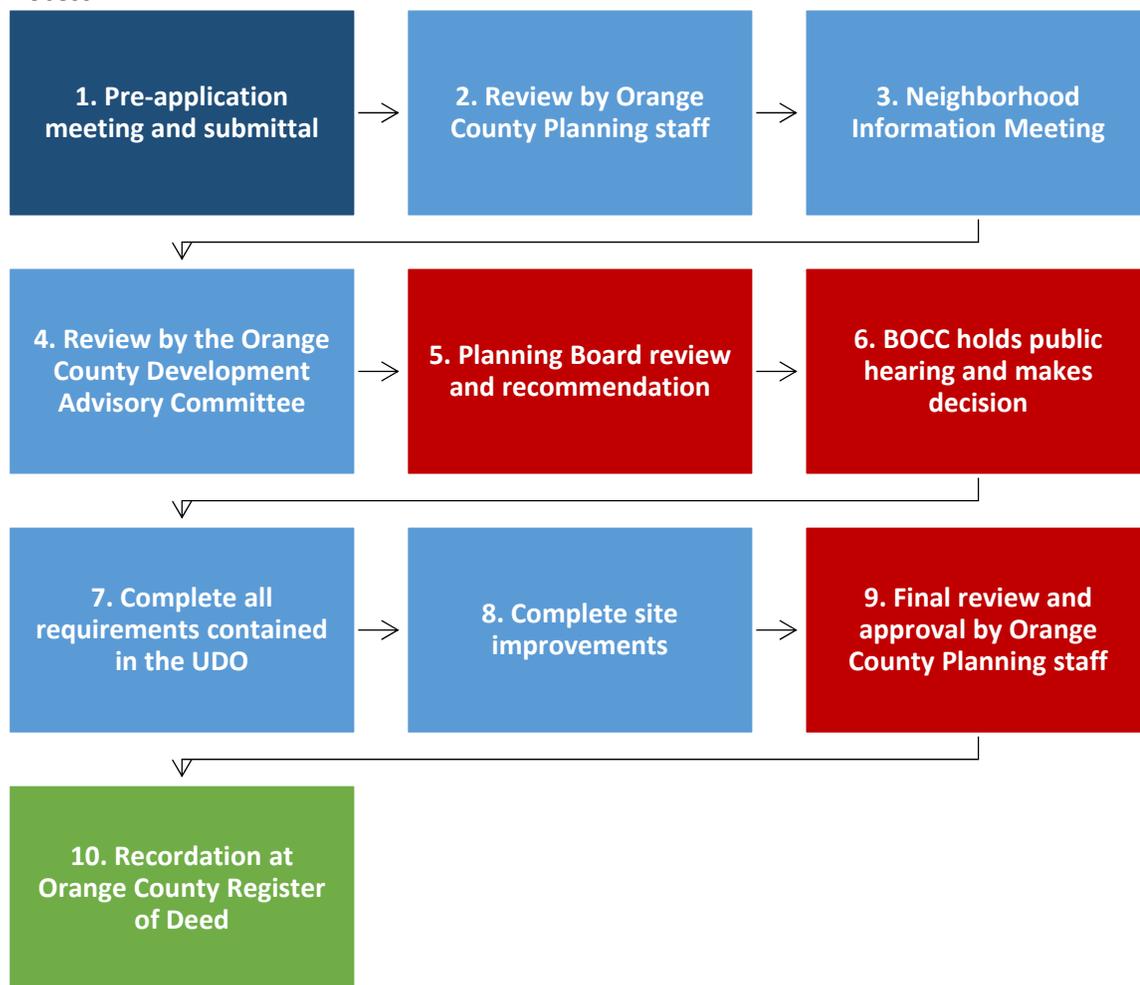


Review Schedule – Average eight month review process from submittal to BOCC approval. Followed by an average three to six month process leading up to recordation.

Major Subdivisions – Class A SUP

Definition – Any division of land that is not classified as an Exempt or Minor subdivision. A tract of land in a Rural Designated area on the Growth Management System map that is proposed for a subdivision of 21-40 lots or a tract of land in an Urban Designated area on the Growth Management System map that is proposed for a subdivision of 21-79 lots.

