



**Orange County
Board of Commissioners**

Agenda

Business Meeting

June 20, 2023

7:00 p.m.

Donna S. Baker Meeting Room

Whitted Building

300 West Tryon Street

Hillsborough, NC 27278

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

Compliance with the "Americans with Disabilities Act" - Interpreter services and/or special sound equipment are available on request. Call the County Clerk's Office at (919) 245-2130. If you are disabled and need assistance with reasonable accommodations, contact the ADA Coordinator in the County Manager's Office at (919) 245-2300 or TDD# 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

5. Public Hearings



6. Regular Agenda

- a. Approval of Fiscal Year 2023-24 Budget Ordinances and County Fee Schedule
- b. Accept the Ten-Year Capital Investment Plan (CIP) and Approve the FY 2023-24 Orange County Overall CIP Projects
- c. 2022 Longtime Homeowner Assistance (LHA) Program Evaluation
- d. Proposed Designation of County Surplus Property and Proposed Release of Request for Proposals for Use of County Capital Investment Plan (CIP) and Bond Funds and Designated Surplus Land for Affordable Housing

7. Reports

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. Motor Vehicle Property Tax Releases/Refunds
 - c. Property Tax Releases/Refunds
 - d. Tax Refund Request – Walker Hall Busby, Jr.
 - e. Proclamation Recognizing Susan Worley
 - f. Renewal of Health Services Agreement with Southern Health Partners for Medical Services at the Orange County Detention Center
 - g. JCPC Certification and County Plan for FY 2023-2024
 - h. Extension of Food and Organic Waste Collection and Composting Contract
 - i. Orange County Climate Council Memorandum of Understanding
 - j. Approval of Contracts with Capital Area Workforce Development (CAWD) for Workforce Innovation & Opportunity Act (WIOA) Program Services
 - k. Approval of Consortium Agreement with the Capital Area Workforce Development Board
 - l. Orange County Transit Governance
 - m. Boards and Commissions – Appointments
 - n. Designation of Three Properties as Orange County Historic Landmarks
 - o. Fiscal Year 2022-23 Budget Amendment #11

9. County Manager's Report

10. County Attorney's Report

11. *Appointments

12. Information Items

- June 6, 2023 BOCC Meeting Follow-up Actions List
- Memorandum – NC Mountains to Sea Trail Progress Report
- Memorandum – Comprehensive Land Use Plan – Consultant Contract Amendment
- Memorandum – Orange County/Lumos Broadband Project

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).

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Approval of Fiscal Year 2023-24 Budget Ordinances and County Fee Schedule

DEPARTMENT: County Manager

ATTACHMENT(S):

- Attachment 1. Resolution of Intent to Adopt the FY 2023-24 Orange County Budget
- Attachment 2. FY 2023-24 Budget Ordinances
- Attachment 3. FY 2023-24 County Fee Schedule

INFORMATION CONTACT:

Bonnie Hammersley, (919) 245-2300
Travis Myren, (919) 245-2308
Kirk Vaughn, (919) 245-2153

PURPOSE: To approve the Fiscal Year 2023-24 Budget Ordinances and County Fee Schedule.

BACKGROUND: At the June 8, 2023 budget work session, the Board of County Commissioners made decisions regarding the County's FY2023-24 budget. See the following attachments related to those decisions:

- Attachment 1 – the Resolution of Intent to Adopt the FY 2023-24 Orange County Budget outlines the actions approved by the Board of County Commissioners on June 8, 2023
- Attachment 2 – the FY 2023-24 Budget Ordinance is the legislation implementing the FY 2023-24 Annual Operating Budget for Orange County, including Grants Project Ordinances
- Attachment 3 – the FY 2023-24 County Fee Schedule

FINANCIAL IMPACT: The financial impacts are as noted in the attachments.

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

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

RECOMMENDATION(S): The Manager recommends the Board adopt the FY 2023-24 Budget Ordinances and the FY 2023-24 County Fee Schedule, consistent with the parameters outlined in the Board's "Resolution of Intent to Adopt the FY 2023-24 Orange County Budget".

Resolution of Intent to Adopt the FY2023-24 Orange County Budget

The items outlined below summarize decisions that the Board acted upon June 8, 2023 in approving the FY2023-24 Orange County Annual Operating Budget and the FY2023-24 (Year 1) Capital Investment Plan Budget.

WHEREAS, the Orange County Board of Commissioners has considered the Orange County FY2023-24 Manager's Recommended Budget and the FY2023-24 Manager's Recommended Capital Investment Plan Budget; and

WHEREAS, the Commissioners have agreed on certain modifications to the Manager's Recommended Budget as presented in the FY2023-24 County Manager's Recommended Budget on May 2, 2023; and to the FY2023-24 Manager's Recommended Capital Investment Plan Budget as presented on April 4, 2023;

NOW THEREFORE BE IT RESOLVED, that the Orange County Board of Commissioners expresses its intent to adopt the FY2023-24 Orange County Budget Ordinance on **Tuesday, June 20, 2023**, based on the following stipulations:

1) **Property Tax Rates**

- a) The ad valorem property tax rate shall be set at 83.53 cents per \$100 of assessed valuation.
- b) The Chapel Hill-Carrboro City Schools District Tax shall be set at 19.80 cents per \$100 of assessed valuation.
- c) The Fire District and Fire Service District tax rates shall be set at the following rates (all rates are based on cents per \$100 of assessed valuation):

• Cedar Grove	9.00
• Greater Chapel Hill Fire Service District	13.87
• Damascus	12.80
• Efland	10.28
• Eno	9.98
• Little River	7.39
• New Hope	12.57
• Orange Grove	8.27
• Orange Rural	10.49
• South Orange Fire Service District	9.09
• Southern Triangle Fire Service District	12.80
• White Cross	13.84

2) County Employee Pay and Benefits Plan

Provide a County employee pay and benefits plan that includes:

- a. 6% wage increase for permanent employees in active status on June 30, 2023. Continuation of Merit Pay Program on employees' base salaries, payable in January 2024, at tiers of \$530 for proficient performance; \$795 for superior performance or \$1,060 for exceptional performance. Page 238
- b. Revision to Section 28-52 of the Orange County Code of Ordinances: Shared Leave. Page 260
- c. Revision to Premium Equivalent Option to Co-Parenting Orange County Employees. Page 261
- d. A change in the salary schedule recognizing \$16.60 per hour as the living wage for permanent employees and recognizing the 6% wage increase, effective July 1, 2023. Page 262
- e. Increase the per pay period County contribution to non-law enforcement employees' supplemental retirement accounts to \$29.15 and the County matching employees' contributions up to \$67.00 per pay period (for a maximum annual County contribution of \$1,742) for all general (non-sworn law enforcement officer) employees; continue the mandated Law Enforcement Officer contribution of 5.0% of salary, and continue the County's required contribution to the Local Governmental Employees' Retirement System (LGERS) for all permanent employees. For FY 2023-24, the Law Enforcement Officers (LEOs) rate increases from 13.10 to 14.10 percent of reported compensation, and all other employees' rate increases from 12.10 to 12.85 percent of reported compensation. Page 256
- f. Continue to participate in the North Carolina Health Insurance Pool (NCHIP), and continue medical and prescription third party administrators with Blue Cross Blue Shield of North Carolina (BCBSNC) and Prime Therapeutics, a division of BCBSNC, respectively. No increase to health and dental appropriations. Increase funding of 5% to the Health Insurance Premium Equivalents for both active and pre-65 retirees with the amount of the increase to be fully paid by the County. Page 259
- g. Add UNUM Behavioral Health benefit. Page 260

3) Adjustments to Operating And Capital Budget

Adjustments to the Manager's Recommended FY2023-24 GF Operating Budget

On June 8, 2023, the Board of County Commissioners approved the following changes to the Manager's Recommended annual operating budget for the 2023-24 fiscal year. The information below summarizes changes made by the Board.

Revenues	Increase	Decrease
Manager's Recommended Revenue Budget	\$279,194,928	
Utilize County Capital Reserve to perform Efland Cheeks Community Center Feasibility Study	\$6,000	
Provide additional funding for IFC's Permanent Supportive Housing program. Supported by .07 cent tax increase	\$158,059	
Create OC Build Pilot Program, conditional on receiving offsetting revenue from ABC Board (\$70k) and Chapel Hill Police Dept. (\$20k)	\$90,000	
Have Sportsplex pay back 20% of pandemic recovery funding to General Fund	\$158,000	
Reduce Tax Rate by .07		(\$158,059)
Have Visitors Bureau pay back 20% of pandemic recovery funding to General Fund.	\$112,000	
Reduce Tax Rate by .05		(\$112,890)
Add 50% offsetting revenue for new DSS Community Technician FTEs.	\$37,490	
Add One-Time County Capital to offset badge readers/security upgrades	\$20,000	
Total Revenue Changes	\$581,549	(\$270,949)
Revised Revenue Budget	279,505,528	

Expenditures	Increase	Decrease
Manager's Recommended Expenditure Budget	\$279,194,928	
Increase funding to Town of Chapel Hill Library	\$85,000	
Utilize County Capital Reserve to perform Efland Cheeks Community Center Feasibility Study	\$6,000	
Provide additional funding for IFC's Permanent Supportive Housing program. Supported by .07 cent tax increase	\$150,000	
Create OC Build Pilot Program, conditional on receiving offsetting revenue from ABC Board (\$70k) and Chapel Hill Police Dept. (\$20k)	\$90,000	
Increase Durham Tech Current Expense for recruitment and retention fund	\$10,000	
Reduce Funding to Social Justice Reserve Fund to balance budget		(\$30,400)
Total Expenditure Changes	\$341,000	(\$30,400)
Revised Expenditure Budget	\$279,505,528	

RES-2023-046

Attachment 1

Adjustments to the Manager's Recommended FY2023-24 CIP Budget

On June 8, 2023, the Board of County Commissioners approved the following changes to the Manager's Recommended CIP Funding for Year 1 (2023-24 fiscal year). The information below summarizes changes made by the Board.

Expenditures	Increase	Decrease
Manager's Recommended County Projects CIP Budget for Year 1 (FY 23-24)	\$23,888,432	
County Projects:		
Bring forward \$5M funding for Affordable Housing project from year 2 (FY 2024-25) to year 1 (FY 2023-24)	\$5,000,000	
Total Expenditure Changes	\$5,000,000	\$0
Revised County CIP Budget for Year 1 (FY 23-24)	\$28,888,432	

Expenditures	Increase	Decrease
Manager's Recommended Schools CIP Budget for Year 1 (FY23-24)	\$25,992,243	
Change Policy for allocation of Article 46 proceeds to school district by excluding Charter Students in formula. This provides CHCCS an additional \$75,543 in funding for technology capital expenses and reduces OCS's funding by the same amount.		
Total Expenditure Changes	\$0	\$0
Revised School CIP Budget for Year 1 (FY 23-24)	\$25,992,243	

4) **Changes in County Staff Positions (Increase in FTE Approved).**

Department	Position Name	Fund	Start Date	FTE
Criminal Justice Resource Department	Grant Management Specialist	General Fund	7/1/2023	0.500
Criminal Justice Resource Department	Admin Support II	General Fund	7/1/2023	0.250
Criminal Justice Resource Department	YBH Liaison	General Fund	7/1/2023	0.250
Dept. of the Env, Ag, Parks, and Rec.	Recreation Program Assistant	General Fund	7/1/2023	1.000
Emergency Services	Community Paramedic	General Fund	12/1/2023	1.000
Emergency Services	Crisis Resource Specialist	General Fund	11/1/2023	1.000
Emergency Services	Logistics Specialist	General Fund	7/1/2023	1.000
Fleet	Admin Support I	General Fund	7/1/2023	1.000
Health	Accounting Technician II	General Fund	7/1/2023	1.000
Health	Billing Technician	General Fund	7/1/2023	1.000
Housing	Community Development Specialist	General Fund	7/1/2023	1.000
Housing	Housing Grants Coordinator	General Fund	7/1/2023	1.000
Sheriff	Detention Officer	General Fund	7/1/2023	4.000
Social Services	Community Social Services Technician	General Fund	7/1/2023	1.000
Social Services	DSS Human Services Coordinator I	General Fund	7/1/2023	1.000
Social Services	Human Services Specialist I	General Fund	7/1/2023	6.000
Social Services	Human Services Supervisor I	General Fund	7/1/2023	1.000
Social Services	Human Services Tech	General Fund	7/1/2023	1.000
Criminal Justice Resource Department	OC Build Coordinator	General Fund	7/1/2023	1.000
Asset Management Services	Capital Projects Field Coordinator	Debt Service Fund	7/1/2023	1.000
County Manager/Arts Commission	Programs Coordinator	Visitors Bureau Fund	7/1/2023	1.000
Planning & Inspections	Property Development Coordinator	Inspections Fund	7/1/2023	1.000
Solid Waste	SW Facilities Tech I	Solid Waste Fund	7/1/2023	1.000
Solid Waste	SW Collector Supervisor	Solid Waste Fund	1/1/2024	1.000
Solid Waste	SW Collector Driver	Solid Waste Fund	3/1/2024	3.000
Totals				33.000

5) **General Fund Appropriations for Local School Districts**

The following FY2023-24 General Fund Appropriations for Chapel Hill-Carrboro City Schools and Orange County Schools are approved:

a) Current Expense appropriation for local school districts totals \$102,942,576 and equates to a per pupil allocation of \$5,346

1) The Current Expense appropriation to the Chapel Hill-Carrboro City Schools is \$60,158,538

2) The Current Expense appropriation to the Orange County Schools is \$42,784,038.

b) School Related Debt Service for local school districts totals \$21,322,130.

c) Additional net County funding for local school districts totals \$6,588,025.

RES-2023-046**Attachment 1**

- (1) School Resource Officers and School Health Nurses Contracts - total appropriation of \$3,888,025 to cover the costs of School Resource Officers in every middle and high school, and a School Health Nurse in every elementary, middle, and high school in both school systems.
- (2) Recurring Capital – total pay-as-you-go funding of \$2,700,000 to cover recurring capital funding at both school districts. These funds support facility improvements, equipment and furnishings and vehicle purchases for the districts. The remaining \$300,000 for recurring capital is provided by debt financing through the Capital Investment Plan.

6) Capital Investment Plan Funding for FY2023-24 (Year 1)

The following FY2023-24 (Year 1) Capital Investment Plan Appropriations are approved:

- a) Overall Total Capital Investment Plan Funding of \$58,436,700
- b) County Capital Projects Funding of \$28,888,432
- c) School Capital Projects Funding of \$25,992,243
- d) Solid Waste Project Funding of \$2,556,025; and Sportsplex Project Funding of \$1,000,000

7) County Fee Schedule

To adopt the County Fee Schedule to include changes in the FY2023-24 Manager's Recommended Annual Operating Budget and approved by the Board of County Commissioners on June 8, 2023.

Attachment 2

ORD-2023-029

**Fiscal Year 2023-24
Budget Ordinance
Orange County, North Carolina**

Be it ordained by the Board of Commissioners of Orange County

Section I. Budget Adoption

There is hereby adopted the following operating budget for Orange County for this fiscal year beginning July 1, 2023 and ending June 30, 2024, the same being adopted by fund and activity, within each fund, according to the following summary:

Fund	Current Revenue	Interfund Transfer	Fund Balance Appropriated	Total Appropriation
General Fund	\$271,114,238	\$1,391,290	\$7,000,000	\$279,505,528
Emergency Telephone Fund	\$571,016	\$0	\$0	\$571,016
Employee Health and Dental Fund	\$13,068,229	\$3,183,405	\$0	\$16,251,634
Fire Districts Fund	\$8,584,336	\$0	\$20,000	\$8,604,336
Housing Choice Voucher Fund	\$6,858,632	\$0	\$0	\$6,858,632
Community Development Fund	\$1,036,594	\$417,103	\$0	\$1,453,697
Visitors Bureau Fund	\$2,406,501	\$0	\$310,165	\$2,716,666
Solid Waste Operations Enterprise Fund	\$11,249,741	\$0	\$1,443,567	\$12,693,308
Sportsplex Operations Enterprise Fund	\$4,538,687	\$0	\$158,000	\$4,696,687
Article 46 Sales Tax Fund	\$5,494,058	\$0	\$0	\$5,494,058
Chapel Hill- Carrboro City Schools District Tax Fund	\$27,742,966	\$0	\$0	\$27,742,966
Parks Capital Reserve Fund	\$10,500	\$0	\$0	\$10,500
OPC Retiree Health Fund	\$4,454	\$0	\$0	\$4,454
No Fault Well Repair	\$20,000	\$0	\$0	\$20,000
DSS Trust Fund	\$260,000	\$0	\$0	\$260,000
Jail Inmate Trust Fund	\$315,000	\$0	\$0	\$315,000
4-H Fund	\$28,890	\$0	\$5,000	\$33,890
Debt Service Fund	\$2,771,674	\$33,400,000	\$1,285,824	\$37,457,498
Inspections Fund	\$1,405,313	\$204,170	\$0	\$1,609,483
Community Giving Fund	\$90,000	\$0	\$0	\$90,000
County Capital Reserve Fund	\$0	\$0	\$1,038,010	\$1,038,010
Total	\$357,570,829	\$38,595,968	\$11,260,566	\$407,427,363

ORD-2023-029

Section II. Appropriations

That for said fiscal year, there is hereby appropriated out the following:

Function	Appropriation
General Fund	
Community Services	\$15,241,917
General Governemnt	\$11,987,685
Public Safety	\$35,882,898
Human Services	\$48,541,143
Education	\$107,805,947
Support Services	\$18,492,107
Transfer to Other Funds	\$41,553,831
<i>Total General Fund</i>	\$279,505,528
Emergency Telephone System Fund	
Public Safety	\$571,016
<i>Total Emergency Telephone System Fund</i>	\$571,016
Employee Health and Dental Fund	
Support Services	\$16,251,634
<i>Total Employee Health and Dental Fund</i>	\$16,251,634
Fire Districts	
Cedar Grove	\$347,312
Greater Chapel Hill Fire Service District	\$280,604
Damascus	\$132,465
Efland	\$971,282
Eno	\$1,003,606
Little River	\$432,765
New Hope	\$985,050
Orange Grove	\$843,790
Orange Rural	\$1,890,239
South Orange Fire Service District	\$634,393
Southern Triangle Fire Service District	\$342,558
White Cross	\$740,272
<i>Total Fire Districts Fund</i>	\$8,604,336
Housing Choice Voucher Fund	
Human Services	6,858,632
<i>Total Housing Choice Voucher Fund</i>	\$6,858,632
Community Development Fund	
Human Services	\$1,453,697
<i>Total Community Development Fund</i>	\$1,453,697
Visitors Bureau Fund	
Arts and Tourism	\$2,604,666
Transfer to Other Funds	\$112,000
<i>Total Visitors Bureau Fund</i>	\$2,716,666
Solid Waste Operations Enterprise Fund	

ORD-2023-029

Community Services - Solid Waste/Landfill Operations	\$10,503,411
Transfer to Other Funds	\$2,189,897
Total Solid Waste Operations Enterprise Fund	\$12,693,308
Sportsplex Operations Enterprise Fund	
Community Services	\$3,720,993
Transfer to Other Funds	\$975,694
Total Sportsplex Operations Enterprise Fund	\$4,696,687
Article 46 Fund	
Community Services	\$2,728,010
Transfer to Other Funds	\$2,766,048
Total Article 46 Fund	\$5,494,058
CHCCS District Tax Fund	
Education	\$27,742,966
Total CHCCS District Tax Fund	\$27,742,966
Parks Capital Reserve Fund	
Community Services	\$10,500
Total Parks Capital Reserve Fund	\$10,500
Orange-Person-Chatham Retiree Health Fund	
Support Services	\$4,454
Total Orange-Person-Chatham Retiree Health Fund	\$4,454
No Fault Well Repair Fund	
Human Services	\$20,000
Total No Fault Well Repair Fund	\$20,000
DSS Trust Fund	
Human Services	\$260,000
Total DSS Trust Fund	\$260,000
Jail Inmate Trust Fund	
Public Safety	\$315,000
Total Jail Inmate Trust Fund	\$315,000
4-H Fund	
Community Services	\$33,890
Total 4-H Fund	\$33,890
Debt Service Fund	
Debt Service	\$37,457,498
Total Debt Service Fund	\$37,457,498
Inspections Fund	
Community Services	1,609,483
Total Inspection Fund	\$1,609,483
Community Giving Fund	
General Government	\$90,000
Total Community Giving Fund	\$90,000
County Capital Reserve Fund	
Transfer to Other Funds	\$1,038,010
Total County Capital Reserve Fund	\$1,038,010

ORD-2023-029

Section III. Revenues

The following fund revenues are estimated to be available during the fiscal year beginning July 1, 2023 and ending June 30, 2024, to meet the foregoing appropriations:

Function	Appropriation
General Fund	
Property Tax	\$190,759,520
Sales Tax	\$43,739,131
Licenses & Permits	\$274,200
Intergovernmental	\$19,686,908
Charges for Services	\$14,208,193
Investment Earnings	\$1,600,000
Miscellaneous	\$846,286
Transfers from Other Funds	\$1,391,290
Appropriated Fund Balance	\$7,000,000
Total General Fund	\$279,505,528
Emergency Telephone System Fund	
Charges for Services	\$571,016
Total Emergency Telephone System Fund	\$571,016
Employee Health and Dental Fund	
General Government Revenue	\$13,068,229
From General Fund	\$3,183,405
Total Employee Health and Dental Fund	\$16,251,634
Fire Districts	
Property Tax	\$8,581,026
Interest on Investments	\$3,310
Appropriated Fund Balance	\$20,000
Total Fire Districts Fund	\$8,604,336
Housing Choice Voucher Fund	
Intergovernmental	\$6,856,632
Interest on Investments	\$2,000
Total Housing Choice Voucher Fund	\$6,858,632
Community Development Fund	
From General Fund	\$417,103
Intergovernmental	\$1,023,288
Program Income	\$13,306
Total Community Development Fund	\$1,453,697
Visitors Bureau Fund	
Occupancy Tax	\$1,852,791
Sales & Fees	\$465,000
Intergovernmental	\$50,210
General Government Revenue	\$38,500
Appropriated Fund Balance	\$310,165
Total Visitors Bureau Fund	\$2,716,666
Solid Waste Operations Enterprise Fund	
Sales & Fees	\$10,724,266

ORD-2023-029

Intergovernmental	\$363,000
Miscellaneous	\$67,475
Interest on Investments	\$95,000
Appropriated Fund Balance	\$1,443,567
Total Solid Waste Operations Enterprise Fund	\$12,693,308
Sportsplex Operations Enterprise Fund	
Charges for Services	\$4,538,687
Appropriated Fund Balance	\$158,000
Total Sportsplex Operations Enterprise Fund	\$4,696,687
Article 46 Sales Tax Fund	
Sales Tax	\$5,494,058
Total Article 46 Sales Tax Fund	\$5,494,058
Chapel Hill-Carrboro City Schools District Tax Fund	
Property Tax	\$27,742,966
Total Chapel Hill-Carrboro City Schools District Tax Fund	\$27,742,966
Parks Capital Reserve Fund	
Miscellaneous	\$10,500
Total Parks Capital Reserve Fund	\$10,500
Orange-Person-Chatham (OPC) Retiree Health Fund	
Interest on Investment	\$4,454
Total OPC Retiree Health Fund	\$4,454
No Fault Well Repair Fund	
Interest on Investments	\$20,000
Total No Fault Well Repair Fund	\$20,000
DSS Trust Fund	
General Government Revenue	\$260,000
Total DSS Trust Fund	\$260,000
Jail Inmate Trust Fund	
Miscellaneous	\$315,000
Total Jail Inmate Trust Fund	\$315,000
4-H Fund	
General Government Revenue	\$13,690
Charges for Services	\$15,200
Appropriated Fund Balance	\$5,000
Total 4-H Fund	\$33,890
Debt Service Fund	
Intergovernmental Revenue	\$271,674
Financing Proceeds	\$2,500,000
From General Fund	\$33,400,000
Appropriated Fund Balance	\$1,285,824
Total Debt Service Fund	\$37,457,498
Inspections Fund	
Charges for Services	\$1,405,313
From General Fund	\$204,170
Total Inspections Fund	\$1,609,483

ORD-2023-029

Community Giving Fund	
Donations	\$90,000
Total Community Giving Fund	\$90,000
County Capital Reserve Fund	
Appropriated Fund Balance	\$1,038,010
Total County Capital Reserve Fund	\$1,038,010

Section IV. Tax Rate Levy

There is hereby levied for the fiscal year 2023-24 a general county-wide tax rate of 83.53 cents per \$100 of assessed valuation. This rate shall be levied in the General Fund. Special district tax rates are levied as follows:

Cedar Grove	9.00
Greater Chapel Hill Fire Service District	13.87
Damascus	12.80
Efland	10.28
Eno	9.98
Little River	7.39
New Hope	12.57
Orange Grove	8.27
Orange Rural	10.49
South Orange Fire Service District	9.09
Southern Triangle Fire Service District	12.80
White Cross	13.84
Chapel Hill-Carrboro City School District	19.80

Section V. General Fund Appropriations for Local School Districts

The following FY 2023-24 General Fund Appropriations for Chapel Hill-Carrboro City Schools and Orange County Schools are approved:

- a) Current Expense appropriation for local school districts totals \$102,942,576, and equates to a per pupil allocation of \$5,346.
 - 1) The Current Expense appropriation to the Chapel Hill-Carrboro City Schools is \$60,158,538.
 - 2) The Current Expense appropriation to the Orange County Schools is \$42,784,038.
- b) School Related Debt Service for local school districts totals \$21,322,130.
- c) Additional County funding for local school districts totals \$6,588,025.
 - School Resource Officers and School Health Nurses Contracts - total appropriation of \$3,888,025 to cover the costs of School Resource Officers in

every middle and high school, and a School Health Nurse in every elementary, middle, and high schools in both school systems.

- Recurring Capital – total pay-as-you-go funding of \$2,700,000 to cover recurring capital funding at both school districts. These funds support facility improvements, equipment and furnishings and vehicle purchases for the districts. The remaining \$300,000 for recurring capital is provided by debt financing through the Capital Investment Plan.

Section VI. Schedule B Privilege Licenses

In accordance with Schedule B of the Revenue Act, Article 2, Chapter 105 of the North Carolina State Statutes, and any other section of the General Statutes so permitting, there are hereby levied privilege license taxes in the maximum amount permitted on businesses, trades, occupations or professions which the County is entitled to tax.

Section VII. Board of Commissioners' Compensation

The Board of County Commissioners authorizes that:

- For fiscal year 2023-24, the approved budget includes a 6% wage increase and Merit Pay.
- Annual compensation for County Commissioners will include the County contribution for health insurance, dental insurance and life insurance that is provided for permanent County employees, provided the Commissioners are eligible for this coverage under the insurance contracts and other contracts affecting these benefits.
- Merit Pay for County Commissioners is received as a one-time bonus each year and payable in December.
- County Commissioners' compensation includes eligibility to continue to participate in the County health insurance at term end as provided below:
 - If the County Commissioner has served less than two full terms in office (less than eight years), the Commissioner may participate by paying the full cost of such coverage. (If the Commissioner is age 65 or older, Medicare becomes the primary insurer and group health insurance ends.)
 - If the County Commissioner has served two or more full terms in office (eight years or more), the County makes the same contribution for health insurance coverage that it makes for an employee who retires from Orange County after 20 years of consecutive County service as a permanent employee. If the Commissioner is age 65 or older, Medicare becomes the primary insurer and group health insurance ends. The County makes the same contribution for Medicare Supplement coverage that it makes for a retired County employee with 20 years of service.
 - Annual compensation for Commissioners will include a County contribution for each Commissioner to the Deferred Compensation (457) Supplemental Retirement Plan that is the same as the County contribution for non-law enforcement County employees in the State 401 (k) plan. For fiscal year 2023-24, the approved budget continues the County contribution of \$29.15 per pay period and a County contribution match of up to \$67.00 per pay period.

Section VIII. Budget Control

General Statutes of the State of North Carolina provide for budgetary control measures to exist between a county and public school system. The statute provides:

Per General Statute 115C-429:

(c) The Board of County Commissioners shall have full authority to call for, and the Board of Education shall have the duty to make available to the Board of County Commissioners, upon request, all books, records, audit reports, and other information bearing on the financial operation of the local school administrative unit.

The Board of Commissioners hereby directs the following measures for budget administration and review:

That upon adoption, each Board of Education will supply to the Board of County Commissioners a detailed report of the budget showing all appropriations by function and purpose, specifically to include funding increases and new program funding. The Board of Education will provide to the Board of County Commissioners a copy of the annual audit, monthly financial reports, copies of all budget amendments showing disbursements and use of local moneys granted to the Board of Education by the Board of Commissioners.

The Board of Commissioners hereby approves the following financial policies:

- The County will initiate measures to recoup sales tax proceeds on school capital projects through the conveyance of school property to the County with the school property reverting back to the school districts at the end of the construction period.
- The County will ensure that all monthly general ledger postings occur by the 10th work day of each month.
- The County will ensure that monthly financial reports are available by the 15th work day of each month.
- The County will not issue debt for a project until a bid award date and construction start date is established.
- Whereas, it is a best practice for governments to account for capital assets separate from their operating funds, and; Whereas, enterprise funds generally establish Renewal and Replacement Capital Funds to account for the acquisition of capital assets; Therefore,
 - a. The Solid Waste Renewal and Replacement Capital Fund is established to account for sources of income earmarked to fund the County Capital Investment Plan. Sources of income including debt financing proceeds, pay-as-you-go funds, and any other sources earmarked to finance acquisition of capital assets.
 - b. The Sportsplex Renewal and Replacement Capital Fund is established to account for sources of income earmarked to fund the County Capital Investment Plan. Sources of income including debt financing proceeds, pay-as-you-go funds, and any other sources earmarked to finance acquisition of capital assets.
- Whereas, the County intends to undertake Capital Projects as approved in Year 1 (FY 2023-24) of the Capital Investment Plan, will use its own funds to pay initial Project costs, and then reimburse itself from financing proceeds for these early expenditures. The expected primary type of financing for the Projects is installment financing under Section 160A-20. The financing may include more

ORD-2023-029

than one installment financing, and may include installment financings with equipment vendors and installment financings that include the use of limited obligation bonds. The Manager and Finance Officer have advised the Board that it should adopt this resolution to document the County's plans for reimbursement, in order to comply with certain federal tax rules relating to reimbursement from financing proceeds.

- The Community Loan Fund will issue no interest loans to recipients in this program.
- The County has adopted a policy to fund no interest loans to Non-Profit organizations that meet certain financial criteria, as adopted on September 20, 2018.
- The County will include in its Travel Policy that travel expenses for Commissioners and County Staff will include the purchase of carbon offsets for any airfare and the miles traveled by Car Share vehicles.

Section IX. Internal Service Fund - Health and Dental Insurance Fund

The Health and Dental Insurance Fund accounts for receipts of premium payments from the County and its employees, employees for their dependents, all retirees and the payment of employee and retiree claims and administration expenses. Projected receipts and fund reserves from the County and employees for fiscal year 2023-24 will be \$16,251,634, and projected expenses for claims and administration for fiscal year 2023-24 will be \$16,251,634.

Section X. Other Post Employment Benefits Fund

Orange County, North Carolina

Other Post-Employment Benefits (OPEB) Investment and Funding Policy

- Each fiscal year the County funds its OPEB benefits coming due to current retirees on a pay-as-you-go (PAYGO) basis from the Health and Dental Fund.
- The County recognizes that by setting additional funds from the PAYGO amounts now to pay future benefits, the County can pay a portion of those future benefits from investment earnings on those funds.
- The County strives to make investments consistent with the long-term nature of assets set aside for payment of OPEB benefits. The County will invest funds through the NC Treasurer's Office in Equities, Long-term Bonds and other investments as authorized by North Carolina General Statutes 147-69.2(b5).
- The Finance Officer will regularly evaluate the appropriate allocation of such OPEB investments between Equities, Long-term Bonds and Shorter-term investments and make adjustments as necessary.

Section XI. Custodial Funds

Custodial Funds are used to report any fiduciary activities not reported in Investment Trust or Private-Purpose Trust Funds. In North Carolina, examples of Custodial Funds are the Jail Inmate Fund, and the property taxes collected by the County on behalf of a municipality (the Chapel Hill-Carrboro City Schools District Tax Fund).

Section XII. Encumbrances

Operating funds encumbered by the County as of June 30, 2023 are hereby reappropriated to this budget.

Section XIII. Capital Projects & Grants Fund

The County Capital Improvements Fund, Schools Capital Improvements Fund, Proprietary Capital Funds, and the Grant Projects Fund are hereby authorized. Appropriations made for the specific projects or grants in these funds are hereby appropriated until the project or grant is complete.

- a. The County Capital Projects Fund FY 2023-24 budget, with anticipated fund revenues of \$28,888,432 and project expenditures of \$28,888,432 is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2023, and ending June 30, 2024, and the same is adopted by project.
- b. The Proprietary Capital Funds FY 2023-24 budget, consisting of Water and Sewer Utilities, Solid Waste, and Sportsplex, with anticipated fund revenues of \$3,556,025, and project expenditures of \$3,556,025 is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2023, and ending June 30, 2024, and the same is adopted by project.
 - i. The Solid Waste Renewal and Replacement Capital Fund FY 2023-24 budget, with anticipated sources of income of \$2,556,025, and anticipated expenditures of \$2,556,025 is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2023, and ending June 30, 2024.
 - ii. The Sportsplex Renewal and Replacement Capital Fund FY 2021-22 budget, with anticipated sources of income of \$1,000,000, and anticipated expenditures of \$1,000,000 is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2023, and ending June 30, 2024.
- c. The School Capital Projects Fund FY 2023-24 budget, with anticipated fund revenues of \$25,992,243, and project expenditures of \$25,992,243 is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2023, and ending June 30, 2024, and the same is adopted by project.

Revenues

Function	Appropriation
Article 46 Sales Tax Proceeds	\$2,766,048
Debt Financing	\$24,031,260
Debt Financing - Durham Tech	\$10,500,000
Debt Financing - School Improvements	\$8,642,860
Debt Financing - Solid Waste	\$1,495,002
Debt Financing - Sportsplex	\$900,000
Grant Funding	\$100,000
Lottery Proceeds	\$1,402,354
NCDEQ Reimbursement Fund	\$3,000,000
Partner Funding - County Capital	\$9,000
Register of Deeds Fees	\$80,000
Solid Waste Funds	\$1,061,023
Sportsplex Funds	\$100,000
Transfer from General Fund	\$4,349,153

ORD-2023-029

Total Capital Fund		\$58,436,700
Appropriations		
Function	Appropriation	
County		
County Assets and Community Centers	\$20,540,055	
Public Safety	\$1,756,500	
Information Technology	\$1,337,377	
Parks, Open Space, and Trail Development	\$5,254,500	
County Total	\$28,888,432	
Proprietary		
Solid Waste	\$2,556,025	
Sportsplex	\$1,000,000	
Proprietary Total	\$3,556,025	
School		
Chapel Hill-Carrboro City Schools	\$10,791,610	
Orange County Schools	\$4,700,633	
Durham Tech Community College	\$10,500,000	
School Total	\$25,992,243	
Total Capital Fund		\$58,436,700

The County Grant Projects Fund FY 2023-24 budget, with anticipated fund revenues of \$357,000, and project expenditures of \$357,000, is hereby adopted in accordance with G.S. 159 by Orange County for the fiscal year beginning July 1, 2023, and ending June 30, 2024, and the same is adopted by project.

Revenues

Function	Appropriation
Intergovernmental	\$182,000
Donations	\$175,000
Total Grants Fund	\$357,000

Appropriations

Function	Appropriation
Master Aging Plan (Department on Aging)	\$175,000
Local Reentry Council Grant (Criminal Justice Resource Department)	\$150,000
Drug Treatment Court (Criminal Justice Resource Department)	\$32,000
Total Grants Fund	\$357,000

Any capital project or grant budget previously adopted, the balance of any anticipated, but not yet received, revenues and any unexpended appropriations remaining on June 30, 2023, shall be reauthorized in the FY 2023-24 budget.

Section XIV. Contractual Obligations and Disposal of Property

The County Manager is hereby authorized to execute contractual documents and dispose of property under the following conditions:

ORD-2023-029

- a. The Manager may execute contracts for construction or repair projects that do not require formal competitive bid procedures, and which are within budgeted departmental appropriations, for which the amount to be expended does not exceed \$250,000.
- b. The Manager may execute contracts for general and/or professional services which are within budgeted departmental appropriations, for purchases of apparatus supplies and materials or equipment which are within the budgeted departmental appropriations, and for leases of property for a duration of one year or less and within budgeted departmental appropriations for which the amount to be expended does not exceed \$90,000.
- c. The Manager is authorized to execute contracts, their amendments and extensions, in amounts otherwise reserved for Board approval and execution by the Chair, up to the Board-approved budgetary amount for a project or service that has been approved by the Board of County Commissioners in the current year budget. This section does not apply to projects in which the Board must approve and award a bid.
- d. Contracts executed by the Manager shall be pre-audited by the Chief Financial Officer and reviewed by the County Attorney to ensure compliance in form and sufficiency with North Carolina law.
- e. The Manager may sign intergovernmental service agreements in amounts under \$90,000.
- f. The Manager may sign intergovernmental grant agreements regardless of amount as long as no expenditure of County matching funds, not previously budgeted and approved by the Board, is required. Subsequent budget amendments will be brought to the Board of County Commissioners for revenue generating grant agreements not requiring County matching funds as required for reporting and auditing purposes.
- g. Upon the Manager's determination that certain property is surplus the Manager may dispose of County personal property consisting of one item or a group of similar items having a value of less than \$30,000. In disposing of the property the Manager may utilize any lawful method of disposal including and not limited to private or public sale, exchange, auction, etc. The Manager shall seek fair market value for the property. Consideration may consist of items and things other than currency. The Manager shall keep a record of all property sold under this section and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.
- h. The Manager is authorized to approve and execute leases of County property for a term not exceeding one year. Such leases of County property may not be extended beyond one year except by action of the Board of Commissioners.

Section XV. Micro-purchase Threshold

- a. In accordance with 2 C.F.R. § 200.320(a)(1)(iv) and the applicable provisions of North Carolina law, the County hereby self-certifies the following micro-purchase thresholds, each of which is a "higher threshold consistent with State law" under 2 C.F.R. § 200.320(a)(1)(iv)(C) for the reasons set forth in the recitals to this resolution:
1. \$30,000, for the purchase of "apparatus, supplies, materials, or equipment";
 - and
 2. \$30,000, for the purchase of "construction or repair work"; and

- 3. \$50,000, for the purchase of services not subject to competitive bidding under North Carolina law; and
- 4. \$50,000, for the purchase of services subject to the qualifications-based selection process in the Mini-Brooks Act; provided that such threshold shall apply to a contract only if the County has exercised an exemption to the Mini-Brooks Act, in writing, for a particular project pursuant to G.S. 143-64.32. If the exemption is not authorized, the micro-purchase threshold shall be \$0.

b. The self-certification made herein shall be effective as of the date hereof and shall be applicable until June 30, 2024.

c. In the event that the County receives funding from a federal grantor agency that adopts a threshold more restrictive than those contained herein, the County shall comply with the more restrictive threshold when expending such funds.

d. The County shall maintain documentation to be made available to a Federal awarding agency, any pass-through entity, and auditors in accordance with 2 C.F.R. § 200.334.

e. The Chief Financial Officer of the County is hereby authorized to revise the Purchasing Policy of the Unit to reflect the increased micro-purchase thresholds specified herein as necessary, and to take all such actions to carry into effect the purpose and intent of the foregoing resolution.

Section XVI. Grant Project Ordinance - Coronavirus State and Local Fiscal Recovery Funds

Be it ordained by the Board of Commissioners of Orange County that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby amended:

a) Section I. Budget Adoption

There is hereby adopted the following Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF) grants project budget for Orange County by project according to the following summary:

Fund	Total Appropriation
CSLRF Fund	\$28,839,722

These funds may be used for the following categories of expenditures, to the extent authorized by state and local law.

- 1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
- 2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
- 3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;

ORD-2023-029

4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

b) Appropriations

There is hereby appropriated the following project amounts. This Section b shall be amended as necessary to describe and authorize other projects to be funded by this Grant Project Ordinance.:

Project Name	Appropriation
Senior Lunch Program	\$ 119,229
Replacement Temporary Facility Modifications	\$ 51,136
Point Ionization – Detention Center	\$ 68,800
ARPA Grant Compliance Position – CJRD	\$ 38,751
Durham Tech Community College for Small Business Center	\$ 70,000
First Responder Behavioral Health Program	\$ 45,000
Powered Air Purifying Respirators (PAPRS)	\$ 124,000
American Rescue Plan Act (ARPA) Coordinator	\$ 133,772
Affordable Housing – Home Repairs	\$ 120,000
Housing Locator	\$ 65,705
Landlord Incentive Program	\$ 75,000
Eviction Diversion	\$ 167,046
Government Alliance on Racial Equity Youth Program	\$ 46,540
Language Access Services	\$ 15,000
Broadband Infrastructure Design and Implementation	\$ 10,000,000
Long Time Homeowner Assistance Program	\$ 516,364
Long Time Homeowner Assistance Program Software	\$ 8,905
Countywide Food Distribution and Storage	\$ 60,000
Youth Enhancement Fund	\$ 25,000
Stabilization Program for Former Foster Youth	\$ 10,000
Support for Low Income Families	\$ 25,000
Fire District P25 Phase II Compliant Radio Replacement	\$ 2,562,300
Housing Helpline	\$ 237,292
Childcare Support Parent Fees	\$ 540,000
Emergency Housing Assistance	\$ 3,714,882
Revenue Replacement	\$ 10,000,000
Unallocated/Unassigned	\$ 0
Total	\$ 28,839,722

ORD-2023-029

c) Revenues

The following fund revenues are estimated to be available to complete the projects:

CSLRF Funds	\$28,839,722
-------------	--------------

- d) The Finance Director is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.
- e) The Finance Director is hereby directed to report the financial status of the fund annually.
- f) Copies of this grant project ordinance shall be filed with the County Manager and the Finance Director.
- g) This grant project ordinance expires on December 31, 2026, or when all the CSLRF funds have been obligated and expended by the county, whichever occurs sooner.

Commissioner Approved Fee Schedule - FY 2023-24

Department/Program		Description	Current Fee	Last Revision
Asset Management				
		Use Fee (except for classification 5 and 6, or as otherwise stipulated in Facilities Use Policy)	Resident \$10/hr, Non-Resident \$20/hr	2011
		Great Hall or Ballroom (Senior Centers), except class 6	Resident \$75, Non-Resident \$ 125	2011
		Class 5 Use Fee; includes use, kitchen fee and on-site personnel fees	Resident \$50/hr, Non-Resident N/A	2011
		Class 6 Use Fee; includes use, kitchen fee and on-site personnel fees	Resident \$125, Non-Resident \$175	2011
		On-site personnel	Resident \$15/hr, Non-Resident \$20/hr	2011
		Kitchen Use, senior centers only	Resident \$25, Non-Resident \$50	2011
		Security Deposit; class 6 only	Resident \$100, Non-Resident \$100	2011
		Cleaning/lock up/utility fee	Resident \$25, Non-Resident \$25	2011
		County Events spaces/Community Center	Events held for public purposes: \$20/Hour Private Events (Staffing Included): \$45/Hour	2023
Orange Public Transportation				
		Vehicle lease	\$1.00 per mile (van)	2012
			\$1.00 per mile (van)	2012
			\$1.00 per mile (bus)	2012
		Driver lease	\$20.00/hour Business Hours	2007
			\$22.00/hour Afterhours/Weekends	2007
			\$30.00/hour Holidays	2007
		Public Shuttle	\$2.00 per one way trip in-town	2005
			\$1.00 per one way trip for elderly or disabled	2005
		Medical trips	\$3.00 door to door	2001
Department on Aging				
	Senior Programs	Classes	Instructor Cost + 10-25% Admin	Ongoing
		Senior Games	\$16.00 per participant	2018
	Senior Center	Use Fee (except for classification 5 and 6, or as otherwise stipulated in Policy, when required for non-business hours reservations, or as otherwise required by Orange County)	\$20.00 per hour	2017
		Great Hall or Ballroom (Senior Centers), except class 6	\$125.00	2017
		Class 6 Use Fee; includes use, kitchen fee, and on-site personnel fees (when required for non-business hours reservations, or as otherwise required by Orange County)	\$45.00 per hour	2017
		Afterhours on-site personnel	\$20.00 per hour	2017
		Kitchen Use (senior centers only)	\$50.00	2017
		Security Deposit, class 6 only	\$100.00	2017
		Cleaning/lock up/utility fee	\$25.00 per hour	2017
Board of Elections				
	Filing Fees	State & County Offices	1% of Annual Salary	Mandated #
		Municipal Offices	CH - \$5.00 Mayor and Council	1980
			Car - \$15.00 Mayor \$10.00 Council	1980
			Hills - \$10.00 Mayor and Council	1980

Department/Program		Description	Current Fee	Last Revision
Municipal Elections		Precinct Officials	CH 50% and Car 50% of Cost	1980
			Hills - 100% of Cost	1980
		Ballots	All municipalities 100% of Cost	1980
		Advertisements	All municipalities 100% of Cost	1980
Other Charges		Computer print-outs	\$.10 per page	2009
		Special Select	\$.10 per page	2009
		One-Precinct	\$.10 per page	2009
		Computer labels	\$.30 per page	2009
		Computer Tapes/CD's	\$10.00 per CD	2009
		Specialized Programming	\$10.00 per CD	2009
DEAPR				
<i>Natural & Cultural Resources</i>				
		Local Landmark Program	\$100.00	2010
PARKS & RECREATION				
Athletics		Youth Athletics	100% Recovery Rate	2009
		Adult Athletics	100% Recovery Rate	2005
General Programs		Youth/Teen Programs	100% Recovery Rate	2009
		Adult Programs	100% Recovery Rate	2009
		Trips	100% Recovery Rate	2009
Special Populations Programs			5% Recovery Rate	2005
Administration		Special Event Alcohol Application Fee	\$25.00	2022
Other Programs		Concerts	Varies	2009
Facility Rentals		Gyms - Group Rentals	Resident: \$50 per hour Non-Resident : \$75 per hour	2023
		Activity Rms/Rec Centers	Resident: \$30 per hour Non-Resident : \$ 45 per hour	2018
		Athletic Fields	Resident: \$40 per hour Non-Resident : \$60 per hour	2023
		Athletic Fields - Tournaments	\$50/hr. for resident, \$75 for non-resident	2018
		Athletic Field Lighting	\$35 per hour	2016
		Tennis/Basketball Court Rental	\$10 per hour	2022
		Tennis/Basketball Court Rental w/ lights	\$15 per hour	2022
		Tournament Vending Permit Fee	\$100 per day	2013
		Special Event Vending	\$20/booth per day	2019
		Non-County Resident Fee	Additional 50% to applied fee	2007
		Picnic Shelter - Resident	\$25 - Half Day; \$40 - All Day	2019
		Picnic Shelter - Non-Resident	\$30 - Half Day; \$45 - All Day	2019
		Group Camping	\$30 per group of 6-30.	2009
		Parks Open Space permit fee (not court, shelter or athletic field)	\$10/hour or \$50/day	2011
		Blackwood Amphitheater Use Fee - Small Event - / Half Day or Per Hr up to 4	\$150/4hrs \$50/1 hr	2022
		Blackwood Amphitheater Use Fee - Large Event - Full Use - All Day	\$2,500.00	2022
		Large Shelter at Blackwood Farm Park <4 hours	Resident: \$75 Non-Resident: \$80	2023

Department/Program	Description	Current Fee	Last Revision
	Large Shelter at Blackwood Farm Park >4 hours	Resident: \$100 Non-Resident: \$110	2023
	Large Scale Festivals	Negotiated fee	2022
	Special Event Over 500 People	\$250-Non Profit / \$500 Business	2022
	Special Use Rental - Wedding	\$250.00	2022
	Farmer's Market Pavilion - Resident	\$15 - Half Day; \$30 All Day	2019
	Farmer's Market Pavilion - Non-Resident	\$30 - Half Day; \$45 All Day	2019
Equipment Rentals	Recreational Equipment Rental	\$25 per use	2013
Land Records	Fax	\$1.00 per page	1994
	GIS Property Map - 8 1/2 x 11	\$3.00; additional copy \$2.00	1994
	GIS Ortho - Property Map - 8 1/2 x 11	\$5.00; additional copy \$3.00	1994
	GIS Property Map - 11 x 17 (B-size)	\$5.00	1994
	GIS Ortho - Property Map - 11 x 17 (B-size)	\$10.00	1994
	GIS Property Map - 17 x 22 (C-size)	\$10.00	1994
	GIS Ortho - Property Map - 17 x 22 (C-size)	\$20.00	1994
	GIS Property Map - 22 x 34 (D-size)	\$15.00	1994
	GIS Ortho - Property Map - 22 x 34 (D-size)	\$25.00	1994
	GIS Property Map - 34 x 44 (E-size)	\$25.00	1994
	GIS Ortho - Property Map - 34 x 44 (E-size)	\$35.00	1994
	Custom GIS Map E-size (Original Inventory)	\$30.00	1994
	Custom GIS Map E-size (Original)	\$30.00 per hour	1994
	Computer Report Land Data	\$.02 per item	1994
	Computer Labels - Owners	\$.02 per item	1994
	Plot Land Description	\$20.00 each	1994
Library	Photocopies	15 cents per page after 5	2022
	Microfilm copies	15 cents per page after 5	2022
	Fax	\$1.00 flat fee	2022
	Printouts (from internet)	15 cents per page after 5	2022
	Processing Fee	\$5.00	2010
	Kindle Replacement Fee	replacement cost	2022
	Photocopies - Color	25 cents per page after 5	2022
	Out of County Card Fee (Counties outside of Alamance, Caswell, Chatham, Durham, and Person Counties)	\$25.00	2018
	Library Card Replacement	\$1.00	2018
	Hot Spot Replacement	Replacement cost	2023
Register of Deeds	Deeds of Trust or Mortgage	\$56 (up to 15 pgs); \$4 each additional page	10/1/2011
	Deeds	\$26 (up to 15 pgs); \$4 each additional page.	10/1/2011
	Other Instruments	\$26 (up to 15 pgs); \$4 each additional page.	10/1/2011
	Assumed names, POA, etc.	\$26 (up to 15 pgs); \$4 each additional page.	10/1/2011
	Additional subsequent instruments index ref.	\$25 each added to recording fee	10/1/2011
	Multiple documents	\$10 each additional document	2002
	Certified Copies	\$5 (1st pg); \$2 each additional page	2002
	Non-standard document fee	\$25 in addition to regular recording fee	2002
	Notice of Satisfaction	No Fee	2002
	Plats	\$21.00	2002
	Right-of-Way Plans/Highway Maps	21; \$5 each additional	2002

Department/Program	Description	Current Fee	Last Revision
	Plat copy (uncertified)	\$3.00	2002
	Certified copy of plats	\$5	2002
	UCCs	\$38, \$45 if more than 2 pgs +\$2/page over 10 pgs	2001
	UCC searches	\$30 per debtor name + \$1/page for copies	2001
	Excise/Revenue Stamps	\$2 per \$1000 based on purchase price	1992
	Conformed Copy	\$5	2002
	Marriage License	\$60	2009
	Marriage License Corrections	\$10	2002
	Process Delayed Marriages	\$20	2002
	Certified Copies, Births, Deaths, Marriages Certificates	\$10	2002
	Laminated copy of Birth Certificates	\$12	2002
	Process Amendments Births/Deaths	\$10 + \$15 to NC Vitals Records	2002
	Process Legitimation	\$10	2002
	Delayed Birth Registration	\$20	2002
	Notary Public Qualification	\$10	2002
	Notarization per Signature	\$5	2002
	Notary Certification	\$3 per document	2002
	Copy Work	15 cents per page	2010
	Mylar plat copy	\$5	Early 1980s
	Issuance of Plat Copy Key	\$5	2002
	Duplicate Marriage License	\$10	2000
	Historical Records	\$1	Early 1980s
	CRT print-out	15 cents per page	2010
	Computer tapes	\$10 per tape	1997
	Planning		
Engineering	Plan Review	\$300 minimum, \$500 for greater than 1000 linear feet of utility or residential greater than 20 units	2012
	Utility Construction Observation	\$1 per linear foot of utility	2012
	Tap Reinspection Fee	\$100.00	2011
Current Planning fees	Comprehensive Plan		
	Text Amendment	\$500.00 staff review fee, \$2,000 Legal Advertisement	2023
	Future Land Use Map Amendment	4500.00 +\$50.00/acre of impacted property, area staff review fee, \$2,000 Legal Advertisement, \$30.00 sign posting, \$1.00 first class mail fee for each individual parcel required to be notified of the Planning Board meeting and public hearing associated with the review request	2023
	Unified Development Ordinance		
	Text Amendments	\$500.00 staff review fee, \$1000.00 Legal advertisement (i.e. newspaper ads)	2018
	Zoning Atlas Amendment - Rezoning		

Department/Program		Description	Current Fee	Last Revision
		Rezone to Conventional District - Residential	\$500.00 staff review fee, \$2,000 Legal Advertisement, \$30.00 sign posting, \$1.00 first class mail fee for each individual parcel required to be notified of the Planning Board meeting and public hearing associated with the review request.	2023
		Rezone to General Use Nonresidential	\$2,000.00 plus an additional \$100.00 per acre for single tracts or \$50.00 per acre for a petition involving multiple tracts of property – staff review fee \$2,000 Legal Advertisement (i.e. newspaper ads) \$30.00 sign posting fee \$1.00 mailing fee for each individual parcel required to be notified of request	2023
		Re-Inspection Fee for failed inspection	Residential: \$50; Non-Residential: \$150	2018
		Zoning Fees: Telecommunication Towers		2015
		Telecommunication Antenna Collocation/Eligible Facilities Request	\$200.00	2015
		Zoning Permit Review Fee - Telecommunication Tower Class A	\$2,500.00	2018
		Escrow Account	Consultant Review Fee \$7,500.00	2016
		Zoning Permit Review Fee - Telecommunication Tower Class B	\$1,500.00	2018
		Escrow Account	Consultant Review Fee \$7,000.00	2016
		Co-Location Fee	Co-Location Consultant Review Fee \$1,000.00	2016
		Zoning Review Fee (building permit)	\$100.00	2015
		Rezone to Conditional District	\$2000.00 staff review fee, \$2,000 Legal Advertisement, \$30.00 sign posting, \$1.00 first class mail fee for each individual parcel required to be notified of the Neighborhood meeting, the Planning Board meeting, and public hearing associated with the review request. If application proposes a Subdivision then the following additional fees shall be required: \$750.00 additional staff review fee plus \$50.00 an acre fee for projects that do not include an affordable housing component, \$25.00 an acre fee for projects that do include an affordable housing component.	2023
Board of Adjustment		Appeal of Interpretation and Variance - residential	\$340.00 staff review fee, \$1.00 mailing fee, applied per mailing event (FLUM Change, Zoning Atlas Amendment, Special Use Permit, Board of Adjustment Variances, Major Subdivision Concept Plan, Vacation of r/w, Partial Width r/w) (if required)	2023
		Appeal of Interpretation and Variance - non-residential	\$540.00 staff review fee, \$1.00 mailing fee, applied per mailing event (FLUM Change, Zoning Atlas Amendment, Special Use Permit, Board of Adjustment Variances, Major Subdivision Concept Plan, Vacation of r/w, Partial Width r/w) (if required)	2023

Department/Program		Description	Current Fee	Last Revision
		Special Use Permits	\$560.00 staff review fee, \$30.00 sign posting, \$1.00 first class mail fee for each individual parcel required to be notified of request (i.e. neighborhood meeting and public hearing)	2021
	Subdivision	Concept Plan	\$140.00 staff review fee	2011
		Final Plat	\$140.00 staff review fee	2011
		Re-approval	\$100.00 staff review fee	2011
		Major Subdivision (Under 20 proposed lots and not involving a Conditional District application)		
		Concept Plan	\$310 staff review fee, \$30.00 sign posting, \$1.00 Neighborhood Information meeting mailing fee, applied per mailing event (FLUM Change, Zoning Atlas Amendment, Special Use Permit, Board of Adjustment Variances, Major Subdivision Concept Plan, Vacation of r/w, Partial Width r/w)	2023
		Preliminary	\$600.00 staff review fee, \$2,000.00 legal advertisement (i.w. newspaper ads), \$30 (sign)/\$1.00 (mailing)	2023
		Final	\$500.00	2001
		Re-approval	\$500.00 staff review fee	2011
		Modification of approved subdivision preliminary or final plat	\$500.00 staff review fee, \$2,000.00 legal advertisement (i.e. newspaper ads) \$30 (sign)/\$1.00 (mailing)	2023
		Zoning Compliance Permits and Site Plan Approvals:		
		Zoning Compliance Permits for single family/duplex residential structure(s)	\$30.00	2011
		Single-family site plan associated with Conditional District approval	\$1,000.00 staff review fee	2021
		Multi-family site plan associated with Conditional District approval	\$1,000.00 staff review fee	2021
		Nonresidential uses	\$1,000.00 staff review fee plus, \$20.00 per 100 square feet of proposed office/institutional building area, \$25.00 per 100 square feet of industrial/warehouse building area, \$30.00 per 100 square foot of proposed commercial/retail building area. If project is associated with a Conditional District approval, an additional \$250.00 staff review shall apply to the project	2021
		Home Occupation Plan Review	\$90.00	1997
		EDD Site Plan	\$1,000.00 plus \$10.00 per square feet of proposed building area. If project is associated with a Conditional District approval then an additional \$250.00 staff review fee shall apply	2021
		Sign posting fee per sign per posting event (FLUM Change, Zoning Atlas Map Amendments, Special Use Permits, Board of Adjustment Variances, Major Subdivision Concept Plans, Vacation of r/w, Partial Width r/w request)	\$25 + \$2/sq. ft.	2001

Department/Program	Description	Current Fee	Last Revision
	Major (new construction, engineering modifications to the site plan, stormwater revisions,etc.)	\$500.00	2001
	Minor (changes in use, site improvement without building additions)	\$250.00	2001
	Administrative approvals, including one-year extensions to approved site plans	\$250.00	2001
	Miscellaneous		
	Review of Traffic Impact study associated with project	\$250.00 in addition to established project review fee, if any	2011
	Review fee for projects located within Major Transportation Corridor Overlay District	\$200.00 in addition to established project review fee, if any	2011
	Private Road Right-of-way request	\$125.00 staff review fee, \$2,000.00 legal advertisement to match all legal advertising across fee schedule, \$30.00 sign posting, \$5.00 certified mailing fee for each individual parcel required to be notified of request	2023
	Abandonment of rights-of-way/release of easements per abandonment or release (includes advertising)	\$250.00 staff review fee, \$2000.00 legal advertisement, \$30.00 sign posting, \$5.00 certified mailing fee, applied per mailing event (FLUM Change, Zoning Atlas Amendment, Special Use Permit, Board of Adjustment Variances, Major Subdivision Concept Plan, Vacation of r/w, Partial Width r/w)	2023
	Payment-in-Lieu of Parkland Dedication		
	Community Park	\$422/lot	1996
	District Park	\$455/lot	1996
	Hire outside consultants	Cost + 15%	2001
	Land Use Plan Map	\$1.00	1989
	Airport Study	\$5.00	1989
	Water Resources Task Force	\$4.25	1989
	Street Study	No Charge	1989
	Road Map	\$2.00	1989
	Road Map (large)	\$6.00	1989
	Aerial Photos	\$1.00	1989
	Topo Maps	\$1.50	1989
	Other Maps	\$1.00	1989
	Inventory of Sites	\$3.50	1989
	Inventory of Natural/wildlife etc	\$10.00	1989
	Photo Copies (Small Area Plans, JPA Land Use Plan, and all other documents and reports)	\$0.10 per page duplexed B&W; \$0.50 per page duplexed Color	2011
	Master Recreation/Parks Plan	\$10.00	1989
	New Hope Corridor Plan	\$4.00	1996
	Historic Preservation Element	\$10.00	1996
	Flexible Development Standards	\$5.00	1996
	2030 Comprehensive Plan	\$25.00 B&W; \$125.00 Color	2011
	Unified Development Ordinance (UDO)	\$40.00 B&W; \$200.00 Color	2011
	Copy of Map 8.5 x 11	\$3.00; additional copy \$2.00	2011
	Copy of Map 11x17	\$5.00; additional copy \$3.00	2011
	Copy of Map 18x24	\$10.00	2011
	Copy of Map 24x32	\$15.00	2011

Department/Program	Description	Current Fee	Last Revision
	Copy of Map 30x40	\$25.00	2011
	Custom Map 24x32 (Using Existing Data)	\$30.00	2011
	Custom Data/Map 24x32 (Creation of New Data)	\$30.00/hour	2011
	CD or thumbdrive	\$10.00	2023
Erosion Control/Stormwater Management	Erosion and Sedimentation Control Plan Review and Inspection Fees		
	Residential and Non-Residential development	\$300 minimum + \$300/ac	2023
	Erosion Control Plan Revisions	\$150 per plan revision request	2021
	Land Disturbing (Grading) Permits		2019
	Less than 10 acres	\$600 minimum + \$600/ac	2023
	Greater than 10 acres but less than 25 acres	\$1,200/ac	2023
	Greater than 25 acres	\$1,800/ac	2023
	Unscheduled Site Re-Inspection	\$200 per re-inspection	2021
	Private Roads	\$155.00	1998
	Storm water Management Plans	\$500 per SCM	2019
	Storm water Management Plan Review (LID)	\$300.00	2019
	Conservation Area Document Review	\$200 per area	2019
	Re-Inspection of Stormwater Control Measure (SCM) associated with a failed SCM inspection report	1st inspection no fee \$250 per SCM inspection thereafter	2021
	Inspection of Stormwater Control Measure (SCM) associated with a Notice of Violation (NOV)	\$250 per SCM inspection	2021
	Recurring 5-Year Inspection of Stormwater Control Measure (SCM)	\$750 per SCM	2021
	Appeal of Land Disturbing (Grading) Permit	At cost for legal ad and notifications to process if appealed to Public Hearing per UDO 2.26.8&9	2021
	Stream Origin and Intermittent/Perennial Determinations 1-2 determinations/site \$300 3-6 determinations/site \$600 7-9 determinations/site \$1000 10-12 determinations/site \$1200 13-16 determinations/site \$1500 17-19 determinations/site \$2000		2021
	Surface Water Identification (SWID) field work.		
	Stop Work Order/Notice of Violation	\$200 per order	2021
Inspection fees Building			
	Permit Change Fee	\$50-\$100	2023
	Change of Contractor Fee	\$25.00	2023
	Credit Card use fee	2% of transaction	2021

Department/Program	Description	Current Fee	Last Revision
	Plans Review - Amendment Fee	\$125 minimum (subject to increase adjustment for extent and complexity of review, up to maximum \$250), assessed when previously reviewed plans are submitted with significant revisions.	2023
	<i>Schedule A</i>		
	New Residential (1&2 family)	0.414 (all trades included)	2023
	Building	.165/sq.ft / \$110 Min	2023
	Electrical	.079/sq.ft / \$110 Min	2023
	Plumbing	.079/sq.ft / \$110 Min	2023
	Mechanical	.091/sq.ft / \$110 Min	2023
	<i>Schedule B</i>		
	Building	.298/sq.ft.	2023
	Electrical	\$110.00	2023
	Plumbing	\$110.00	2023
	Mechanical	\$110.00	2023
	<i>Schedule C</i>		
	Mobile/Modular Homes		
	Singlewide		
	Building	\$110.00	2018
	Electrical	\$70.00	2018
	Plumbing	\$50.00	2018
	Mechanical	\$50.00	2018
	Doublewide		
	Building	\$166.00	2018
	Electrical	\$70.00	2018
	Plumbing	\$50.00	2018
	Mechanical	\$50.00	2018
	Triplewide		
	Building	\$193.00	2018
	Electrical	\$70.00	2018
	Plumbing	\$70.00	2018
	Mechanical	\$70.00	2014

Department/Program	Description	Current Fee	Last Revision
	Quadwide		
	Building	\$221.00	2018
	Electrical	\$70.00	2018
	Plumbing	\$70.00	2018
	Mechanical	\$70.00	2018
	<i>Schedule D</i>		
	New Commercial-per square foot		
	Residential (apartments)		
	Building	\$0.242	2018
	Electrical	\$0.107	2018
	Plumbing	\$0.107	2018
	Mechanical	\$0.085	2018
	Storage		
	Building	\$0.085	2018
	Electrical	\$0.065	2018
	Plumbing	\$0.065	2018
	Mechanical	\$0.085	2018
	Assembly		
	Building	\$0.181	2018
	Electrical	\$0.098	2018
	Plumbing	\$0.098	2018
	Mechanical	\$0.085	2018
	Institutional		
	Building	\$0.337	2018
	Electrical	\$0.166	2018
	Plumbing	\$0.166	2018
	Mechanical	\$0.169	2018
	Business		
	Building	\$0.242	2018
	Electrical	\$0.115	2018
	Plumbing	\$0.115	2018
	Mechanical	\$0.108	2018
	Mercantile		
	Building	\$0.166	2018
	Electrical	\$0.082	2018
	Plumbing	\$0.082	2018
	Mechanical	\$0.074	2018
	Hazardous		
	Building	\$0.126	2018
	Electrical	\$0.053	2018
	Plumbing	\$0.053	2018
	Mechanical	\$0.074	2018
	Factory/Industrial		
	Building	\$0.126	2018
	Electrical	\$0.053	2018
	Plumbing	\$0.053	2018
	Mechanical	\$0.074	2018
	Educational		
	Building	\$0.242	2018
	Electrical	\$0.115	2018
	Plumbing	\$0.115	2018

Department/Program	Description	Current Fee	Last Revision
	Mechanical	\$0.108	2018
	Utility and Miscellaneous/Shell Building		
	Building	\$0.085	
	Electrical	\$0.065	
	Plumbing	\$0.065	
	Mechanical	\$0.085	
	Commercial Plan Review	0.034 per square foot per project <5000 sq ft (\$150. minimum)	2018
		0.027 per square foot 5000-20,000 sq ft	2018
		0.021 per square foot 20,000-150,000 sq ft	2018
		0.013 per square foot >150,000 sq ft	2018
		(Additional 15% Town of Hillsborough)	2023
	Commercial Renovations and Alterations	Building \$165 + .349 per sf; Electrical \$110.00; Plumbing \$110.00; Mechanical \$110.00	2018
	<i>Schedule E</i>		
	Miscellaneous Bldg Inspections	<i>Commercial Residential</i>	
	Moving Building	\$165.00 \$110.00	2018
	Building Demolition	\$110.00 \$110.00	2018
	Change of Occupancy/Use	\$110.00	2018
	Swimming Pools	<i>Commercial Residential</i>	2018
	Commercial	\$110.00 \$110.00	2018
	Residential	\$110.00 \$110.00	2018
	Woodstove/Fireplace	<i>Commercial Residential</i>	2018
	Commercial	\$55.00 each appliance \$55.00 each appliance	2023
	Residential	\$55.00 each appliance \$55.00 each appliance	2023
	Prefabricated Utility Bldgs.		
	Commercial	Utility Occupancy, Schedule D	
	Residential	\$110.00	2018
	Sign Permits	\$110.00	2018
	<i>Schedule F</i>		
	Miscellaneous Electrical	<i>Commercial Residential</i>	
Electrical Inspections	Temporary Serv 60 amp	\$55.00 \$55.00	2018
	Temporary Serv 60A-100A	\$55.00 \$55.00	2018
	Sign Inspections	\$110.00 \$55.00	2018
	Gasoline Pumps	\$55.00	2018
	Miscellaneous Inspections	\$110.00 \$110.00	2018
	<i>Schedule G</i>		
	Electrical Service Changes	<i>Commercial Residential</i>	
	Single Phase		
	60-100A	\$110.00 \$110.00	2018
	125-200A	\$138.00 \$138.00	2018

Department/Program	Description	Current Fee	Last Revision
	400A	\$165.00 \$165.00	2018
	Three Phase		
	150-200A	\$165.00 \$165.00	2018
	400 A	\$221.00 \$221.00	2018
	<i>Schedule H</i>	<i>Commercial and Residential</i>	
	Electrical Service	Single Phase Three Phase	
	30-60A	\$55.00 \$138.00	2018
	70-100A	\$138.00 \$138.00	2018
	125A	\$165.00 \$165.00	2018
	150A	\$195.00 \$220.00	2018
	200A	\$200.00 \$250.00	2018
	300A	\$190.00 \$250.00	2018
	400A	\$250.00 \$330.00	2018
	600A	\$330.00 \$385.00	2018
	800A	\$385.00 \$525.00	2018
	1000A	\$525.00 \$690.00	2018
	1200A	\$690.00 \$775.00	2018
	1400A	\$745.00 \$995.00	2018
	1600A	\$775.00 \$1,325.00	2018
	Over 1600A	\$155/100A	2018
Plumbing fees	<i>Schedule I</i>		
	New Construction	Based on square footage, see schedule A and B	
		<i>Commercial Residential</i>	
	Water Heater Installation	\$110.00 \$110.00	2018
Mechanical Inspections	<i>Schedule J</i>		
	Residential Mechanical		
	Installation ea add'l system	\$55.00	2018
	Replacement of one system	\$165.00	2018
	<i>Schedule K</i>		
	Non-residential/ Commercial		
	Commercial Cooling		
	First unit	\$165.00	2018
	Each additional Unit	\$55.00	2018
	Replacement of System	\$165.00	2018
	Commercial Heating		
	First Unit	\$165.00	2018
	Each additional Unit	\$55.00	2018
	Replacement of System	\$165.00	2018
	Commercial Heat/Cool Combine		
	First Unit	\$165.00	2018
	Each additional Unit	\$55.00	2018
	Replacement of System	\$165.00	2018
	Commercial Ventilation/Exhaust		
	One System	\$165.00	2018
	Each additional	\$55.00	2018
	Hood fan comm. cooking equip	\$110.00	2018
	Commercial Cooking (one)	\$165.00	2018

Department/Program		Description	Current Fee	Last Revision
		Each additional	\$58.00	2018
		Commercial Reinspection Fee	\$110.00	2018
General		Refunds	\$42.50	
Miscellaneous		Issue Certificate of Occupancy	\$16.00	2018
		Permit Renewal	\$55.00	2018
		Day Care Permits (existing building new occupancy)	\$110.00	2018
		Day Care Reinspection	\$110.00	2018
		Sprinkler system	\$221.00	2018
		Temporary Electrical Final Inspection-Residential	\$110.00	2023
		Temporary Electrical Final Inspection-Commercial	\$125.00	2023
		Fire Alarm system	\$220.00	2018
		Archive research (per project)	\$22.00	2018
		Grease trap installation	\$110.00	2018
		Critical event permit fee waiver ⁽²⁾	\$0.00	2021
	Commercial	Reinspection fee (no charge for 1st rejection for project. All subsequent rejections will result in fee)	First re-inspection free (one). Additional re-inspections will be assessed \$110 fee. Inspections that fail for second or more times (same trade inspection) will be assessed an additional \$100 fee added to re-inspection fee (\$110), compounded for each additional re-inspection for that same trade inspection. (Additional 15% Town of Hillsborough)	2023
	Residential	Reinspection fee (no charge for 1st rejection for project. All subsequent rejections will result in fee)	First re-inspection free (one). Additional re-inspections will be assessed \$110 fee. Inspections that fail for second or more times (same trade inspection) will be assessed an additional \$100 fee added to re-inspection fee (\$110), compounded for each additional re-inspection for that same trade inspection. (Additional 15% Town of Hillsborough)	2023
		Application Fee	\$50.00	2018
		Technology Fee	2%	2018
		Work started with no permits are charged double fees		1986
		Temporary Certificate of Compliance application fee	\$100.00	2023
Emergency Medical		Emergency Response		
Emergency Management				
	BLS NE A0428	Basis Life Support (Non-Emergency)	\$355.00	2022
	BLS E A0429	Basis Life Support (Emergency)	\$568.00	2022
	ALS NE A0426	Advanced Life Support-1 (Non-Emergency)	\$425.00	2022
	ALS E A0427	Advanced Life Support-1 (Emergency)	\$675.00	2022
		Advanced Life Support -1 (Non-Transport)	\$150.00	2005
	ALS 2 A0433	Advanced Life Support -2 (Emergency)	\$976.00	2022
		Advanced Life Support -2 (Non-Transport)	\$225.00	2005
		EMS Franchise Application Fee	\$1,275.00	2011
		EMS Franchise Compliance Fee	\$300.00	2011
		EMS Franchise Renewal Fee	\$150.00	2011
		Mileage	\$12.00/mile	2022
		Special Event Coverage		
		Additional EMT Standby	\$40.00/hour (3 hour minimum)	2007

Department/Program	Description	Current Fee	Last Revision
	Paramedic Standby	\$55.00/hour (3 hour minimum)	2007
	Ambulance Standby w/ 2 EMTs	\$90.00/hour (3 hour minimum)	2005
	Ambulance Standby w/ 1 Paramedic and 1 EMT	\$100.00/hour (3 hour minimum)	2007
	Telecommunicator Standby	\$40.00/hour (3 hour minimum)	2005
	Clerical Staff Standby	\$20.00/hour (3 hour minimum)	2005
	EM Senior Officer Standby	\$40.00/hour (3 hour minimum)	2005
	EMS Physician Standby	\$85.00/hour (3 hour minimum)	2005
Fire Marshal	Fire Inspections (by facility type)	See Appendix B	
	Assembly		2018
	Business		2018
	Church/Assembly		2018
	Daycare facility		2018
	Educational, private		2018
	Foster Care Home		2018
	Hazardous		2018
	Industrial		2018
	Institutional		2018
	Mercantile		2018
	Residential(Common Areas)		2018
	Storage		2018
	Fire Inspections (by square footage)		2021
	Up to 999 sf	\$30	2021
	1,000 to 2,499 sf	\$45	2021
	2,500 to 10,000 sf	\$100	2021
	10,001 to 25,000 sf	\$140	2021
	25,001 to 50,000 sf	\$180	2021
	50,001 to 75,000 sf	\$225	2021
	75,001 to 100,000 sf	\$300	2021
	100,001 to 200,000 sf	\$425	2021
	200,001 to 300,000 sf	\$475	2021
	300,001 to 400,000 sf	\$525	2021
	400,001 to 500,000 sf	\$600	2021
	500,001 to 600,000 sf	\$675	2021
	600,001 to 700,000 sf	\$750	2021
	700,001 to 800,000 sf	\$825	2021
	800,001 to 900,000 sf	\$900	2021
	900,001 to 1,000,000 sf	\$975	2021
	1,000,000 and greater	\$1,200	2021
	Re-Inspection Fee	1st Re-Inspection: \$50	2021
		2nd Re-Inspection: \$100	2021
		3rd Re-Inspection: \$200	2021
	Fees below are to cover the cost of Mandatory and Optional Permits under the 2009 NC Fire Code (5310-435299), including staff hours to review plans, issue permits, and inspect locations for compliance.		
	Aerosol products	\$50.00	2021
	Amusement Buildings	\$150.00	2021
	Aviation Facilities	\$50.00	2021
	Battery Systems	\$50.00	2018
	Carbon Dioxide Systems used in beverage dispensing applications	\$50.00	2021
	Carnivals & Fairs	\$150.00	2021
	Cellulose nitrate film	\$50.00	2021

Department/Program	Description	Current Fee	Last Revision
	Combustible Dust	\$50.00	2018
	Combustible Fibers	\$50.00	2021
	Compressed Gas	\$50.00	2018
	Covered Mall Bldg	\$50.00	2018
	Cryogenic Fluids	\$50.00	2021
	Cutting & Welding	\$50.00	2018
	Dry Cleaning	\$50.00	2021
	Exhibit/Trade Show	\$150.00	2021
	Explosives/Blasting	\$350.00	2021
	30 day Renewal for Explosives/Blasting	\$50.00	2018
	Flammable/Combustible	\$50.00	2018
	Tank Install/Removal	\$200.00	2019
	Tank Install/Removal per additional tank	\$25.00	2018
	Floor Finishing	\$50.00	2018
	Fruit and crop ripening	\$50.00	2021
	Fumigation/Thermal Fog	\$50.00	2018
	Hazardous Materials	\$50.00	2021
	High-Piled Storage	\$50.00	2018
	Hot work operations	\$50.00	2021
	Industrial Ovens	\$50.00	2021
	Liquid Fuel Vehicle in Building	\$100.00	2021
	LP Gas	\$50.00	2018
	Lumber yards and woodworking plants	\$50.00	2021
	Magnesium	\$50.00	2021
	Motor Fuel dispensing activities	\$50.00	2021
	Open Burning	\$50.00	2018
	Open Flame/Torches	\$50.00	2018
	Open Flame/Candles	\$50.00	2018
	Organic Coatings	\$50.00	2021
	Places of Assembly	\$50.00	2018
	Private Fire Hydrant	\$50.00	2018
	Pyrotechnics/Fireworks	\$175/per location	2021
	Pyroxylin Plastics	\$50.00	2018
	Refrigeration Equipment	\$50.00	2018
	Repair Garage/FCL Disp.	\$50.00	2018
	Rooftop Heliports	\$50.00	2018
	Spraying/Dipping	\$50.00	2018
	Scrap Tire Storage	\$50.00	2018
	Temp. Tents/Canopy (per)	\$50.00	2021
	Tire-Rebuilding Plants	\$50.00	2018
	Waste Handling	\$50.00	2018
	Wood Products	\$50.00	2018
	Mulch Pile	\$50.00	2018
	Out of Service Exit/Emergency Light	\$50.00	2018
	Blocked Exit	\$250.00	2018
	Out of Service Fire Alarm System	\$250.00; Followup visit non compliant \$500.00	2019
	Out of Service Sprinkler System	\$250.00; Followup visit non compliant \$500.00	2019

Department/Program	Description	Current Fee	Last Revision
	Out of Service Kitchen Suppression	\$250.00; Followup visit non compliant \$500.00	2019
	Out of Service Clean Agent Suppression System	\$250.00; Followup visit non compliant \$500.00	2019
	Nuisance Fire Alarms	\$100.00	2021
	Stop Work Order Fine	\$250.00	2019
	Failure to obtain proper permit	1st violation: \$750	2021
		2nd Violation: \$1,500	2021
		3rd and Subsequent violations: \$2,500	2021
	Public Education & Orange County Facilities	\$ amount per square footage	2018
	Fees below are to cover the cost of Required Construction Permits under the 2009 NC Fire Code (5310-435299) including staff hours to review plans, issue permits, and inspect locations for compliance.		
	Auto Fire Extinguishing System	\$0.015 per sq. ft. gross floor area for each system	2021
	Alternative Fire Extinguishing Systems	\$150.00	2021
	Battery Systems	\$150.00	2021
	Fire Pump	\$500.00	2021
	Industrial Ovens	\$150.00	2021
	Spraying/Dipping	\$150.00	2021
	Compressed Gas	\$150.00	2021
	Cryogenic Fluids	\$150.00	2021
	Flammable/Combustible	\$175 per pipeline, tank or system	2021
	LP Gas	\$50.00	2018
	Standpipe Systems	\$200.00	2021
	Fire Alarm/Detect. Install	\$0.015 per sq. ft. gross floor area for each system	2021
	Hazardous Materials	\$50.00	2018
	Private Fire Hydrant	\$150.00	2021
	Tents/Membranes	\$100/Additional Tent \$25 each	2021
	Gates and barricades across fire apparatus access roads	\$150.00	2021
	Fire Extinguisher Class	\$20.00	2018
	Fit Testing	\$50.00	2018
	ABC Permit Inspections	Based on Square Foot	2018
	Hazardous Materials Mitigation	Fee Charged at Hourly Rate	2018
	Life Safety Plan Review	\$200.00	2021
Sheriff	Out of State Officer Fee	\$100.00	2006
	Instate Officer	\$30.00	2012
	Gun Permits	\$5.00	1982
	Work Release	\$25.00	2012
	Report and Records Copies	\$2.00	1986
	Fingerprint Cards	\$20.00	2012
	Laminating	\$5.00	1986
	Concealed Weapons Permits	\$80.00 (\$35 state \$45 county)	2012
	Concealed Weapons Permits-Renewal	\$75.00	2012

Department/Program	Description	Current Fee	Last Revision
	Federal Inmates	\$66.00	2012
	State Inmates	\$14.50 per day	
	Commission on executions	5% 1st \$500 and 2.5% on balance	1968
	Weekenders	\$25.00	2012
<i>Animal Services</i>			
Animal Control	<i>Civil Penalties/Fines</i>		
	failure to vaccinate	\$200.00	2008
	failure to license	\$200.00	2008
	public nuisance violations	\$50,100,200,300,400.00	2008
	mistreatment	\$200.00	2008
	failure to wear rabies tag	\$50.00	2011
	Violating Vicious Animal Requirements	\$500.00	3/1/2016
	Declaring an Animal Vicious	\$100.00	3/1/2016
	Failure to Pay Civil Penalty (Generally)	\$100.00	7/1/2019
	Failure to Pay Civil Penalty for No Rabies Vacc	\$100.00	3/1/2016
	Public Nuisance Violation	\$100, \$200, \$400	3/1/2016
	Failure to Allow a Kennel Inspection	\$25.00	3/1/2016
	Violation of Restrictions for Display Wild Animal	\$250.00	3/1/2016
	Violation of Restrictions for Keeping Wild Animal	\$50.00	3/1/2016
	Inspections for Vicious Animals	\$50.00	2018
	Kennel Permits	\$100.00	2018
Animal Shelter	<i>Adoption Fees</i>		
	Cat Adoption Fees	\$110.00	2020
	Kitten Adoption Fees (5 mo. and under)	\$130.00	2020
	Special Cat Adoption	\$55.00	2017
	Multiple Cat Adoption-Peak Season	\$0.00	2015
	Special Event Cat Adoption Fee	\$0.00-\$130.00	2020
	Senior Citizen Cat Adoption Fee	\$25.00	2012
	Dog Adoption Fee	\$125.00	2020
	Puppy Adoption Fee (5 mo. and under)	\$175.00	2020
	Small Dog Adoption Fee	\$175.00	2020
	Special Event Dog Adoption Fee	\$0.00-\$175.00	2020
	Special Dog Adoption	\$65.00	2017
	Senior Citizen Dog Adoption Fee	\$30.00	2012
	Veterinary Exam (injuries and illnesses)	\$50.00	
	Care of Medical Condition	\$25 - \$125	2019
	Daily Medication Administration	\$5.00	2012
	Replacement of Rabies Tag/Certificate	\$3.00	2012
	Boarding Fee for stray animals	\$12.00/day	2017

Department/Program	Description	Current Fee	Last Revision
	Protective Custody Board Fee	Protective Custody Board Fee Including Homeless Individuals-Board Fee--\$0.00	2017
	Protective Custody Shelter Redemption Fee	Protective Custody Shelter Redemption Fee Including Homeless Individuals-Board Fee--\$0.00	2017
	Boarding Fee for Euthanized Quarantine Animals	\$0.00	2015
	Bite Quarantines	\$15.00 per day	2018
	Rabies Shots (shelter)	\$10.00	2007
	Rabies Shots (low-cost clinics)	\$10.00	2010
	Daily Board-cruelty/seizure/court hold	\$18.00	2017
	Small and Other Animals	Varies on Type of Animal (\$5 to \$250)	2011
	Placement Partner Sterilization	\$30.00 neuter, \$60.00 spay	2009
	Owner surrender for euthanasia	\$60.00	2018
	Large animal trailer transport	\$35.00	2010
	Field Surrenders	\$25.00	2017
	Redemption for Impoundment Sterilized	\$25, \$50, \$100, \$200	3/1/2016
	Redemption for Impoundment Reproductive	\$50, \$100, \$200, \$400	3/1/2016
	Out of County Animal Surrender Fee	\$100.00	2018
	Elective Microchip Fee	\$35 per Microchip	2017
	Sale of Goods - Cat Carriers	\$5.00	2014
	Livestock Daily Board Fee (Horses and other Large Animals)	\$25.00	2017
Health Department			
Environmental Health			
	Credit Card Usage Fee	At Cost	2023
	Soil Analysis/Improvement Permit		
	Residential Improvement Permit	\$1 per gallon per day (\$360 min.)	2022
	Non-domestic WW	Fee increases by 50% over the total permit fee of a comparably sized domestic WW system	2006
	Authorization to construct WW system		
	Residential Construction Authorization	\$1 per gallon per day (\$360 min.)	2022
	Non-domestic WW	Double fee for comparably sized domestic WW system	2006
	Other Misc. Activities		
	Construction Authorization for Type >/=IIIb	\$200.00 Additional Fee	2022
	Any Application Revision with Field Visit	\$200.00	2022
	Any Application Revision without Field Visit	\$50.00	2022
	Existing System Inspection(requiring a field visit)	\$200.00	2021
	Existing System Inspection(requiring a field visit) solar waived	\$0.00	2022
	Existing System Authorizations (Office authorization, no field visit required)	\$50.00	2022
	Existing System Authorizations (Office authorization, no field visit required) solar waived	\$0.00	2022
	Mobile Home Park		
	1 to 25 spaces	\$200.00	2022
	26 to 50 spaces	\$265.00	2022
	51 and over spaces	\$335.00	2022
	MH Space Reinspection	\$50.00	2022

Department/Program		Description	Current Fee	Last Revision
		Septic Tank Manufacturer Yard Inspection	\$200/yard visit +\$10 per tank	2023
		Septic Tank Contractor Registration Fee - New contractor (one time)	\$280.00	2017
		Failed Inspection/Reinspection	\$45.00	2015
		Septic Tank Contractor Education Class Fee	\$50.00	2006
		<i>WTMP</i>		
		Follow-up inspection	\$100.00	2022
		<i>Wells and Water Samples</i>		
		Well permits	\$500.00	2023
		Well Repair with a Full Sample	\$250.00	2022
		Replacement Well Permit Refund (if original well abandoned within 30 days of construction)	-\$280.00	2015
		Permit Site Review Revisions (IP, CA, Well)	\$140.00	2015
	Microbiology			
		Total Cloiform P/A	\$75.00	2019
		Total Cloiform MPN	\$75.00	2019
		Fecal Coliform	\$75.00	2019
		Enterococcus, MPN	\$75.00	2019
		Iron Bacteria	\$75.00	2019
		Sulfur/Sulfate - Reducing	\$75.00	2019
		Pseudomonas-MTF or MPN	\$75.00	2019
		Heterotrophic Plate Count	\$75.00	2019
	Inorganic Chemistry			
		Full Inorganic Panel	\$110.00	2015
		Hexavalent Chromium	\$100.00	2019
		Coal Ash Panel	\$100.00	2019
		Metals Panel	\$100.00	2016
		Individual Metals	\$85.00	2016
		Anions - FI,CI, Sulf	\$75.00	2019
		Disinfection By-products	\$75.00	2019
		Fluoride - Physician, Dentist request	\$75.00	2019
		Nitrate/Nitrite	\$75.00	2019
		Arsenic Speciation	\$75.00	2019
	Organic Chemistry			
		Pesticides	\$150.00	2019
		Herbicides	\$150.00	2019
		Petroleum Products	\$150.00	2019
		Volitile Organic Chemicals	\$150.00	2019
		New Well Full Well Panel	included in well permit	1/1/2015
		Existing Well Full Well Panel	\$150.00	2019
		<i>Tattoo Parlors</i>		
		Tattoo Artist Annual Permit fee	\$350.00	2019
		Temporary Tattoo Permit (<30days)	\$100.00	2020
		<i>Swimming Pools</i>		
		Swimming Pool Inspection	\$310.00	2017