Review Process

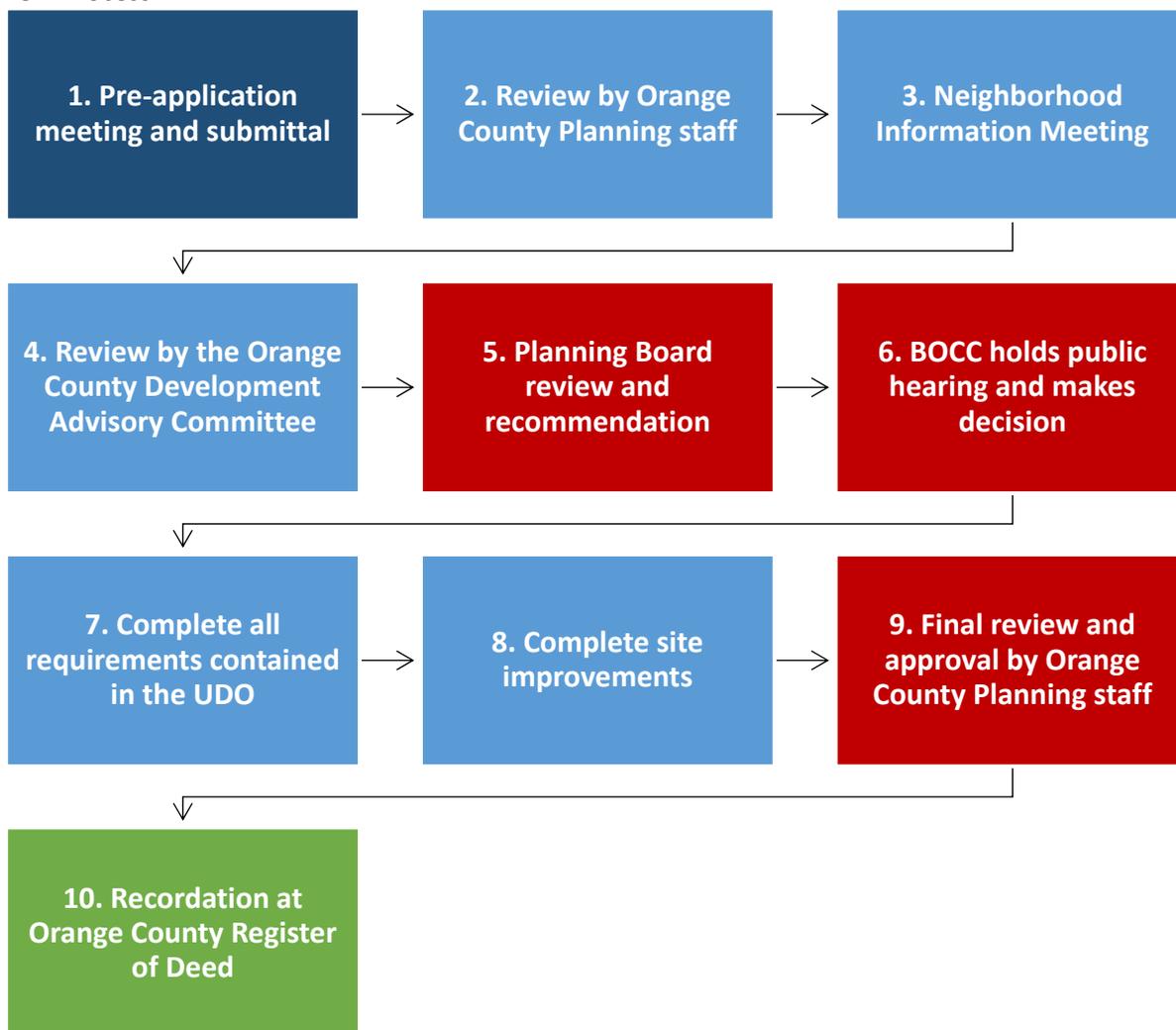


Review Schedule – Average seven to ten month process overall. Average four month review process from submittal to BOCC approval of SUP. Followed by an average three to six month process leading up to recordation.

Major Subdivisions – Conditional Use

Definition – Any division of land that is not classified as an Exempt or Minor subdivision. A tract of land in a Rural Designated area on the Growth Management System map that is proposed for a subdivision of 41 or more lots. A tract of land in an Urban Designated area on the Growth Management System map that is proposed for a subdivision of 80 or more lots.

Review Process



Review Schedule – Average seven to ten month process overall. Average four month review process from submittal to BOCC approval of Conditional District. Followed by an average three to six month process leading up to recordation.

SURVEY SUMMARY ON AFFORDABLE HOUSING REGULATORY BARRIERS

AUGUST 2020

Background

In July, the Orange County Department of Housing and Community Development surveyed local real estate developers to identify barriers and possible incentives to affordable housing development. Survey questions asked about development standards, fees, developable land in Orange County and the affordable housing density bonus. Four developers responded – two nonprofit and two for-profit – and identified several regulatory, financing and other market-driven obstacles to affordable housing development in addition to policy solutions and possible incentives that may mitigate these obstacles.