Department/Program		Description	Current Fee	Last Revision
		Plan Review - Swimming Pools	\$450.00	2023
		Reinspection of Pool/Spa	\$150.00	2018
		Annual/Year Round Pool/Spa Permit	\$450.00	2023
		Seasonal Public Pool Permit	\$400.00	2023
		<i>Food Service</i>		
		Plan review and permit fee - Temporary Food Establishment	\$75.00	2010
		Plan Review - Food Service Establishment	\$250.00	2010
		Shared Kitchen/Mobile Food Unit	\$100.00	2018
		Reinspection of Food Service Establishment	\$50.00	2018
		Transitional Permit Plan Review	\$100.00	2018
		Mobile Food Unit Plan Review	\$200.00	2023
		ADA Code		
Dental Health	D0120	Periodic Oral Evaluation	\$45.00	2013
	D0140	Limited Oral Evaluation	\$69.00	2013
	D0150	Comprehensive Oral Evaluation	\$80.00	2013
	D0170	Re-evaluation-limited, problem	\$65.00	2013
	D0210	Full Mouth Series w BWX	\$120.00	2013
	D0220	1st Intraoral PA Film	\$26.00	2013
	D0230	Additional PA Film	\$23.00	2013
	D0240	Intraoral Occulusal Film	\$38.00	2013
	D0270	BWX 1 Film	\$26.00	2013
	D0272	BWX 2 Films	\$41.00	2013
	D0273	Bitewings- thre films	\$51.00	2013
	D0274	BWX 4 Films	\$58.00	2013
	D0330	Panoramic Film	\$100.00	2013
	D0470	Study Models	\$104.00	2013
	D1110	Prophy/Adult age 13 and up	\$82.00	2013
	D1120	Prophy/Child under age 13	\$61.00	2013
	D1203	Fluoride Varnish (age 13&under)	\$33.00	2013
	D1204	Fluoride Varnish (age 13-20)	\$33.00	2013
	D1206	Topical Fluoride varnish;therapeutic application for moderate to high caries risk patients	\$39.00	2013
	D1351	Sealant/NEWLY ERUPTED TEETH	\$49.00	2013
	D1354	SDF-Interim Caries Arresting Medicament	\$49.00	2018
	D1510	Band & Loop/Quadrant Deliver 209/25	\$287.00	2013
	D1515	Fixed Bilateral Deliver 419/30	\$393.00	2013
	D1520	Space Maintainer-Removable, Unilateral	\$287.00	2018
	D1525	Space Maintainer-Removable, Bilateral	\$287.00	2018
	D1550	Recementation of Space Maintainer	\$57.00	2018
	D1555	Removal of Fixed Space Maintainer	\$25.00	2018
	D2140	Amal One Surface Prim/ Perm	\$130.00	2013
	D2150	Amal Two Surface Prim/ Perm	\$164.00	2013
	D2160	Amal Three Surface Prim/Perm	\$198.00	2013
	D2161	Amal Four Surface Prim/Perm	\$236.00	2013
	D2330	Resin One Surface Anterior	\$148.00	2013
	D2331	Resin Two Surface Anterior	\$183.00	2013
	D2332	Resin Three Surface Anterior	\$227.00	2013
	D2335	Resin Four Surface Anterior	\$288.00	2013
	D2390	Resin Comp. Crown Ant. Prim	\$414.00	2013

Department/Program		Description	Current Fee	Last Revision
	D2391	Resin Comp. 1sur.Post-Prim/Perm	\$162.00	2013
	D2392	Resin Comp. 2sur.Post-Prim/Perm	\$212.00	2013
	D2393	Resin Comp. 3sur.Posterior Perm	\$261.00	2013
	D2394	Resin Comp.4+sur.Posterior Perm	\$314.00	2013
	D2920	Recent Crown NOT cov. by MA	\$100.00	2013
	D2930	SSC Primary Tooth	\$247.00	2013
	D2931	SSC Permanent Tooth	\$298.00	2013
	D2932	Preabricated Resin Crown	\$323.00	2013
	D2934	Prefab.est.coat SSC prim. Tooth	\$327.00	2013
	D2940	Sedative Filling	\$113.00	2013
	D2951	Pin Retention/tooth	\$67.00	2012
	D3110	Pulp Cap-direct exp. Pulp MED	\$76.00	2013
	D3120	Pulp Cap-indirect nearly exposed	\$77.00	2013
	D3220	Pulpotomy	\$183.00	2013
	D3310	Root Canal Therapy Anterior	\$676.00	2013
	D3320	Root Canal Therapy Bicuspid	\$780.00	2013
	D3330	Root Canal Therapy Molar	\$943.00	2013
	D4320	Provisional Splinting, intracoronal	\$115.00	2017
	D4321	Provisional Splinting, extracoronal	\$115.00	2017
	D4341	Scale Root Planing 4> teeth p/q	\$231.00	2013
	D4342	Scale/Root Planing 1-3 teeth p/q	\$167.00	2013
	D4346	Scaling in presence of generalized moderate or severe gingival inflammation	\$95.00	2018
	D4355	Full mouth Debridement	\$168.00	2013
	D4910	Periodontal Maintenance	\$127.00	2013
	D5411	Adjust Complete Denture - lower	\$45.00	2018
	D6930	Recent Bridge	\$100.00	2018
	D7111	Ext. coranal remnants deciduous	\$122.00	2013
	D7140	Ext. Erupted Tooth Prim/Perm	\$162.00	2013
	D7210	Extraction Surgical - 100+	\$253.00	2013
	D7250	Extract Root Tip	\$253.00	2018
	D7286	Biopsy Oral Tissue	\$298.00	2013
	D7310	Alveoplasty extractions p/quad.	\$270.00	2013
	D7311	Alveoplasty in conjunction with extraction 1-3 teeth per quadrant	\$273.00	2013
	D7320	Alveoplasty not in conjunction with extraction 4 or more tooth spaces per quadrant	\$404.00	2013
	D7321	Alveoplasty not in conjunction with extraction 1-3 tooth spaces per quadrant	\$384.00	2013
	D7510	I & D Minor Surgery	\$217.00	2013
	D9110	Palliative Treatment	\$115.00	2013
	D9310	Consultation	\$122.00	2013
	D9910	Application of Desensitizing Medicament	\$57.00	2013
	D9911	Application of Desensitizing Resin for cervical and/or root surface per tooth	\$70.00	2013
	D9940	Occlusal guard, by report minimize bruxism \$274/95 lab	\$549.00	2013
	D9941	Fabrication of Athletic Mouthguard	\$236.00	2013
	D9951	Occlusal Adjustment Limited	\$166.00	2013
	D9999	Fractured Tooth Txt.	\$70.00	2013
	MED	Band & Loop/Quadrant Impress	\$0.00	2013
	MED	Fixed Bilateral Impress	\$0.00	2013
	D0145	Oral evaluation for a patient under 3 years of age and counseling with primary caregiver	\$61.00	2015
	D1352	Reapplication of sealant	\$49.00	2015

Department/Program		Description	Current Fee	Last Revision
		Flat Fee Fabrication of Athletic Moutguard Projects	\$17.00	2009
		Boil and Bite Mouthguards (students with braces)	\$5.00	2007
		Minimum charge for dental visit	Sliding fee recommendation is to discontinue the \$30 per preventative visit and \$30 per procedure fee. Recommending to slide to 20% with a minimum of \$30 per visit.	2013
	CPT Code			
Personal Health	0001A	Pfizer COVID-19 Vaccine Admin. (1st)	\$65.00	2022
	0002A	Pfizer COVID-19 Vaccine Admin. (2nd)	\$65.00	2022
	0003A	Pfizer COVID-19 Vaccine Admin. (3rd)	\$65.00	2022
	0004A	Pfizer COVID-19 Vaccine Admin. (booster)	\$65.00	2022
	0051A	Pfizer COVID-19 Vaccine Adm (1st) - Ready to Use	\$65.00	2022
	0052A	Pfizer COVID-19 Vaccine Adm (2nd) - Ready to Use	\$65.00	2022
	0053A	Pfizer COVID-19 Vaccine Adm (3rd) - Ready to Use	\$65.00	2022
	0054A	Pfizer COVID-19 Vaccine Adm (booster) - Ready to Use	\$65.00	2022
	0071A	Pfizer COVID-19 Vaccine Adm (1st) - Pediatric	\$65.00	2022
	0072A	Pfizer COVID-19 Vaccine Adm (2nd) - Pediatric	\$65.00	2022
	0011A	Moderna COVID-19 Vaccine Admin (1st)	\$65.00	2022
	0012A	Moderna COVID-19 Vaccine Admin (2nd)	\$65.00	2022
	0013A	Moderna COVID-19 Vaccine Admin (3rd)	\$65.00	2022
	0014A	Moderna COVID-19 Vaccine Adm (Booster)	\$65.00	2022
	0031A	Janssen COVID-19 Vaccine Adm (Single Dose)	\$65.00	2022
	0034A	Janssen COVID-19 Vaccine Adm (Booster)	\$65.00	2022
	0202U	Bct/Vir Respir DNA/RNA 22 (UNC Lab)	\$416.78	2022
	10060	Drainage of Skin Abscess	\$117.00	2009
	10061	Drainage of Skin Abscess	\$200.00	2009
	10080	Drainage of Pilonidal Cyst	\$195.00	2009
	10120	Remove Foreign Body	\$133.00	2009
	10140	Drainage of Hematoma/Fluid	\$147.00	2009
	10160	Puncture Drainage of Lesion	\$94.00	2008
	11000	Debride Infected Skin	\$56.00	2009
	11055	Paring of corn/callus (1 lesion)	\$46.00	2009
	11200	Remove Skin Tags	\$89.00	2007
	11719	Trim Nail(s)	\$22.00	2008
	11720	Debride Nail 1-5	\$33.00	2008
	11730	Avulsion of Nail Plate	\$97.00	2011
	11740	Drain Blood from Under Nail	\$56.00	2009
	11981	Insertion, non-biodegradable drug	\$250.00	2012

Commissioner Approved Fee Schedule - FY 2023-24

Department/Program		Description	Current Fee	Last Revision
	11982	Removal, non-biodegradable drug	\$154.00	2009
	11983	Removal, with reinsertion, non-biodegradable drug	\$234.00	2009
	12001	Repair Superficial Wound(s) 2.5cm or less	\$171.00	2008
	12002	Repair Superficial Wound(s) 2.6-7.5cm	\$184.00	2009
	16000	Initial Burn(s) Treatment	\$84.00	2009
	16020	Dsg and/or debridement, small	\$97.00	2009
	17000	Destroy Benign/Premal Lesion	\$72.00	2009
	17003	Destroy Lesions, 2-14	\$18.00	2009
	17110	Destruct Lesion(s), 1-14	\$109.00	2009
	17250	Chem. Caut of granulation tissue	\$79.00	2009
	17280	Destruction Malig Face, Nose, Lip <0.6cm	\$147.57	2022
	20550	Inject Single Tendon-Ligament-Cyst	\$72.00	2009
	20551	Inject Single Tendon Orgin ? Insertion	\$67.00	2009
	20552	Inject Single-Multi Trigger Pts, 1-2 Muscles	\$67.00	2008
	20553	Inject Single-Multi Trigger Pts, 3+ Muscles	\$78.00	2009
	20600	Drain/Inject, Small Joint or Bursa	\$67.00	2008
	20605	Drain/Inject, Intermediate Joint or Bursa	\$72.00	2007
	20610	Drain/Inject, Major Joint or Bursa	\$84.00	2009
	26010	Drain Finger Abscess, Simple	\$329.00	2009
	29130	Apply Finger Splint, Static	\$44.00	2009
	30300	Remove foreign body intranasal	\$244.00	2009
	30901	Control Nosebleed	\$123.00	2009
	36415	Lab: Venipuncture	\$18.00	2009
Self Pay Only	36415LU	Lab: Venipuncture (Minimum Fee for Primary Care Labs Only) (OCHD Lab)	\$15.00	2016
	36416	Capillary Puncture	\$15.00	2012
	46083	Incise External Hemorrhoids	\$184.00	2009
	46600	Diagnostic Anoscopy	\$100.00	2009
	51701	Insertion of non-dwelling bladder cath	\$94.00	2009
	54050	Destroy Lesion (Male)	\$315.00	2012
	54056	Destruction of Lesion (Male) Simple Cryosurgery	\$150.00	2018
	54060	Treatment of Lesion (Male)	\$155.00	2018
	54065	Destruction of Lesion (Male) Extensive	\$210.00	2018
	56405	Incision/Drainage of Vulva or Perineum	\$140.00	2009
	56420	Incision/Drainage of Gland Abscess	\$173.00	2009
	56501	Destroy Lesions (Female)	\$260.00	2012
	57170	Diaphragm Fit	\$95.00	2009
	57452	Colposcopy of the cervix (without biopsy)	\$160.00	2012
Self Pay Only	57452LU	Minimum Fee - Colposcopy of the Cervix	\$32.00	2020
	57454	Colposcopy of the cervix, with biopsy and endocervical curettage	\$208.00	2012
Self Pay Only	57454LU	Minimum Fee - Colposcopy of the Cervix w/Biopsy and Endocervical Curettage	\$42.00	2020
	57455	Colposcopy of the cervix, with biopsy	\$193.00	2012
Self Pay Only	57455LU	Minimum Fee - Colposcopy of the Cervix w/Biopsy	\$39.00	2020
	57456	Colposcopy of the cervix, with endocervical curettage	\$183.00	2012
Self Pay Only	57456LU	Minimum Fee - Colposcopy of the Cervix w/Endocervical curettage	\$37.00	2020

Commissioner Approved Fee Schedule - FY 2023-24

Department/Program		Description	Current Fee	Last Revision
	58100	Endometrial Biopsy	\$85.88	2018
	58300	Insert Intrauterine Device (IUD)	\$160.00	2012
	58301	IUD Removal	\$200.00	2012
	59025	Fetal Non Stress	\$90.00	2012
	59425	Antepartum package 4-6 visits	\$1,900.44	2014
	59426	Antepartum package 7+ visits	\$3,408.75	2014
	59430	Postpartum care only	\$175.00	2012
	64435	Paracervical Block	\$176.00	2008
	65205	Remove Foreign Body from External Eye	\$67.00	2007
	69200	Remove Foreign Body from Outer Ear Canal	\$140.00	2006
	69210	Remove Ear Wax	\$67.00	2006
	76801-26	Ultrasound, Pregnant Uterus, Real Time with Image Documentation	\$50.00	2020
	76801-TC	Ultrasound, Pregnant Uterus, Real Time with Image Documentation	\$70.00	2020
	76801	Ultrasound, Pregnant Uterus, Real Time with Image Documentation	\$120.00	2020
	76805-TC	Ultrasound, Pregnant Uterus, B-Scan and/or Real Time with Image Documentation	\$90.00	2020
	76805	Ultrasound, Pregnant Uterus, B-Scan and/or Real Time with Image Documentation	\$135.00	2020
	76817-26	Ultrasound, Pregnant Uterus, Real Time with Image Documentation, Transvaginal	\$40.00	2020
	76817-TC	Ultrasound, Pregnant Uterus, Real Time with Image Documentation, Transvaginal	\$55.00	2020
	76817	Ultrasound, Pregnant Uterus, Real Time with Image Documentation, Transvaginal	\$95.00	2020
	76830	Ultrasound, Transvaginal	\$120.00	2020
	80048	Metabolic Panel, Basic (UNC Lab)	\$8.00	2023
	80053	Comprehensive Metabolic Panel (UNC Lab)	\$11.00	2023
	80061	Lipid Panel (Fasting) - (UNC Lab)	\$13.00	2023
	80069	Renal Function Panel (UNC Lab)	\$9.00	2023
	80076	Hepatic Function Panel (UNC Lab)	\$8.00	2023
	80178	Lithium Level (UNC Lab)	\$7.00	2023
	80306	Urine Toxicology Screen (UNC Lab)	\$17.00	2023
	80307	Drug Test (UNC Lab)	\$62.00	2023
	81000	U/A (W/Micro) (UNC Lab)	\$4.00	2023
	81002	U/A (Dipstick Only) (OCHD Lab)	\$18.00	2019
	81025	Pregnancy Test (OCHD Lab)	\$15.00	2019
	81240	F2 Fene Analysis 20210G > A Variant (UNC Lab)	\$66.00	2023
	81241	F5 Coagulation Factor V Anal Leiden Variant (UNC Lab)	\$73.37	2022
	82040	Albumin Serum (UNC Lab)	\$6.11	2019
	82043	Urine Microalbumin/Creatinine Ratio (UNC Lab)	\$6.00	2023
	82044	Urine Micro-Albumin (UNC Lab)	\$6.00	2023
	82105	Quad Screening (UNC Lab)	\$17.00	2023
	82150	Amylase (UNC Lab)	\$6.00	2023
	82239	Bile Acid Test (UNC Lab)	\$17.00	2023
	82247	Total Bilirubin (UNC Lab)	\$5.00	2023
	82248	Direct Bilirubin (UNC Lab)	\$5.00	2023

Commissioner Approved Fee Schedule - FY 2023-24

Department/Program		Description	Current Fee	Last Revision
		82251 Neonatal Bilirubin (UNC Lab)	\$9.00	2018
		82270 Hemocult (UNC Lab)	\$4.00	2023
		82274 Fecal Immunochemical Test (UNC Lab)	\$16.00	2023
		82306 Vitamin D 25 (UNC Lab)	\$30.00	2023
		82310 Ca (UNC Lab)	\$5.00	2023
		82374 CO2 (UNC Lab)	\$5.00	2023
		82435 CL (UNC Lab)	\$5.00	2023
		82465 Total Cholesterol (UNC Lab)	\$4.00	2023
		82550 Assay of CK (UNC Lab)	\$7.00	2023
		82565 CREAT (UNC Lab)	\$5.00	2023
		82570 24 Hour Urine Creatinine (UNC Lab)	\$5.00	2023
		82570 Urine creatinine ratio (UNC lab)	\$5.18	2023
		82607 B12 (UNC Lab)	\$15.00	2023
		82677 Assay of Estriol (UNC Lab)	\$24.00	2023
		82728 Ferritin (UNC Lab)	\$14.00	2023
		82746 Folate (UNC Lab)	\$15.00	2023
		82772 Fecal occult blood, single spec. (UNC Lab)	\$10.00	2006
		82784 Iga (UNC Lab)	\$9.00	2023
		82947 GLU (UNC Lab)	\$4.00	2023
		82952 GTT 3 HR (OCHD Lab)	\$25.00	2018
		82962 Glucose Blood Test (UNC Lab)	\$3.00	2023
		82977 GTT (OCHD Lab)	\$11.00	2018
		83001 FSH (UNC Lab)	\$19.00	2023
		83002 Luteinizing Hormone (UNC Lab)	\$19.00	2023
		83020 Hemo. Elect (UNC Lab)	\$14.00	2023
		83021 Hemoglobin/Thalassemia Profile (UNC Lab)	\$18.00	2023
		83036 Hemoglobin A1C (OCHD Lab)	\$9.71	2023
		83516 Ttg (UNC Lab)	\$12.00	2023
		83540 Iron Profile (FE): IBC (UNC Lab)	\$6.00	2023
		83550 Iron Binding Test (UNC Lab)	\$9.00	2023
		83615 LDH (UNC Lab)	\$6.00	2023
		83655 Blood Lead (UNC Lab)	\$12.00	2023
		83690 Lipase (UNC Lab)	\$7.00	2023
		83718 Lipid Panel (Non-Fasting) HDL (UNC Lab)	\$8.00	2023
		83721 LDL (UNC Lab)	\$11.00	2023
		83735 Assay of Magnesium (UNC Lab)	\$7.00	2023
		83930 Assay of Blood Osmolality (UNC Lab)	\$7.00	2023
		83970 Assay of Parathormone (UNC Lab)	\$41.00	2023
		84080 ALK PHOS (UNC Lab)	\$15.00	2023
		84100 Assay of Inorganic Phosphorus (UNC Lab)	\$5.00	2023
		84132 K (UNC Lab)	\$5.00	2023
		84146 Prolactin (UNC Lab)	\$19.00	2023
		84152 Assay of PSA Complexed (UNC Lab)	\$18.00	2023
		84153 PSA Screen (UNC Lab)	\$18.00	2023
		84154 PSA Diagnostic (UNC Lab)	\$18.00	2023
		84155 TP-Serum (UNC Lab)	\$4.00	2023
		84156 TP-Urine (UNC Lab)	\$4.00	2023
		84156 Urine protein ratio (UNC lab)	\$3.67	2023
		84295 NA (UNC Lab)	\$5.00	2023
		84436 Thyroxine (T4) - (UNC Lab)	\$7.00	2023
		84439 T4 - Thyroid (UNC Lab)	\$9.00	2023
		84443 TSH (UNC Lab)	\$17.00	2023
		84450 SGOT, AST (UNC Lab)	\$5.00	2023
		84460 SGPT, ALT (UNC Lab)	\$5.00	2023
		84466 Iron Profile/Tranferrin: % Saturation (UNC Lab)	\$13.00	2023

Department/Program		Description	Current Fee	Last Revision
	84478	TRIG (UNC Lab)	\$6.00	2023
	84479	T3U (UNC Lab)	\$6.00	2023
	84480	T3 - Total (UNC Lab)	\$14.00	2023
	84481	T3 - Free (UNC Lab)	\$17.00	2023
	84520	BUN (UNC Lab)	\$4.00	2023
	84550	Uric Acid (UNC Lab)	\$5.00	2023
	84702	QUANT HCG/Serum (UNC Lab)	\$15.00	2023
	85014	Hematocrit (UNC Lab)	\$2.00	2023
	85018	Hemoglobin (OCHD Lab)	\$11.00	2009
	85025	CBC with Diff (UNC Lab)	\$8.00	2023
	85027	CBC w/o Diff (UNC Lab)	\$6.00	2023
	85046	Reticyte/hgb concentrate (UNC Lab)	\$6.00	2023
	85300	Antithrombin III activity (UNC lab)	\$11.85	2023
	85300	Antithrombin III Test (UNC lab)	\$11.85	2023
	85303	Clot Inhib Protein C, Activ (UNC Lab)	\$14.00	2023
	85306	Clot Inhib Protein S, Free (UNC Lab)	\$15.00	2023
	85397	Clotting function activity not otherwise specified (UNC lab)	\$30.86	2023
	85397	Protein S Activity (UNC lab)	\$30.86	2023
	85610	INR (UNC lab)	\$4.29	2023
	85611	Prothrombin Time (UNC Lab)	\$4.00	2023
	85651	SED Rate (UNC Lab)	\$4.00	2023
	85660	Sickle Cell (UNC Lab)	\$6.00	2023
	86038	ANA (anti-nuclear antibody) titer (UNC Lab)	\$12.00	2023
	86039	Confirmation, if ANA+ (UNC Lab)	\$11.00	2023
	86147	Cardiolipin Antibody (UNC Lab)	\$25.00	2023
	86225	DNA Antibody, Nat V-2 Stand (UNC Lab)	\$14.00	2023
	86308	MONO Spot (UNC Lab)	\$6.39	2019
	86336	Inhibin a (UNC Lab)	\$16.00	2023
	86376	Microsomal Antibody (UNC Lab)	\$15.00	2023
	86403	Particle agglut antibody screen (UNC Lab)	\$12.00	2023
	86430	RA Factors - Qual (UNC Lab)	\$6.00	2023
	86431	RA Factors - Quan (UNC Lab)	\$6.00	2023
	86480	TB Blood Test (UNC Lab)	\$62.00	2023
	86580	PPD (OCHD Lab)	\$17.00	2012
	86592	Syphilis Qualitative (UNC Lab)	\$4.00	2023
	86593	Syphilis Quantative (UNC Lab)	\$4.00	2023
	86644	CMV Antibody (UNC Lab)	\$14.00	2023
	86645	CMV Antibody, IGM (UNC Lab)	\$17.00	2023
	86677	H. Pyloric (UNC Lab)	\$17.00	2023
	86695	Herpes Simplex Antibodies Type 1 (UNC Lab)	\$13.00	2023
	86696	Herpes Simplex Antibodies Type 2 (UNC Lab)	\$19.00	2023
	86704	Hep B Core Antibody Total (UNC Lab)	\$12.00	2023
	86705	Hep B Core Antibody Igm (UNC Lab)	\$12.00	2023
	86706	Hepatitis B Surface Antibody (UNC Lab)	\$11.00	2023
	86707	Hepatitis B e Antibody (UNC lab)	\$11.57	2023
	86709	Hepatitis A Antibody (UNC Lab)	\$11.00	2023
	86735	Mumps Virus AB IGG (UNC Lab)	\$13.00	2023
	86747	Parvovirus (UNC Lab)	\$15.00	2023
	86757	RMSF (Convalescent) (UNC Lab)	\$19.00	2023
	86762	Rubella (UNC Lab)	\$14.00	2023
	86765	Rubeola (measles) AB IGG (UNC Lab)	\$13.00	2023
	86777	Toxoplasma Antibody (UNC Lab)	\$14.00	2023
	86778	Toxoplasma Antibody, IGM (UNC Lab)	\$14.00	2023
	86787	Varicella Immune Status Test (UNC Lab)	\$13.00	2023

Commissioner Approved Fee Schedule - FY 2023-24

Department/Program		Description	Current Fee	Last Revision
	86790	Rabies Titer (UNC Lab)	\$13.00	2023
	86803	Hep C Antibody (UNC Lab)	\$14.00	2023
	86804	Hepatitis C RIBA (UNC Lab)	\$15.00	2023
	86850	Antibody Identification (UNC Lab)	\$10.00	2023
	86850	HC antibody screen with cold adsorption exp. (UNC Lab)	\$9.77	2023
	86850	HC antibody screen with eluate exp. (UNC Lab)	\$9.77	2023
	86850	HC antibody screen with warm adsorption exp. (UNC Lab)	\$9.77	2023
	86900	ABO Group (UNC Lab)	\$3.00	2023
	86900	HC ABO group (UNC lab)	\$2.99	2023
	86901	RH Type (UNC Lab)	\$3.00	2023
	86901	HC blood typing RH D (UNC lab)	\$3.00	2023
	87070	Other Bacterial Culture (UNC Lab)	\$9.00	2023
	87077	Culture Aerobic Identify (UNC Lab)	\$8.00	2023
	87081	Culture Screen Only (UNC Lab)	\$7.00	2023
	87086	Urine Culture (UNC Lab)	\$8.00	2023
	87101	Culture, Fungal Dermatology Screen (UNC Lab)	\$8.00	2023
	87106	Culture Fungi-Identif (UNC Lab)	\$10.00	2023
	87166	Sputums (UNC Lab)	\$11.00	2023
	87176	Homogenization, Tissue for Culture (UNC Lab)	\$6.00	2023
	87177	Ova/Parasite Stool Screen (UNC Lab)	\$9.00	2023
	87181	Antibiotic Sens, Agar Diffusn, Ea (UNC Lab)	\$5.00	2023
	87184	Microbe Susceptible Disk (UNC Lab)	\$7.00	2023
	87186	Antibiotic Sens, Mic, Each (UNC Lab)	\$9.00	2023
	87205	STAT Male Smear (UNC Lab)	\$4.00	2023
	87206	Fungal Direct Test (FDIR) (UNC Lab)	\$5.00	2023
	87210	Wet Prep (OCHD Lab)	\$18.00	2009
	87220	Skin KOH (UNC Lab)	\$4.00	2023
	87255	Herpes Simplex Culture (UNC Lab)	\$34.00	2023
	87269	Parasitology Test #9807-Giardia (UNC Lab)	\$14.00	2023
	87272	Parasitology Test #9807-Cryptosporidium (UNC Lab)	\$12.00	2023
	87338	IAAD/A H. Pylori/Stool (UNC Lab)	\$14.00	2023
	87340	HBsAG (UNC Lab)	\$10.00	2023
	87341	Hep B Surface Ag Eia (UNC Lab)	\$10.00	2023
	87350	Hepatitis B e Antigen (UNC lab)	\$11.53	2023
	87389	HIV-1 Ag with HIV-1 and HIV-2 AB (UNC Lab)	\$24.00	2023
	87420	RSV Antigen Screen (UNC Lab)	\$14.00	2023
	87491	GC NAAT -Bill Together with 87591 (Durham Co. Lab)	\$35.00	2023
	87502	Influenza Test (UNC Lab)	\$96.00	2023
	87506	Microbiology Stool (GI Panel (UNC Lab)	\$263.00	2023
	87522	Hep C Viral (UNC Lab)	\$43.00	2023
	87529	HSV 1 & 2 PCR (UNC Lab)	\$35.00	2023
	87535	HIV Probe and Reverse Transcript (UNC Lab)	\$35.00	2023
	87536	IADNA HIV 1 Quant & Reverse Transcript (UNC Lab)	\$85.00	2023
	87591	GC NAAT - Bill Together with 87491(Durham Co. Lab)	\$35.00	2023
	87624	Pap HPV (Wake Med Lab)	\$35.00	2023
	87634	RSV DNA/RNA AMP Probe (UNC Lab)	\$70.00	2023

Department/Program		Description	Current Fee	Last Revision
	87635	ADNA SARS-COV-2/COVID19 Amplified Probe TQ (UNC Lab)	\$51.00	2023
	87800	Detection Test for Multiple Organisms (UNC Lab)	\$44.00	2023
	87802	Strep B (UNC Lab)	\$13.00	2023
	87804	Influenza A & B (UNC Lab)	\$17.00	2023
	87880	Strep A (UNC Lab)	\$17.00	2023
	87902	Hep C Genotype (UNC Lab)	\$257.00	2023
	88141	Pap Smear with Dr. Interpretation (Wake Med Lab)	\$80.00	2016
	88142	Cytopath Cer/Vag Thin Layer (UNC Lab)	\$20.00	2023
	88175	Pap Thin Prep (Wake Med Lab)	\$27.00	2023
	88305	Tissue Exam by Pathologist - Surg Path IV (UNC)	\$50.00	2023
	88341	Imhистоchem/Cytchm Each Addl Antibody Slide (UNC Lab)	\$27.37	2022
	88342	Imhистоchem/Cytchm Antibody Stain Procedure (UNC Lab)	\$33.82	2022
	90470	Administration of H1N1 Vaccine	\$18.00	2010
	90471	Admin Fee (1 vaccine)	\$20.45	2022
	90472	Admin Fee (2+ vaccines)	\$20.45	2022
	90473	Immunization Adm. - Intranasal/Oral	\$20.45	2022
	90474	Immunization Adm. - Intranasal/Oral Additional	\$20.45	2022
	90619	Meningococcal conjugate vaccine, serogroups ACYW-MENQUADFI	\$145.21	2023
	90620	Meningococcal recombinant protein and outer membrane vesicle vaccine, serogroup B (MenB-4C), 2 dose schedule - BEXSERO	\$187.04	2023
Medicaid only	90620SL	Meningococcal recombinant protein and outer membrane vesicle vaccine, serogroup B (MenB-4C), 2 dose schedule - BEXSERO	\$0.00	2019
	90621	Meningococcal recombinant lipoprotein vaccine, serogroup B, 2 or 3 dose schedule - TRUMENBA	\$227.92	2023
Medicaid only	90621SL	Meningococcal recombinant lipoprotein vaccine, serogroup B, 2 or 3 dose schedule - TRUMENBA	\$0.00	2019
	90632	Hepatitis A vaccine, adult dose - HAVRIX	\$68.88	2023
Medicaid only	90632SL	Hepatitis A vaccine, adult dose - HAVRIX	\$0.00	2019
	90633	Hepatitis A vaccine, pediatric/adolescent dose, 2 dose - HAVRIX	\$30.70	2023
Medicaid only	90633SL	Hepatitis A vaccine, pediatric/adolescent dose, 2 dose - HAVRIX	\$0.00	2019
	90636	Hepatitis A and Hepatitis B recombinant vaccine, 3 doses - TWINRIX	\$105.33	2023
Medicaid only	90636SL	Hepatitis A and Hepatitis B recombinant vaccine, 3 doses - TWINRIX	\$0.00	2019
	90647	Hemophilus Influenzae B vaccine (Hib), PRP-OMP conjugate, 3 dose - PedVaxHIB	\$28.86	2023
Medicaid only	90647SL	Hemophilus Influenzae B vaccine (Hib), PRP-OMP conjugate, 3 dose - PedVaxHIB	\$0.00	2019
	90648	Hemophilus Influenzae B vaccine (Hib), PRP-T conjugate, 4 dose - ActHIB	\$12.23	2023

Commissioner Approved Fee Schedule - FY 2023-24

Department/Program		Description	Current Fee	Last Revision
	Medicaid only	90648SL Hemophilus Influenzae B vaccine (Hib), PRP-T conjugate, 4 dose - ActHIB	\$0.00	2019
		90651 Human Papillomavirus vaccine types 6, 11, 16, 18, 31, 33, 45, 52, 58, nonavalent (HPV), 2 or 3 dose - GARDASIL 9	\$268.77	2023
	Medicaid only	90651SL Human Papillomavirus vaccine types 6, 11, 16, 18, 31, 33, 45, 52, 58, nonavalent (HPV), 2 or 3 dose - GARDASIL 9	\$0.00	2019
		90662 Influenza vaccine (IIV3-HD), for 65 years of age and up - FLUZONE HIGH DOSE	\$62.27	2023
		90670 Pneumococcal conjugate vaccine, 13 valent (PCV13) - PREVNAR 13	\$224.92	2023
	Medicaid only	90670SL Pneumococcal conjugate vaccine, 13 valent (PCV13) - PREVNAR 13	\$0.00	2019
		90671 Pneumoccal 15-valent conjugate vaccine 6 weeks through 17 years-VAXNEUVANCE	\$216.08	2023
		90675 Rabies Vaccine - IMOVAX RABIES	\$382.33	2023
		90677 Pneumococcal 20 valent conjugate vaccine- PREVNAR 20 adults 18 years and older	\$247.22	2023
		90680 Rotavirus vaccine, pentavalent (RV5), 3 dose - ROTATEQ	\$93.18	2023
	Medicaid only	90680SL Rotavirus vaccine, pentavalent (RV5), 3 dose - ROTATEQ	\$0.00	2019
		90681 Rotavirus vaccine, human, attenuated (RV1), live, oral, 2 dose - ROTARIX	\$127.14	2023
	Medicaid only	90681SL Rotavirus vaccine, human, attenuated (RV1), live, oral, 2 dose - ROTARIX	\$0.00	2019
		90685 Influenza vaccine (IIV4), quadrivalent, preservative free, 6 to 35 months - FLUZONE PEDS	\$19.00	2019
	Medicaid only	90685SL Influenza vaccine (IIV4), quadrivalent, preservative free, 6 to 35 months - FLUZONE PEDS	\$0.00	2019
		90686 Influenza vaccine (IIV4), quadrivalent, preservative free, 3 years and above - FLUZONE	\$18.49	2023
	Medicaid only	90686SL Influenza vaccine (IIV4), quadrivalent, preservative free, 3 years and above - FLUZONE	\$0.00	2019
		90682 Influenza vaccine (RIV4), quadrivalent, preservative free, 18 year and above - FLUBLOK	\$62.27	2023
		90696 Diphteria, tetanus toxoid, and acellular pertussis vaccine and inactivated poliovirus accine (DTaP-IPV), for 4 to 6 years of age - KINRIX	\$53.93	2023
	Medicaid only	90696SL Diphteria, tetanus toxoid, and acellular pertussis vaccine and inactivated poliovirus accine (DTaP-IPV), for 4 to 6 years of age - KINRIX	\$0.00	2019
		90696 Diphteria, tetanus toxoid, and acellular pertussis vaccine and inactivated poliovirus accine (DTaP-IPV), for 4 to 6 years of age - QUADRACEL	\$53.36	2023
	Medicaid only	90696SL Diphteria, tetanus toxoid, and acellular pertussis vaccine and inactivated poliovirus accine (DTaP-IPV), for 4 to 6 years of age - QUADRACEL	\$0.00	2019
		90698 Diphteria, tetanus toxoids, acellular pertussis vaccine, haemophilus influenza Type B, and inactivated poliovirus vaccine (DTaP-IPV/Hib) - PENTACEL	\$106.42	2023
	Medicaid only	90698SL Diphteria, tetanus toxoids, acellular pertussis vaccine, haemophilus influenza Type B, and inactivated poliovirus vaccine (DTaP-IPV/Hib) - PENTACEL	\$0.00	2019

Department/Program		Description	Current Fee	Last Revision
	90700	Diphtheria, tetanus toxoids, and acellular pertussis vaccine (DTaP), for 7 years or younger - DAPTACEL	\$26.74	2023
Medicaid only	90700SL	Diphtheria, tetanus toxoids, and acellular pertussis vaccine (DTaP), for 7 years or younger - DAPTACEL	\$0.00	2019
	90700	Diphtheria, tetanus toxoids, and acellular pertussis vaccine (DTaP), for 7 years or younger - INFANRIX	\$23.82	2023
Medicaid only	90700SL	Diphtheria, tetanus toxoids, and acellular pertussis vaccine (DTaP), for 7 years or younger - INFANRIX	\$0.00	2019
	90707	Measles, mumps, and rubella virus vaccine (MMR), live - M-M-R II	\$89.86	2023
Medicaid only	90707SL	Measles, mumps, and rubella virus vaccine (MMR), live - M-M-R II	\$0.00	2019
	90707	Measles, Mumps and Rubella vaccine, live-PRIORIX	\$87.24	2023
	90710	Measles, mumps, and rubella AND varicella virus vaccine, live-PROQUAD	\$262.36	2023
	90713	Poliovirus vaccine (IPV), inactivated - IPOL	\$38.60	2023
Medicaid only	90713SL	Poliovirus vaccine (IPV), inactivated - IPOL	\$0.00	2019
	90714	Tetatus and diphtheria toxoids (Td) adsorbed, preservative free, for 7 years or older - TENIVAC	\$34.44	2023
Medicaid only	90714SL	Tetatus and diphtheria toxoids (Td) adsorbed, preservative free, for 7 years or older - TENIVAC	\$0.00	2019
	90715	Tetanus, diphtheria toxoids and acellular pertussis vaccine (Tdap), for to 7 years or older - ADACEL	\$44.36	2023
Medicaid only	90715SL	Tetanus, diphtheria toxoids and acellular pertussis vaccine (Tdap), for to 7 years or older - ADACEL	\$0.00	2019
	90715	Tetanus, diphtheria toxoids and acellular pertussis vaccine (Tdap), for to 7 years or older - BOOSTRIX	\$40.32	2023
	90716	Varicella virus vaccine (VAR), live - VARIVAX	\$177.00	2019
Medicaid only	90716SL	Varicella virus vaccine (VAR), live - VARIVAX	\$0.00	2019
	90723	Diphtheria, tetanus toxoids, acellular pertussis vaccine, Hepatitis B, and inactivated poliovirus vaccine (DTaP-Hep B-IPV) - PEDIARIX	\$69.10	2023
Medicaid only	90723SL	Diphtheria, tetanus toxoids, acellular pertussis vaccine, Hepatitis B, and inactivated poliovirus vaccine (DTaP-Hep B-IPV) - PEDIARIX	\$0.00	2019
	90732	Pneumococcal polysaccharide vaccine, 23-valent (PPSV23), adult or immunosuppressed patient dosage, when administered to 2 years or older - PNEUMOVAX 23	\$117.08	2022
Medicaid only	90732SL	Pneumococcal polysaccharide vaccine, 23-valent (PPSV23), adult or immunosuppressed patient dosage, when administered to 2 years or older - PNEUMOVAX 23	\$0.00	2019
	90734	Meningococcal conjugate vaccine, serogroups A,C,Y and W-135 quad (MenACWY or MCV4) - MENVEO	\$123.55	2023
Medicaid only	90734SL	Meningococcal conjugate vaccine, serogroups A,C,Y and W-135 quad (MenACWY or MCV4) - MENVEO	\$0.00	2019
	90734	Meningococcal conjugate vaccine, serogroups A,C,Y and W-135 quad (MenACWY or MCV4) - MENACTRA	\$141.00	2022
Medicaid only	90734SL	Meningococcal conjugate vaccine, serogroups A,C,Y and W-135 quad (MenACWY or MCV4) - MENACTRA	\$0.00	2019

Department/Program		Description	Current Fee	Last Revision
		90744 Hepatitis B vaccine (Hep B), pediatric/adolescent dosage, 3 dose - ENGERIX PEDS	\$18.39	2023
	Medicaid only	90744SL Hepatitis B vaccine (Hep B), pediatric/adolescent dosage, 3 dose - ENGERIX PEDS	\$0.00	2019
		90744 Hepatitis B vaccine (Hep B), pediatric/adolescent dosage, 3 dose - RECOMBIVAX HB PEDS	\$20.72	2023
	Medicaid only	90744SL Hepatitis B vaccine (Hep B), pediatric/adolescent dosage, 3 dose - RECOMBIVAX HB PEDS	\$0.00	2019
		90746 Hepatitis B vaccine (Hep B), adult dosage - ENGERIX-B	\$47.80	2023
	Medicaid only	90746SL Hepatitis B vaccine (Hep B), adult dosage - ENGERIX-B	\$0.00	2019
		90746 Hepatitis B vaccine (Hep B), adult 20 years and older, 3 dose-RECOMBIVAX HB ADULT	\$53.68	2023
		90739 Hepatitis B vaccine (Hep B), adult dosage, 2 dose - HEPLISAV	\$108.41	2022
		90739SL Hepatitis B vaccine (Hep B), adult dosage, 2 dose - HEPLISAV	\$0.00	2019
		90750 Zoster Vaccine recombinant, adjuvanted, 50 years or older - SHINGRIX	\$183.41	2023
	Medicaid only	90750SL Zoster Vaccine recombinant, adjuvanted, 50 years or older - SHINGRIX	\$0.00	2019
		90772 Therapeutic prophylactic/diagnostic injection	\$23.00	2008
		90846 Psychotherapy, Family, w/o Patient	\$95.00	2009
		90847 Psychotherapy, Family, (Conjoint) W/Pt Present	\$115.00	2009
		90853 Psychotherapy, Group	\$32.00	2009
		92551 Audiometry	\$18.00	2008
		92587 OAE (Limited)	\$100.00	2012
		93000 Electrocardiogram, Complete	\$33.00	2009
		93005 Electrocardiogram, Tracing Only	\$22.00	2009
		94150 Peak Flow	\$3.25	2018
		94640 Airway Inhalation Treatment	\$22.00	2009
		94664 Aerosol Inhalation Treatment - Teaching	\$22.00	2009
		94760 Pulse Oxygen	\$8.00	2009
		96110 Developmental Test	\$23.00	2012
		96125 ASQ - Developmental	\$78.38	2018
		96127 Social-emotional Screens	\$6.00	2017
		96152 Health & Behavior Intervention	\$55.00	2015
		96160 Adolescent Risk & Strength Screening	\$9.20	2017
		96161 Maternal Depression Screening	\$9.20	2017
		96372 Ther/Proph/Diag inj/SC/IM	\$60.00	2012
		97802 Medical Nutrition Therapy/Initial 15 min. Unit	\$34.00	2015
		97803 Medical Nutrition Therapy/Re-Assess 15 min. Unit	\$34.00	2016
		97804 Medical Nutrition Therapy-Group (2 or more)	\$15.00	2011
		97804ud MDPP Fee	\$25.00	2017
		99000 Lab: Handling Fee	\$11.00	2009
		99070 Special Supplies	\$18.00	2009
		99080 Screening Form Completion	\$0.00	2018
		99173 Vision	\$7.00	2009
		99175 Induction of Vomiting	\$67.00	2009
		99201 New Office/Outpt Tx Brief E&M	\$110.00	2009
		99202 New Office/Outpt Tx Expanded Prob Focused E&M	\$165.00	2009
		99203 New Office/Outpt Tx Detailed E&M	\$200.00	2009
		99204 New Office/Outpt Tx Moderate Complex E&M	\$335.00	2009
		99205 New Office/Outpt Tx High Complex E&M	\$405.00	2009

Commissioner Approved Fee Schedule - FY 2023-24

Department/Program		Description	Current Fee	Last Revision
	99211	Estab Office/Outpt Tx Brief E&M	\$60.00	2012
	99212	Estab Office/Outpt Tx Prob Focused E&M	\$100.00	2012
	99213	Estab Office/Outpt Tx Expanded Focused E&M	\$150.00	2012
	99214	Estab Office/Outpt Tx Detailed E&M	\$225.00	2012
	99215	Estab Office/Outpt Tx Comprehensive E&M	\$305.00	2012
	99381	Preventive/New Pt < 1 yr.	\$255.00	2012
	99382	Preventive/New Pt 1-4 yrs.	\$270.00	2012
	99383	Preventive/New Pt 5-11 yrs.	\$275.00	2012
	99384	Preventive/New Pt 12-17 yrs.	\$235.00	2012
	99385	Preventive/New Pt 18-39 yrs.	\$235.00	2012
	99386	Preventive/New Pt 40-64 yrs.	\$267.00	2009
	99387	Preventive/New Pt 65+ yrs.	\$242.00	2008
	99391	Preventive/Estab Pt < 1 yr.	\$225.00	2012
	99392	Preventive/Estab Pt 1-4 yrs.	\$225.00	2012
	99393	Preventive/Estab Pt 5-11 yrs.	\$200.00	2012
	99394	Preventive/Estab Pt 12-17 yrs.	\$205.00	2012
	99395	Preventive/Estab Pt 18-39 yrs.	\$225.00	2012
	99396	Preventive/Estab Pt 40-64 yrs.	\$220.00	2012
	99397	Preventive/Estab Pt 65+ yrs.	\$212.00	2004
	99401	Covid Counseling-Preventive Medicine Counseling, 15 min.	\$45.00	2022
	99406/G0436	Tobacco Use Cessation Counseling - (3-10 min)	\$13.00	2015
	99407/G0437	Tobacco Use Cessation Counseling - (10+ min)	\$32.00	2015
	99408/G0396	ETOH & Substance Abuse Screening (15-30 min)	\$35.00	2018
	99409/G0397	ETOH & Substance Abuse Screening (30+ min)	\$67.00	2018
	99441	Telephone Evaluation 5-10 min	\$15.00	2021
	99442	Telephone Evaluation 11-20 min	\$25.00	2021
	99443	Telephone Evaluation 21-30 min	\$30.00	2021
	99499	DOT Physical	\$100.00	2019
	99501	Home Visit Postpartum	\$200.00	2015
	99502	Home Visit Newborn	\$200.00	2015
	D0145	Oral Evaluation <3 yrs with counseling	\$55.00	2012
	D1206	Topical Fluoride Appl	\$47.00	2012
	G0008	Admin. Influenza Vaccine - Medicare	\$18.00	2009
	G0009	Admin. Pneumococcal Vaccine - Medicare	\$18.00	2009
	G0010	Hep B. - Admin. - Medicare	\$18.00	2015
	2015	DSME Minimum Fee	\$20.00	2015
	G0108	DSME/DSMT Individual Assessment - Medicare	\$52.00	2015
	G0109	DSME/DSMT Group Class - Medicare	\$17.00	2015
	G0270	Additional MD requested MNT indiv - Medicare	\$25.00	2010
	G0271	Additional MD requested MNT group - Medicare	\$13.00	2010
	H0001	Alcohol and/or drug assessment	\$20.00	2015
	H0031	Mental health assessment, by non-physician	\$22.00	2015
	J0696	Ceftriaxone Sodium/Rocephin per 250mg	\$22.00	2008
	J1050	Medroxyprogesterone acetate, 1 mg (150 units)	At acquisition cost	2023
Medicaid only	J1050ud	Medroxyprogesterone acetate, 1 mg (150 units)	At acquisition cost	2023
	J1200	Diphenhydramine HCL/Benadryl up to 50mg	\$6.00	2009
	J1725	Injection hydroxyprogesterone caproate, 1 mg (250 units)	\$3.00	2015
	J1885	Ketorolac IM Injection, per 15mg (Toradol)	At acquisition cost	2023
	J2550	Promethazine _mg	\$8.00	2009
	J2790	Rhogam Injection	\$88.00	2012
	J3420	B-12 Injection	\$6.00	2009

Department/Program		Description	Current Fee	Last Revision
	J7300	Paragard IUD	At acquisition cost	2023
Medicaid only	J7300ud	Paragard IUD	At acquisition cost	2023
	J7296	Kyleena IUD	At acquisition cost	2023
Medicaid only	J7296ud	Kyleena IUD	At acquisition cost	2023
	J7301	Skyla IUD	At acquisition cost	2023
Medicaid only	J7301ud	Skyla IUD	At acquisition cost	2023
	J7297	Liletta IUD	At acquisition cost	2023
Medicaid only	J7297ud	Liletta IUD	At acquisition cost	2023
	J7298	Mirena IUD	\$249.00	2019
Medicaid only	J7298ud	Mirena IUD	\$249.00	2019
	J7303	Nuvaring (3 pack)	At acquisition cost	2023
	J7303ud	Nuvaring (3 pack)	At acquisition cost	2023
	J7307	Nexplanon	At acquisition cost	2023
Medicaid only	J7307ud	Nexplanon	At acquisition cost	2023
	Q2037	Fluvirin Vacc, 3 yrs & >, IM	\$31.00	2015
	Q2038	Fluzone Vacc, 3 yrs & >, IM	\$40.00	2015
Medicaid only	S0280	PMH Risk Screening	\$50.00	2015
Medicaid only	S0281	Postpartum Risk Screening	\$150.00	2015
Self-Pay only	S4993	Oral Contraceptive Pills	\$5.00	2012
	S5000	Prescription Drug Dispensing	\$4.00	2021
	S9465	Diabetic management program, dietitian visit	\$35.00	2011
	S9470	Nutritional counseling, dietitian visit	\$35.00	2011
	S9442	Birthing classes	8.69/ 1 hr block	2013
	S5001	Plan B/Ella Emergency Contraception	At acquisition cost	2023
	T1002	RN Services up to 15 min.	\$21.00	2005
	U0005	HC COVID-19 High Throughput (UNC Lab Add on Payment)	\$0.00	2022
** UNC and State Lab Fees are established by reference lab and not by OCHD				
Miscellaneous				
		<i>Regulatory Business License</i>		
		Practitioner License	\$0.00	2016
		Business/Owner License	\$75.00	1996
Social Services				
		Adoption Intermediary Fee	\$300.00	2008
Solid Waste - Enterprise Fund				
		Solid Waste Programs Fee - Orange County	\$142.00	2019
		Solid Waste Programs Fee - City of Mebane	\$94.72	2020
Recycling				
		Mulch Delivery - 20 yards	\$225.00	2017
		Mulch Delivery - 30 yards	\$300.00	2017
		Mulch Delivery - 40 yards	\$375.00	2017
		Bag of Premium Compost - 1 cubic foot	\$5.50	2017
Sanitation				
		6 Yard - Scheduled	\$31.00	2019
		6 Yard - Unscheduled	\$40.00	2019
		8 Yard - Scheduled	\$33.00	2019
		8 Yard - Unscheduled	\$40.00	2019
		30 Yard Week Rental and 1 pickup*	\$245.00	2019
		30 Yard Additional Pickup*	\$175.00	2019

Department/Program	Description	Current Fee	Last Revision
	40 Yard Week Rental and 1 pickup*	\$295.00	2019
	40 Yard Additional Pickup*	\$220.00	2019
	* = plus double tip fee for containmenated loads (not following OC RRMO)		2019
			2013
<i>Landfill</i>	Construction & Demo	\$42.00/ton	2020
	Clean Wood/Vegetative Waste	\$20.00/ton	2016
	Conventional Yard Waste Mulch	\$25.00/3cubic yard scoop	2012
	Decorative Red Mulch & Compost	\$40.00/one cubic yard scoop	2021
	Decorative Red Mulch & Compost	\$6.00 per bag	2021
	Mulch on Sale	\$12.50	2021
	Stumps & Land Clearing Waste	\$42.00/ton	2020
	Disposal of Mobile Homes	\$200.00/unit	2010
	Tires (stockpiles tires/no state certification)	\$100.00/ton	1997
	Mulch Delivery Fee >10 Miles From Landfill	\$50.00	2020
	Mulch Delivery Fee >20 Miles From Landfill	\$75.00	2020
<i>Environmental Support</i>	Appliances (White Goods)	No charge	
	Scrap Metal	No charge	
	Cardboard	No charge	
	Regulated Recyclable Materials Facility Certification	\$250.00/application	2002
	License of Haulers	\$25 per vehicle	2018
	Compost Bin (Yard)	\$50.00	2018
	Counter Top Compost Bin	\$5.00	2018
	7 Gallon Counter Top Compost Bin	\$20.00	2023
	Cart (Additional)	\$60.00	2018
	Regulated Recyclable Materials Permit-Carrboro	10% of assessed building permit fee	2002
	Regulated Material Permit-Town of Chapel Hill	8% of Applicable Building Permit Fees	2008
	Regulated Material Permit-Orange County	5% of Applicable Building Permit Fees	2008
<i>Community Relations/Visitors Bureau</i>			
	Occupancy Tax Rate	3% of gross receipts derived from rental of accommodations in the County	2008
<i>Sportsplex</i>	Fitness Memberships		
	Individual	\$48.95/mo	2018
	Parent & Dependent	\$59.95/mo	2018
	Couple	\$74.95/mo	2018
	Family	\$84.95/mo	2018
	Student	\$32.95/mo	2018
	Platinum Individual	\$69.95/mo	2018
	Platinum Parent & Dependent	\$79.95/mo	2018
	Platinum Couple	\$89.95/mo	2018
	Platinum Family	\$99.95/mo	2018
	Senior Individual Resident (semi-platinum, incl. Pickleball/Basketball)	\$26/mo	2018
	Senior Individual Non Resident	\$39.95/mo	2018
	Senior Couple (semi-platinum, incl. Pickleball/Basketball)	\$36/mo	2018
	Senior Couple Non Resident	\$54.95/mo	2018
	Nursery Fee	\$5/mo	2018
	Fitness Walk-in	\$10.00	2018
	County Employee	\$12.25/mo	2018
	County Empl: Parent +Child	\$15.00/mo	2018

Department/Program	Description	Current Fee	Last Revision
	County Empl:Couple/Parent +2 children	\$18.75/mo	2018
	County Empl:Family	\$21.25/mo	2018
	County Employee Platinum	\$17.50/mo	2018
	County Empl: Parent +Child Platinum	\$19.95/mo	2018
	County Empl:Couple/Parent +2 children Platinum	\$22.50/mo	2018
	County Empl:Family Platinum	\$24.95/mo	2018
	Note: Membership Discounts (Seniors:50%; OC Employees:75%; Hills/Chapel Hill empl: 30%; OC/Ch- Hill/Carb. School empl. 40%; NC Govt. empl/Military/Veterans/Clergy: 30%)		
	Kidsplex		
	Preschool		
	2/3 Year Old/ 2 days	Member 1,392/annual;155/mo	2018
		Non-Member \$1,638/annual;\$182/mo	2018
	2/3 Year Old/ 3 days	Member \$2,079/annual;231/mo	2018
		Non-Member \$2,439/annual;\$271/mo	2018
	2/3 Year Old/5days	Member \$3,582/annual;398/mo	2018
		Non-Member \$4,212annual;\$468/mo	2018
	4/5 Year Old/2days	Member \$2,079annual;\$231/mo	2018
		Non-Member \$2,439annual/\$271/mo	2018
	4/5 Year Old/3days	Member \$2,871annual/\$319/mo	2018
		Non-Member \$3,376annual	2018
	4/5 Year Old/5 days	Member \$4,545annual/\$505/mo	2018
		Non-Member \$5,346annual	2018
	After School		2018
	3 Days	Member \$1,620/annual;\$192/mo	2018
		Non-Member \$2,025/annual;\$240/mo	2018
	4 Days	Member \$2,165/annual;\$250/mo	2018
		Non-Member \$2,710/annual;\$312/mo	2018
	5 Days	Member \$2,710/annual;\$310/mo	2018
		Non-Member \$3,390/annual;\$390/mo	2018
	Daily Flat Rate	\$25Member/\$30 Non-Member	2018
	Summer Camp	\$225/week	2016
	Pool		
	Public Swimming	Adult \$6/Child \$5/Senior \$4	2018
	Group Swim Admission	\$4.00/swimmer	2018
	Group Swim Lessons	Members:\$119/8class session	2018
		Non-Members:\$140/8class session	2018
	Swim Team	Members:\$100/mo-\$165/mo based on age	2018
		Non-Members:\$110/mo-\$180/mo based on age	2018
	Lane Rental	\$18.00/lane/hr	2018
	Swim Meet Facility Charge	\$1,250 half day/\$2,350 full day	2018
	Timing System	\$100/half day/\$200 full day	2018
	Baby Pool Drain and Seating	\$400/meet	2018
	Hospitality Room	\$200/meet	2018
	Ice Rink		
	Public Skating	Adult \$8.50/Child \$7.50/Skate Rental \$4.50	2018

Department/Program	Description	Current Fee	Last Revision
	Group Ice Skate 20 (or more)	\$6.50/skater incl ice skate rental	2018
	Group Ice Skate 75 (or more)	\$5.50/skater incl ice skate rental	2018
	Ice Rental	\$350/hr. Prime times; \$325/hr Non-prime	2018
	Adult Hockey Leagues	\$352/per 16 game season	2018
	Learn to Skate School	\$168/ 8 class beginner;\$216/ 8 class advanced	2018
	Learn to Play Hockey	\$133.00/ 7 class session	2018
	Hockey Tots	\$66.50/ 7 class session	2018
	Field House		
	Member Soccer/Flag Football/Lacrosse	\$650 per team/per season	2018
	Non-Member Soccer/Flag Football/Lacrosse	\$800 per team/per season	2018
	Member Basketball/Volleyball	\$650 per team/per season	2018
	Non-Member Basketball/Volleyball	\$800 per team/per season	2018
	Senior Pickleball	Weekday daytime: Free for Members/Passmore	2018
	Open Pickleball Leagues (prime time)	\$3.00 per game/league fee tbd	2018
	Court Rental	\$70/hr for Residents/\$90/hr for Non Residents	2018
	Field Rental	\$80/hr for Residents/\$100/hr for Non Residents	2018

⁽¹⁾ Pursuant to the North Carolina Sediment Act under G.S. 113A-60(a), as amended with Session Law 2021-121 HB 489 for approved subdivisions and/or common plan of development with single-family lots less than 1 acre, the erosion control fee for the single-family lot shall be set at no more than one hundred dollars (\$100.00) per lot/acre developed. The remainder of the erosion control fee (i.e. additional land disturbance areas outside of the single-family lots such as roads and common areas) shall be calculated per the applicable erosion control land basis rates as listed in published Erosion Control, Stormwater and Engineering Fee Schedule.

⁽²⁾ The Planning and Inspection Director has the discretionary authority to waive building permitting fees associated with critical events including natural causes. Only work associated with repairing the immediate damage would be subject to waiver.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Accept the Ten-Year Capital Investment Plan (CIP) and Approve the FY 2023-24 Orange County Overall CIP Projects

DEPARTMENT: County Manager

ATTACHMENT(S):

1. FY 2023-33 Capital Investment Plan Overall Summary
2. County Capital Approved FY 2023-33 CIP Projects Summary
3. Proprietary Capital Approved FY 2023-33 CIP Projects Summary
4. School Capital Approved FY 2023-33 CIP Projects Summary

INFORMATION CONTACT:

Bonnie Hammersley, (919) 245-2300
Travis Myren, (919) 245-2308
Kirk Vaughn, (919) 245-2153

PURPOSE: To accept the FY 2023-33 Orange County Ten-Year Capital Investment Plan (CIP), and approve the FY 2023-24 Orange County Overall CIP Projects.

BACKGROUND: For over 20 years, the County has produced a Capital Investment Plan (CIP) that establishes a budget planning guide related to capital needs for the County as well as Schools. The current CIP consists of a 10-year plan that is evaluated annually to include year-to-year changes in priorities, needs, and available resources. Approval of the CIP commits the County to the first year funding only of the capital projects; all other years are used as a planning tool and serves as a financial plan.

Capital Investment Plan – Overview

The FY 2023-33 CIP includes County Projects, School Projects, and Proprietary Projects. The School Projects include Chapel Hill-Carrboro City Schools, Orange County Schools, and Durham Technical Community College – Orange County Campus projects. The Proprietary Projects include Water and Sewer, Solid Waste Enterprise Fund, and Sportsplex projects.

The CIP has been prepared anticipating moderate economic growth of approximately 2% in property tax growth over the next ten years, and 4% sales tax growth. Many of the projects in the CIP will rely on debt financing to fund the projects.

Attachment 1 is the FY 2023-33 Capital Investment Plan Overall Summary of \$58,436,700 (individual projects were provided to the Board of County Commissioners at previous work sessions, and revised project funding was discussed at the June 8, 2023 budget work session).

Attachment 2 lists County Capital Projects Summary totaling \$28,888,432 in FY 2023-24 (Year 1).

Attachment 3 lists Proprietary Capital Projects Summary totaling \$3,556,025 in FY 2023-24 (Year 1).

Attachment 4 lists School Capital Projects Summary totaling \$25,992,243 in FY 2023-24 (Year 1).

FINANCIAL IMPACT: The financial impact is as noted in the attachments. The Ten-Year Capital Investment Plan is a long-range planning tool with a financial impact in FY 2023-24.

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

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

RECOMMENDATION(S): The Manager recommends that the Board accept the FY 2023-33 Orange County Ten-Year Capital Investment Plan, and approve funding for FY 2023-24 and adopt the FY 2023-24 County Capital projects as stated in Attachment 2; the FY 2023-24 Proprietary Capital projects as stated in Attachment 3; and the FY 2023-24 School Capital projects as stated in Attachment 4.

Orange County Capital Investment Plan - Plan Summary - APPROVED
Fiscal Years 2023-33

Appropriations	Current Fiscal Year 2022-23	Year 1 Fiscal Year 2023-24	Year 2 Fiscal Year 2024-25	Year 3 Fiscal Year 2025-26	Year 4 Fiscal Year 2026-27	Year 5 Fiscal Year 2027-28	Year 6 Fiscal Year 2028-29	Year 7 Fiscal Year 2029-30	Year 8 Fiscal Year 2030-31	Year 9 Fiscal Year 2031-32	Year 10 Fiscal Year 2032-33	Ten Year Total
County	10,859,993	28,888,432	36,291,487	19,325,710	22,042,204	28,356,285	28,007,134	28,514,342	18,726,197	17,141,508	6,481,344	233,774,643
Proprietary												
Solid Waste	722,363	2,556,025	3,222,677	2,595,347	2,668,894	979,772	527,227	2,328,480	763,954	2,169,854	3,171,492	20,983,722
Sportsplex	520,000	1,000,000	1,125,000	890,000	380,000	230,000	155,000	230,000	105,000	300,000	156,000	4,571,000
Water & Sewer Utilities			432,500									432,500
Proprietary Total	1,242,363	3,556,025	4,780,177	3,485,347	3,048,894	1,209,772	682,227	2,558,480	868,954	2,469,854	3,327,492	25,987,222
School												
Bond Referendum				5,000,000	40,000,000		45,000,000		40,000,000			130,000,000
Chapel Hill-Carrboro City Schools	18,088,811	10,791,610	16,012,270	16,761,099	7,264,149	7,430,858	8,241,597	8,728,973	7,960,700	8,414,092	8,340,335	99,945,683
Orange County Schools	9,925,349	4,700,633	15,933,712	4,910,918	5,020,542	5,133,281	5,249,235	5,368,506	5,491,199	5,617,426	5,747,299	63,172,751
Durham Tech Community College	500,000	10,500,000										10,500,000
School Total	28,514,160	25,992,243	31,945,982	26,672,017	52,284,691	12,564,139	58,490,832	14,097,479	53,451,899	14,031,518	14,087,634	303,618,434
Appropriations Total	40,616,516	58,436,700	73,017,646	49,483,074	77,375,789	42,130,196	87,180,193	45,170,301	73,047,050	33,642,880	23,896,470	563,380,299
Revenues/Funding Sources												
Article 46 Sales Tax Proceeds	2,343,100	2,766,048	3,289,410	2,971,187	3,142,555	4,025,729	3,609,234	3,532,714	3,682,276	3,978,557	4,153,202	35,150,912
Contributions from Other Infrastructure Partners	62,500					237,550	3,845,600	15,000	98,000			4,196,150
Debt Financing	8,226,977	24,031,260	33,698,602	14,332,507	15,351,686	22,147,282	18,870,933	22,842,433	15,021,827	12,717,449	2,458,954	181,472,933
Debt Financing - Bond Proceeds				5,000,000	40,000,000		45,000,000		40,000,000			130,000,000
Debt Financing - Durham Tech	500,000	10,500,000										10,500,000
Debt Financing - School Improvements	23,310,706	8,642,860	24,626,718	13,998,476	4,192,302	4,048,148	4,545,295	4,719,254	3,634,639	3,769,662	3,375,398	75,552,752
Debt Financing - Solid Waste		1,495,002	2,373,596	1,371,119	1,761,745			1,055,490		1,092,486	2,374,906	11,524,344
Debt Financing - Sportsplex	520,000	900,000	1,070,000	765,000	375,000	180,000	25,000	230,000	50,000	175,000		3,770,000
Grant Funding	833,382	100,000	494,094	781,117	1,207,732	750,000	348,899	750,000	250,000	750,000	250,000	5,681,842
Lottery Proceeds	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	14,023,540
NCDEQ Reimbursement Fund		3,000,000										3,000,000
Partner Funding - County Capital	9,000	9,000	9,000	1,913,086	2,954,086	1,754,086	1,754,086	1,754,086	9,000	9,000	9,000	10,174,430
Register of Deeds Fees	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	800,000
Solid Waste Funds	722,363	1,061,023	849,081	1,224,228	907,149	979,772	527,227	1,272,990	763,954	1,077,368	796,586	9,459,378
Sportsplex Funds		100,000	55,000	125,000	5,000	50,000	130,000		55,000	125,000	156,000	801,000
Transfer from General Fund	2,606,134	4,349,153	5,069,791	5,519,000	5,996,180	6,475,275	7,041,565	7,515,980	8,000,000	8,466,004	8,840,070	67,273,018
Revenues/Funding Sources Total	40,616,516	58,436,700	73,017,646	49,483,074	77,375,789	42,130,196	87,180,193	45,170,301	73,047,050	33,642,880	23,896,470	563,380,299

County Capital Projects Summary - APPROVED
Fiscal Years 2023-33

Appropriations	Current Fiscal Year 2022-23	Year 1 Fiscal Year 2023-24	Year 2 Fiscal Year 2024-25	Year 3 Fiscal Year 2025-26	Year 4 Fiscal Year 2026-27	Year 5 Fiscal Year 2027-28	Year 6 Fiscal Year 2028-29	Year 7 Fiscal Year 2029-30	Year 8 Fiscal Year 2030-31	Year 9 Fiscal Year 2031-32	Year 10 Fiscal Year 2032-33	Ten Year Total
911 Computer Aided Dispatch (CAD) Replacement		600,000										600,000
Affordable Housing		5,000,000				5,000,000			5,000,000			15,000,000
Behavioral Health Crisis Diversion Facility		2,047,155	22,952,845									25,000,000
Blackwood Farm Park	310,000	775,000	155,000									930,000
Cedar Grove Community Center		422,000								161,685		583,685
Cedar Grove Park, Phase II								95,052	950,523			1,045,575
Climate Change Mitigation Project	550,150	564,085	575,366	619,676	632,513	645,621	659,006	709,776	724,474	739,483	754,809	6,624,809
Communication System Improvements	210,000	220,500	231,525	243,101								695,126
Conservation Easements	1,000,000			1,000,000		1,000,000		1,000,000		1,000,000		4,000,000
County Recreation Center							2,465,047	13,968,597				16,433,644
Court Street Annex	160,000											
Covered Outdoor Fitness Space			200,000									200,000
Electrical Upgrades		56,232	30,000	18,350	883,400	947,466	2,577,600	716,492	1,753,763	3,246,088	561,000	10,790,391
Emergency Services Renewal & Replacement	200,000	200,000	206,000	212,180	218,545	225,102	231,855	238,810	245,975	253,354	260,955	2,292,776
Emergency Services Substations	410,000		3,600,000		300,000	3,600,000		900,000	4,100,000			12,500,000
Facades		472,650	120,625	292,600	211,800	281,504	754,000	287,198	24,500	2,794,000	162,200	5,401,077
Facility Accessibility, Safety and Security Improvements	1,240,435	40,300	122,000	243,264	244,986	246,386	550,497	312,286	234,886	560,410	39,700	2,594,715
Fairview Park Improvements		522,500							178,153	1,781,530		2,482,183
Fairview Park Mitigation		3,000,000										3,000,000
Fire Alarm, Fire Suppression System Replacements		464,560	1,129,398	943,163	105,500	179,000	883,000	170,300	132,508	63,375	610,373	4,681,177
Fleet Services Inventory Shop and Equipment		120,000										120,000
Fuel Station - Pump, Tanks & Tank Monitoring Replacement		53,240			222,200							275,440
Generator Projects	240,000	1,116,500	235,400	71,500								1,423,400
Historic Courthouse Square - Building and Grounds Improvements				770,000								770,000
Hollow Rock Nature Park (New Hope Preserve)								30,000	196,000			226,000
HVAC Projects	109,000	3,428,592	168,329	391,812	862,970	788,710	553,000	533,170	828,362	2,369,007	409,700	10,333,652
Information Technologies Governance Council Initiatives		500,000		500,000		500,000		500,000		500,000		2,500,000
Information Technologies Infrastructure	1,281,556	837,377	698,868	910,102	877,000	897,000	907,000	917,000	927,000	937,000	947,000	8,855,347
Interior Finish Replacements		300,080	255,080	252,380	34,800	54,900	72,550	310,239	19,240	420,000	528,682	2,247,951
Justice Facility Improvements	225,000											
Lake Orange - Dam Rehabilitation	280,000	2,350,000	250,000	3,000,000								5,600,000
Lands Legacy Program	500,000		500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	4,500,000
Little River Park, Phase II	125,000						90,000					90,000
Millhouse Road Park						475,100	7,601,200					8,076,300
Mountains to Sea Trail		100,000					693,000					793,000
Neuse River (Falls Lake) Rules - Nutrient Management	175,000	175,000	175,000	175,000	175,000							700,000
OCTS Maintenance Shop	61,502											
Orange County Bidirectional Antenna (BDA) Upgrade	440,195	1,536,000	1,536,000									3,072,000
Parking Lot Improvements	15,000	46,500	57,778	261,000	30,000	342,133	45,840	30,000	42,900	30,000	68,500	954,651
Parks and Recreation Facility Renovations, Repairs, and Safety Improvements	180,000	180,000	185,400	190,962	196,691	202,592	208,670	214,930	221,378	228,019	234,860	2,063,502
Passmore Center Renovation											175,000	175,000
Perry Hills MiniPark	100,000	80,000										80,000
Phillip Nick Waters Building Remediation Phase 2	550,000											
Piedmont Food Processing Center - Building Improvements	242,000	19,019			52,520	812,092	267,051	56,843	67,370	219,055	243,320	1,737,270
Plumbing Repairs		43,760	72,155	27,900	227,625	2,390,560	52,250	48,190	37,200	15,600	22,771	2,938,011
Record Management/Jail Management System		1,925,252										1,925,252
Register of Deeds Automation	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	800,000
Rogers Road Community Center				265,000	2,000,000							2,265,000
Roofing	671,500	85,000	55,000	321,710	230,800	2,447,265	1,573,712	215,633	1,694,825	388,125	276,188	7,288,258

Soccer.com Soccer Center, Phase II				534,460	5,344,600							5,879,060
Sustainability Projects	56,000	312,000	275,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000	2,587,000
Upper Eno Nature Preserve					438,000							438,000
Vehicle Replacements	1,096,671	1,790,130	1,519,600	1,395,701	1,534,136	673,901	1,051,279	612,873	517,140	604,777	356,286	10,055,823
Vehicle Replacements - OCPT Grant Funded Bus Replacements			305,118	38,896	572,165		123,624					1,039,803
Veterans Memorial	5,984	25,000										25,000
VIPER Radio Tower Construction				5,816,953	5,816,953	5,816,953	5,816,953	5,816,953				29,084,765
Whitted Building Campus	345,000											
Appropriations Total	10,859,993	28,888,432	36,291,487	19,325,710	22,042,204	28,356,285	28,007,134	28,514,342	18,726,197	17,141,508	6,481,344	233,774,643
Revenues/Funding Sources												
Article 46 Sales Tax Proceeds	242,000	19,019			52,520	812,092	267,051	56,843	67,370	219,055	243,320	1,737,270
Contributions from Other Infrastructure Partners	62,500					237,550	3,845,600	15,000	98,000			4,196,150
Debt Financing	8,226,977	24,031,260	33,698,602	14,332,507	15,351,686	22,147,282	18,870,933	22,842,433	15,021,827	12,717,449	2,458,954	181,472,933
Grant Funding	833,382	100,000	494,094	781,117	1,207,732	750,000	348,899	750,000	250,000	750,000	250,000	5,681,842
NCDEQ Reimbursement Fund		3,000,000										3,000,000
Partner Funding - County Capital	9,000	9,000	9,000	1,913,086	2,954,086	1,754,086	1,754,086	1,754,086	9,000	9,000	9,000	10,174,430
Register of Deeds Fees	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	80,000	800,000
Transfer from General Fund	1,406,134	1,649,153	2,009,791	2,219,000	2,396,180	2,575,275	2,840,565	3,015,980	3,200,000	3,366,004	3,440,070	26,712,018
Revenues/Funding Sources Total	10,859,993	28,888,432	36,291,487	19,325,710	22,042,204	28,356,285	28,007,134	28,514,342	18,726,197	17,141,508	6,481,344	233,774,643

Attachment 3

Proprietary Projects Summary - APPROVED
Fiscal Years 2023-33

Appropriations	Current Fiscal Year 2022-23	Year 1 Fiscal Year 2023-24	Year 2 Fiscal Year 2024-25	Year 3 Fiscal Year 2025-26	Year 4 Fiscal Year 2026-27	Year 5 Fiscal Year 2027-28	Year 6 Fiscal Year 2028-29	Year 7 Fiscal Year 2029-30	Year 8 Fiscal Year 2030-31	Year 9 Fiscal Year 2031-32	Year 10 Fiscal Year 2032-33	Ten Year Total
Solid Waste												
Consolidated Neighborhood Waste & Recycling Center		435,781	1,520,427									1,956,208
Solid Waste Vehicle & Equipment Replacements	722,363	2,120,244	1,702,250	2,595,347	2,668,894	979,772	527,227	2,328,480	763,954	2,169,854	3,171,492	19,027,514
Solid Waste Total	722,363	2,556,025	3,222,677	2,595,347	2,668,894	979,772	527,227	2,328,480	763,954	2,169,854	3,171,492	20,983,722
Sportsplex												
Sportsplex - Facilities Maintenance/Replacement	135,000	100,000	45,000	130,000	300,000	180,000		140,000	50,000	150,000		1,095,000
Sportsplex - Fitness		100,000		125,000			125,000			125,000		475,000
Sportsplex - Ice Rink		800,000		35,000				40,000				875,000
Sportsplex - Kidsplex			55,000		5,000	50,000	5,000		55,000		6,000	176,000
Sportsplex - New Facilities			1,000,000									1,000,000
Sportsplex - Pool	385,000		25,000	600,000	75,000		25,000	50,000		25,000	150,000	950,000
Sportsplex Total	520,000	1,000,000	1,125,000	890,000	380,000	230,000	155,000	230,000	105,000	300,000	156,000	4,571,000
Water & Sewer Utilities												
City of Mebane, 12-inch Public Water Line Extension Along West Ten Road and Bowman Road			432,500									432,500
Water & Sewer Utilities Total			432,500									432,500
Appropriations Total	1,242,363	3,556,025	4,780,177	3,485,347	3,048,894	1,209,772	682,227	2,558,480	868,954	2,469,854	3,327,492	25,987,222
Revenues/Funding Sources												
Article 46 Sales Tax Proceeds			432,500									432,500
Debt Financing - Solid Waste		1,495,002	2,373,596	1,371,119	1,761,745			1,055,490		1,092,486	2,374,906	11,524,344
Debt Financing - Sportsplex	520,000	900,000	1,070,000	765,000	375,000	180,000	25,000	230,000	50,000	175,000		3,770,000
Solid Waste Funds	722,363	1,061,023	849,081	1,224,228	907,149	979,772	527,227	1,272,990	763,954	1,077,368	796,586	9,459,378
Sportsplex Funds		100,000	55,000	125,000	5,000	50,000	130,000		55,000	125,000	156,000	801,000
Revenues/Funding Sources Total	1,242,363	3,556,025	4,780,177	3,485,347	3,048,894	1,209,772	682,227	2,558,480	868,954	2,469,854	3,327,492	25,987,222

Attachment 4

School Projects Summary - APPROVED

Fiscal Years 2023-33

Appropriations	Current Fiscal Year 2022-23	Year 1 Fiscal Year 2023-24	Year 2 Fiscal Year 2024-25	Year 3 Fiscal Year 2025-26	Year 4 Fiscal Year 2026-27	Year 5 Fiscal Year 2027-28	Year 6 Fiscal Year 2028-29	Year 7 Fiscal Year 2029-30	Year 8 Fiscal Year 2030-31	Year 9 Fiscal Year 2031-32	Year 10 Fiscal Year 2032-33	Ten Year Total
Bond Referendum				5,000,000	40,000,000		45,000,000		40,000,000			130,000,000
Chapel Hill-Carrboro City Schools												
Chapel Hill-Carrboro City Schools												
Article 46 Sales Tax Proceeds	1,235,027	1,680,907	1,748,143	1,818,069	1,890,792	1,966,424	2,045,082	2,126,885	2,211,961	2,300,439	2,392,457	20,181,159
Debt Financing - School Improvements	2,502,680	2,537,967	2,588,727	3,194,974	2,449,981	2,365,738	2,921,915	3,152,752	2,124,083	2,313,677	1,972,582	25,622,396
Lottery Proceeds	824,304	819,536	819,536	819,536	819,536	819,536	819,536	819,536	819,536	819,536	819,536	8,195,360
Transfer from General Fund				104,491	243,330	381,440	519,390	655,412	791,244	926,287	1,060,524	4,682,118
Recurring Capital Items	1,763,400	1,753,200	1,788,264	1,824,029	1,860,510	1,897,720	1,935,674	1,974,388	2,013,876	2,054,153	2,095,236	19,197,050
Supplemental Deferred Maintenance Program	11,763,400	4,000,000	9,067,600	9,000,000								22,067,600
Chapel Hill-Carrboro City Schools Total	18,088,811	10,791,610	16,012,270	16,761,099	7,264,149	7,430,858	8,241,597	8,728,973	7,960,700	8,414,092	8,340,335	99,945,683
Orange County Schools												
Orange County Schools												
Article 46 Sales Tax Proceeds	866,073	1,066,122	1,108,767	1,153,118	1,199,243	1,247,213	1,297,101	1,348,986	1,402,945	1,459,063	1,517,425	12,799,983
Debt Financing - School Improvements	1,755,026	1,804,893	1,840,991	1,803,502	1,742,321	1,682,410	1,623,380	1,566,502	1,510,556	1,455,985	1,402,816	16,433,356
Lottery Proceeds	578,050	582,818	582,818	582,818	582,818	582,818	582,818	582,818	582,818	582,818	582,818	5,828,180
Transfer from General Fund				74,309	173,046	271,264	369,368	466,101	562,699	658,735	754,198	3,329,720
Recurring Capital Items	1,236,600	1,246,800	1,271,736	1,297,171	1,323,114	1,349,576	1,376,568	1,404,099	1,432,181	1,460,825	1,490,042	13,652,112
Supplemental Deferred Maintenance Program	5,489,600		11,129,400									11,129,400
Orange County Schools Total	9,925,349	4,700,633	15,933,712	4,910,918	5,020,542	5,133,281	5,249,235	5,368,506	5,491,199	5,617,426	5,747,299	63,172,751
Durham Tech Community College	500,000	10,500,000										10,500,000
Appropriations Total	28,514,160	25,992,243	31,945,982	26,672,017	52,284,691	12,564,139	58,490,832	14,097,479	53,451,899	14,031,518	14,087,634	303,618,434
Revenues/Funding Sources												
Article 46 Sales Tax Proceeds	2,101,100	2,747,029	2,856,910	2,971,187	3,090,035	3,213,637	3,342,183	3,475,871	3,614,906	3,759,502	3,909,882	32,981,142
Debt Financing - Bond Proceeds				5,000,000	40,000,000		45,000,000		40,000,000			130,000,000
Debt Financing - Durham Tech	500,000	10,500,000										10,500,000
Debt Financing - School Improvements	23,310,706	8,642,860	24,626,718	13,998,476	4,192,302	4,048,148	4,545,295	4,719,254	3,634,639	3,769,662	3,375,398	75,552,752
Lottery Proceeds	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	1,402,354	14,023,540
Transfer from General Fund	1,200,000	2,700,000	3,060,000	3,300,000	3,600,000	3,900,000	4,201,000	4,500,000	4,800,000	5,100,000	5,400,000	40,561,000
Revenues/Funding Sources Total	28,514,160	25,992,243	31,945,982	26,672,017	52,284,691	12,564,139	58,490,832	14,097,479	53,451,899	14,031,518	14,087,634	303,618,434

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: 2022 Longtime Homeowner Assistance (LHA) Program Evaluation

DEPARTMENT: Housing Department

ATTACHMENT(S):

Attachment 1: 2022 LHA Program Data

INFORMATION CONTACT:

Corey Root, Director, Housing and
Community Development, 919-245-
2492

Nancy Freeman, Tax Administrator,
Orange County Tax Office, 919-245-
2735

Gary Donaldson, Chief Financial Officer,
Orange County Finance, 919-245-
2453

PURPOSE: To receive information about the results of the 2022 Longtime Homeowner Assistance (LHA) program and consider options for program changes for a potential continuation of the LHA program in 2023.

BACKGROUND: In the spring of 2022, the Orange County Board of Commissioners authorized updates to the program design for the Longtime Homeowner Assistance (LHA) program to provide property tax assistance to Orange County households at 80% Area Median Income (AMI) and below who had lived in their home for at least five years. County staff worked with community partners on a five-month media campaign to increase awareness about program eligibility and how to apply with the goal of increasing the number of program applicants from 2021. LHA media campaign efforts in 2022 included:

- The Tax Office sent the LHA program information flyer alongside the 2022 Tax Bills that were mailed in August 2022.
- County staff worked with community partners the Jackson Center and Justice United to promote the LHA program.
- Organized visits to local churches, Rogers Road and Cedar Grove Community Centers to distribute LHA flyers.
- Staff partnered with church congregations in Orange County, including in northern Orange, to share information.
- The County ran ads in *The News of Orange & La Notica*.
- The County spoke about the LHA program on WCHL Chapelboro radio.
- The County produced short LHA informational videos in English and Spanish – these videos were distributed via social media, community partners, and email.

Staff calculated award amounts using the following guidelines:

- All applicants were arranged in priority order
 - FIRST: Tax Burden, largest to smallest
 - SECOND: Length in Home, longest to shortest
 - THIRD: Age, oldest to youngest
- Full awards were allocated to as many participants as possible using \$75,000 of the \$250,000 available funding.
- Staff determined a multiplying factor for the remaining \$175,000 in available funding and used this to reduce all other awards by the same percentage.
- All eligible homeowners received a minimum award amount of \$100 or up to the full amount of the County portion of their tax bill if it was less than \$100.
- Award amounts were the County portion of the tax bill less 2% of the applicant's household income.

Between August 1 and December 1, 2022, the County received 500 applications and awarded \$251,037.83 to 474 households for property tax assistance (Attachment 1). The minimum award amount was \$100. The average award amount was \$529.62, and the median award amount was \$338.56.

LHA Applications Submitted				
	2022		2021	
	Number	Percentage	Number	Percentage
Eligible Applications	474	95%	91	70%
Ineligible Applications	26	5%	39	30%
TOTAL	500	100%	130	100%

The County received a significant volume of applications the first two weeks and then the last week of the program. 95% of all received applications were approved. The most common reason for application denial was the household being over 80% AMI (12 denials), followed by households not owning their home for five or more years (10 denials), and the household living outside of Orange County (2 denials).

Of the 474 approved applicants, 67% were white, 21% were black, 4% were multi-racial, 7% Asian, 1% were another race, and 5% chose not to disclose their race.

67% of the approved applications were age 65 or over. Of the 24 folks that received full awards, 71% were White, 17% were Asian and 13% were Black.

LHA Award Amounts				
	2022		2021	
	Number	Percentage	Number	Percentage
\$1-\$50 (N/A for 2022)	0	0%	31	34%
\$51-\$100	95	20%	16	18%
\$101-\$200	53	11%	15	16%
\$201-\$300	59	12%	14	15%
\$301-\$500	117	25%	9	10%
\$501-\$999	104	22%	4	4%
\$1,000+	46	10%	2	2%
TOTAL	474	100%	91	100%

Racial Demographics of LHA Awardees				
	2022		2021	
	Number	Percentage	Number	Percentage
White	317	67%	41	45%
Black	99	21%	40	44%
Asian	33	7%	1	1%
Other	3	1%	4	4%
Undisclosed	22	5%	5	5%
TOTAL	474	100%	91	100%

Age Demographics of LHA Awardees				
	2022		2021	
	Number	Percentage	Number	Percentage
≥55	74	16%	11	12%
56-60	40	8%	7	8%
61-65	60	13%	17	19%
66-70	81	17%	17	19%
71-75	84	18%	14	15%
76-80	54	11%	3	3%
81-85	37	8%	8	9%
86+	43	9%	10	11%
No data	1	0%	4	4%
TOTAL	474	100%	91	100%

Recommended Program Design Changes for 2023

Staff from the three participating departments offer the following program design changes, should the Board wish to continue the LHA program in 2023:

- 1) Increase baseline minimum award amount: a minimum award amount of \$200
- 2) Introduce a baseline maximum award amount: \$1,500 – Staff believes that this is a generous award limit, as this amount is \$351 more than the average full award before adding the multiplying factor (\$1,149). By establishing an award cap, the County would be able to distribute more money to more people.
- 3) Use the HOME Investment Partnerships Program (HOME) and Housing Trust Fund (HTF) Homeownership Value Limits ("95% limits") as the maximum home value eligible for the Longtime Homeowner Assistance program. The U.S. Department of Housing and Urban Development (HUD) calculates these metrics annually, here are the current limits:

1 bedroom	2 bedroom	3 bedroom	4 bedroom
\$363,000	\$465,000	\$563,000	\$698,000

If implemented, applicants will indicate the number of bedrooms in the home on their application.

Assuming all other eligibility components including income are met, staff can make exceptions to these value limits for homeowners who meet one or more of these criteria:

- Anyone in the home age 70 (the average life expectancy for American Indian /Alaskan Native people who are documented nationally as the racial demographic with the lowest life expectancy) or older
- Anyone in the home has a documented disability, as defined by the U.S. Department of Housing & Urban Development (HUD), "to include any (1) individual with a physical

or mental impairment that substantially limits one or more major life activities; (2) individual with a record of such impairment; or (3) individual who is regarded as having such an impairment.”

- Homeowners with property tax increases of 50% or more from the tax assessment in 2020 to taxes owed in 2023.

FINANCIAL IMPACT: There is a potential financial impact of \$250,000 for 2023 should the Board reauthorize the program.

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.

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts applicable to this item.

RECOMMENDATION(S): The Manager recommends that the Board receive information about the results of the 2022 Longtime Homeowner Assistance (LHA) program, discuss and consider proposed design changes, and consider approving some or all of the design changes for the Longtime Homeowner Assistance program – if the Board wishes to continue the program in 2023.