Regulatory Barriers

Survey respondents identified several regulatory barriers in Orange County that inhibit or complicate affordable housing development. One developer described inconsistency in fees and review processes across jurisdictions as a challenge. Several others cited high impact fees, slow building permitting processes, and long development review timelines as inhibiting factors. One developer also mentioned low-density zoning, watershed restrictions, and the Rural Buffer as land-use limitations on buildable land. Another developer had never considered developing outside of the jurisdictions because they assumed that the broader County is not zoned to allow multifamily building. Possible incentives suggested include reducing or refunding development fees, relaxing building permitting processes, creating an expedited review process for affordable housing projects, and otherwise modifying land-use regulations or creating exceptions for affordable housing developments.



ORANGE COUNTY
NORTH CAROLINA
FINANCE AND ADMINISTRATIVE SERVICES

405 Meadowlands Drive
Post Office Box 8181
Hillsborough, North Carolina 27278

Phone (919) 245-2152
Fax (919) 644-3324

MEMORANDUM

To: Board of County Commissioners

From: Paul Laughton, Deputy Director

Date: February 16, 2021

RE: Use of School Nurses and School Resource Officers by Chapel Hill-Carrboro City Schools and Orange County Schools during the COVID-19 Pandemic

As a follow-up from a Commissioner request, please see attached for information provided by Chapel Hill-Carrboro City Schools and Orange County Schools on their use of School Nurses and School Resource Officers during the COVID-19 Pandemic.



Orange County Schools

200 East King Street, Hillsborough, NC 27278

Phone: 919-732-8126 Fax: 919-732-8120

www.orangecountyfirst.com

DATE: November 24, 2020

TO: Orange County Board of County Commissioners

FROM: Dr. Monique Felder, Superintendent

RE: School Nurses and School Resources Officers during remote instruction

As a result of generous and supportive Orange County Commissioners, Orange County Schools is afforded a school nurse in each of our schools. During the first two quarters of the FY2021 academic year, even though our students have been in remote learning, School Nurses have remained instrumental in the education environment. These individuals have been instrumental in the development and implementation of the tiered return to school plans as well as advising on what Personal Protective Equipment supplies are needed for schools to open, for specific classrooms that contain special needs students, plans and processes for entrances to the school buildings, onto the school buses and setting up care rooms should students get sick as well as an attestation process for everyone. School Nurses have also worked with the Orange County Health Department to support contact tracing for the county as well as contact tracing with the Orange County Human Resources Department for Orange County School employees.

Additionally, as the school district has continued to prepare and deliver meals throughout the community, our school nurses and school resource officers have been supporting staff with safety procedures for food distribution during this pandemic. School Resource Officers have been ever present ensuring the safety of our staff delivering food and supplies to our students throughout the County as well as assisting with the delivery and helping the School Social Workers with safety and welfare checks of our students and families affected by the pandemic. School Resource Officers continue to work with the School Social Workers to do Social and emotional well checks for identified students as need.

We are excited to begin transitioning students back into the classroom beginning January 25. Our plans include having resource officers available and present to assist with the transition back to the in person school environment. School Resource Officers have already begun providing that support in several of our schools where some of our Special Education, Pre-K and Head start students have returned.

We have seen and experienced the morphing of the traditional school model since March. Even though our students have not been in our buildings for in person instruction, we have remained committed to their educational needs as well as their social and emotion needs, which have only magnified. Without the continued backing and collaboration of our community partners, this journey would be even more difficult. Thank you for your continual support.



January 7, 2021

Paul Loughton, Deputy Director
Orange County Finance and Administrative Services
405 Meadowlands Drive
Hillsborough, NC 27278

Re: Information Requested on School Nurses and School Resource Officers

Dear Mr. Loughton,

The following information is being submitted on behalf of the Chapel Hill-Carrboro City Schools regarding the use of school nurses and school resource officers during FY'21 as requested.

The CHCCS School Health Nurses have played an essential role in maintaining the high standards of community/public health services for all students and staff during the COVID-19 Pandemic. Key areas of focus in their work directly related to COVID-19 can be found in the [School Health Strategic Plan Under Community Health](#). Additionally, it is also important to note school health nurses continued to lead with flexibility in performing their other job roles and responsibilities during this time including school operation and safety plans, PPE orders, PPE training for staff and ensuring effective contact tracing protocols and processes are in place in collaboration with the Orange County Health Department. Additional information is attached to this letter with information on the activities school nurses will be engaged in throughout the remainder of the fiscal year.

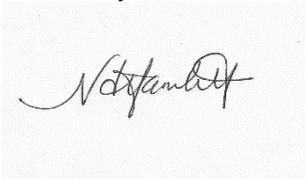
The use of School Resource Officers in the school district was suspended effective August 15, 2020 as the contract for services was not renewed for the 2020-2021 school year. The Board of Education directed the Interim Superintendent to engage key stakeholders by forming a SRO Task Force to review and ascertain the need for school resource officers in schools and to make future recommendations on the program. The SRO Task Force met on December 2nd and December 16th. We are in the process of planning for and scheduling the next meeting of the task force.