2022 Orange County Longtime Homeowner Assistance (LHA) Program Evaluation

Applications Submitted				
	2022		2021	
	Number	Percentage	Number	Percentage
Eligible Applications	474	95%	91	70%
Ineligible Applications	26	5%	39	30%
TOTAL	500	100%	130	100%

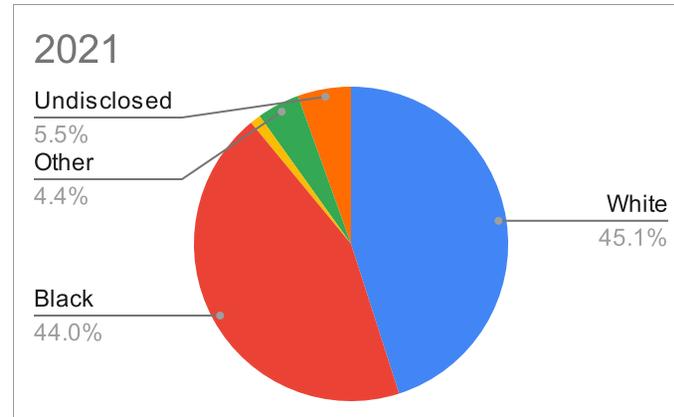
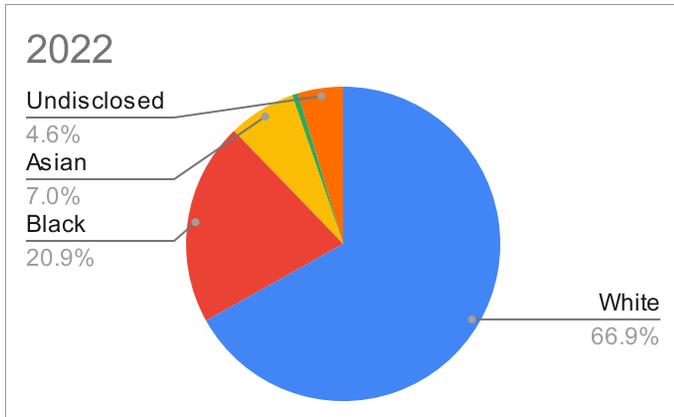
Number of Applications Reviewed				
	2022		2021	
Week 1 (8/1 - 8/7)	46			
Week 2 (8/8 - 8/14)	68			
Week 3 (8/15 - 8/21)	39			
Week 4 (8/22 - 8/28)	42			
Week 4 (8/29 - 9/4)	32			
Week 5 (9/5 - 9/11)	13			
Week 6 (9/12 - 9/18)	26			
Week 7 (9/19 - 9/25)	22			
Week 8 (9/26 - 10/2)	20			
Week 9 (10/3 - 10/9)	17			
Week 10 (10/10 - 10/16)	16			
Week 11 (10/17 - 10/23)	14			
Week 12 (10/24 - 10/30)	24		Week 1 (10/25 - 10/31)	6
Week 13 (10/31 - 11/6)	18		Week 2 (11/1 - 11/7)	8
Week 14 (11/7 - 11/13)	9		Week 3 (11/8-11/14)	10
Week 15 (11/14 - 11/20)	23		Week 4 (11/15-11/21)	10
Week 16 (11/21 - 11/27)	22		Week 5 (11/22-11/28)	0
Week 17 (11/28 - 12/1)	49		Week 6 (11/29-12/5)	11
			Week 7 (12/6-12/12)	7
			Week 8 (12/13-12/15)	73
TOTAL	500			125

	2022	2021
Minimum Award Amount	\$100.00	\$1.51
Maximum Award Amount	\$7,303.73	\$1,334.63
Average Award Amount	\$529.62	\$96.98
Median Award Amount	\$338.56	\$179.83

Reason for Ineligibility				
	2022		2021	
	Number	Percentage	Number	Percentage
Taxes didn't increase (N/A for 2022)			30	77%
Over Income	12	46%	3	8%
Has not owned home for appropriate amount of time	10	38%	6	15%
Lives outside of Orange County	2	8%		0%
Tax bill was covered by Homestead Exemption	1	4%		0%
Duplicate Application	1	4%		0%
TOTAL	26	100%	39	100%

Award Amounts				
	2022		2021	
	Number	Percentage	Number	Percentage
\$1-\$50 (N/A for 2022)	0	0%	31	34%
\$51-\$100	95	20%	16	18%
\$101-\$200	53	11%	15	16%
\$201-\$300	59	12%	14	15%
\$301-\$500	117	25%	9	10%
\$501-\$999	104	22%	4	4%
\$1,000+	46	10%	2	2%
TOTAL	474	100%	91	100%

Racial Demographics of Program Participants				
	2022		2021	
	Number	Percentage	Number	Percentage
White	317	67%	41	45%
Black	99	21%	40	44%
Asian	33	7%	1	1%
Other	3	1%	4	4%
Undisclosed	22	5%	5	5%
TOTAL	474	100%	91	100%



Age Demographics of Program Participants					
	2022		2021		
	Number	Percentage	Number	Percentage	
≥55	74	16%	11	12%	
56-60	40	8%	7	8%	
61-65	60	13%	17	19%	
66-70	81	17%	17	19%	
71-75	84	18%	14	15%	
76-80	54	11%	3	3%	
81-85	37	8%	8	9%	
86+	43	9%	10	11%	
No data	1	0%	4	4%	
TOTAL	474	100%	91	100%	

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Proposed Designation of County Surplus Property and Proposed Release of Request for Proposals for Use of County Capital Investment Plan (CIP) and Bond Funds and Designated Surplus Land for Affordable Housing

DEPARTMENT: Housing

ATTACHMENT(S):

- 1) Overview of County Owned Parcels Designated As Surplus for Affordable Housing
- 2) Individual Maps and Information for 11 County-Owned Parcels
- 3) Resolution Declaring 11 County-Owned Parcels as Surplus Land for Affordable Housing and Authorizing the County Manager to Convey County-Owned Real Property By Private Sale or Other Means to Provide Affordable Housing
- 4) Project Scoring Criteria

INFORMATION CONTACT:

Corey Root, Housing Director, (919) 245-2492
 Steven Arndt, Director, Asset Management Services, (919) 245-2625
 Morgan Pierce, County Attorney's Office, (919) 245-2318

PURPOSE: To receive the timeline to release Request for Proposals (RFP) for use of County bond funds and CIP funds for affordable housing projects, and approve the following:

- 1) A resolution declaring eleven (11) County owned parcels surplus land for the purposes of affordable housing development and authorizing the County Manager the convey these parcels to affordable Housing developers by private sale or other means; and
- 2) The schedule for release of the Housing Department RFP for use of the remaining amount of affordable housing bond funds, the first \$5 million distribution of CIP affordable housing funds, and eleven (11) County-owned parcels for affordable housing development.

BACKGROUND: Orange County voters approved \$5 million for affordable housing development in 2016. The Housing Department distributed the bulk of these funds in two rounds – \$2.5 million in 2017 and \$2.5 million in 2020. There are \$769,680 in remaining unspent funds and bond sale proceeds that Housing Department staff would like to make available for affordable housing projects in the summer of 2023.

At the June 8, 2023 Budget Work Session, the Board of County Commissioners provided direction that an additional \$5 million for affordable housing development be allocated from the Capital Investment Plan (CIP) funding for FY 2023-2024. The CIP also includes \$5 million allocations in

FY 2026-27 and FY 2029-30 for a total of \$15 million for affordable housing development over ten years.

In addition, working with colleagues in the Planning & Inspections Department, Asset Management Services, and the County Attorney's Office, staff identified eleven (11) parcels of land that could be appropriate for affordable housing development. Staff are requesting that the Board:

- 1) Declare these eleven (11) parcels of land surplus for affordable housing;
- 2) Authorize staff to proceed with an RFP offering \$769,680 in remaining bond funds, \$5 million in CIP affordable housing funds, and these eleven (11) parcels to affordable housing developers; and
- 3) Authorize the conveyance of these County-owned parcels to affordable housing developers by private sale or other means.

The attached resolution authorizes the County Manager to:

- 1) Declare these eleven (11) parcels as surplus for affordable housing:

PIN	Location	Jurisdiction	Acreage
9865614458	108 Mollie Court	Hillsborough	1.24
9865517394	229 Daye Street	Hillsborough	0.64
9865622018	Faucette Mill Road	Hillsborough	0.67
9844786326	US 70 West	Orange County	0.07
9844881230	US 70 West	Orange County	1.37
9844786242	US 70 West	Orange County	0.41
9778941081	Wentworth Street	Chapel Hill	0.34
9778930971	Wentworth Street	Chapel Hill	0.38
9778941099	Wentworth Street	Chapel Hill	0.17
9778631313	NC 54	Carrboro	0.91
9778635482	NC 54	Carrboro	1.95

- 2) Sell the properties by negotiated sale to either a public or private entity for the purpose of developing affordable housing for persons of low to moderate income (the property could be offered for below market rates to serve as a subsidy for the affordable housing project);
- 3) Lease the property to a public or private entity for the purpose of developing affordable housing for persons of low to moderate income (the lease rate could also be negotiated below market rate to serve as a subsidy for the affordable housing project); and
- 4) In the event that there are no developers interested in option (1) or (2), sell the property on the private market with the proceeds of the sale dedicated to other affordable housing projects.

The Resolution would also authorize the County Manager to place terms, conditions and standards on the sale that would ensure that the properties are safe, convenient and remain affordable. If the Board approves the resolution, the contents of the resolution must be summarized and published once after its adoption. No sale can take place until 10 days after publication.

Housing staff recommend the following schedule for the RFP release, evaluation, and award of the remaining bond funds, FY 2023-24 CIP affordable housing funds, and designated surplus land:

- July 10, 2023 – RFP Application Released
- July 10-July 21, 2023 – Application Workshop(s)
- August 31, 2023 – Applications Due
- September 2023 – Staff and Affordable Housing Advisory Board Application Review
- October 2023 – BOCC Considers Award Recommendations for Funding and Land
- November 2023 – Contracts Executed and Projects Begin

Staff and members of the Orange County Affordable Housing Advisory Board would use the attached scoring criteria (Attachment 4) to formulate funding and land recommendations for the BOCC to consider in the fall of 2023.

FINANCIAL IMPACT: Orange County voters approved a County referendum on November 8, 2016 for \$5 million for affordable housing. After two rounds of RFPs in 2017 and 2020 allocating the bulk of this funding, \$769,680 remains to be allocated. Eleven parcels of County owned land have been identified for affordable housing development. The 2023 total assessed value of the County owned property is estimated at \$492,200.

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.

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts applicable to this item.

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

- 1) receive and approve the timeline to release Request for Proposals (RFP) for use of County bond funds and CIP funds for affordable housing projects; and
- 2) approve and authorize the Chair to sign the resolution (Attachment 3) declaring eleven (11) County owned parcels as surplus land for the purposes of affordable housing development.

Surplus Land for Affordable Housing

Property Identification Number (PIN) 9865614458	
Acreage	1.24 acres (54,014 sq. ft.)
Location	108 Mollie Court
Jurisdiction	Town of Hillsborough
Zoning	R-20, Residential (20,000 sq. ft. minimum lot size)
Watershed	Lower Eno Protected
Future Land Use	Medium Density Residential
Existing Conditions	Development potential without acquisition of private property is low. There are vacant parcels with frontage on both Odie Street and Faucette Mill Road, which could allow such access. These properties are also in areas with a grade change suggestive of drainage for a standard rain event. While not adjacent, they could be bundled if the County and/or Town acquired a small connecting parcel of land to connect them.
Zoning and Future Land Use Information	<p>Detached single-family units, 1-4 units, and 5-19 units are permitted by right. However, based on minimum lot size standards, only two units may be possible (i.e. duplex). Subdivision of the parcel may be possible to allow for two detached single-family units. Further analysis and discussion with Hillsborough Planning staff may be warranted.</p> <p>The future land use classification for this parcel supports the R-10 and R-15 residential zoning districts, which allows for minimum lot size of 10,000 sq. ft. and 15,000 sq. ft.</p> <p>Surrounding area is zoned as R-20. Adjacent uses include residential uses.</p>

Surplus Land for Affordable Housing

Property Identification Number (PIN) 9865517394	
Acreage	0.64 acres (27,878 sq. ft.)
Location	229 Daye Street
Jurisdiction	Town of Hillsborough
Zoning	R-20, Residential (20,000 sq. ft. minimum lot size)
Watershed	Lower Eno Protected
Future Land Use	Medium Density Residential
Existing Conditions	Development potential without acquisition of private property is low. There are vacant parcels with frontage on both Odie Street and Faucette Mill Road, which could allow such access. These properties are also in areas with a grade change suggestive of drainage for a standard rain event. While not adjacent, they could be bundled if the County and/or Town acquired a small connecting parcel of land to connect them.
Zoning and Future Land Use Information	<p>Detached single-family units, 1-4 units, and 5-19 units are permitted by right. Based on minimum lot size, only one unit may be possible (i.e. single family home).</p> <p>The future land use classification for this parcel supports the R-10 residential zoning district, which allows for a minimum lot size of 10,000 sq. ft.</p> <p>Surrounding area is zoned as R-20 and R-10 (east). Adjacent uses include residential uses.</p>

Surplus Land for Affordable Housing

Property Identification Number (PIN) 9865622018	
Acreage	0.67 acres (29,185 sq. ft.)
Location	Faucette Mill Road
Jurisdiction	Town of Hillsborough
Zoning	R-20 Residential (20,000 sq. ft. minimum lot size)
Watershed	Lower Eno Unprotected
Future Land Use	Medium-Density Residential
Existing Conditions	This parcel is located in an established residential area of northern Hillsborough. The site has immediate access to Faucette Mill Road and is surrounded by existing single-family homes. Based on a topography map, there may be some moderate to severe slope contained on and immediately adjacent to this site.
Zoning and Future Land Use Information	<p>Detached single-family units, 1-4 units, and 5-19 units are permitted by right. Based on minimum lot size, only one unit may be possible (i.e. single family home).</p> <p>The future land use classification for this parcel supports the R-10 residential zoning district, which allows for a minimum lot size of 10,000 sq. ft.</p> <p>Surrounding area is zoned as R-20 and R-10 (northeast). Adjacent uses include residential uses.</p>

Surplus Land for Affordable Housing

Property Identification Number (PIN) 9844786326	
Acreage	0.07 acres (3,049 sq. ft.)
Location	US 70 West
Jurisdiction	Orange County
Zoning	GC-4, General Commercial; Efland Village Overlay District; Efland Cheeks Overlay District (40,000 sq. ft. minimum lot size)
Watershed	Upper Eno Protected
Future Land Use	Commercial Industrial Node
Existing Conditions	<p>These properties lie to the immediate west and east of the new Efland Emergency Management Services station, adjacent to the Efland Volunteer Fire Department. These properties are currently being respectively constructed and enhanced. The area of these properties and location in a water supply watershed will limit development potential but they could have greater development potential if examined with these surrounding publicly-owned properties. This approach could assist in resolving the impervious cover limitations and stormwater offsets needed for new development in this watershed.</p> <p>Regardless of scale, any residential use of the properties other than single-family residential will require rezoning through the County's process. A mid- to high-density use of these properties is consistent with the County's adopted plans and policies, provided the building has architecture consistent with the area.</p>
Zoning and Future Land Use Information	<p>No residential uses are permitted in the GC-4 zoning district.</p> <p>The future land use classification for this parcel does not support residential zoning districts. However, it does support NC-2, Neighborhood Commercial and CC-3, Community Commercial, which allows for single family, two family, and multi-family uses and LC-1, Local Commercial, which allows for single family and two family uses.</p> <p>Recombination with adjacent parcel may be necessary.</p> <p>Surrounding area is zoned as GC-4 (south) and R-1 (north, east, west). Adjacent uses include mostly residential uses.</p>

Surplus Land for Affordable Housing

Property Identification Number (PIN) 9844881230	
Acreage	1.37 acres (59677 sq. ft.)
Location	US 70 West
Jurisdiction	Orange County
Zoning	GC4, General Commercial, Efland Village Overlay District (40,000 sq. ft. minimum lot size)
Watershed	Upper Eno Protected
Future Land Use	Commercial Industrial Node
Existing Conditions	<p>These properties lie to the immediate west and east of the new Efland Emergency Management Services station, adjacent to the Efland Volunteer Fire Department. These properties are currently being respectively constructed and enhanced. The area of these properties and location in a water supply watershed will limit development potential but they could have greater development potential if examined with these surrounding publicly-owned properties. This approach could assist in resolving the impervious cover limitations and stormwater offsets needed for new development in this watershed.</p> <p>Regardless of scale, any residential use of the properties other than single-family residential will require rezoning through the County's process. A mid- to high-density use of these properties is consistent with the County's adopted plans and policies, provided the building has architecture consistent with the area.</p>
Zoning and Future Land Use Information	<p>No residential uses are permitted in the GC-4 zoning district.</p> <p>The future land use classification for this parcel does not support residential zoning districts. However, it does support NC-2, Neighborhood Commercial and CC-3, Community Commercial, which allows for single family, two family, and multi-family uses and LC-1, Local Commercial, which allows for single family and two family uses.</p> <p>Surrounding area is zoned as GC-4 (east) and R-1 (north, east, south). Adjacent uses include mostly residential uses.</p>

Surplus Land for Affordable Housing

Property Identification Number (PIN) 9844786242	
Acreage	0.41 acres (17,859 sq. ft.)
Location	US 70 West
Jurisdiction	Orange County
Zoning	GC-4, General Commercial; Efland Village Overlay District; Efland Cheeks Overlay District (40,000 sq. ft. minimum lot size)
Watershed	Upper Eno Protected
Future Land Use	Commercial Industrial Node, Mebane 10-year Transition
Existing Conditions	<p>These properties lie to the immediate west and east of the new Efland Emergency Management Services station, adjacent to the Efland Volunteer Fire Department. These properties are currently being respectively constructed and enhanced. The area of these properties and location in a water supply watershed will limit development potential but they could have greater development potential if examined with these surrounding publicly-owned properties. This approach could assist in resolving the impervious cover limitations and stormwater offsets needed for new development in this watershed.</p> <p>Regardless of scale, any residential use of the properties other than single-family residential will require rezoning through the County's process. A mid- to high-density use of these properties is consistent with the County's adopted plans and policies, provided the building has architecture consistent with the area.</p>
Zoning and Future Land Use Information	<p>No residential uses are permitted in the GC-4 zoning district.</p> <p>The future land use classification for this parcel does not support residential zoning districts. However, it does support NC-2, Neighborhood Commercial and CC-3, Community Commercial, which allows for single family, two family, and multi-family uses and LC-1, Local Commercial, which allows for single family and two family uses.</p> <p>Recombination with adjacent parcel may be necessary.</p> <p>Surrounding area is zoned as GC-4 (east and south) and R-1 (northeast and west). Adjacent uses include mostly residential uses.</p>

Surplus Land for Affordable Housing

Property Identification Number (PIN) 9778941081	
Acreage	0.34 acres (14,810 sq. ft.)
Location	Wentworth Street
Jurisdiction	Town of Chapel Hill
Zoning	R-3 Residential, Pine Knolls Neighborhood Conservation Overlay (3,000 sq. ft. per dwelling)
Watershed	Jordan Lake Unprotected
Future Land Use	Medium Residential – Generally 4 to 8 units/acre
Existing Conditions	The area of this site may limit its development potential but it has the highest potential for higher-density development. It will require rezoning through the Town's process but appears to be consistent with the Town's adopted plans and policies, provided the building has architecture consistent with the area.
Zoning and Future Land Use Information	<p>Single-family detached and duplexes are permitted by right. Watershed and density regulations may limit the development of multi units on this parcel. Additional constraints due to stream buffer and floor area regulations may impact development potential. Further analysis and review may be needed by Chapel Hill Planning staff regarding potential development and number of units.</p> <p>The future land use classification for this parcel supports medium residential uses with 4-8 units/acre.</p> <p>Surrounding area is zoned R-3 (north, east, and south). Carrboro town limits are immediately west. Adjacent uses include residential uses.</p>

Surplus Land for Affordable Housing

Property Identification Number (PIN) 9778930971	
Acreage	0.38 acres (16,552 sq. ft.)
Location	Wentworth Street
Jurisdiction	Town of Chapel Hill
Zoning	R-3 Residential, Pine Knolls Neighborhood Conservation Overlay (3,000 sq. ft. per dwelling)
Watershed	Jordan Lake Unprotected
Future Land Use	Medium Residential – Generally 4 to 8 units/acre
Existing Conditions	The area of this site may limit its development potential but it has the highest potential for higher-density development. It will require rezoning through the Town’s process but appears to be consistent with the Town’s adopted plans and policies, provided the building has architecture consistent with the area.
Zoning and Future Land Use Information	<p>Single-family detached and duplexes are permitted by right. Watershed and density regulations may limit the development of multi units on this parcel. Additional constraints due to stream buffer and floor area regulations may impact development potential. Further analysis and review may be needed by Chapel Hill Planning staff regarding potential development and number of units.</p> <p>The future land use classification for this parcel supports medium residential uses with 4-8 units/acre.</p> <p>Surrounding area is zoned R-3 (north, east, and south). Carrboro town limits are immediately west. Adjacent uses include residential uses.</p>

Surplus Land for Affordable Housing

Property Identification Number (PIN) 9778941099	
Acreage	0.17 acres (7,405 sq. ft.)
Location	Wentworth Street
Jurisdiction	Town of Chapel Hill
Zoning	R-3 Residential, Pine Knolls Neighborhood Conservation Overlay (3,000 sq. ft. per dwelling)
Watershed	Jordan Lake Unprotected
Future Land Use	Medium Residential – Generally 4 to 8 units/acre
Existing Conditions	The area of this site may limit its development potential but it has the highest potential for higher-density development. It will require rezoning through the Town’s process but appears to be consistent with the Town’s adopted plans and policies, provided the building has architecture consistent with the area.
Zoning and Future Land Use Information	<p>Single-family detached and duplexes are permitted by right. Watershed and density regulations may limit the development of multi units on this parcel. Additional constraints due to stream buffer and floor area regulations may impact development potential. Further analysis and review may be needed by Chapel Hill Planning staff regarding potential development and number of units.</p> <p>The future land use classification for this parcel supports medium residential uses with 4-8 units/acre.</p> <p>Surrounding area is zoned R-3 (north, east, and south). Carrboro town limits are immediately west. Adjacent uses include residential uses.</p>

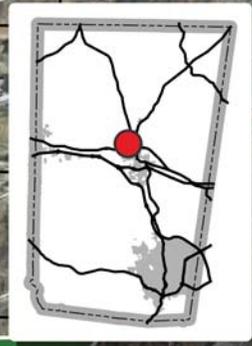
Surplus Land for Affordable Housing

Property Identification Number (PIN) 9778631313	
Acreage	0.91 (39,639 sq. ft.)
Location	NC 54
Jurisdiction	Town of Carrboro
Zoning	R-3 Residential (3,000 sq. ft. per dwelling)
Watershed	Jordan Lake Unprotected
Future Land Use	Open Space
Existing Conditions	The grade on these parcels is extremely steep and has floodplain to the south. While extensive grading could make these two lots buildable, they have low development potential due to the high cost of site readiness required.
Zoning and Future Land Use Information	<p>Single-family detached dwelling and two unit residences are permitted by right and multifamily residences may be permitted with an SUP. Watershed and density regulations may limit the development of multi units on this parcel.</p> <ul style="list-style-type: none"> – Five to twelve units require a Special Use Permit B – Thirteen units or more require a Special Use Permit A <p>Additional constraints due to stream buffer regulations may impact development. Further analysis and review may be needed by Town of Carrboro staff regarding potential development, number of units, and site access.</p>

Surplus Land for Affordable Housing

Property Identification Number (PIN) 9778635482	
Acreage	1.95 (85,377 sq. ft.)
Location	NC 54
Jurisdiction	Town of Carrboro
Zoning	R-3 Residential (3,000 sq. ft. per dwelling)
Watershed	Jordan Lake Unprotected
Future Land Use	Open Space
Existing Conditions	The grade on these parcels is extremely steep and has floodplain to the south. While extensive grading could make these two lots buildable, they have low development potential due to the high cost of site readiness required.
Zoning and Future Land Use Information	<p>Single-family detached dwelling and two unit residences are permitted by right and multifamily residences may be permitted with an SUP. Watershed and density regulations may limit the development of multi units on this parcel.</p> <ul style="list-style-type: none"> – Five to twelve units require a Special Use Permit B – Thirteen units or more require a Special Use Permit A <p>Additional constraints due to stream buffer regulations may impact development. Further analysis and review may be needed by Town of Carrboro staff regarding potential development, number of units, and site access.</p>

Surplus Land for Affordable Housing: 9865614458 - Mollie Ct



- ▭ Potential Site
- ▬ Existing Water Line
- ▬ Existing Gravity Sewer Line
- Parcels
- ▬ 2' Contours (NCDOT)
- ▬ 2' Contours
- ▬ 10' Contours

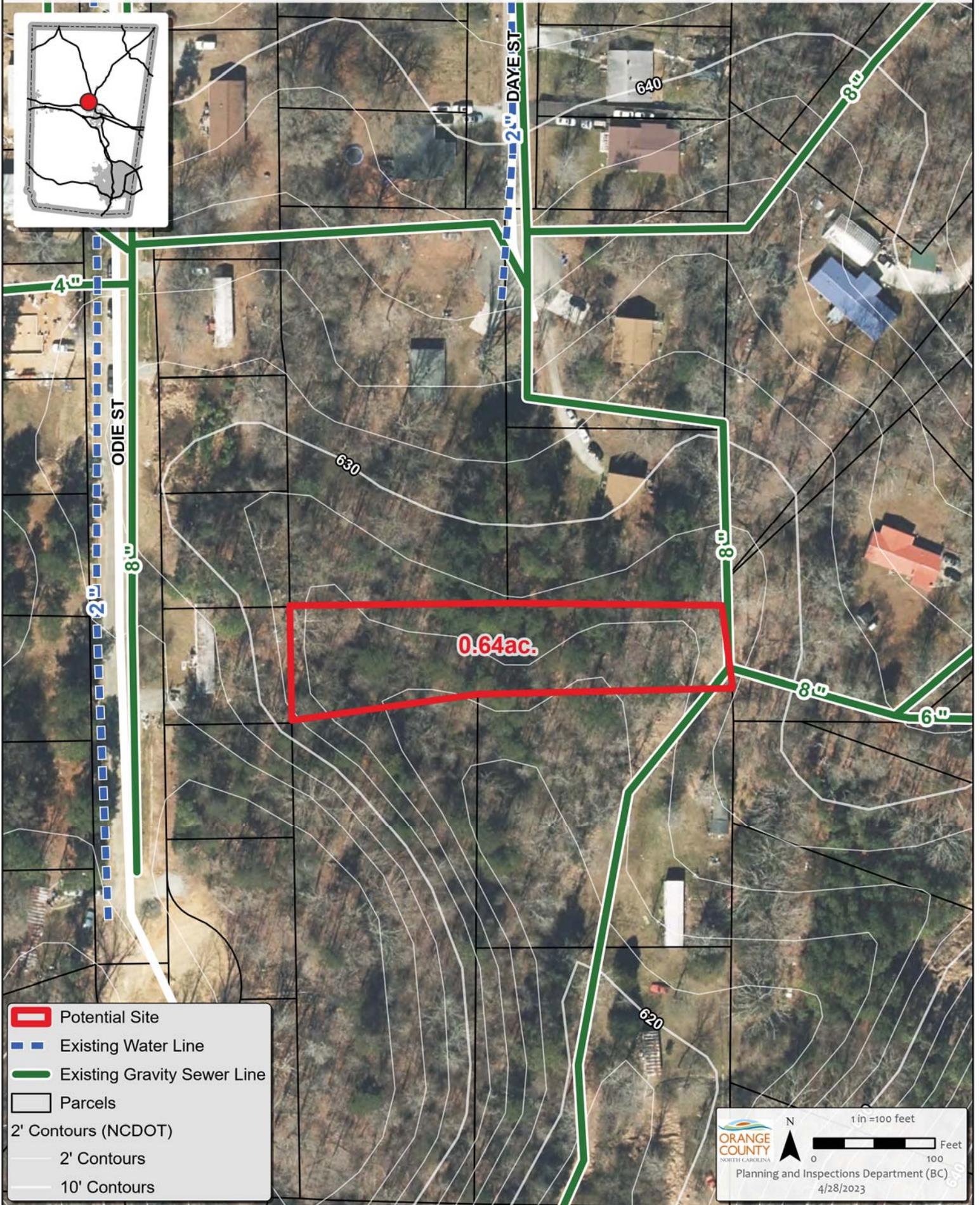
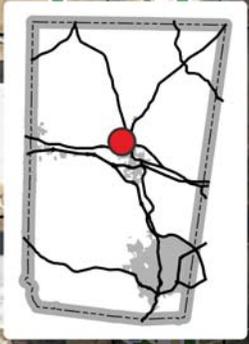
1 in = 100 feet

N

ORANGE COUNTY
NORTH CAROLINA

Planning and Inspections Department (BC)
4/28/2023

Surplus Land for Affordable Housing: 9865517394 - Daye St



- Potential Site
- Existing Water Line
- Existing Gravity Sewer Line
- Parcels
- 2' Contours (NCDOT)
- 2' Contours
- 10' Contours

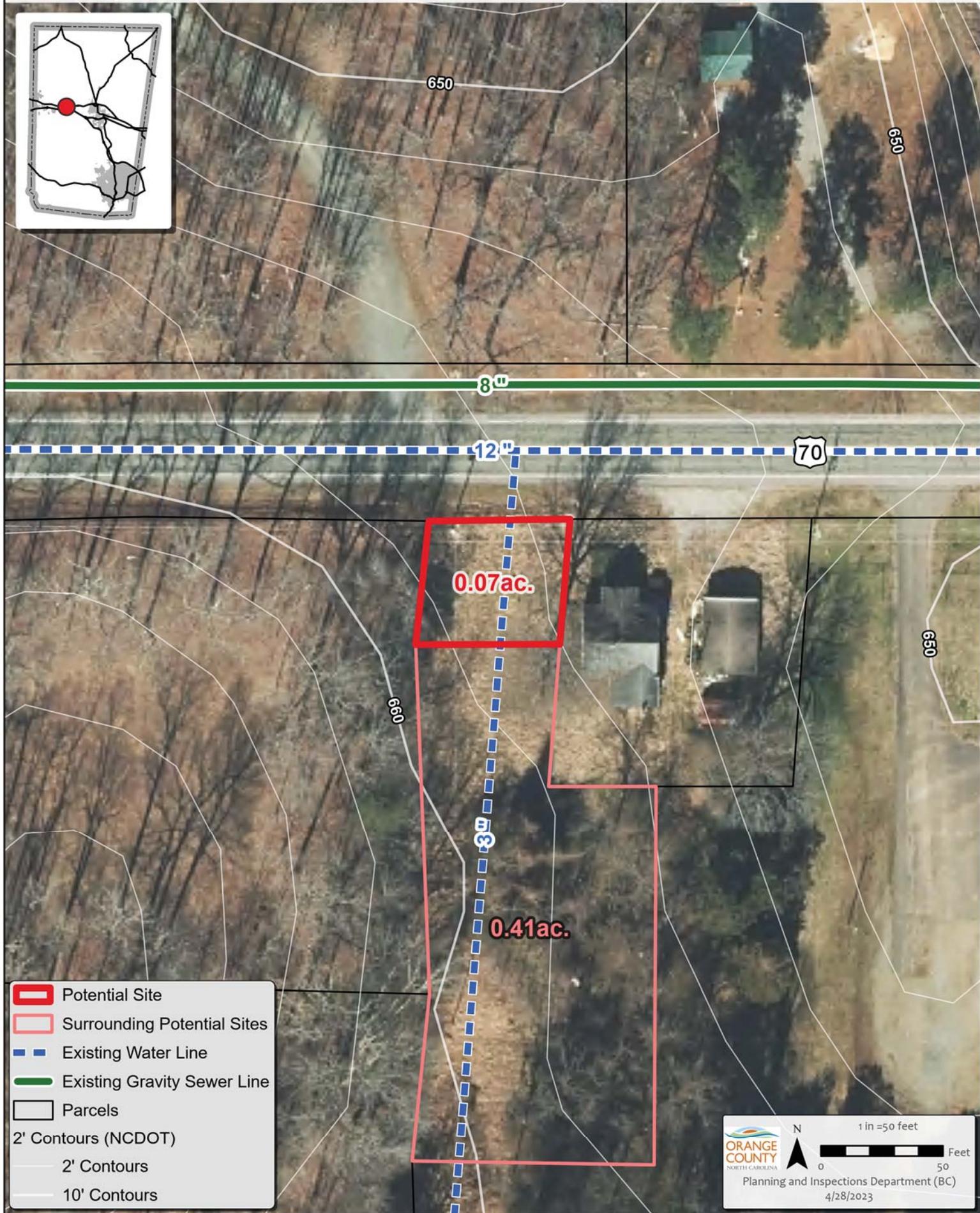
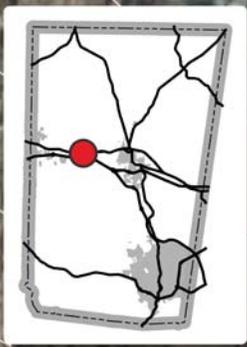
1 in = 100 feet

N

ORANGE COUNTY
SOUTH CAROLINA

Planning and Inspections Department (BC)
4/28/2023

Surplus Land for Affordable Housing: 9844786326 - US 70 W



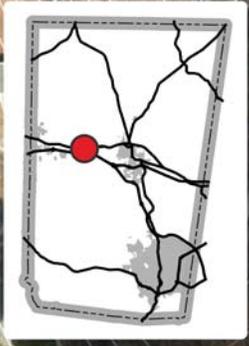
- Potential Site
- Surrounding Potential Sites
- Existing Water Line
- Existing Gravity Sewer Line
- Parcels
- 2' Contours (NCDOT)
- 2' Contours
- 10' Contours

1 in = 50 feet

Planning and Inspections Department (BC)

 4/28/2023

Surplus Land for Affordable Housing: 9844881230 - US 70 W



EFLAND ST

EFLAND CEDAR GROVE RD

12" 70

650

1.37ac.

650

660

2.5"

8"

3"

690

FORREST AVE

-  Potential Site
-  Existing Water Line
-  Existing Gravity Sewer Line
-  Parcels
-  2' Contours (NCDOT)
-  2' Contours
-  10' Contours

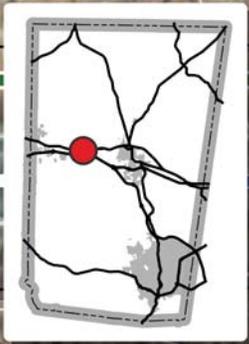
1 in = 100 feet



ORANGE COUNTY
NORTH CAROLINA

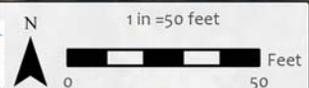
Planning and Inspections Department (BC)
4/28/2023

Surplus Land for Affordable Housing: 9844786242 - US 70 W



-  Potential Site
-  Surrounding Potential Sites
-  Existing Water Line
-  Existing Gravity Sewer Line
-  Parcels
-  2' Contours (NCDOT)
-  2' Contours
-  10' Contours

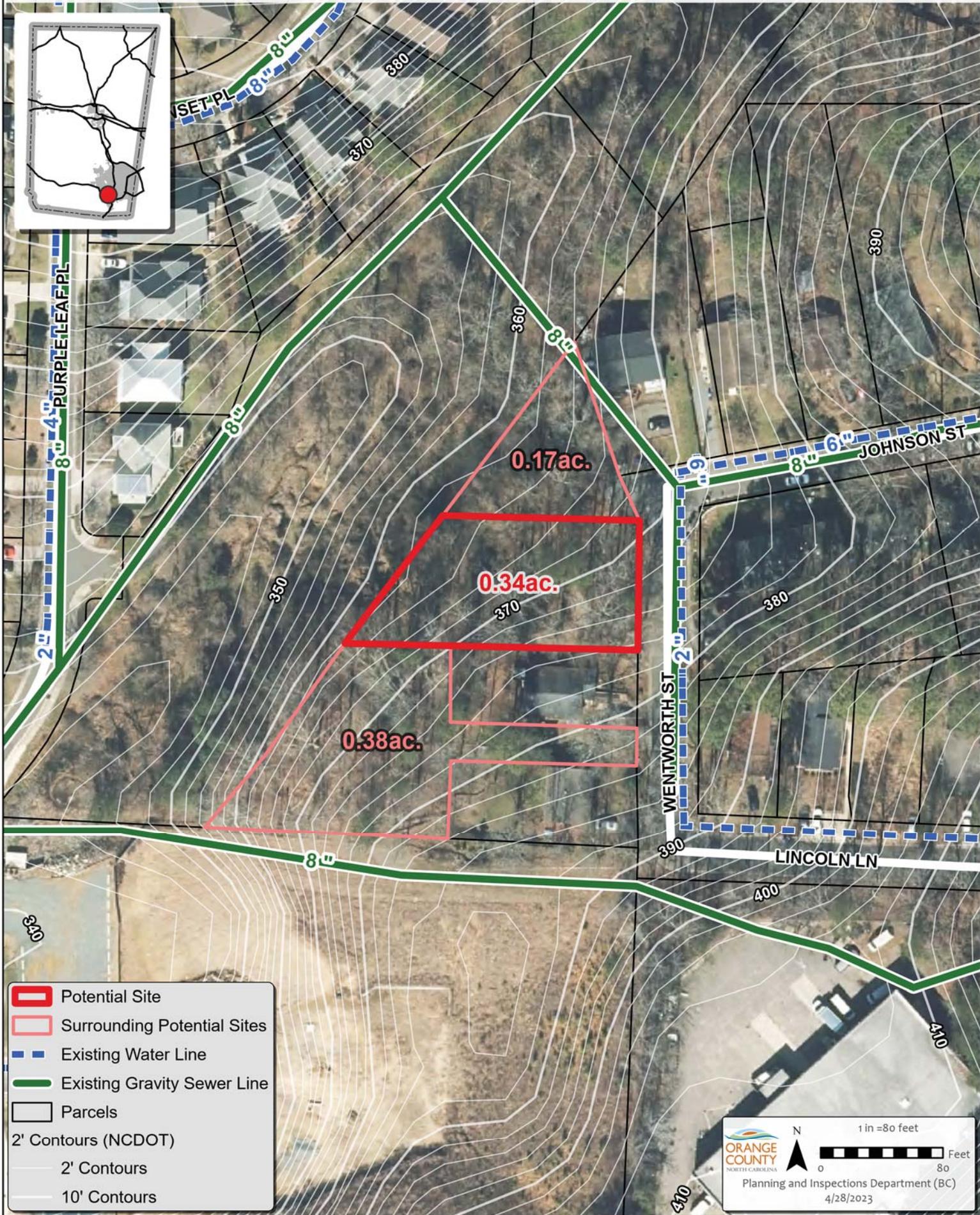
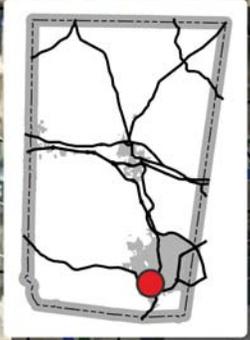
1 in = 50 feet



ORANGE COUNTY
NORTH CAROLINA

Planning and Inspections Department (BC)
4/28/2023

Surplus Land for Affordable Housing: 9778941081 - Wentworth



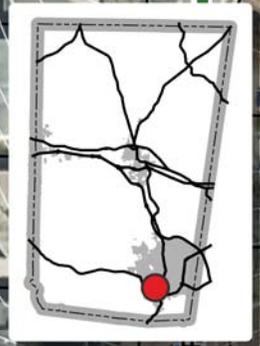
- Potential Site
- Surrounding Potential Sites
- Existing Water Line
- Existing Gravity Sewer Line
- Parcels
- 2' Contours (NCDOT)
- 2' Contours
- 10' Contours

1 in = 80 feet

Planning and Inspections Department (BC)

 4/28/2023

Surplus Land for Affordable Housing: 9778930971 - Wentworth



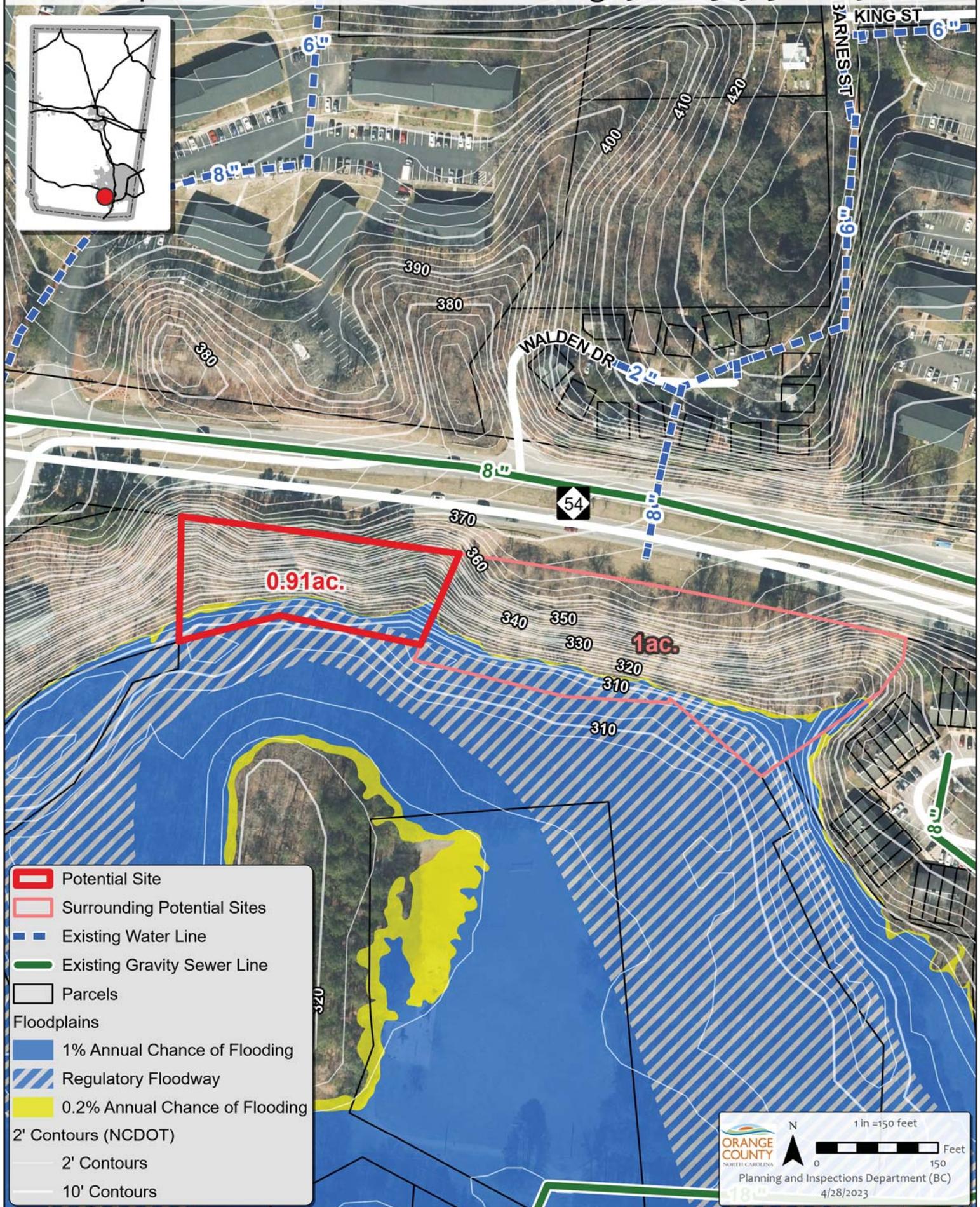
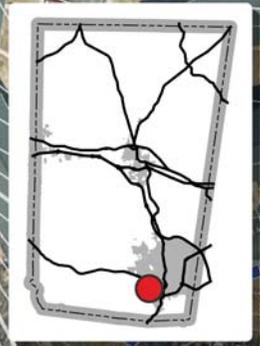
- ▭ Potential Site
- ▭ Surrounding Potential Sites
- ▬ Existing Water Line
- ▬ Existing Gravity Sewer Line
- ▭ Parcels
- ▬ 2' Contours (NCDOT)
- ▬ 2' Contours
- ▬ 10' Contours

1 in = 80 feet

Planning and Inspections Department (BC)

 4/28/2023

Surplus Land for Affordable Housing: 9778631313 - NC 54



- Potential Site
- Surrounding Potential Sites
- Existing Water Line
- Existing Gravity Sewer Line
- Parcels
- Floodplains
 - 1% Annual Chance of Flooding
 - Regulatory Floodway
 - 0.2% Annual Chance of Flooding
- 2' Contours (NCDOT)
 - 2' Contours
 - 10' Contours

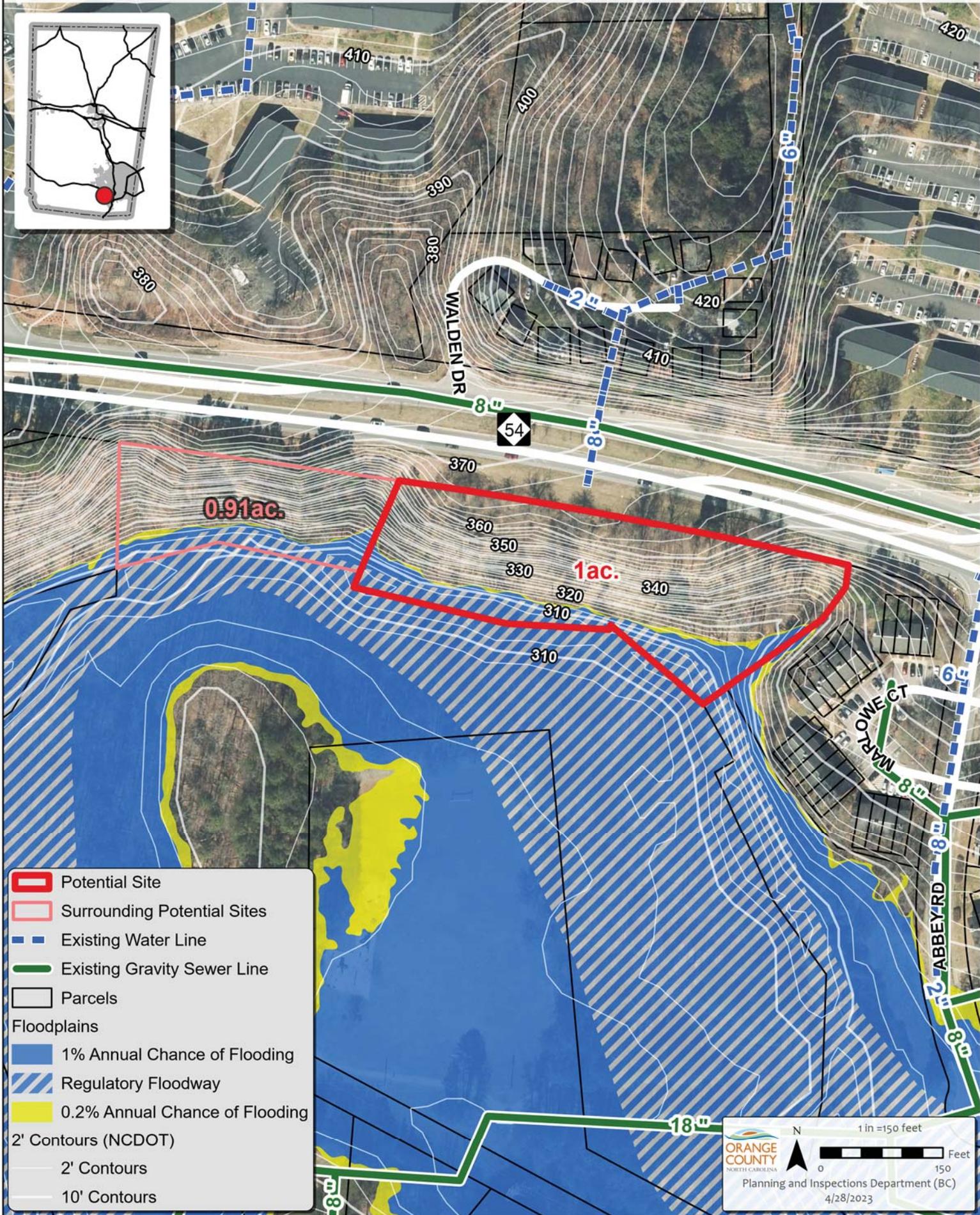
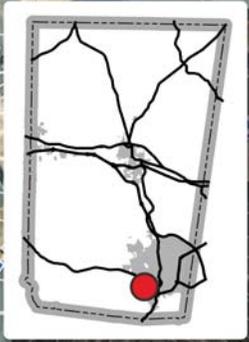
1 in = 150 feet

ORANGE COUNTY
NORTH CAROLINA

Planning and Inspections Department (BC)

4/28/2023

Surplus Land for Affordable Housing: 9778635482 - NC 54



- Potential Site
- Surrounding Potential Sites
- Existing Water Line
- Existing Gravity Sewer Line
- Parcels
- Floodplains
- 1% Annual Chance of Flooding
- Regulatory Floodway
- 0.2% Annual Chance of Flooding
- 2' Contours (NCDOT)
- 2' Contours
- 10' Contours

1 in = 150 feet

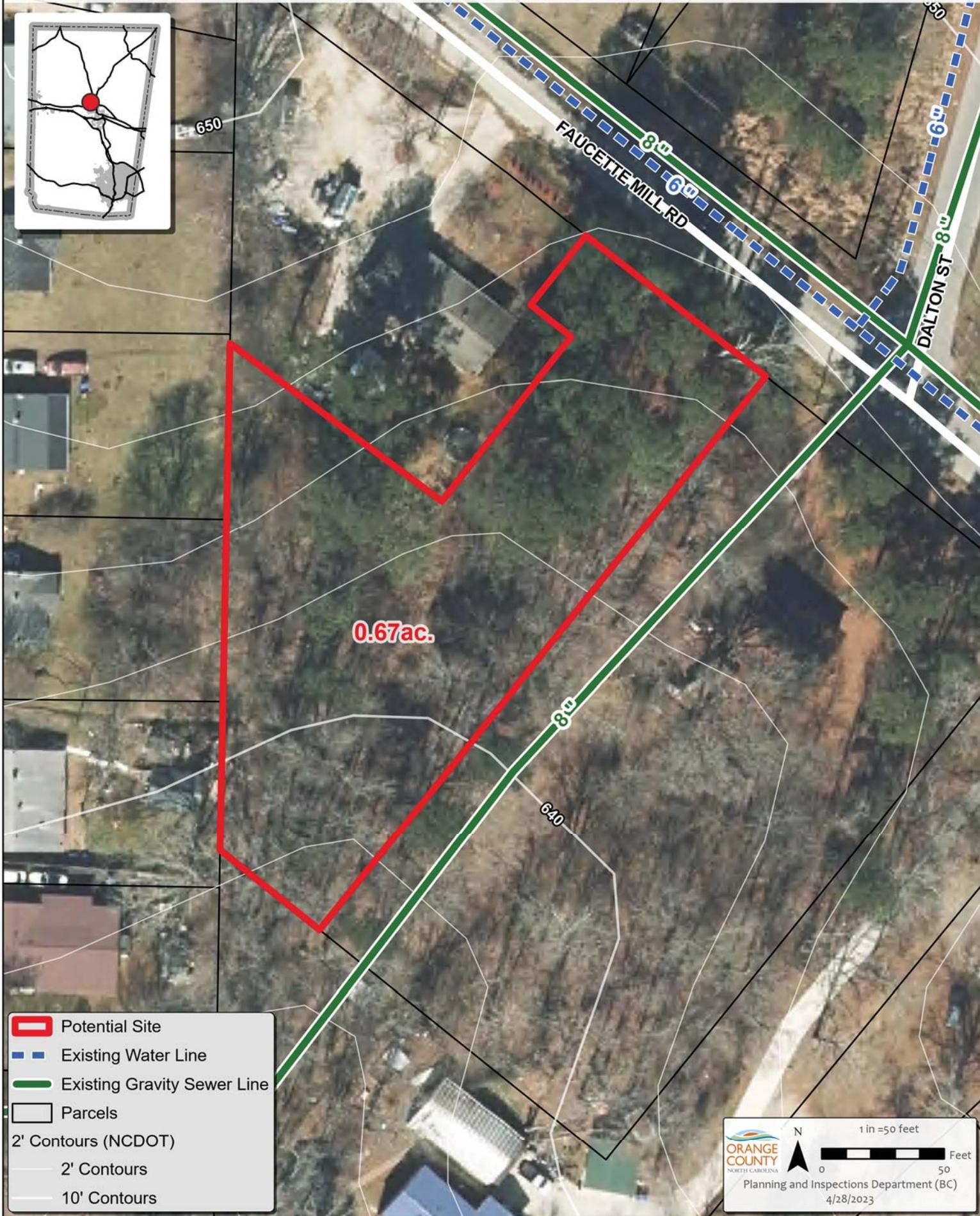
N

0 150 Feet

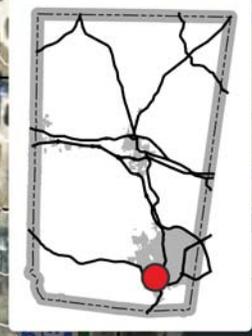
ORANGE COUNTY
NORTH CAROLINA

Planning and Inspections Department (BC)
4/28/2023

Surplus Land for Affordable Housing: 9865622018 - Faucette Mill



Surplus Land for Affordable Housing: 9778941099 - Wentworth



- Potential Site
- Surrounding Potential Sites
- Existing Water Line
- Existing Gravity Sewer Line
- Parcels
- 2' Contours (NCDOT)
- 2' Contours
- 10' Contours

1 in = 80 feet

N



0 80 Feet

ORANGE COUNTY
SOUTH CAROLINA

Planning and Inspections Department (BC)
4/28/2023

ORANGE COUNTY BOARD OF COMMISSIONERS

RESOLUTION DECLARING ELEVEN COUNTY-OWNED PARCELS AS SURPLUS LAND AND AUTHORIZING THE COUNTY MANAGER TO CONVEY COUNTY-OWNED REAL PROPERTY BY PRIVATE SALE OR OTHER MEANS TO PROVIDE AFFORDABLE HOUSING

WHEREAS, the Orange County Board of Commissioners ("Board") is committed to developing safe, convenient, accessible and efficient affordable housing for low and moderate income households; and

WHEREAS, North Carolina General Statute § 160A- 279 provides in part that a County may convey property owned by Orange County by private sale to any public or private entity which carries out a public purpose under any terms and conditions that the Board may determine; and

WHEREAS, North Carolina General Statute § 153A- 165 authorizes the Board to lease real property, with or without an option, for an authorized public purpose; and

WHEREAS, Orange County owns the below listed properties that are surplus to County needs, and that they want developed for affordable housing for persons of low to moderate income:

PIN	Location	Jurisdiction	Acreage
9865614458	108 Mollie Court	Hillsborough	1.24
9865517394	229 Daye Street	Hillsborough	0.64
9865622018	Faucette Mill Road	Hillsborough	0.67
9844786326	US 70 West	Orange County	0.07
9844881230	US 70 West	Orange County	1.37
9844786242	US 70 West	Orange County	0.41
9778941081	Wentworth Street	Chapel Hill	0.34
9778930971	Wentworth Street	Chapel Hill	0.38
9778941099	Wentworth Street	Chapel Hill	0.17
9778631313	NC 54	Carrboro	0.91
9778635482	NC 54	Carrboro	1.95

NOW, THEREFORE, BE IT RESOLVED by the Orange County Board of Commissioners that the following procedures and standards for affordable housing are hereby adopted and shall be followed:

1. That the County declares the above eleven County-owned parcels as surplus.
2. That the County Manager is hereby authorized, subject to legal review and approval by the County Attorney, to execute the necessary documents to convey the above described property either by negotiated sale or lease to private or public entity for the development of affordable housing for persons with low to moderate income.
3. That the County may use or convey the property to either provide or partner with a federal, state, town, private or non-profit entity to provide affordable housing opportunities for persons of low to moderate income in Orange County.
4. That any property conveyed for the development of affordable housing be developed within thirty months under procedures, standards and conditions established by the County, including the condition that the property be developed for sale or lease to persons of low or moderate income.
5. The above listed properties owned by Orange County be conveyed for the development of affordable housing, as provided in North Carolina General Statutes 153A- 378 and 153A- 165 to either private or public entities, as the law allows, with extensive experience in developing and rehabilitating properties, preferably for persons of low or moderate income; and who agree to develop and market the property for sale or lease to persons of low or moderate income.
6. That as part of any such conveyance of property for development of affordable housing, covenants or conditions be attached to the property to assure the property will be developed by the entity for sale or lease to persons of low or moderate income.
7. That if the Orange County Manager disposes the property by private sale at a negotiated price a notice summarizing the content of the resolution shall be published once after its adoption and no sale shall be consummated until 10 days after its publication.

NOW THEREFORE BE IT ORDAINED by the Orange County Board of Commissioners that the Board authorizes the Chair to declare the above properties as surplus and authorize the County Manager as described in the June 20, 2023 meeting materials. Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing resolution was adopted this the ____ day of _____, 2023.

I, Laura Jensen, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO THEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on _____, 2023, as relates in any way to the adoption of the foregoing and that said proceedings are recorded in Minute Book No. _____ of the minutes of said Board.

WITNESS my hand and seal of said County, the ____ day of _____, 2023.

Laura Jensen
Clerk to the Board

SEAL

Orange County Affordable Housing Bond Program Application Scoring Form

2016 Bond/2020 Funding Cycle

Scorecard Instructions

Move through each tab of this scorecard and follow the directions at the top of each tab. Throughout the scorecard, only enter information in green boxes; orange boxes will auto-fill. Summary information will appear in the Scorecard Summary section below.

Fill in the applicant name and your name below.

Applicant Name:

Scorer Name:

Scorecard Summary

Category	Points	Total points possible
1. Income Targeting and Special Needs	#DIV/0!	45
2. Local Residency	FALSE	5
3. Leveraging	0	52
4. Building and Site Design	#NAME?	20
5. Community Design	0	20
6. Community Sponsorship/Support	0	20
7. Project Feasibility	0	30
8. Developer Experience	0	42
Total points	#DIV/0!	234

0. Threshold requirements

Place an "X" in the green box by each threshold requirement that has been met.

- The application is complete with all required attachments and was submitted by the established deadline
- The project aligns with local affordable housing goals, strategies, and/or adopted policies
- Funding is for an eligible activity

1. Income Targeting and Special Needs (45 Points)

What income range(s) and population(s) will the proposed project serve?

Indicate the number of units serving each income range in the green boxes under "Income Targeting." Place an X in one green box under "Special Needs." Orange boxes will auto-fill.

Income Targeting

Number of units

61-80% AMI (10 points)

31-60% AMI (15 points)

30% AMI or below (25 points)

Total units

Prorated points

Subtotal

Special Needs¹

Does the project serve people with special housing needs?

Yes (20 points)

No (0 points)

Subtotal

¹ Defined as people with disabilities, veterans, people experiencing homelessness, holders of Housing Choice or other vouchers, and survivors of domestic violence

TOTAL POINTS

2. Local Residency (5 Points)

What percentage of the proposed project will provide housing for Orange County residents?

Place an "X" in one green box by the appropriate percent of targeted units. Orange boxes will auto-fill.

Percent of current Orange County residents¹ at sale or lease-up

0-50% (0 points)

50-80% (2 points)

80-100% (5 points)

TOTAL POINTS

¹ Defined as households currently residing or working in Orange County or having resided in Orange County

3. Leveraging (52 points)

To what degree does the proposed project include other sources of funds?

Use the space below to calculate leverage, then place an "X" in one green box by the appropriate leveraging ratio. Orange boxes will auto-fill.

Percent Funded by County Funding

81-100% (0 points)

60-80% (3 points)

40-59% (6 points)

20-39% (9 points)

10-19% (15 points)

< 10% (20 points)

Subtotal

These two are mutually exclusive

These two are mutually exclusive

Other Criteria

Project pays property taxes (2 points)¹

Project repays bond funds - principal only (3 points)¹

Project repays bond funds - P + I (10 points)¹

Project is mixed-income (10 points)²

Project is mixed-use (10 points)³

¹ These criteria do not apply to nonprofit sponsored projects

² Meaning it serves more than one income range (including market rate) and minimizes geographic concentration of affordable units

³ Meaning it includes non-residential uses that offer access to employment, daily needs, and health and human services

Subtotal

Calculate leverage

County funds (including Bond request)

Other funds (non-County)

Percent County funding

TOTAL POINTS

4. Building and Site Design (20 points)

Assign a number of points in the green boxes below according to your best judgment. You may provide a narrative explanation for each.

Project incorporates sustainable design elements, such as smaller building sizes, use of local/recycled building materials, energy efficient features,¹ LED lighting, water conservation fixtures, efficient HVAC systems, etc. **(up to 5 points)**

Narrative

Project provides handicap accessibility and/or incorporates Universal Design² **(up to 5 points)**

Project incorporates sustainable community and environmental design elements, such as flexible lot design, low impact development, storm water controls, reduced impervious surface areas, natural or drought-resistant landscaping, or any other additional element that would serve to minimize negative environmental impacts, as Orange County regulations allow **(up to 5 points)**

Project is connected to water and sewer service, will connect to existing service, or will use a community well and sewer system consistent with water and sewer boundary agreements and local standards **(up to 5 points)**

TOTAL POINTS

¹ Project meets/exceeds NCHFA energy criteria: https://www.nchfa.com/sites/default/files/page_attachments/QAP20FinalAppendixB.pdf

² See: <https://www.wbdg.org/design-objectives/accessible/beyond-accessibility-universal-design>

5. Community Design (20 points)

Assign a number of points in the green boxes below according to your best judgment. You may provide a narrative explanation for each.

	Narrative
<input type="text"/> Project contributes to a mix of housing within existing neighborhood (up to 3 points)	<input type="text"/> <input type="text"/>
<input type="text"/> Bonus points for building appearance, quality of construction, compatibility with surrounding housing, ability to foster a sense of a secure community, and contribution to neighborhood revitalization and/or affordable housing preservation (details must be provided by applicant) (up to 5 points)	<input type="text"/> <input type="text"/> <input type="text"/>
<input type="text"/> Project is accessible to services such as healthcare, schools, groceries, etc. (up to 4 points)	<input type="text"/> <input type="text"/>
<input type="text"/> Public transportation, to include a bus route or on-demand service (or equivalent), and related facilities are available (e.g., bus shelters, accessible stops, etc.) (up to 5 points)	<input type="text"/> <input type="text"/>
<input type="text"/> Project is located in an area of the county traditionally underserved by housing development (up to 3 points)	<input type="text"/> <input type="text"/>
<input type="text"/> 0 TOTAL POINTS	

6. Community Sponsorship/Support (20 points)

Assign a number of points in the green boxes below according to your best judgment. You may provide a narrative explanation for each.

	Narrative
<p><input type="text"/> Applicant can show evidence that they coordinated with other organizations to complement/support the proposed project (up to 6 points)</p>	<p><input type="text"/></p>
<p><input type="text"/> Applicant can show evidence that they involved the intended beneficiaries of the project in the planning process and that the outreach and marketing plan is inclusive (up to 6 points)</p>	<p><input type="text"/></p> <p><input type="text"/></p>
<p><input type="text"/> Applicant can demonstrate it has been actively involved, or describe the steps it will take to become actively involved, in the County's Consolidated Planning process to identify and address a housing need related to the proposed project (up to 4 points)</p>	<p><input type="text"/></p> <p><input type="text"/></p> <p><input type="text"/></p>
<p><input type="text"/> Applicant has developed, or can demonstrate plans to develop, links with other community activities to provide holistic community services (up to 4 points)</p>	<p><input type="text"/></p> <p><input type="text"/></p>
<p><input type="text"/> 0 TOTAL POINTS</p>	

7. Project Feasibility (30 points)

Assign a number of points in the green boxes below according to your best judgment.

Applicant can demonstrate site control, zoning compliance, and timely and feasible construction schedule (**up to 10 points**)

Funding (other than County funding) is in place at time of application (**up to 10 points**)

Applicant presents a proposed budget and financial model appropriate based on reasonable assumptions (**up to 10 points**)

0 Total points

8. Developer Experience (42 points)

Assign a number of points in the green boxes below according to your best judgment.

- Applicant has experience carrying out comparable projects to that proposed and has met regulatory compliance for previous projects **(up to 10 points)**
- Applicant has a proposed team with demonstrated development, managerial, and financial management capabilities in prior projects **(up to 10 points)**
- Applicant and team members have a successful record of meeting proposed budgets and timelines **(up to 10 points)**
- Project sponsor is a nonprofit housing provider **(up to 10 points)**
- Total points**

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

**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: April 27, 2023 Joint Meeting with School Boards and Work Session
Attachment 2: May 2, 2023 Business Meeting
Attachment 3: May 9, 2023 Budget Public Hearing and Work Session
Attachment 4: May 11, 2023 Budget Work Session

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.

1 DRAFT

2 **MINUTES**
3 **ORANGE COUNTY**
4 **BOARD OF COMMISSIONERS**
5 **JOINT MEETING WITH**
6 **ORANGE COUNTY BOARD OF EDUCATION AND**
7 **CHAPEL HILL-CARRBORO BOARD OF EDUCATION**
8 **AND WORK SESSION**
9 **April 27, 2023**
10 **7:00 p.m.**

11 The Orange County Board of Commissioners met for a joint meeting with the Orange County
12 Board of Education and Chapel-Hill Carrboro Board of Education and a work session on
13 Thursday, April 27, 2023 at 7:00 p.m. at the Whitted Human Services Center in Hillsborough,
14 NC.

15
16 **COUNTY COMMISSIONERS PRESENT:** Chair Jamezetta Bedford, Vice-Chair Earl McKee,
17 and Commissioners Amy Fowler, Sally Greene, Jean Hamilton, Phyllis Portie-Ascott, and Anna
18 Richards

19 **COUNTY COMMISSIONERS ABSENT:** None.

20 **COUNTY ATTORNEYS PRESENT:** Martha Bordogna, Staff Attorney

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

24 **CHAPEL HILL-CARRBORO BOARD OF EDUCATION PRESENT:** Chair Rani Dasi, Vice-Chair
25 George Griffin, and Board Members Riza Jenkins and Jillian LaSerna

26 **CHAPEL HILL-CARRBORO BOARD OF EDUCATION ABSENT:** Board Members Ashton
27 Powell, Michael Sharp, and Deon Temne

28 **CHAPEL HILL-CARRBORO SCHOOLS (CHCCS) STAFF PRESENT:** Superintendent Dr. Nyah
29 Hamlett and Chief Financial Officer Jonathan Scott

30 **ORANGE COUNTY BOARD OF EDUCATION PRESENT:** Chair Will Atherton, Vice-Chair Anne
31 Purcell, and Board Members Carrie Doyle, Bonnie Hauser, and Andre Richmond

32 **ORANGE COUNTY BOARD OF EDUCATION ABSENT:** Board Members Jennifer Moore and
33 Sarah Smylie

34 **ORANGE COUNTY SCHOOLS (OCS) STAFF PRESENT:** Superintendent Dr. Monique Felder,
35 Chief Human Capital Officer Joyce Hatcher, Chief Finance Officer Rhonda Rath, and Interim
36 Director of Operations Dwayne Foster

37
38 Chair Bedford called the meeting to order at 7:00 p.m. All commissioners were present.

39
40 Chair Bedford asked the Board to remove item 3 from the agenda and consider it at the
41 May 9, 2023 work session.

42
43 Commissioner Greene made a motion to remove Item 3 from the agenda, which was
44 seconded by Commissioner Hamilton.

45
46 **VOTE: UNANIMOUS**

47
48 **WELCOME AND INTRODUCTIONS**

49 Chair Bedford welcomed the elected officials and staff from Chapel Hill Carrboro City
50 Schools and Orange County Schools. All of the elected officials and staff introduced themselves.
51

- 1 **1. Presentation of Proposed 2023-24 School Operating Budgets and Capital**
- 2 Chair Rani Dasi of Chapel Hill Carrboro City Schools introduced their district's
- 3 presentation.
- 4 Dr. Nyah Hamlett made the following presentation:

5
6 Slide #1



7
8
9 Slide #2

 Slide #2 has a dark blue background. On the left, there is a white box with a green header "Our Vision" containing the text "Equipping students to navigate the world and make a positive impact throughout their life's journey." To the right of this box is a list of "Key Priorities" separated by horizontal lines:

- Creating a Culture of Safety and Wellness
- Instructional Excellence: Preparing Students for Life
- Empowering, Equipping and Investing in Our People
- Equitable and Transparent Fiscal Stewardship and Operations
- Strengthening Family and Community Engagement

 On the far right, a vertical green banner contains the text "THINK (AND ACT) DIFFERENTLY" written vertically. At the bottom left, there is a small logo for Chapel Hill-Carrboro City Schools | chccs.org.

10
11
12

1 Slide #3

Budget Message

This proposal is the result of a collective effort. Many representatives of our schools and the communities they serve were asked to get involved. For example:

- Principals engaged their School Improvement Teams to identify and prioritize needs.
- Principals then collaborated with one another to develop needs-based presentations using the District's Racial Equity Decision-making Protocol (REDP).
- With the REDP, the Principals demonstrated in specific detail what will best support students as they progress from elementary to middle to high school.
- CHCCS department-heads, leaders and cabinet members also communicated with one another to bring forward new ideas for district wide improvement.

Chapel Hill-Carrboro City Schools | chccs.org

**THINK (AND ACT)
DIFFERENTLY**

2
3 Dr. Hamlett said staff from Orange County worked with CHCCS staff to develop the
4 proposed budget.
5

6 Slide #4

Strategic Plan Structure

Key Priorities:

- Creating a culture of safety and wellness
- Instructional excellence: Preparing students for life
- Empowering, equipping and investing in our people
- Equitable and transparent fiscal stewardship and operations
- Strengthening family and community engagement

Core Values:

- Engagement
- Social Justice Action
- Collective Efficacy
- Wellness
- Joy



Chapel Hill-Carrboro City Schools | chccs.org

**THINK (AND ACT)
DIFFERENTLY**

7
8
9

Jonathan Scott, Chief Financial Officer, continued the presentation:

1
2
3

Slide #5

Outline

This presentation is divided into 4 sections:

- **Continuation Request:** cost to continue operating at current levels
- **Expansion Request:** cost of new initiatives to expand the current level of services provided by the District
- **School Level Requests:** Needs lifted up by the school level administrators during the budget development that were not included in the continuation or expansion items but remain unfunded needs
- **Strategic Plan Narratives:** narratives for the major strategic plan pillars that outline the estimated cost of implementing the key strategic actions with fidelity in the upcoming fiscal year

THINK (AND ACT)
DIFFERENTLY

Chapel Hill-Carrboro City Schools | chccs.org

4
5
6

Slide #6

Continuation - Salaries and Wages

In the absence of direction from NC, the District has included an estimate of **4%** mandated increases to salaries across the board:

- **\$1,336,000** increase to base salaries
- **\$519,000** increase for the matching local supplement
- The total of these salary increases is **\$1,855,000**

*The increases contained in the continuation request are estimated to be adequate to keep the District at pace with the annual Orange County Living Wage increases.

*The current estimate uses 4% State mandated raises. Every **1%** difference in raises would require a **\$600,000** adjustment to the estimates.

THINK (AND ACT)
DIFFERENTLY

Chapel Hill-Carrboro City Schools | chccs.org

7
8
9
10

Jonathan Scott said they are still waiting on the Senate budget, so they have to create an estimate from what the State has released so far with the House and Governor's budgets.

1 Slide #7

Continuation - Benefit Increases

Federal and State legislation establishes employer-required matching rates and annual employer health insurance premiums. Together, these changes require adjustments to our local operational plan including:

- **\$154,000** for an estimated increase in FICA expense to account for estimated increases in salaries and corresponding supplements
- **\$1,114,000** for an estimated increase to 25.8% from 24.5% in the matching TSERS rate
- **\$197,000** for an estimated increase to \$7,679 from \$7,397 for the Employer Health Insurance Cost of each employee

*These combined increase estimates in matching benefits total **\$1,626,000**

**THINK (AND ACT)
DIFFERENTLY**

Chapel Hill-Carboro City Schools | chccs.org

2 Jonathan Scott said that the salary increases also trigger corresponding benefit increases
 3 include FICA, retirement, and health insurance rates.
 4
 5

6 Slide #8

Continuation - Inflationary Adjustment

- The preliminary continuation budget includes a 5% Inflationary Adjustment to Non-Salary Operating Costs for a total of \$655,000.
- The March release of inflationary data showed an overall CPI of 5.0% after peaking around 8.9% within the last year.
- The District chose a conservative estimate of 5% across the board due to uncertainty in the different baskets of the CPI index.
- The operational costs most pertinent to the District include items for utilities, maintenance, supplies, and others required for district facilities as well as supplies & materials for classrooms funded from local resources.

**THINK (AND ACT)
DIFFERENTLY**

Chapel Hill-Carboro City Schools | chccs.org

7
8
9

1 Slide #9

Continuation - Prior Year Unfunded Continuation Costs

The FY 2022-23 Budget contained a \$5 million appropriation of local fund balance consisting of:

- **\$3.37 million** of continuation needs generated by State mandated salary increases;
- **\$1.25 million** for the partial implementation of the classified employee compensation plan;
- **\$247,000** to provide an additional 1% increase to all CHCCS' certified supplement percentages;
- **\$175,000** to provide an additional 2% increase to the supplement percentages to all certified staff working in the Exceptional Children Division;
- **\$420,000** to provide four weeks of local paid parental leave

**THINK (AND ACT)
DIFFERENTLY**

Chapel Hill-Carrboro City Schools | chccs.org

2
3 Jonathan Scott said they have \$250,000 allocated to provide an additional 1% increase to
4 all CHCCS certified supplements and they were able to do this with money set aside from the
5 General Assembly that was specifically designed to increase certified salaries.

6
7 Slide #10

Continuation Items - Summary

Base Salaries	\$1,336,000	
Local Supplement	519,000	
Matching Benefits	1,465,000	
5% Inflationary Adjustment	\$655,000	
Prior Year Unfunded Items	4,965,000	
Subtotal	8,940,000	
Estimated Changes in Revenue (increase)	(500,000)	
Total Continuation Need	\$8,440,000	

**THINK (AND ACT)
DIFFERENTLY**

Chapel Hill-Carrboro City Schools | chccs.org

8
9
10

1 Slide #11

Fund Balance

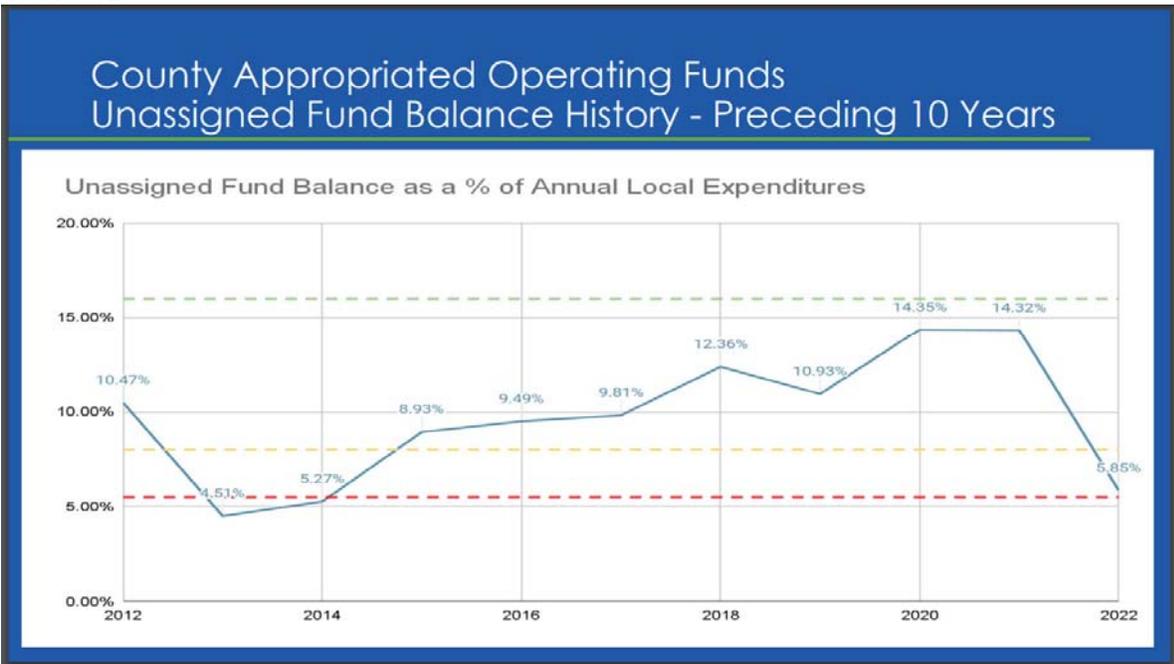
- Audited FYE June 30, 2022, local current expense fund unassigned fund balance is \$5 million
- This is approximately \$500,000 above the District's minimum target of 5.5% or \$4.5 million
- If no increase in local funding is obtained, the current unassigned fund balance will be ~\$3.5 million short to maintain educational services provided at FY 2022-23 levels
- Simultaneously all of the District's unassigned fund balance would be eliminated

**THINK (AND ACT)
DIFFERENTLY**

Chapel Hill-Carboro City Schools | chccs.org

2
3
4

Slide #12



5
6
7

1 Slide #13



Expansion Budget

Expansion Items for the FY 2023-24 Budget Request



Chapel Hill-Carrboro City Schools | chccs.org

THINK (AND ACT) DIFFERENTLY

2
3
4

Slide #14

Continued Implementation of the Classified Compensation Study

- When the Board of Education approved the new design of the Classified pay schedules, the structure included a 1.75% increase between each level
- This request included an item to advance classified employees up to a **cap of three steps on their respective scales** based on experience levels. As a result, a classified employee with the appropriate years experience pay would increase up to an additional three steps or 5.25%. **Estimated Cost = \$1.35 million.**



Chapel Hill-Carrboro City Schools | chccs.org

THINK (AND ACT) DIFFERENTLY

5
6
7

1 Slide #15

Certified Supplement Structure

2% Local Supplement Rate increase for the 0-19 year band.

This would move the lower band of the supplement structure from 18% to 20%. To move the 830 employees in the band to 20% and cover the additional cost of benefits, this option would cost the District approximately **\$1.1 million** in total.



Chapel Hill-Carboro City Schools | chccs.org



**THINK (AND ACT)
DIFFERENTLY**

2
3
4

Slide #16

Reimbursement up \$100 for Professional License/Certification Fees

- \$50,000 to cover the fees associated with obtaining and renewing teacher licenses or professional certifications every 4 years
- The District must continue to find creative ways to empower, equip, and invest in our people
- This additional benefit would satisfy the basic requirement that every certified teacher must maintain their teaching license to continue teaching and promote professional development through professional certifications in other areas

Chapel Hill-Carboro City Schools | chccs.org

**THINK (AND ACT)
DIFFERENTLY**

5
6
7

1 Slide #17

Additional 2 Weeks Paid Parental Leave

- The FYE 2022-23 Board's Recommended Budget Request included a request for six weeks of providing parental leave
- Due to a lack of adequate funding, the Board was only able to provide \$420,000 for four weeks of parental leave
- Parental leave supports parent-child bonding, improves children's outcomes, and may increase gender equity in the workplace
- An additional \$210,000 is requested in the 2023-24 expansion budget request

Chapel Hill-Carrboro City Schools | chccs.org
Chapel Hill-Carrboro City Schools | chccs.org

**THINK (AND ACT)
DIFFERENTLY**

2
3
4

Slide #18

Expansion Items - Summary

Classified Compensation Study	\$1,350,000
Beginning Teacher Certified Supplement Increase	1,100,000
Payment of Teacher License Renewal and Acquisition Fees	50,000
2 Additional Weeks of Paid Parental Leave	210,000
Total Expansion Request Items	\$2,710,000



Chapel Hill-Carrboro City Schools | chccs.org

**THINK (AND ACT)
DIFFERENTLY**

5
6
7
8

1 Slide #19

Total Board of Education's Budget Request for the FY 2023-24

Total Continuation Need	\$8,940,000
3 Expansion Items	2,710,000
Revenue Adjustment	(500,000)
Total Superintendent's Recommended Request	\$11,150,000

Chapel Hill-Carrboro City Schools | chccs.org

THINK (AND ACT)
DIFFERENTLY

2
3
4

Slide #20

Additional Items Not Included in Request

- Additional Needs Identified at the School Level (see appendix)
- Strategic Plan Narrative (see appendix)
 - Strategic Plan Priority I: Creating a Culture of Safety and Wellness
 - Strategic Plan Priority II: Instructional Excellence: Preparing Students for Life
 - Strategic Plan Priority III: Empowering, Equipping and Investing in Our People
 - Strategic Plan Priority IV: Equitable and Transparent Fiscal Stewardship and Operations
 - Strategic Plan Priority V: Strengthening Family and Community Engagement

Chapel Hill-Carrboro City Schools | chccs.org

THINK (AND ACT)
DIFFERENTLY

5
6
7

1 Slide #21

2 Chair Bedford asked if the expansion items were in priority order as presented.

3 Dr. Hamlett said they were not prioritized.

4 Vice-Chair McKee asked how many open positions CHCCS had and if the funding for
5 those positions were held in abeyance.

6 Dr. Hamlett said there are approximately 67 certified, 53 classified, and 4 administration
7 positions open. She said positions that are hard to staff like EC, Math, Science, and dual language
8 Mandarin, continue to see the most vacancies.

9 Vice-Chair McKee asked how the funding for those positions were accounted for.

10 Jonathan Scott said there was not a reserve of lapsed salaries because of the absorption
11 of continuation costs.

12 Vice-Chair McKee asked how they will fill the positions.

13 Jonathan Scott said there are a few things they are working on. He said they are working
14 with the Human Resources and leaders to allocate positions in full fidelity with the Board of
15 Education's allotment formulas. He said that the number of children in the district was lower than
16 the pre-pandemic but coming out of the pandemic, they did not feel it was appropriate to cut
17 teachers to reflect student numbers due to the learning loss the children experienced during that
18 time. He said that the plan going forward is to lock into the allotments and hold the schools to the
19 number based on students.

20 Vice-Chair McKee said that the staff vacancies are well over 100 and the number of
21 students is down. He asked if the need for the number of staff has dropped as well.

22 Dr. Hamlett said the need is still there, but they are looking to reallocate resources to make
23 sure they are meeting the needs of children. She said they are working closely with school leaders
24 to review not just the number of students, but their needs. She said there are areas in student
25 performance where gaps exist and that is where they are trying to fill the need. She said they are
26 looking at academic return on investment and looking at process, program, and people to meet
27 the student needs.

28 Vice-Chair McKee said he hopes that performance and proficiency are in there equally
29 high.
30

1 Commissioner Richards asked if it is still the case that CHCCS is the only school district
2 that offers paid parental leave.

3 Rani Dasi said she believes that Wake may have something now and possibly other
4 counties, but she is not certain. She said there is no state funding for this.

5 Commissioner Richards asked how many students left the district in the past year.

6 Jonathan Scott said there hasn't been a change in the number of children about 100
7 children, but he will get that information to the Board.

8 Commissioner Richards asked what the arrangement is for out of district students.

9 Jonathan Scott said the vast majority of out of district students are the children of CHCCS
10 employees. He said they no longer require those families to pay tuition as a benefit to employees.

11 Commissioner Richards asked how that is accounted for budget-wise.

12 Jonathan Scott said they take their projected numbers from DPI, add charter schools, then
13 take away the out of district students and that gives them an adjusted ADM. He said that Orange
14 County does the same thing.

15 Will Atherton of Orange County Schools introduced their district's presentation.

16 Dr. Monique Felder made the following presentation:
17
18

Slide #1

ENGAGE. CHALLENGE. INSPIRE.

FY 2024 Local Operating Budget Request

April 27, 2023

Dr. Monique Felder, Superintendent

19
20
21

1 Slide #2

OUR VISION
Preparing every learner for lifelong service and success.

OUR MISSION
Orange County Schools' mission is to educate students in a safe, inclusive environment where we engage, challenge and inspire them to reach their maximum potential.

ENGAGE. CHALLENGE. INSPIRE.

2
3
4 Slide #3

4 Strategic Plan Outcome Goals



1. Teaching Tomorrow's Leaders



2. Excellence & Efficiency



3. Exemplary Staff



4. Empowering Culture

ORANGE COUNTY SCHOOLS
200 E. King Street · Hillsborough, North Carolina 27278 · 919.732.8126
WWW.ORANGECOUNTYFIRST.COM

5
6
7
8
9
10
 Dr. Monique Felder said that they believe that children that are given to them are destined to become tomorrow's leaders. She said that they believe that if you treat people the right way and give them adequate tools, they will do great things.

1 Slide #4

OCS at a Glance, 2022-2023

7,067
students

1,100
employees

91 National Board Certified teachers
313 licensed staff with advanced degrees

13
schools

6 traditional elementary schools
1 year-round elementary school
3 middle schools
3 high schools

K-12 Race/Ethnicity

Race/Ethnicity	Percentage
White	49.50%
Hispanic	27.30%
Black	13.40%
Mixed Race	7.70%
Asian	1.80%
American Indian	0.13%

36% → **49%**

The number of students qualifying for Free and Reduced-Price Meals **increased during the pandemic.**

Different languages spoken at home other than English

33 → **40**

2021-22 2022-23

2 Dr. Monique Felder said that the number of students qualifying for free or reduced lunch
 3 is now 49.75%, an increase from the slide showing 49%. She noted that every school district in
 4 the county experienced a drop in student membership. She said Orange County's school
 5 membership has stabilized but the students have changed. She said that there are additional
 6 needs now with a different student population.
 7
 8

9 Slide #5

Budget Challenges

- Not only OCS, but every school district across the nation experienced a precipitous drop in Student Membership during the pandemic
- Overall, OCS Student Membership has stabilized
 - Composite makeup of student membership has shifted significantly
- As the needs of our students have changed, the supports and services required from OCS has also changed. We'll be highlighting:
 - PreK
 - Exceptional Children
 - Multilingual Learner
 - Free/Reduced Population

ENGAGE. CHALLENGE. INSPIRE.

10
11

Rhonda Rath continued the presentation:

1
2
3

Slide #6

Projected State ADM

Average Daily Membership (ADM): The total number of school days within a given term - usually a school month or school year - that a student's name is on the current roll of a class, regardless of his/her being present or absent, is the "number of days in membership" for that student. Initial allotments are based on the higher of the prior year's actual first two months of ADM or the projected higher of first two months of ADM. - [2022-2023 School Attendance & Student Accounting Manual](#)

	FY 2023	FY 2024	Change
Projected ADM	7,182	7,122	(60)
Charter School	951	999	48
(less) Out of District	110	118	8
Total Student Billing Base	8,023	8,003	(20)

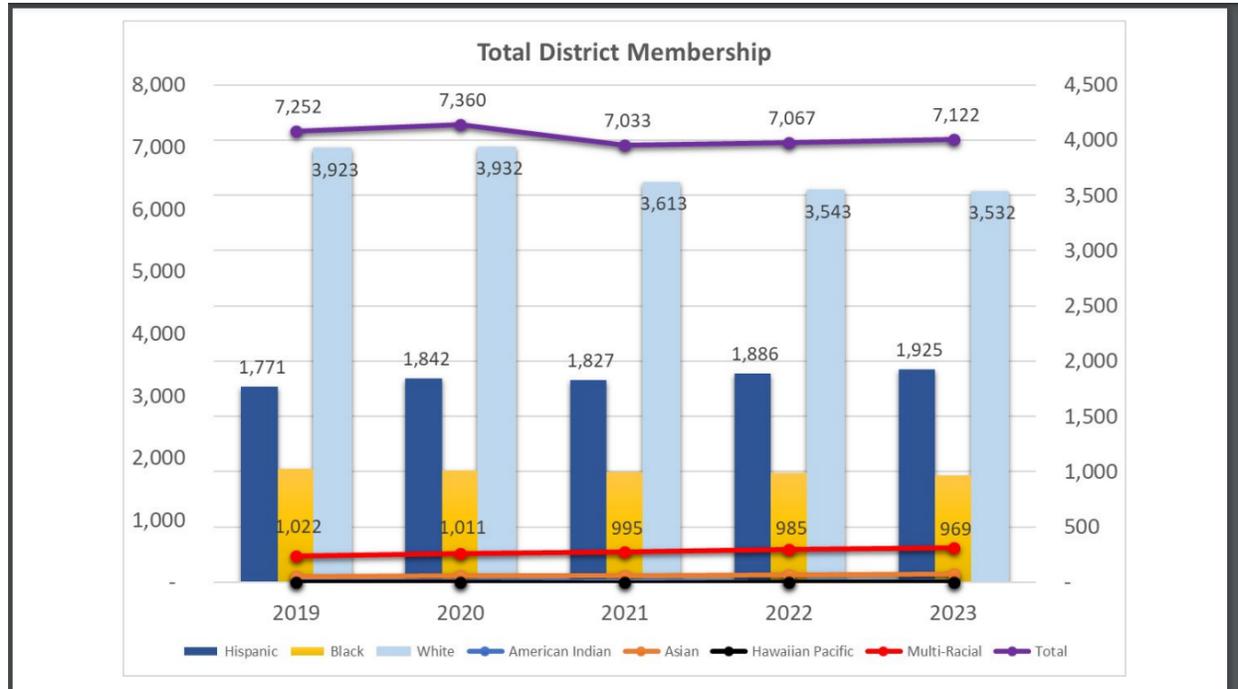
ADM represents DPI projected
Charter School reflects actual, verified, students at January 31

ENGAGE. CHALLENGE. INSPIRE.

4
5
6
7

Rhonda Rath said the ADM is predicted to decrease 20 compared to the previous year.

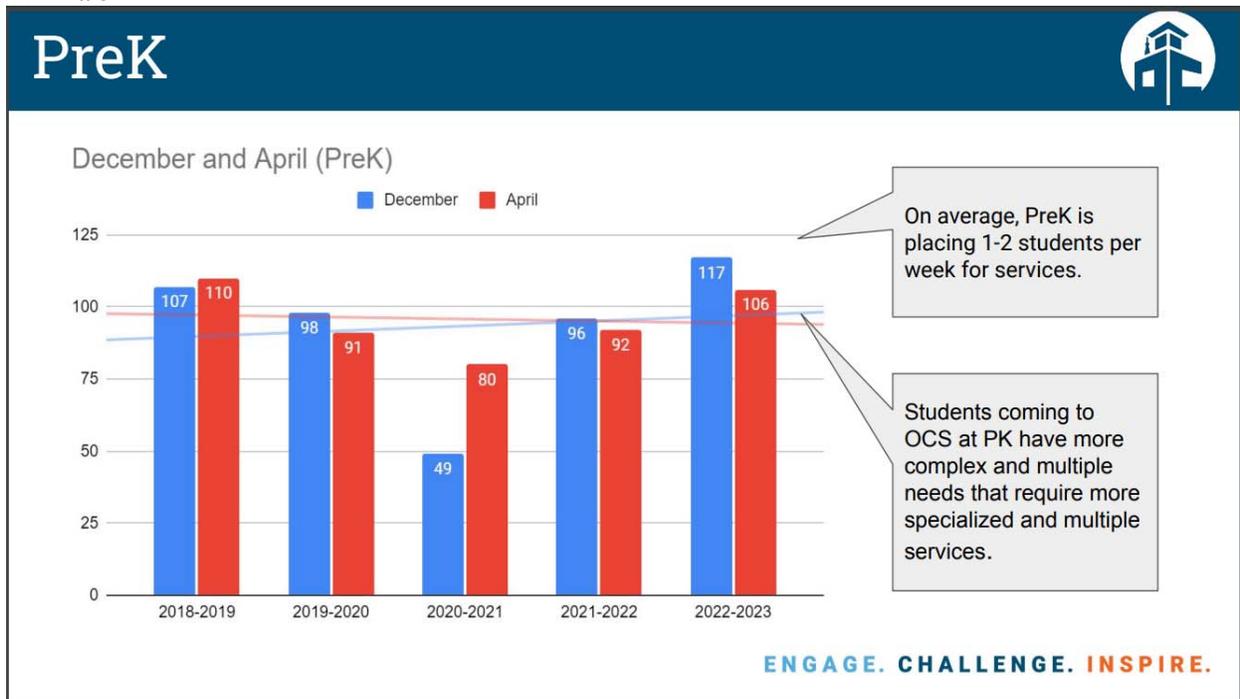
Slide #7



8
9
10
11

Rhonda Rath said that the membership is not fluctuating drastically, the ethnicity and needs of the students have. She said the Hispanic student population has increased 8.7%, Black population has decreased 5.2%, and White population has decreased 10%.