Prior to August 15, 2020, School Resource Officers were engaged in the following tasks, initiatives and work to assist the district with the implementation of safe school campuses: assisted administrators in updating safe school plans, helped school staff with food for students' pickup and laptop distributions, worked with principals on updating cameras and radios, helped in community outreach to maintain a connection with students, performed

perimeter security checks on windows, doors, etc. to do work orders for safety related issues and visited elementary schools to learn layouts of schools as a part of emergency preparedness efforts. Middle school SROs worked on 10-month contracts and high school SROs worked on 12-month contracts. Outside of the pandemic, some additional tasks SROs would assist with included: SRO summit (where police, administrators and school lawyers come together to discuss best practices), student ambassador summer program, attendance at SRO conference, building relationships with students by attending summer school and attending sports camps.

Should you have additional questions, please do not hesitate to contact me or Patrick Abele, Assistant Superintendent of Operations.

Sincerely,

A handwritten signature in black ink, appearing to read "Nyah Hamlett", is centered within a light gray rectangular box.

Nyah Hamlett, Ed.D.
Superintendent

Cc: CHCCS Board of Education
Orange County Board of County Commissioners

Enclosure (1) School Health Strategic Plan Under Community Health

School Nurse Strategic Plan 20-21

Strategies	Roles and Responsibilities
Leadership	<ul style="list-style-type: none"> ● Attend School Nurse Association of North Carolina & National Association of School Nurses Updates Concerning COVID-19 ● PBNC yearly vision training ● CPR Instructor Training and Required Recertifications/professional Development ● Setting personal/professional goals and development plans that are reviewed bi-annually for evaluation purposes ● Intro. to 504 and Health Plans ● SIR training- March 19 ● Restorative Practice Training ● Introduction to MTSS- Review online information ● Youth Mental Health First Aid(offered monthly) ● Trauma Awareness Inservices- via PLC ● New School Health Nurse Certification Review - Weekly ● Bi-Weekly School Health Nurse Consultant COVID-19 Updates w/Ann Nicholes & J. Simone
Care Coordination	<ul style="list-style-type: none"> ● Update Immunization/Health Assessment Resource List for parents ● Identify 2020-2021 first Responders, complete training and replenish needed supplies ● Developed and Supplied additional CPR Personal Protective Equipment as Recommended by ARC ● Check all AED's/Replace batteries and pads as needed/Stock with Additional PPE per new CPR requirements (COVID-19) ● Train school staff as appropriate regarding health and emergency care plans - Virtually ● Develop health plans, collaborate with IEP/504/ECAC team for students who need accommodations under ADA
Quality Improvement	<ul style="list-style-type: none"> ● Update/Upload HOA documentation of Immunization records, diet orders, EMP's, etc.

	<ul style="list-style-type: none"> ● CHCCS Nurse Monthly Activity Work Plan ● FEMA Trainings Required for all new nurses and a good refresher for anyone who completed it years ago. ● Brainstorm ways to improve physical health and social well-being to support learning and achievement! ● *Participate in CHCCS: School Nurses virtual PLC every Thursday at 10AM ● New Nurse Orientation Meetings Weekly ● NASN Learning Center - Review the continuing education offerings and complete according to your personal learning needs and development.
Standard of Practice	<ul style="list-style-type: none"> ● CHCCS Board Policies ● Homebound Information ● CHCCS On-line Health and Behavioral Training Modules ● Develop PowerSchool How To's with screenshot instructions that can be shared with other nurses ● Develop a New Nurse Orientation Notebook ● Develop/Implement Health Office Anywhere transition to Frontline Education Updates and COVID contact tracing Improvements
Community Public Health	<ul style="list-style-type: none"> ● Case-find and prioritize students with special health care needs/chronic conditions. Plan accordingly to work with those students, their parents/guardians, and appropriate staff as needed ● Work with parents/guardians, school staff, and community health care providers to identify and follow up with students needing required immunization ● Identify staff trained for medication administration, if additional staff needed get delegation from principal and complete required training ● Review Incident and Injury reports for area of concern and work with admin to problem area solve ● Monitor COVID-19/Influenza/communicable diseases in Schools and Reporting to OCHD for Actions and Contact Guidance ● Identify students with chronic absences w/health conditions and work with the school social

worker to improve attendance

- Responsible for monitoring and ordering all PPE for their school including the ECAC population
- Developed and piloted Handwashing classes to be presented to students before the return to school
- Participated in the development of a “Return to School” district wide film for parents, staff, and students.
- Coordinated with the OCHD to develop a secure contact tracing system for reporting CHCCS suspected, presumptive, and positive cases
- Weekly meeting with the OCHD to review case scenarios and get timely updates
- Served on district and school reopening plans
- Resource for staff regarding COVID-19
- Monitoring Strong Schools Public Health ToolKit k-12
- ChildCare guideline Updates for PreK concerning COVID-19