1 Slide #8



2
3 Rhonda Rath said there are 106 PreK students being served. She said those needs
4 include students with complex medical needs, intellectual disabilities, and autism. She said to
5 adequately serve this population, \$600,000 is allocated from Federal and State funds.
6

7 Slide #9

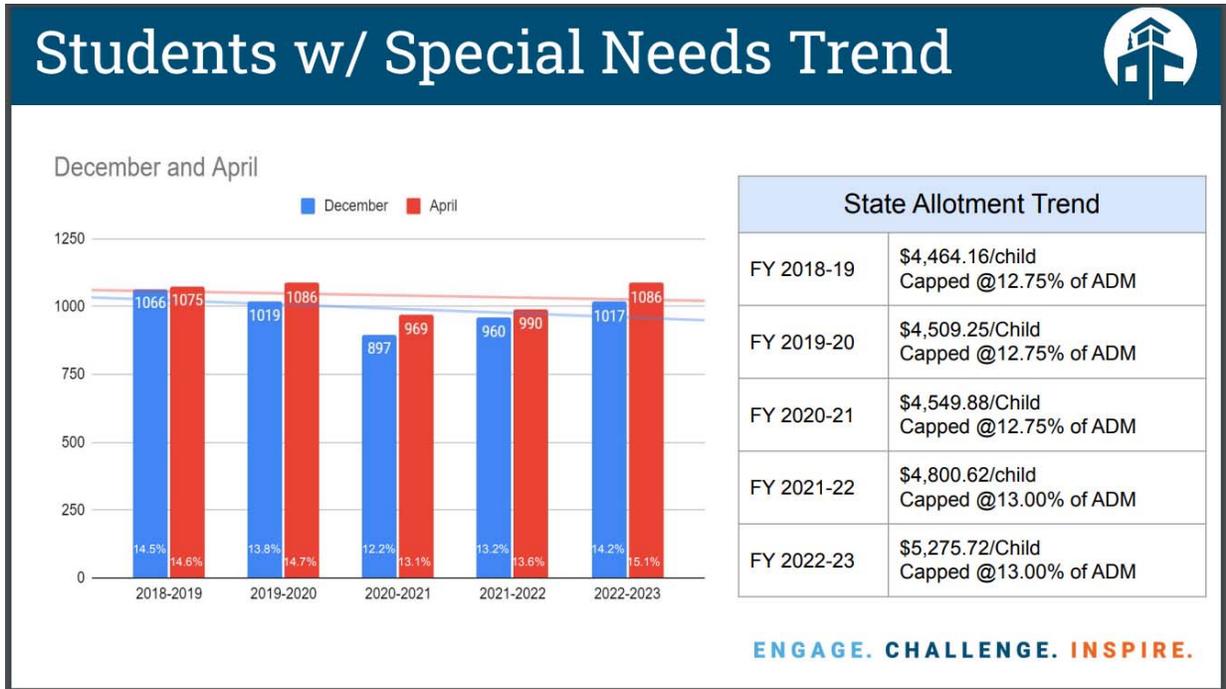
PreK Takeaways

- Demand and eligibility for services increasing dramatically with 25-30 evaluations quarterly, 1-2 per week, and **needs are changing**
 - Then → Speech Language Impairment
 - Now → Developmental Delay, Autism Spectrum Disorder
 - Growth in Infant-Toddler Program increases demand on OCS PreK
- EC PreK supports students age 3-5 with special needs in various settings:
 - Community childcare programs across the district
 - PreK Program site
 - OCS district PreK classrooms
- **Data show OCS kindergarten students begin with larger deficits, need additional instruction and support (academic, social-emotional) to reach baseline and close gaps**

ENGAGE. CHALLENGE. INSPIRE.

8
9
10

1 Slide #10



2
3
4

Slide #11

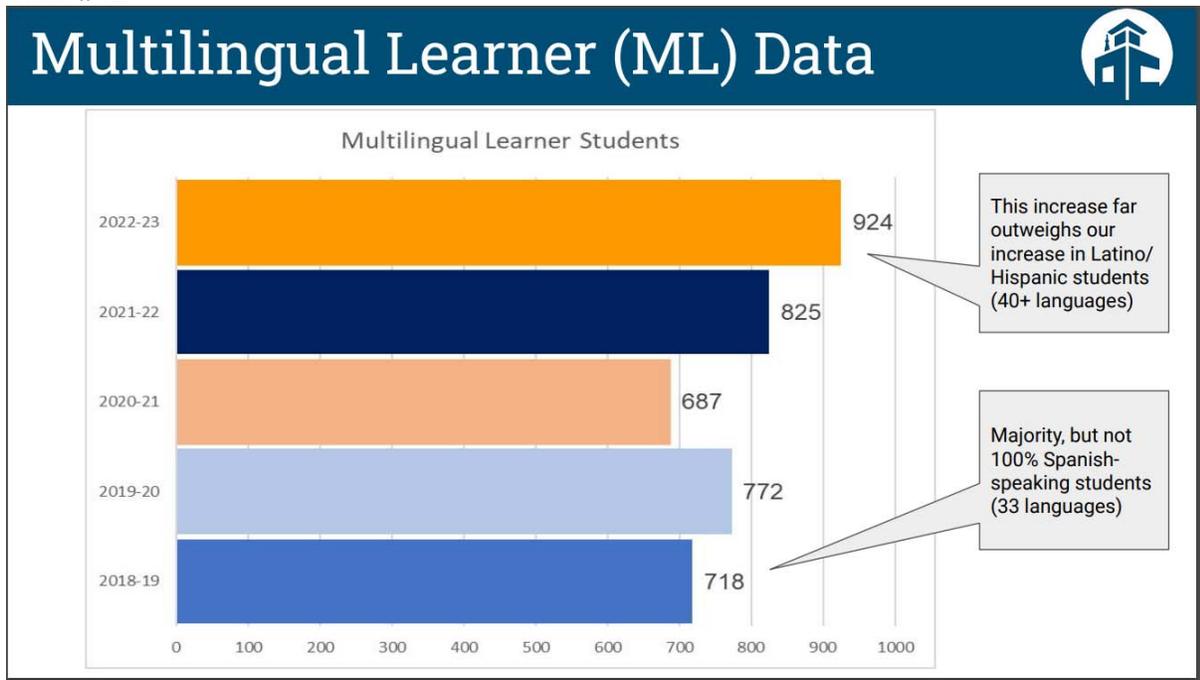
Students w/ Special Needs Takeaways

- OCS exceeds the cap for state funding consistently every year
 - Requires more local resources to serve the unique needs
- State resources reflect increasing costs of the services
- Student who require separate settings to meet their unique needs has increased over the past 2 years from 85 students to 110 students.

ENGAGE. CHALLENGE. INSPIRE.

5
6
7
8

1 Slide #12



2
3
4
5
6

Rhonda Rath said there has been a dramatic increase in the number of students that are multilingual.

Slide #13

Multilingual Learner (ML) Student Takeaways

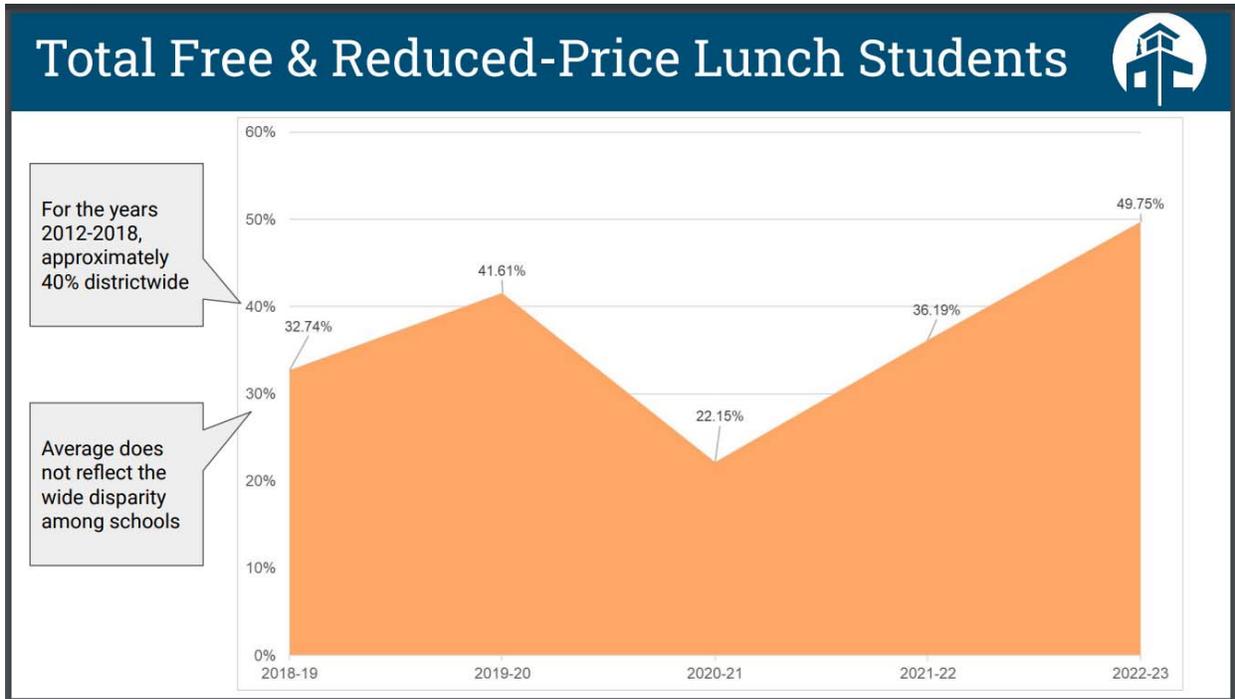
- Teacher-to-Student ratio continues to increase, making it difficult to properly serve all MLs and meet requirements of Language Instruction Educational Program (LIEP)
 - Our data indicates that this population is growing faster than our average student population
- Classroom teachers require more support from English Language Development Specialists, as the number of MLs **grows** and English as a Second Language service time **decreases**
- Teachers being split between multiple small schools in order to provide equitable services and/or multiple hard to fill part-time positions added

ENGAGE. CHALLENGE. INSPIRE.

7
8
9
10

Rhonda Rath said that the need is increasing while the state funds are not keeping up.

1 Slide #14



2
3
4

Slide #15

Free & Reduced-Price Lunch Students Takeaways

- The number of OCS students qualifying for free and reduced meals has increased from 2,534 in 2018/19 to 3,715 in 2022/23
- OCS Title I designated elementary schools increasing from 4 to 5 in FY 2024

Fiscal Year	SCHOOLS												
	River Park	Hills-borough	Central	Efland Cheeks	Grady Brown	New Hope	Pathways	AL Stanback	Orange Middle	Gravelly Hill	Cedar Ridge	Orange High	Partnership Acad
2018-2019	28.64%	11.35%	58.20%	56.30%	39.19%	46.00%	33.04%	36.91%	25.42%	35.48%	23.70%	24.56%	52.63%
2022-2023	35.21%	16.78%	73.97%	86.98%	59.29%	71.70%	52.32%	58.78%	40.98%	53.86%	43.76%	41.98%	76.74%
Change	4%	5%	14%	37%	14%	17%	9%	21%	8%	15%	23%	19%	34%

ENGAGE. CHALLENGE. INSPIRE.

5
6
7
8
9

Rhonda Rath said that they need additional funding to include the additional schools in their Title I plan.

1 Slide #16

4 Strategic Plan Outcome Goals



1. Teaching Tomorrow's Leaders



2. Excellence & Efficiency



3. Exemplary Staff



4. Empowering Culture

ORANGE COUNTY SCHOOLS 200 E. King Street · Hillsborough, North Carolina 27278 · 919.732.8126 WWW.ORANGECOUNTYFIRST.COM

2
3
4
5
6
7

Rhonda Rath said that they continually try to implement the strategic goals and they have made concerted efforts to make students and staff feel safe at school. She said they have made great strides, but they need the Board's help.

Slide #17

FY2024 Revised Continuation Budget

Total Increase to Salaries and Benefits (Based on a 4% increase)	\$1,554,000	\$194/pp
Utility & Fuel Increases	\$355,000	\$ 44/pp
Charter Enrollment Increase	\$310,000	\$ 39/pp
Total Local Current Operations Continuation Budget	\$2,219,000	\$277/pp



½% legislated salary increase will increase OCS' local salary budget ~ \$175,000 or \$24/pp

ENGAGE. CHALLENGE. INSPIRE.

8
9
10
11

1 Slide #18

Summary



	FY 2024 Superintendent's Recommendation	Per Pupil (pp)
Continuation Budget	\$ 2,219,000	\$ 277
Expansion Budget	\$ 7,835,600	\$ 979
Total Recommended	\$10,054,600	\$1,256

FY 2023*	FY 2024*	Increase
\$ 38,570,900	\$ 48,625,500	\$10,054,600
\$ 4,808 pp	\$ 6,064 pp	\$ 1,256 pp

*Represents per pupil funding ONLY. Does not incorporate fund balance appropriations nor fines & forfeitures revenues



2
3 Rhonda Rath said that when she prepared this slide, she was under the impression that
4 the Board had received copies of a very detailed budget with line-item information. She said that
5 she thinks that is not correct.

6 Dr. Felder continued the presentation.

7
8 Slide #19

These are our students,

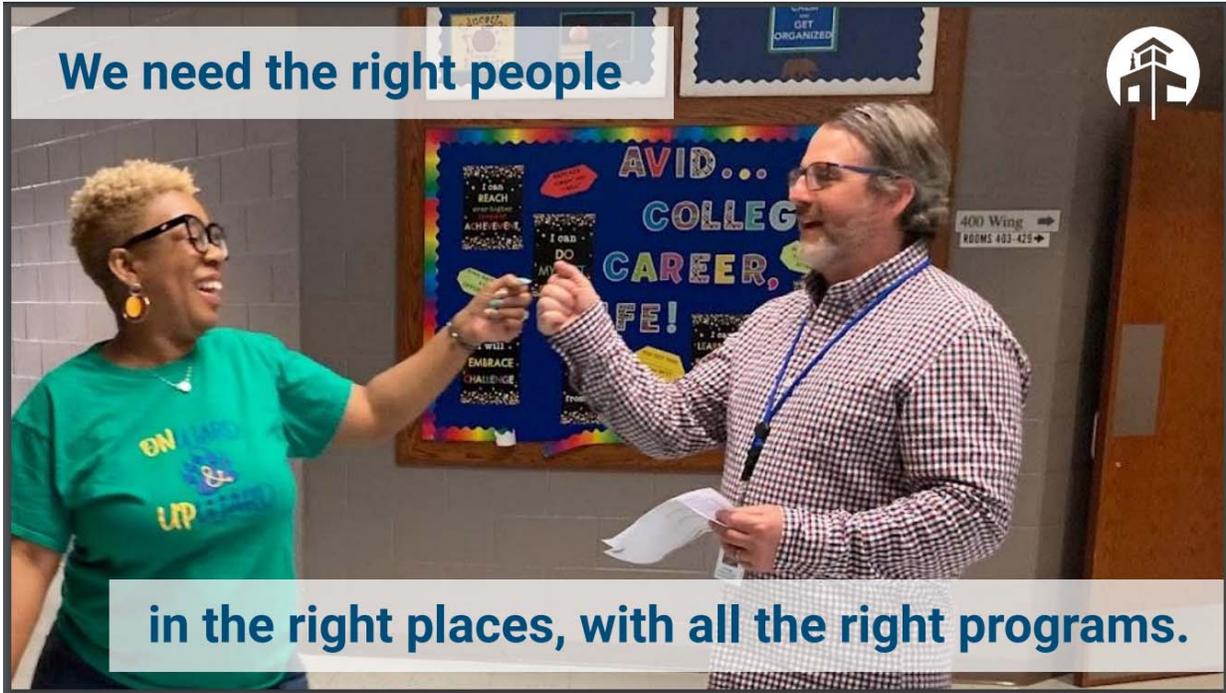


and their needs are changing rapidly.



9
10
11

1 Slide #20



2
3
4

Slide #21



5
6
7
8

1 Slide #22



2
3
4 Dr. Felder referred some of the statistics listed on a document that was passed out to the
5 Board prior to the meeting called "Empowering Excellence and "OCS Points of Pride." She said
6 that said that a recent survey of staff, with 80% responding, revealed that 79% agreed that the
7 Culture in Orange County Schools is welcoming; 73% felt the culture is respectful; 70% felt the
8 schools are safe; and 59% feel that the schools are 'warm.' She said that when people value their
9 work, teachers feel they are valued in the community. She said that teachers are starting to look
10 more like the students. She said that they are empowering excellence in every field and just
11 becoming the successful adults they see in every child they serve. She said that this growth takes
12 resources. She said some students need extra help and thanked the Board for their wise
13 investments.

14 Slide #23



15

1 Vice-Chair McKee said he spent some recent time with the Orange County Schools high
2 school robotics team. He said it was impressive to see what they accomplished. He said that it
3 is mind blowing to see what the students have built. He said they have competed in the world's
4 competition.

5 Will Atherton said one of the most impressive parts is the cooperation between competitive
6 teams as they will share equipment to ensure that others can continue on in a competition.

7 Vice-Chair McKee said there was a team out of Wake County there on Saturday.

8 Commissioner Richards asked for more information on targeted students.

9 Dr. Felder said they targeted students of color, students in low socioeconomic groups,
10 students who were not taking more rigorous courses. She said that they have seen a 50%
11 increase in the number of students taking more rigorous courses.

12 Commissioner Richards asked if this increase was over one or two years because the
13 numbers were impressive.

14 Dr. Felder said this was over one year and they were in the second year now.

15 Vice-Chair McKee asked if the combined allocation in the previous year was over
16 \$100,000,000.

17 Bonnie Hammersley said that it was \$93 million.

18 Vice-Chair McKee said the total request for FY24 is over \$21 million, which is a 20%
19 increase over the total allocation from last year, and a .14 cent increase.

20 Chair Bedford said that EdNC published a report card on children's mental health and that
21 North Carolina got an F. She said it was a valid analysis. She said it is sad to know that just at
22 the continuation budget the county is really going to have to stretch. She said it was difficult to
23 realize that they are not going to be able to do the things they thought they could do a year and a
24 half ago, as far as social and emotional learning. She asked what the districts were doing to
25 address social and emotional learning needs.

26 Will Atherton said teachers and staff are burdened as well, since they are on the front line
27 every day. He said there was a referral program

28 Joyce Hatcher said they are offering professional development, mindfulness session,
29 reduced Sportsplex membership, group benefits, quarterly mental health newsletter.

30 Dr. Hamlett said the funding received in the previous year helped tremendously. She said
31 they were also able to have mental health specialists and social emotional learning specialists in
32 the schools. She said they created a mental health position for elementary schools that are shared
33 between schools.

34 Will Atherton said they have Renaissance Wellness, in-person mindful social and
35 emotional learning program, and one-on-one check ins for their students.

36 Commissioner Portie-Ascott said during the height of the pandemic there were mental
37 health days. She asked if there is anything prohibiting a wellness day each week.

38 Commissioner Fowler said the state does.

39 Will Atherton said it is a challenge to meet the hours required by the state at the same
40 time as ensuring the students are getting everything they need. He said that when they are not in
41 school, they still have to provide the services to the students that have the need. He said he thinks
42 there would be challenges around it being a full day every week, but it could be discussed.

43 Commissioner Portie-Ascott said it just seems like there is a lot going on.

44 Will Atherton said she is right.

45 Vice-Chair McKee said the number of children on free and reduced lunch was striking. He
46 asked about the threshold for the determination.

47 Will Atherton said it depends on the family size and Federal poverty levels.

48 Vice-Chair McKee said there are major increases in students and the number of schools
49 for Title I and that it is hard to take in that there are schools at 86% free and reduced lunch. He
50 said that is eye opening.

1 Will Atherton said it is and that is why they wanted to share the information. He said it
 2 does not change when children go to middle school and high school, they just do not apply for it
 3 and there is an artificial feeling that the need is not there. He said that teachers will have snacks
 4 the children can take home for their families. He said there are community programs that help
 5 with the need. He said that a child won't learn if they are hungry.

6 Vice-Chair McKee asked if Chapel Hill is comparable to that.

7 Dr. Hamlett said they are at 24%.

8 Vice-Chair McKee asked if it varied from school to school.

9 Dr. Hamlett said yes.

10 Chair Bedford asked if there is still universal breakfast at Orange County Schools.

11 Will Atherton said yes.

12 Chair Bedford said that means every child can get breakfast at no cost.

13 Chair Bedford reviewed the meeting schedule for FY24 budget considerations.

14 Commissioner Hamilton thanked the school boards and staff for their service to children.

15
 16 The Board transitioned to a work session as representatives from the school systems
 17 departed.

18 2. Board of Health – Appointments Discussion

19 The Board considered appointments to the Board of Health.

20
 21 **BACKGROUND:** The Board of Health makes policy and is charged with protecting and promoting
 22 public health in Orange County.

23
 24 The Board of County Commissioners appoints all eleven (11) members with representation from
 25 specific health-related professions and the general public.

26
 27 The following individuals are recommended for Board consideration:

28 NAME	SPECIAL REPRESENTATIVE	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
29 Dr. Rachel Royce	Citizen/BOCC Appointment	First Full Term (re-appointment)	06/30/2026
Dr. Lee Pickett	Veterinarian	Second Full Term	06/30/2026
Dr. Shielda Rodgers	Nurse	Second Full Term	06/30/2026

30
 31 If the individuals listed above are appointed, the following vacancies remain:

32 POSITION DESIGNATION	EXPIRATION DATE	VACANCY INFORMATION
Dentist	06/30/2025	Vacant since 01/13/2023

33 Tara May, Deputy Clerk to the Board, introduced the item.

34 Chair Bedford said the Board of Health plans to appoint someone to the dentist position
 35 before the end of June.

36 The Board agreed by consensus on the recommended applicants.

37 Tara May said the appointments will come back for approval on May 16, 2023.

38
 39

3. Carrboro Board of Adjustment – Appointment Discussion

This item was removed at the start of the meeting and will be considered at the May 9, 2023 work session.

4. Carrboro Northern Transition Area Advisory Committee – Appointment Discussion

The Board considered an appointment to the Carrboro Northern Transition Area Advisory Committee.

BACKGROUND: The Carrboro Northern Transition Area Advisory Committee will review zoning amendment requests, special/conditional use permit applications for developments within the Northern Transition Area of Carrboro; make recommendations to the Carrboro Board of Adjustment or Carrboro Town Council; inventory areas of cultural, archaeological, historical significance; areas of open space, rural character, scenic qualities, biological values; areas of agricultural uses; and make recommendations based on the above studies for additional policies, goals, etc. that will preserve and enhance the special character of this area, and relate to its growth.

The Board of County Commissioners appoints three (3) members representing the Northern Transition Area.

The following individual is recommended for Board consideration:

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Edward Witkin	Northern Transition Area (BOCC Appointee)	Second Full Term	01/31/2026

If the position listed above is filled, no vacancies remain.

Tara May, Deputy Clerk to the Board, introduced the item.

The Board agreed by consensus on the recommended applicant.

5. Chapel Hill Parks, Greenways, and Recreation Commission – Appointment Discussion

The Board considered an appointment to the Chapel Hill Parks, Greenways, and Recreation Commission.

BACKGROUND: The Chapel Hill Parks, Greenways, and Recreation Commission promotes recreation for the residents of Chapel Hill. The Commission serves as the recreation policy advisory body for the Department of Parks and Recreation and the Town. It consults with and advises the Town Council on matters affecting the overall recreational policies of the Town, the acquisition and use of lands and properties related to the total community recreation program, and its long-range projected programs for recreation, parks, and playgrounds.

The Board of County Commissioners appoints one (1) Orange County resident.

The following individual is presented for reappointment:

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Alice K. Armstrong	Orange County Resident	Second Full Term	06/30/2026

If the position listed above is filled, no vacancies remain.

Tara May, Deputy Clerk to the Board, introduced the item.

Commissioner Richards asked if the commission made a recommendation.

Tara May said they had not made a recommendation, but she had kept the Chapel Hill Council Clerk informed about the process for reappointment.

Commissioner Richards said there were other applicants for the position.

Commissioner Greene said it is customary to give people a second term.

Tara May said the Board could appoint someone else, but that the current person in the position is eligible for a second term.

Chair Bedford said that appointments are limited to two terms.

Tara May said that the terms are for three years, so after the second term Ms. Armstrong would roll off the commission.

Vice-Chair McKee said it is normally not done to not reappoint for a second term, except for cause.

The Board agreed by consensus to appoint Alice K. Armstrong.

6. Chapel Hill Planning Commission – Appointment Discussion

The Board considered an appointment to the Chapel Hill Planning Commission.

BACKGROUND: The Chapel Hill Planning Commission develops a comprehensive plan for the orderly growth and development of Chapel Hill. It reviews all plans for buildings, projects and facilities to be located within the Town's jurisdiction. It also formulates and recommends the adoption and amendment of ordinances.

The Board of County Commissioners appoints one (1) resident representing the Chapel Hill Extraterritorial Jurisdiction, as well as one resident representing the Chapel Hill Extraterritorial Jurisdiction or the Joint Planning Area.

The following position is presented for Board consideration:

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
BOCC Appointee	Chapel Hill ETJ	First Full Term	06/30/2025

If the position listed above is filled, no vacancies remain.

Tara May, Deputy Clerk to the Board, introduced the item.

Commissioner Greene said she was concerned that there was only one applicant.

Tara May said she was happy to re-advertise the position.

Vice-Chair McKee asked if the Board would like to wait on the decision.

The Board agreed by consensus to wait and see if they get more applications.

1 **7. Historic Preservation Commission – Appointment Discussion**

2 The Board considered an appointment to the Historic Preservation Commission.

3
4 **BACKGROUND:** The Historic Preservation Commission is charged with undertaking an
5 inventory of properties of historical, prehistorical, architectural, and/or cultural significance. It
6 recommends areas to be designated or removed as "historic districts" and reviews and acts upon
7 proposals for alterations, demolition, new construction, etc.

8
9 The Board of County Commissioners appoints all seven (7) At-Large members.

10
11 The following individual is recommended for Board consideration:

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Stephen Peck	At-Large	One Year Extension	03/31/2024

12
13
14 If the individual listed above is appointed, no vacancies remain.

15
16 Tara May, Deputy Clerk to the Board, introduced the item. She said the commission
17 requested an extension because Mr. Peck is the lead planner for the events surrounding the 250th
18 anniversary of Orange County.

19 Chair Bedford noted that the other application for consideration was incomplete.

20 Commissioner Greene said the recommended individual has done a lot of work for the
21 Historic Preservation Commission.

22 The Board agreed by consensus on the recommended individual.

23
24 **8. Orange County Housing Authority Board – Appointments Discussion**

25 The Board considered appointments to the Orange County Housing Authority Board.

26
27 **BACKGROUND:** The goal of the Orange County Housing Authority Board is to provide decent,
28 safe, and sanitary housing for the low- and moderate-income families in the County. Due to the
29 nature of its work, the Housing Authority Board does not make recommendations for
30 appointments.

31
32 The Board of County Commissioners appoints all seven (7) members.

33
34 The following positions are presented for Board consideration:

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
BOCC Appointment	At-Large	Partial Term	06/30/2024
BOCC Appointment	At-Large	First Full Term	06/30/2026
BOCC Appointment	Resident Member	Partial Term	06/30/2024

35
36
37 If the positions listed above are filled, no vacancies remain.

1 Tara May, Deputy Clerk to the Board, introduced the item.

2 The Board agreed by consensus on Eva Weatherly-Rosner for the Resident Member
3 position.

4 Tara May said there was interest from the Housing Authority Board to appoint a resident
5 to an At-Large position. She said that the board was in touch with residents to see if there was
6 any interest in joining the board.

7 Chair Bedford asked if the board would have more applications in a few weeks.

8 Tara May said the staff liaisons are in touch with the program participants, but she is not
9 sure when they would have additional applications.

10 Chair Bedford said they could wait a couple of weeks

11 Tara May said the next appointment discussion would be on June 1, 2023.

12 Commissioner Portie-Ascott asked for clarification on what the Board wanted to do.

13 Chair Bedford said they will put Eva Weatherly-Rosner in the Resident Member position.
14 She said they could pick someone for one At-Large position and hold back on the other.

15 Chair Bedford suggested Matthew Arlyn for an At-Large position. She said he would bring
16 gender diversity to the board.

17 Commissioner Greene thought he was the most qualified.

18 Commissioner Portie-Ascott asked for clarification for the reason he was being
19 considered.

20 Chair Bedford said he was qualified and expert in public housing.

21 Chair Bedford said Victoria Hudson was an Environmental Health employee and was good
22 to work with.

23 Commissioner Portie-Ascott asked about Terri Buckner.

24 Chair Bedford said she had served on the Broadband Task Force.

25 Commissioner Fowler noted that Matthew Arlyn had not previously served on any boards.

26 Commissioner Greene said Eva Weatherly-Rosner has also not previously served and
27 that she put the Housing Authority Board as her first choice.

28 The Board clarified that they were in agreement on Eva Weatherly-Rosner for the Resident
29 Member position, but needed to fill one At-Large position.

30 Commissioner Fowler said she thought Matthew Arlyn was qualified and liked that he had
31 not previously served.

32 Commissioner Richards said he would also provide age diversity to the board.

33 The Board agreed by consensus on Matthew Arlyn for one of the At-Large positions. They
34 also agreed to keep the second At-Large position open to allow the Housing Authority Board time
35 to recommend a resident for the position.

36

37 **9. Orange Unified Transportation Board – Appointments Discussion**

38 The Board considered appointments to the Orange Unified Transportation Board.

39

40 **BACKGROUND:** The Orange Unified Transportation Board (OUTBoard) advises the Orange
41 County Board of County Commissioners on the overall planning and programming of
42 transportation improvements in the County.

43

44 The Board of County Commissioners appoints all fourteen (14) members, with representation
45 from each of the County's townships. The OUTBoard does not make recommendations.

46

47 The following positions are presented for Board consideration:

48

49

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
BOCC Appointee	At-Large	First Full Term	09/30/2025
BOCC Appointee	At-Large	First Full Term	09/30/2025
BOCC Appointee	Hillsborough Township	Partial Term	09/30/2023

If the positions listed above are filled, the following vacancies remain:

POSITION DESIGNATION	EXPIRATION DATE	VACANCY INFORMATION
Cedar Grove Township	09/30/2023	Vacant since 11/15/2022
At-Large	09/30/2023	Vacant since 05/11/2022
At-Large	09/30/2025	Vacant since 10/01/2022

Tara May, Deputy Clerk to the Board, introduced the item.

Chair Bedford said that Natalie Ziemba was the applicant for the Hillsborough Township. She said that they previously appointed her to the Parks and Recreation Council, but she thought it was ok given the number of vacancies on the OUTBoard.

Commissioner Richards said that Natalie Ziemba said she uses public transportation.

Chair Bedford said that Erik Legg rides a bicycle and takes an electric vehicle to RTP.

The Board agreed by consensus on Erik Legg and Gregory Woloszczuk for two At-Large positions and Natalie Ziemba for the Hillsborough Township position.

Adjournment

A motion was made by Commissioner Hamilton and seconded by Commissioner Richards to adjourn the meeting at 8:35 p.m.

VOTE: UNANIMOUS

Jamezetta Bedford, Chair

Recorded by Laura Jensen, Clerk to the Board

Submitted for approval by Laura Jensen, Clerk to the Board.

1 DRAFT

2 **MINUTES**
3 **ORANGE COUNTY**
4 **BOARD OF COMMISSIONERS**
5 **BUSINESS MEETING**
6 **May 2, 2023**
7 **7:00 p.m.**

8 The Orange County Board of Commissioners met for a Business Meeting on Tuesday, May 2,
9 2023 at 7:00 p.m. at the Whitted Human Services Center in Hillsborough, NC.

10
11 **COUNTY COMMISSIONERS PRESENT:** Chair Jamezetta Bedford, Vice-Chair Earl McKee,
12 and Commissioners Amy Fowler, Sally Greene, Jean Hamilton, Phyllis Portie-Ascott, and Anna
13 Richards

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, and Clerk to the Board Laura Jensen. (All other staff members will be identified
18 appropriately below)

19
20 Chair Bedford called the meeting to order at 7:00 p.m. All commissioners were present.

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

24
25 Chair Bedford dispensed with reading the public charge.

26
27 **2. Public Comments (Limited to One Hour)**

28 a. Matters not on the Printed Agenda

29
30 There was no one signed up to speak.

31
32 b. Matters on the Printed Agenda

33 (These matters will be considered when the Board addresses that item on the agenda below.)
34
35

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

37 Commissioner Portie-Ascott said she is finishing up her meetings with all county
38 department heads and touring county buildings. Since the last meeting, she said she met with the
39 Tax Department, Finance, Social Services, the Health Department, Animal Services, and the
40 Chapel Hill Orange County Visitors Bureau. She said the Visitor's Bureau staff shared that they
41 have contributed to raising their revenue by 40% and bringing in over 2.5 million visitors to Orange
42 County in the last year. She said she attended a community conversation on drug trends in
43 Orange County hosted by the Orange Partnership for Alcohol and Drug Free Youth and the
44 Orange County Sheriff's Office. She said drugs are showing up across the county in the form of
45 gummies, vapes, and drinks that resemble other soft drinks. She said there were several
46 community members at the meeting who requested more community conversations on this topic.

47 Commissioner Hamilton said the Schools Safety Task Force met on April 27th and received
48 information on the legal issues regarding school safety with the County Attorney and UNC Law
49 Professor Papandrea who talked about the first amendment in education. She said it was very
50 helpful to understand what can be done legally. She said there is also an upcoming meeting of

1 the Alliance Health Board of Directors, and she looks forward to hearing how they will continue to
2 serve the most vulnerable county residents.

3 Commissioner Fowler recognized the two proclamations on the consent agenda:
4 Recognition of Child Care Work Appreciation Day, and Mental Health Awareness Month. She
5 said they will not be read aloud tonight due to the packed agenda, but are available to read in the
6 agenda packet. She recognized the importance of early childhood care providers to the health,
7 safety, and development of children, as well as to the local economy as it allows parents of young
8 children to join the workforce. She said even though we are coming out of the pandemic, there
9 continues to be a significant number of people experiencing mental health challenges. She
10 thanked partners in the county and the schools, as well as Alliance Health for their work to improve
11 mental health care in Orange County. She encouraged anyone experiencing mental health issues
12 to reach out to their provider, Alliance Health, or to call 9-8-8. She announced her attendance at
13 the Chamber of Commerce event last week where each of the county and towns' Economic
14 Development directors presented current development in the county.

15 Chair Bedford said the other proclamation on the consent agenda is to recognize Older
16 Americans Month. She said people age differently and there is a growing population of seniors in
17 Orange County and she appreciates their contributions. She said there is a pilot expanding to
18 Orange County through Alliance Health that will work with residents with traumatic brain injuries.
19 She said there will be more news to follow on that.

20 Vice-Chair McKee had no comments.

21 Commissioner Richards thanked Commissioner Fowler and Chair Bedford for recognizing
22 the proclamations on the consent agenda. She said she continues to work with the Orange
23 Partnership for Young Children, and will be meeting with staff this week on some follow up on a
24 the Board's petition to increase the availability of childcare and use the slots the county currently
25 has. She thanked child care workers across the county. She also announced that it is Teacher
26 Appreciation Day, and thanked educators in Orange County and expressed how important
27 teachers are to educating children and said they deserve every bit of appreciation and more. She
28 praised the Orange County Economic Development staff for their presentation at the event
29 Commissioner Fowler mentioned. She shared that she also attended an arts competition on
30 Sunday hosted by the Partnership for Young Children for participants under 5 years old. She said
31 the youngest winner was 9 months old. The art of the winners will be displayed across the county
32 for the next year.

33 Vice-Chair McKee recognized Orange Grove Fire Department for their 50th Anniversary
34 event over the weekend.

35 Commissioner Greene said she attended the Orange County Community Remembrance
36 Coalition's Soil Collection Ceremony on Saturday at the Battle Courtroom. She said it was a very
37 moving experience to honor five victims of lynching in Orange County in a very palpable way by
38 placing soil from where they were lynched into two big jars. She said one will go to the Lynching
39 Museum in Montgomery, Alabama sponsored by the Equal Justice Initiative, and the other will
40 stay in Orange County. She said the Community Remembrance Coalition will have another event
41 this coming Saturday also at the Battle Courtroom, which will be a panel discussion of Albion
42 Tourgée, an important figure who touched ground in Orange County.

43 Commissioner Greene said GoTriangle met last week and discussed when/if to re-
44 introduce fares. She said she thinks, whatever is decided, surrounding public transportation
45 entities should remain coordinated and consistent. She said she has also been attending the
46 meetings discussing transitioning UNC Chapel Hill from its reliance on coal that has involved
47 Senator Meyer and his office, UNC's Sustainability Office, Carrboro, Chapel Hill, some UNC
48 students, and others. She said UNC is very interested in these discussions. She said two studies
49 will be done—one funded by UNC about what it would really look like to transition off of coal. She
50 said the other study would involve Orange County because it plans for the going away of the rail
51 line that brings the coal through Orange County onto campus. She said it will look into the

1 possibility for a rails to trails project, land use possibilities for Carrboro and Orange County. She
 2 said to get the second study off the ground, this group is asking for a total of \$40,000, with a
 3 commitment of \$10,000 already from SELC, as well as soft commitments from Carrboro and
 4 Chapel Hill. She said the same will be asked of Orange County to help hire a consultant to plan
 5 the planning process. She said the Board will need to discuss this as well as a longer discussion
 6 about involvement in the process of getting off of coal and changing the land use.

7 Chair Bedford said there may need to be a work session on this topic as well.
 8
 9

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

11 **a. Presentation of Manager's Recommended Fiscal Year 2023-24 Annual Operating Budget**

12 The Board received a presentation on the Manager's Recommended FY 2023-24 Annual
 13 Operating Budget.
 14

15
 16 **BACKGROUND:** Each year in the month of May, the County Manager presents the Board of
 17 County Commissioners with a recommended spending plan for the next fiscal year. During the
 18 meeting, the Manager will provide a brief presentation of the Recommended FY 2023-24 Annual
 19 Operating Budget.
 20

21 The Board of County Commissioners will conduct two Public Hearings - the first at 7:00 p.m. on
 22 Tuesday, May 9, 2023, and the second on Thursday, June 1, 2023 at 7:00 pm. In addition, the
 23 Board has scheduled the following Budget Work Sessions:
 24

- 25 • May 11, 2023 - Budget Work Session with Chapel Hill-Carrboro City Schools, Orange
 26 County Schools, Durham Tech Community College and Outside Agencies.
 27
- 28 • May 18, 2023 - Budget Work Session with Fire Districts and County Departments within
 29 the following **Functional Leadership Teams: Public Safety** (Courts, Criminal Justice
 30 Resource Department, Emergency Services and the Sheriff's Office); **Human Services**
 31 (Child Support, Department of Social Services, Department of Aging, Health, Housing and
 32 Community Development, Human Rights and Relations, Library Services and Alliance
 33 Health).
 34
- 35 • May 23, 2023 - Budget Work Session with County Departments within the following
 36 **Functional Leadership Teams: Support Services** (Asset Management Services,
 37 Community Relations, Finance and Administrative Services, Human Resources and
 38 Information Technology); **General Government** (Board of County Commissioners, Board
 39 of Elections, County Attorney, County Manager, Register of Deeds and Tax
 40 Administration); **Community Services** (Animal Services, Cooperative Extension,
 41 Department of Environmental, Agriculture, Parks and Recreation, Economic
 42 Development, Orange Public Transportation, Planning and Inspections, Solid Waste and
 43 Sportsplex) including Non-Departmental items.
 44
- 45 • June 8, 2023 - Budget Work Session for Board to review budget amendments and finalize
 46 decisions (Resolution of Intent to Adopt) on the FY 2023-24 Annual Operating Budget and
 47 the FY 2023-2033 Capital Investment Plan.
 48
- 49 • June 20, 2023 - Business Meeting for the Adoption of the FY 2023-24 Annual Operating
 50 Budget and the FY 2023-2033 Capital Investment Plan.

1 All meetings start at 7:00 p.m.

2

3 Bonnie Hammersley made the following presentation:

4

5 Slide #1



6

7 Bonnie Hammersley said her presentation would be a high-level overview. She said more
8 in-depth discussions will take place during the budget work.

9 Slide #2

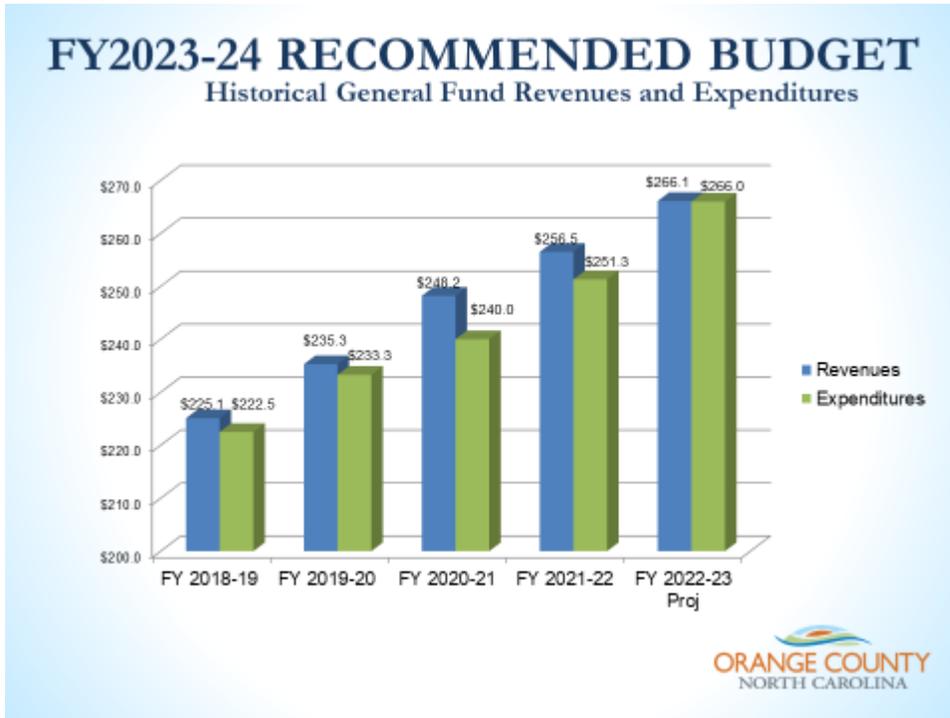


10

11

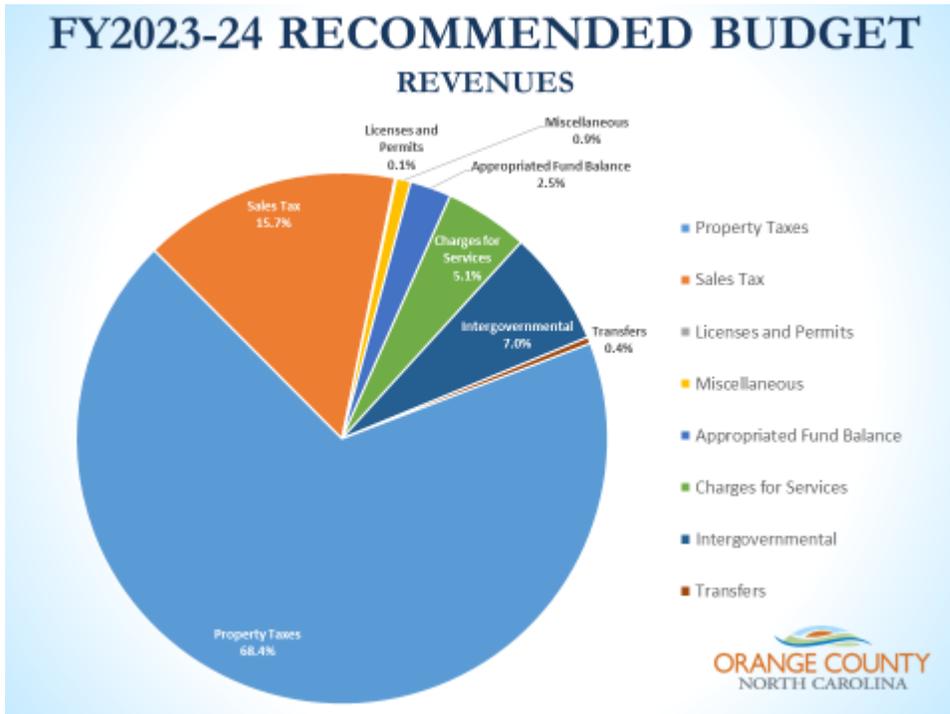
12

1 Slide #3



2
3
4

Slide #4



5 Bonnie Hammersley said the sales tax revenue continues to grow, which puts less
6 demand on property taxes.
7
8
9

1 Slide #5

FY2023-24 RECOMMENDED BUDGET

FY 2023-24 Revenue Assumptions

FY 2023-24 Property Tax Assumptions

Recommended Property Tax Increase:

\$0.0046 – balance budget = \$1,038,676

Current Tax Rate = \$0.8312 per \$100 valuation

Recommended Tax Rate = \$0.8358 per \$100 valuation

Total Property Tax Increase with 2% natural growth = \$4.7 Million



2
3
4

Slide #6

FY2023-24 RECOMMENDED BUDGET

FY 2023-24 Revenue Assumptions

FY 2023-24 Sales Tax Assumptions

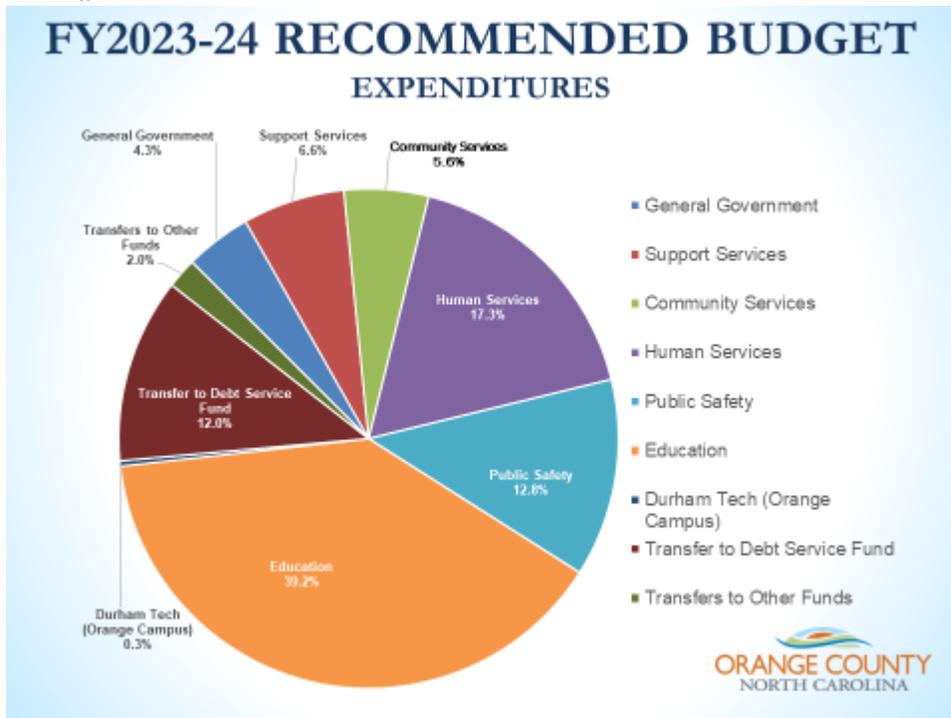
- 4-5% Growth over FY 2022-23 projection as economy normalizes to pre-Covid inflation rates.
- Third Quarter FY 2022-23 indicates 10-12% Growth over Prior Fiscal Year

Total Sales Tax Increase = \$8.1 Million



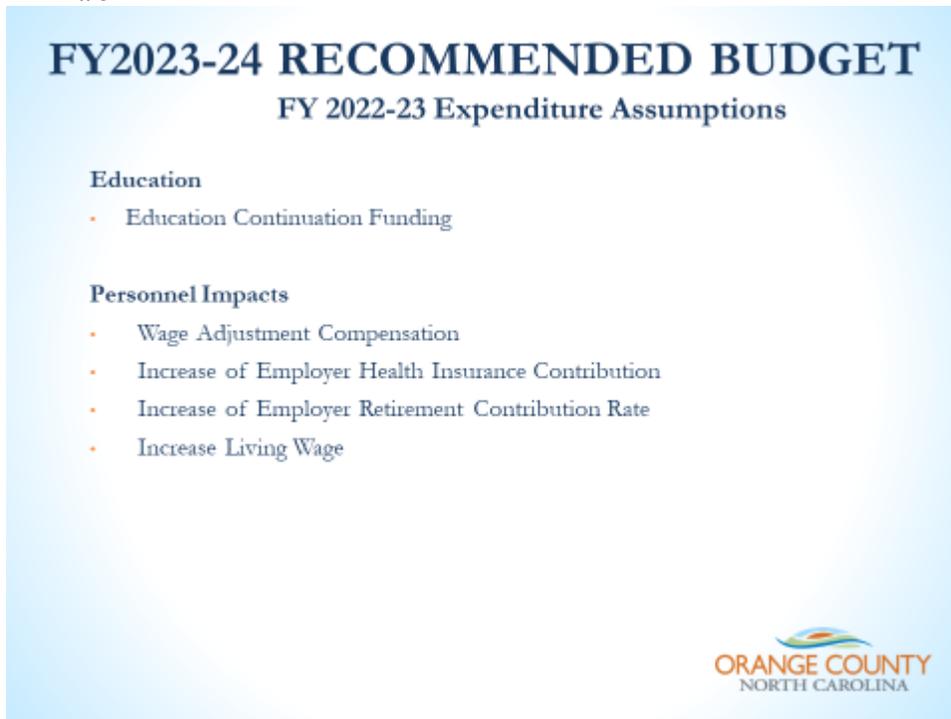
5
6
7
8

1 Slide #7



2 Bonnie Hammersley said the 12% Debt Service is divided between the County and the
 3 schools debt service funds.
 4
 5

6 Slide #8



7
8

1 Slide #9

FY2023-24 RECOMMENDED BUDGET

FY 2022-23 Expenditure Assumptions

Operating Impacts

- Inflationary Increases
- Employee Retention
- Transfer ARPA funded essential programs and positions to General Fund and/or other funding sources
- Allocate remaining ARPA Funds



2
3 Bonnie Hammersley said there is a slide later in the presentation to show the
4 recommendation allocation of the remaining ARPA funds.

5
6 Slide #10



7
8 Bonnie Hammersley said there has been a decline in the rate of inflation since the peak
9 of July 2022, and the hope is that it will continue to decline.

1 Slide #11

FY2023-24 RECOMMENDED BUDGET

K-12 EDUCATION

Chapel Hill-Carboro City Schools	FY 2022-23 Current Expense	Continuation Request	Expansion Request	Manager Recommend	Recommend Increase
Current Expenses	\$ 55,007,882	\$ 63,447,882	\$ 66,157,882	\$ 60,158,538	\$ 5,150,656
Per Student	\$ 4,808	\$ 5,558	\$ 5,798	\$ 5,346	\$ 538
Special District Tax	\$ 0.183	\$ 0.183	\$ 0.183	\$ 0.198	\$ 2,095,301

Orange County Schools	FY 2022-23 Current Expense	Continuation Request	Expansion Request	Manager Recommend	Recommend Increase
Current Expenses	\$ 38,570,900	\$ 40,789,900	\$ 49,207,500	\$ 42,784,038	\$ 4,213,138
Per Student	\$ 4,808	\$ 5,085	\$ 6,137	\$ 5,346	\$ 538

1 - An Increase in the Special District Tax for CHCCS is recommended at \$0.015 to provide additional ongoing revenue



2
3
4 Bonnie Hammersley said this budget recommends a K-12 education increase of 10%,
5 totaling about \$9.4 million. She said CHCCS's allocation of funding is 58.44% compared to OCS's
6 allocation of 41.56%. She said CHCCS's percentage went down slightly due to a loss of 189
7 students. She said the 10% increase covers 58% of CHCCS's continuation budget and more than
8 covers OCS's continuation budget. She said in an effort to assist with the ongoing continuation
9 funding needed for CHCCS, this budget recommends an increase the Special District Tax from
10 \$0.015 to \$0.0198, which would add just under \$2.1 million. She said the recommended increase
11 for the cost per student is \$538, bringing the total cost per student in each school district to \$5,346.

12 Vice-Chair McKee said CHCCS is already the highest funded school system in the state,
13 and asked if the recommended increase would bring OCS to the second spot.

14 Bonnie Hammersley said staff will have all of that information at the budget work sessions.

15 Slide #12

FY2023-24 RECOMMENDED BUDGET

EDUCATION

Durham Technical Community College	FY2023-24 Base Budget	FY2023-24 Request	County Manager Recommend	Recommended Increase
Current Expenses	\$ 809,405	\$ 1,087,198	\$ 890,346	\$ 80,941
Capital Outlay	\$ 75,000	\$ 75,000	\$ 75,000	\$ -
Innovation Hub*	\$ -	\$ 20,000	\$ 20,000	\$ 20,000
Back to Work Initiative*	\$ 50,000	\$ 100,000	\$ 100,000	\$ 50,000
Durham Tech Promise*	\$ 200,000	\$ 200,000	\$ 200,000	\$ -
Small Business Center Coordinator*	\$ 70,000	\$ 70,000	\$ 70,000	\$ -

** Funded In Article 46, outside of the General Fund*



16

1 Bonnie Hammersley said to be consistent with the increase to K-12 education, the
 2 recommended budget includes a 10% increase to current expenses for Durham Technical
 3 Community College.

4
 5 Slide #13

FY2023-24 RECOMMENDED BUDGET OUTSIDE AGENCIES

Outside Agencies (501.c3)	FY2022-23 Approved	FY2023-24 Request	Outside Agency Fund Recommend	Department Budget Recommend
Agencies Funded	58	56	42	6
Total	\$ 1,854,691	\$ 2,436,822	\$ 1,037,016	\$ 937,656

- In FY 2023-24, the integral agencies awarded \$100K+ or majority of funding is Outside Agency funds are moved into department budgets to improve coordination, accountability and client outcomes.
- An additional \$45,000 is recommended for Arts and Tourism related Outside Agencies in the Visitors Bureau Fund, to be administered by the Orange County Arts Commission and The Visitors Bureau.



6
 7
 8 Slide #14

FY2023-24 RECOMMENDED BUDGET FIRE DISTRICTS

FIRE DISTRICT	CURRENT TAX RATE	REQUESTED INCREASE	RECOMMENDED TAX RATE
Cedar Grove	\$0.0763	\$0.0137	\$0.09
Chapel Hill	\$0.1387	\$0.00	\$0.1387
Damascus	\$0.1180	\$0.01	\$0.1280
Efland	\$0.0828	\$0.02	\$0.1028
Eno	\$0.0998	\$0.00	\$0.0998
Little River	\$0.0639	\$0.01	\$0.0739
New Hope	\$0.1156	\$0.0101	\$0.1257
Orange Grove	\$0.0727	\$0.01	\$0.0827
Orange Rural	\$0.0949	\$0.01	\$0.1049
South Orange	\$0.0909	\$0.00	\$0.0909
Southern Triangle	\$0.1180	\$0.01	\$0.1280
White Cross	\$0.1234	\$0.015	\$0.1384



9

1 Bonnie Hammersley said the fire districts have felt the impacts of inflation and that 9 of
 2 the 12 districts are requesting a fire district tax increase. She said the fire chiefs will meet with the
 3 Board on May 18th and will share their needs at that time. She noted that Little River is the only
 4 fire district in Orange County that operates only with volunteers.

5
 6 Slide #15

FY2023-24 RECOMMENDED BUDGET

COUNTY EMPLOYEE COMPENSATION		
	% Increase	Total
1- Compensation Adjustment	6%	\$4,400,000
2- Living Wage Adjustment	3%	\$36,000
Health & Dental Insurance	5%	\$540,000
Retirement Increase	6%	\$460,000

1- Compensation adjustment includes Merit and 401K adjustments of 6%
 2- Living Wage Increase living wage for temporary employees from \$15.85 per hour to \$16.60 per hour

7
 8 Bonnie Hammersley said the wage increase is part of a strategy to enhance employee
 9 recruitment and retention. She also noted the retirement increase is required by state law.

10
 11 Slide #16

FY2023-24 RECOMMENDED BUDGET

COUNTY POSITIONS – GF AND OTHER FUNDS

Fund	# of Positions	FTE Status	GF Cost
General Fund	23	22.0 FTE	\$85,902
Debt Service	1	1.0 FTE	\$0
Inspections	1	1.0 FTE	\$0
Visitors Bureau	1	1.0 FTE	\$0
Solid Waste	5	5.0 FTE	\$0
Total	31	30.0 FTE	\$85,902

Food Council FTE converted to Food Security Coordinator contract position
 in Cooperative Extension – 25% NC A&T revenue

1 Bonnie Hammersley said that the 22 FTEs recommended in the General Fund are funded
 2 through new revenues or a reallocation of existing funds.

3
 4 Slide #17

FY2023-24 RECOMMENDED BUDGET
AMERICAN RESCUE PLAN USE ACT (ARPA)

FY2023-24 Recommended ARPA Projects	Amount
Emergency Housing Assistance (EHA)	\$2,148,849
Long-term Homeowner's Assistance	\$250,000
ARPA Reporting Coordinator Contract	\$66,886
Total	\$2,465,735*

* The American Rescue Plan Act (ARPA) funds have been fully allocated with the recommended amount.



5
 6 Bonnie Hammersley said the Board will receive information about the Long-Term
 7 Homeowner's Assistance program over the past year at their May 16th meeting.

8
 9 Slide #18

FY2023-24 RECOMMENDED BUDGET

BUDGET PUBLIC HEARINGS	DATE
Budget and Capital Investment Plan (CIP)	May 9 & June 1
BUDGET WORK SESSION SCHEDULE	DATE
Schools, Durham Tech, and Outside Agencies	May 11
Fire District, Public Safety and Human Services	May 18
Support Services, General Government and Community Services	May 23
Budget Amendments and Resolution of Intent to Adopt	June 8
BOCC REGULAR MEETING	DATE
FY2023-24 Operating and CIP Budget Adoption	June 20



10
 11
 12

1 Slide #19

FY2023-24 RECOMMENDED BUDGET DOCUMENT AVAILABILITY

- Clerk to Board of Commissioners
- County Budget Office
- Orange County Library
- Chapel Hill Public Library
- Orange County Website - <http://orangecountync.gov>

2
3
4

Slide #20

FY2023-24 RECOMMENDED BUDGET MISSION STATEMENT

Orange County exists to provide governmental services needed by our Residents or mandated by the State of North Carolina.

To provide these quality services efficiently, we must;

- Serve the Residents of Orange County – Our Residents Come First;
- Depend on the energy, skills, and dedication of all our employees and volunteers;
- Treat all our Residents and Employees with fairness, respect, and understanding.

Orange County Residents Come First

5
6
7
8
9
10
11
12
13

Bonnie Hammersley thanked the department directors, school superintendents and finance teams, the county budget team, and the Deputy County Manager for their input and development of the recommended budget. She said she looks forward to working with the Board on the recommended budget going forward.

Vice-Chair McKee asked to return to slide #7. He said the percentage listed for education does not include the debt service for education.

Bonnie Hammersley said that's correct, and when debt service is added, the Board reaches their stated goal of 48.07% for education funding.

1 Chair Bedford asked if there is a recommended change in funding for the Chapel Hill
2 Library.

3 Bonnie Hammersley said there was no recommended change.

4 Chair Bedford said the public hearing on the budget will be next Tuesday at the Whitted
5 Building at 7:00 pm, and encouraged residents to attend.

6 7 8 **5. Public Hearings**

9 **a. Public Hearing on the Financing of Various Capital Investment Plan Projects**

10 The Board conducted a public hearing on a financing contract for up to \$16.5 million to pay for
11 capital investment projects and equipment for the fiscal year, and considered approving a related
12 resolution supporting the County's application to the Local Government Commission (LGC) for its
13 approval of the financing arrangements.

14
15 **BACKGROUND:** County staff estimates that the total amount to be financed for capital
16 investment projects and equipment will be not exceed \$16.5 million. The law requires that the
17 County conduct a public hearing on the proposed financing. A copy of the published hearing
18 notice is provided at Attachment 1.

19
20 The notice of public hearing was advertised in *The Herald Sun*.

21
22 After conducting the public hearing and receiving public input, the Board will consider the adoption
23 of the resolution (Attachment 2). This resolution formally requests the required LGC approval,
24 makes certain "finding of fact" as required under the LGC's guidelines, and authorizes County
25 staff to continue the process. The Finance Officer has been in contact with the LGC staff, and
26 expects no issues in receiving LGC approval.

27
28 If the Board adopts the resolution indicating its intent to continue with the financing plan, the Board
29 will be asked to consider a resolution giving final approval to the financing plans at its Business
30 meeting on May 16, 2023. Under the current schedule, County staff expects to set the final interest
31 rates and close by the end of June.

32
33 **Collateral:** For this type of County installment financing, the County secures its obligations to the
34 lender by a mortgage-type interest in some or all of the property being acquired or improved
35 through the financing. The County plans to secure this 2023 financing through a pledge of several
36 school properties. County staff is discussing with both school boards the particular schools to be
37 used. The school boards will convey the selected schools to the County for the financing term so
38 that the County can utilize them as collateral. The Board will be asked to approve the transfer of
39 the particular schools as part of a May 16, 2023 Business meeting agenda item.

40
41 Lenders generally require that the County offer collateral equal to at least 50% of the loan amount.
42 The County expects to offer collateral well in excess of the loan amount, but transferring schools
43 to the County now will facilitate future school improvements and financings over the next several
44 years. The County has flexibility to release schools individually from the financing lien if that
45 becomes appropriate.

46
47 Gary Donaldson, Chief Financial Officer, made the following presentation:
48
49

1 Slide #1



2
3
4

Slide #2

Purpose

- Conduct Public Hearing for Limited Obligation Bonds pursuant to NC Statute Section 160A-20
- Close Public Hearing
- Obtain Board Approval of Resolution to Proceed with Filing Local Government Commission Application for Series 2023 Limited Obligation Bonds
- Funds our FY 2022-23 Capital Investment Plan through this Series 2023 Limited Obligation Bonds are secured by a Deed of Trust, with a security interest in various County and School facilities.
- The Series 2022 Limited Obligation Bonds will fund various County projects including:

- Vehicles and Equipment (7 Years useful life):	\$1.7 Million
- County Projects (up to 20 years useful life):	\$5 Million
- School Projects (up to 20 years useful life):	<u>\$9.4 Million</u>
TOTAL:	\$16.1 Million



5

1 Gary Donaldson said he thinks the final financial package will be closer to \$14 Million but
 2 they felt it was appropriate to advertise \$16.1 when they were preparing the public hearing.

3
 4 Slide #3

FY 2023 Projects

Project	2023 Appropriation Request	Amount	Amount	Project Status
2023				
21 Public Infrastructure, Safety and Security Investments	\$	334,248	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
22 Public Projects		2,034,241	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
23 Strategic Services Investments		832,737	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
24 Funding Reserve Projects		4,432,814	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
2023 TOTAL		5,634,040		
2024				
Infrastructure Services				
25 Construction & Maintenance		227,891	5 Year Limit 2023-2028	County Owned
26 Grants, Loans, Fees, Payroll Expenses		32,854	5 Year Limit Debt Service	County Purchase Order and Invoice
27 Capital Equipment, Maintenance, Supplies		287,862	5 Year Limit 2023-2028	County Owned 20-25 Other
28 Reserves and Replacements		142,887	5 Year Limit Project	County Purchase Order/Invoice/Parade
Infrastructure Services Total		691,494		
Information Technology				
29 IT		24,464	5 Year Limit Debt Service	Pay Direct to County
30 Information Technology		879,468	5 Year Limit 2023-2028	Pay Direct to County
Information Technology Total		903,932		
Public Transportation				
31 Public Services		87,451	5 Year Limit 2023-2028	Reimbursed, Residuals/Purchase Order
32 2023 Projects		28,848	5 Year Limit Debt Service	Reimbursed, Residuals/Purchase Order
33 2024-2028 Services		2,188,281	5 Year Limit 2023-2028	Reimbursed, Residuals/Purchase Order
34 2024-2028		89,882	5 Year Limit 2023-2028	Reimbursed, Residuals/Purchase Order
Public Transportation Total		2,394,462		
Police				
CP-2023				
35 2023 Investments		204,274	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
36 2023		1,188,812	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
37 2024-2028		41,788	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
38 2024-2028		4,258,240	5 Year Limit Project	Reimbursed, Residuals/Purchase Order
39 2024-2028		2,038,894	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
40 2024-2028		838,420	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
CP-2023 Total		8,489,428		
2024				
CP-2024				
41 2024-2028		4,620,280	5 Year Limit Project	Reimbursed, Residuals/Purchase Order
42 2024-2028		4,527,420	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
43 2024-2028		58,820	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
44 2024-2028		64,794	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
45 2024-2028		22,281	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
46 2024-2028		9,461	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
47 2024-2028		8,462	20 Year Limit Project	Reimbursed, Residuals/Purchase Order
CP-2024 Total		16,301,598		
2023 Total	\$	58,666,476,000		



5 Gary Donaldson said the county would be reimbursing their reserves.
 6 Chair Bedford said it took her several years to understand the concept and that once the
 7 budget is passed they can begin the projects on July 1.
 8
 9

10 The following table was displayed on slide #3:

Project	LGC Application Amount	Amortization	Project Status
AMS			
Facility Accessibility, Safety and Security Improvements	\$ 331,215	20-Year Level Principal	Reimbursement Resolution/Purchase Order
HVAC Projects	1,084,341	15-Year Level Principal	Reimbursement Resolution/Purchase Order
Emergency Services Warehouse	583,757	20-Year Level Principal	Reimbursement Resolution/Purchase Order
Roofing/Façade Projects	1,431,681	20-Year Level Principal	Reimbursement Resolution/Purchase Order
AMS TOTAL	3,430,995		
Emergency Services			
Communication System Improvements	207,561	8-Year Level Debt Service	Quote/Purchase Order
Orange County Radio/Paging Upgrades			
BDA Testing Engineering	50,904	8-Year Level Debt Service	Quote/Purchase Order/Awaiting Invoice
Paging Equipment Replacements/Upgrades	297,982	8-Year Level Debt Service	Quote Received 12-2/Under Legal Review
ES Renewals and Replacements	110,997	15-Year Level Principal	Quote/Purchase Orders/Invoices/Payments
EMERGENCY SERVICES Total	667,444		
Information Technologies			
ITGC	21,621	5-Year Level Debt Service	Full Details to Come
IT Infrastructure	875,449	5-Year Level Debt Service	Full Details to Come
Information Technologies Total	897,070		
Public Transportation			
DEAPR Vehicles	97,801	7-Year Level Debt Service	Reimbursement Resolution/Purchase Order
DSS Vehicles	29,945	7-Year Level Debt Service	Reimbursement Resolution/Purchase Order
Emergency Services Vehicles	1,555,291	7-Year Level Debt Service	Reimbursement Resolution/Purchase Order
Health Vehicles	59,890	7-Year Level Debt Service	Reimbursement Resolution/Purchase Order
Public Transportation Total	1,742,927		
Schools			
CHCCS			
Classroom Improvements	301,374	20-Year Level Principal	Reimbursement Resolution/Purchase Order
Fire Safety	155,001	20-Year Level Principal	Reimbursement Resolution/Purchase Order
Athletic Facilities	13,766	20-Year Level Principal	Reimbursement Resolution/Purchase Order
Recurring Capital	1,058,040	8-Year Level Principal	Reimbursement Resolution/Purchase Order
Technology	1,065,991	20-Year Level Principal	Reimbursement Resolution/Purchase Order
Deferred Maintenance	555,430	20-Year Level Principal	Reimbursement Resolution/Purchase Order
CHCCS Total	3,149,602		
OSC			
Recurring Capital	1,920,060	8-Year Level Principal	Reimbursement Resolution/Purchase Order
Deferred Maintenance	4,227,420	20-Year Level Principal	Reimbursement Resolution/Purchase Order
Fire Safety	53,800	20-Year Level Principal	Reimbursement Resolution/Purchase Order
Classroom/Building Improvements	61,794	20-Year Level Principal	Reimbursement Resolution/Purchase Order
Athletic Facilities	20,081	20-Year Level Principal	Reimbursement Resolution/Purchase Order
Mechanical Systems	8,531	20-Year Level Principal	Reimbursement Resolution/Purchase Order
Food Services	8,452	20-Year Level Principal	Reimbursement Resolution/Purchase Order
OSC Total	6,300,138		
LOB Total	\$ 16,188,176.02		

1 Slide #4

Key Financing Terms

- Security Pledge- County Assets serve as Collateral and subject to Annual County Appropriations
- Maturity Term- 7- 20 Year maturities matches the useful life of the assets
- February 1 and August 1 Repayment Dates to Bank Trustee; First Interest Payment February 2024 consistent with the Debt Model
- Estimated Interest Rates- Between 3-4% subject to market conditions
- Series 2023 Limited Obligation Bonds Maximum Annual Debt Service not exceeding \$2.01 million in FY 2025 (based on current market interest rates)
- Source of Repayment- Property Taxes, there is no Enterprise Fund Projects with this financing.
- Limited Obligation Bonds are Subordinate Lien to AAA General Obligation Bonds
- Current Limited Obligation Bonds- AA1/AA+/AA+ from Moody's, Standard & Poor's and Fitch Ratings



2
3
4 Slide #5

Debt Service Model Metrics

Debt Ratios	10-year Payout	Debt to AV	DS to GF Revenues
2023	65.42%	1.42%	14.63%
2024	67.05%	1.61%	13.65%
2025	68.63%	1.75%	12.79%
2026	70.88%	1.63%	14.16%
2027	73.92%	1.76%	15.02%
2028	77.53%	1.69%	14.17%
2029	82.37%	1.80%	15.04%
2030	87.43%	1.66%	15.17%
2031	91.10%	1.71%	15.70%
2032	94.63%	1.61%	15.60%
2033	97.15%	1.50%	15.68%



5

1 Gary Donaldson discussed the parameters to show the three key metrics of the payout
 2 process. He said there is a statutory 3% for tax value. He said the rating agencies take comfort in
 3 the fact that the county is aware of the percentages they have.

4
 5 Slide #6



6
 7 Commissioner Fowler asked about the difference in the \$16 million and \$14 million.

8 Gary Donaldson said they will be financed by dept financing. He said it is a difference of
 9 which projects will be ready in time not which projects will be funded. He said that they have been
 10 in communication with the schools and they know they can proceed as is and the Board has
 11 approved those projects.

12 Commissioner Fowler asked if this would affect the debt modeling.

13 Gary Donaldson said it has a small impact, but comparatively small.

14 Commissioner Portie-Ascott asked if they are getting better financing terms by offering
 15 more collateral than the loan amount.

16 Gary Donaldson said the credit rating plays into that. He said that for GO bonds they have
 17 the highest rating among all three agencies. He said that is one factor into the rates.

18 Commissioner Portie-Ascott asked if the additional collateral will provide benefit or if the
 19 schools that will need capital improvement as well.

20 Gary Donaldson said the collateral package allows them to work with the schools to add
 21 those projects into the package. He said that in this case the bond counsel is working with both
 22 school district's legal counsel for particular schools. He said that they are working to bring projects
 23 funded in this financing into the collateral package for this financing.

24 Commissioner Hamilton asked if this is done in the spring and the fall.

25 Gary Donaldson said this was historically done in the spring and fall but now it is done in
 26 the spring to give departments more time to get their projects and go to the LGC and the market
 27 once rather than twice per year.

28
 29 A motion was made by Vice-Chair McKee, seconded by Commissioner Hamilton, to open
 30 the public hearing.

31
 32 **VOTE: UNANIMOUS**

33
 34 No one was signed up to speak for the public hearing
 35

1 A motion was made by Vice-Chair McKee, seconded by Commissioner Hamilton, to close
2 the public hearing.

3
4 **VOTE: UNANIMOUS**

5
6 A motion was made by Vice-Chair McKee, seconded by Commissioner Hamilton, to adopt
7 the resolution supporting the application to the Local Government Commission for approval of the
8 financing.

9
10 **VOTE: UNANIMOUS**

11
12 **b. Public Hearing on Renaming Judah Benjamin Court to Aspen Court**

13 The Board conducted a public hearing on a petition to rename Judah Benjamin Court (State Road
14 2207) to Aspen Court and considered adopting and authorizing the Chair to sign a resolution
15 approving the petition for further approval by the North Carolina Board of Transportation.

16
17 **BACKGROUND:** North Carolina General Statute (NCGS) § 153A-239.1 (NCGS §153A-239.1)
18 grants a county the authority to rename any road within a county as provided by the statute and
19 by a County Ordinance after the Board of County Commissioners has held a public hearing. The
20 public hearing must be held at least ten days prior to the renaming the road and a notice of the
21 time, place and subject matter of the hearing prominently posted at the courthouse, in at least two
22 public places in the township where the road is located, and the notice of the hearing must be
23 published in a newspaper of general circulation published in the County. The County may not
24 change the name given a road by the North Carolina Board of Transportation unless the Board of
25 Transportation agrees.

26
27 The Orange County Board of Commissioners adopted an Ordinance entitled “An Ordinance to
28 Assign and Regulate Road Names, House and Building Numbers in Orange County” (the
29 “Addressing Ordinance”) on December 13, 2011. The Addressing Ordinance § 6-34(b)(2)(b)
30 allows property owners to request to rename a public road for personal reasons. In order to do
31 so, the property owners must provide a petition including the existing road name, the proposed
32 road name, the reason why the person(s) are requesting the name change, and the signatures
33 of seventy-five percent (75%) of those persons owning property addressed on the road in
34 question. The proposed road name must conform to the requirements of Addressing Ordinance
35 § 6-34(b) and the name change may only be approved after a public hearing is held on the
36 matter as provided in Addressing Ordinance § 6-36 and the Board of County Commissioners
37 have approved the petition for a road name change.

38
39 Property owners have provided a petition requesting a road name change of Judah Benjamin
40 Court (State Road 2207) to Aspen Court (see attached “Petition to Rename a Public Road Known
41 as Judah Benjamin to Aspen Court” and “Map of the Road to be Renamed”). There are twelve
42 parcels on Judah Benjamin, each with different owners. Nine of the twelve parcel owners have
43 provided signatures agreeing to the proposed renaming. Therefore, the petition includes the
44 requisite signatures of seventy-five percent (75%) of those persons owning property on the road
45 in question. The remaining property owners did not respond to the request for signatures.

46
47 The Address Administrator contacted the North Carolina Department of Transportation and
48 determined that State Board of Transportation approval is required to rename this road in
49 accordance with NCGS §153A-239.1.

50

1 As required by North Carolina law, a Notice of this Public Hearing was published in the *News of*
2 *Orange* and the *News & Observer* on April 19, 2023 and was posted at the following locations:

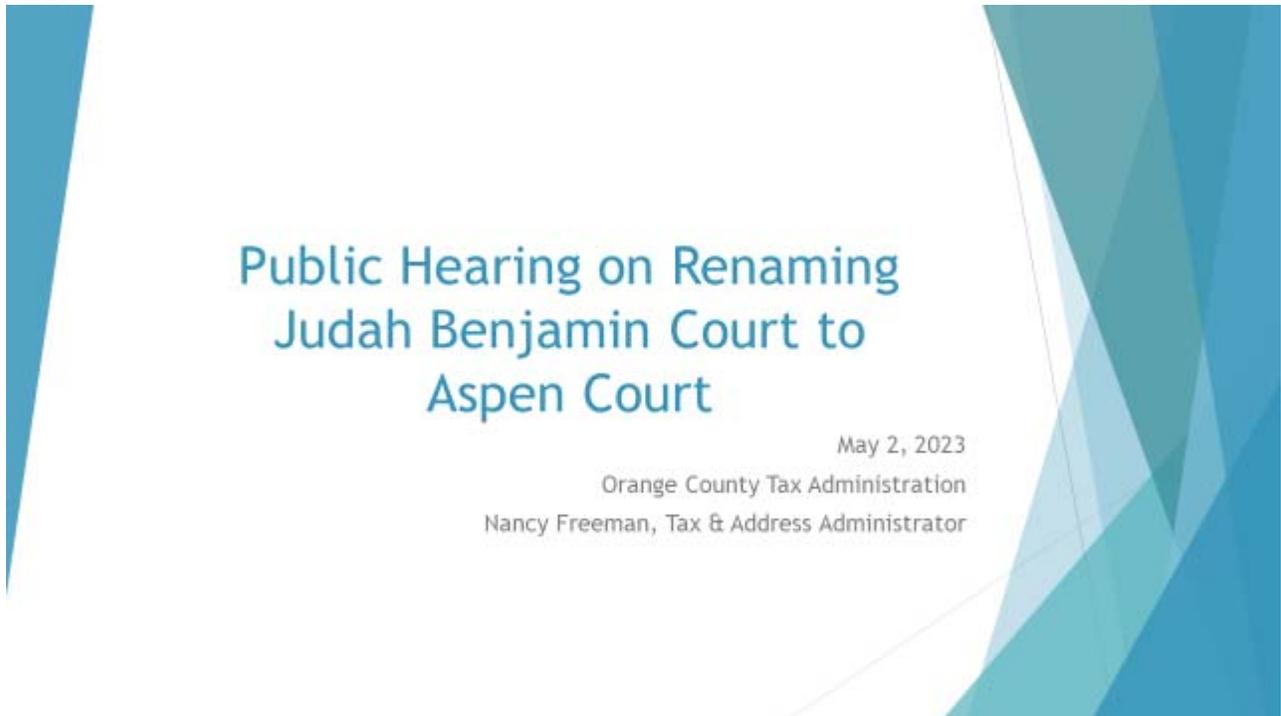
- 3 • Orange County Courthouse
- 4 • 4800 North Carolina Highway 54 West
- 5 • Intersection of Judah Benjamin Court and Walter Clark Drive

6
7 NCGS §153A-239.1 requires that after renaming a road, the County shall notify the local
8 postmaster with jurisdiction over the road, the Board of Transportation, and to any city within five
9 miles of the road.

10
11 Ordinance § 6-34(b)(2)(b)(iii) requires the Petitioners to pay to Orange County the cost of
12 purchasing new signs and erecting them prior to the name change becoming effective.

13
14 Nancy Freeman, Tax Administrator, made the following presentation:

15
16 Slide #1



17
18
19

1 Slide #2

Renaming Judah Benjamin Court to Aspen Court

- ▶ The purpose is to conduct a public hearing on a petition to rename Judah Benjamin Court (State Road 2207) to Aspen Court.
- ▶ The Orange County Board of Commissioners is asked to authorize the Chair to sign a resolution approving the petition for further approval by the North Carolina Board of Transportation.

2
3
4

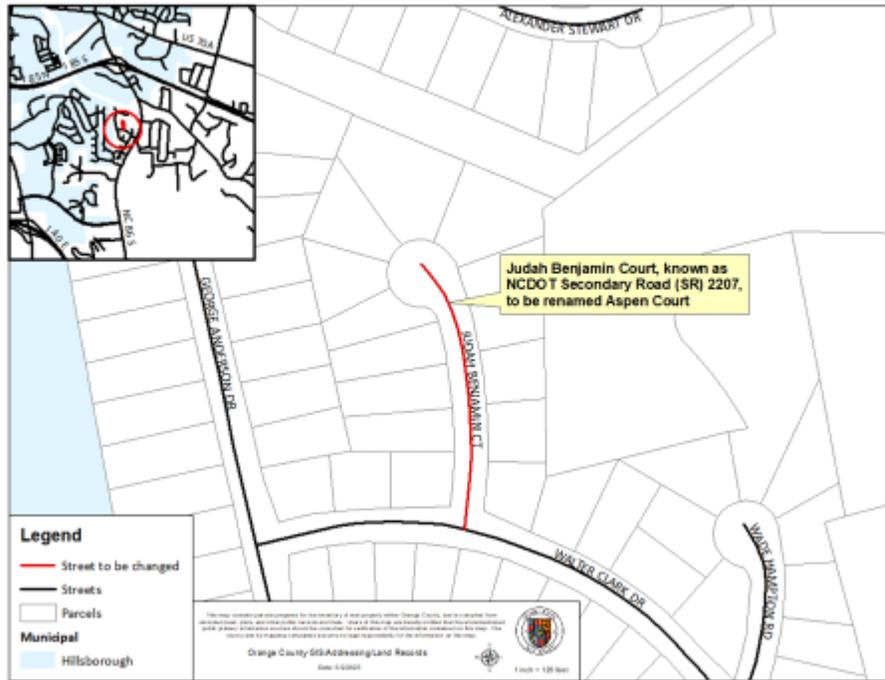
Slide #3

Renaming Judah Benjamin Court to Aspen Court

- ▶ The County has this authority based on North Carolina General Statute § 53A-239.1 and the Orange County Road Naming and Addressing Ordinance § 6-34(b)(2)(b)
- ▶ The ordinance requires that property owners must provide a petition including the existing road name, the proposed road name, reason for the change, and signatures of 75% of persons owning property on the road.
- ▶ The name change may only be approved after a public hearing is held and the Board of County Commissioners have approved the petition.
- ▶ Map of Judah Benjamin Court to follow. The road is located just southeast of the municipal border of Hillsborough in the Wildwood Subdivision.

5
6
7
8

1 Slide #4

2
3
4

Slide #5

Renaming Judah Benjamin Court to Aspen Court

- ▶ There are twelve parcels on Judah Benjamin Court, each with different owners. Nine of the twelve have provided signatures agreeing to the renaming, meeting the 75% requirement.
- ▶ A Notice of this Public Hearing was published in local newspapers on April 19, 2023 and was posted at the following locations:
 - ▶ Orange County Courthouse
 - ▶ 4800 North Carolina Highway 54 West
 - ▶ Intersection of Judah Benjamin Court and Walter Clark Drive

5
6
7

1 Slide #6

Renaming Judah Benjamin Court to Aspen Court

- ▶ Recommended Actions for the Commissioners:
 - ▶ Conduct the Public Hearing;
 - ▶ Close the Public Hearing; and
 - ▶ Adopt and Authorize the Chair to sign the resolution approving the Petition for further approval by the North Carolina Board of Transportation.

2
3
4

Slide #7

Renaming Judah Benjamin Court to Aspen Court

- ▶ After Public Hearing and Board approval:
 - ▶ The County is required by NCGS §153A-239.1 to notify the local postmaster with jurisdiction over the road, the North Carolina Board of Transportation, and any city within five miles of the road. The Addressing Team will complete this requirement.
 - ▶ The Petitioners are required by County Addressing Ordinance § 6-34(b)(2)(b)(iii) to pay to Orange County the cost of purchasing new signs and erecting them prior to the name change becoming effective.

5
6
7
8
9
10
11

Vice-Chair McKee said geographically, this is located off of Highway 86, just south of the Home Depot and Walmart development.

A motion was made by Commissioner Fowler, seconded by Commissioner Richards, to open the public hearing.

1 **VOTE: UNANIMOUS**

2
3 PUBLIC COMMENT:

4
5 Natalie Ziemba said she is representing the Wildwood Renaming Committee. She said
6 the committee started around the start of the pandemic to change the road names in the Wildwood
7 neighborhood. She said the roads were originally named after members of the Confederacy, and
8 there was a desire to represent the neighborhood as a more welcoming and respectful
9 community. She said when the committee started working on changing the road names, they
10 were able to change two, but they were unable to meet the 75% threshold for the other roads.
11 She said in the past two years there has been some turnover of homeowners in the neighborhood,
12 and some people who moved into Judah Benjamin Court reached out to the committee interested
13 in revisiting the renaming. She said this was entirely the initiative of people who live on Judah
14 Benjamin Court. She thanked the Board for their consideration, and asked them to support the
15 neighborhood in making this change.

16
17 A motion was made by Commissioner Fowler, seconded by Commissioner Hamilton, to
18 close the public hearing.

19
20 **VOTE: UNANIMOUS**

21
22 A motion was made by Commissioner Fowler, seconded by Commissioner Greene, to
23 adopt and authorize the Chair to sign the attached resolution approving the petition for further
24 approval by the North Carolina Board of Transportation.

25
26 **VOTE: UNANIMOUS**

27
28 **c. Zoning Atlas Amendment – 4801 and 4901 Dairyland Road (PINs 9841-52-7281, 9840-79-5091), Hillsborough, Bingham Township**

29 The Board held a public hearing, received the Planning Board and staff recommendations and
30 public comment, closed the public hearing, and considered action on an applicant-initiated Zoning
31 Atlas Amendment to rezone 190 +/- acres (PINs: 9841-52-7281, 9840-79-5091) located at 4801
32 and 4901 Dairyland Road, Hillsborough, within the Bingham Township of Orange County from
33 AR (Agricultural Residential) to R-CD (Residential Conditional District).
34
35

36 **BACKGROUND:** On December 8, 2022 a Conditional Zoning Atlas Amendment application was
37 received, proposing to rezone 190+/- acres of property at 4801 and 4901 Dairyland Road,
38 Hillsborough, in Bingham Township. Please review the Staff Report in Attachment 2 for additional
39 information and analysis. Approval of a site-specific plan is part of the conditional district rezoning
40 process, and the site plan and any agreed-upon conditions are binding to the development
41 footprint permitted for the zoning district.

42
43 Basic Review Process: A conditional district rezoning application requires submission of a site
44 plan and other documents, in accordance with Section 2.9.1(C) of the UDO. The typical cadence
45 for the review is as follows:

- 46 • **First Action** – Applicant holds a Neighborhood Information Meeting (NIM).

47 **Staff Comment** – The Neighborhood Information Meeting was held on March 22,
48 2023 at 5:15 p.m. at the Orange County Public Library. The report form from this
49 meeting are in Attachment 4.

- 1 • **Second Action** – The Planning Board reviews the application at a regular meeting and
2 makes a recommendation to the BOCC.

3 **Staff Comment.** The Planning Board reviewed this application at its regular
4 meeting on April 5, 2023.
5

- 6 • **Third Action** – The BOCC receives the Planning Board and staff recommendations at an
7 advertised public hearing and makes a decision on the application.

8 **Staff Comment** – The public hearing is scheduled for May 2, 2023.
9

10 Per Section 2.9.1 (F) (3) of the UDO, mutually agreed upon conditions can be imposed as part
11 this process only if they address:

- 12 a. The compatibility of the proposed development with surrounding property,
- 13 b. Proposed support facilities (i.e. roadways and access points, parking areas and
14 driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the
15 timing of development, street and right-of-way improvements, storm water drainage, the
16 provision of open space, etc), and/or
- 17 c. All other matters the County may find appropriate or the petitioner may propose.
18

19 A formal site plan is required as part of a conditional rezoning application and has been submitted
20 (Attachment 1). The applicant is proposing a conservation cluster flexible subdivision featuring 38
21 lots and a minimum of 33.33% open space, in addition to all applicable development standards
22 for this use, as detailed in Section 7.12 of the Orange County UDO. Staff has recommended the
23 imposition of conditions, as included in the Ordinance in Attachment 7. The following conditions
24 have been proposed and agreed to by the applicant:
25

- 26 1. Application: Project shall be completed as presented in approved site plan/application
27 packet;
- 28 2. The uses on the farm and associated permanent conservation areas will be limited to only
29 those uses that are currently allowed on existing farms in the Orange Grove Community
30 as of the date of approval;
- 31 3. Additional plantings will be added to the western property line of lot #34 to screen the view
32 from parcel PIN 9841-32-2556;
- 33 4. The site property line will be marked with signage that reads, "DANGER, NO
34 TRESPASSING – FARM EQUIPMENT IN USE" at lots 7 through 11 with signage facing
35 both directions;
- 36 5. The developer will install a fence with no trespassing signage along the shared property
37 line with tax parcel 9841-73-4586;
- 38 6. The developer will notify prospective new property purchasers of the Eden View Acres
39 subdivision of the presence of a Shooting Range and associated noise on the adjacent
40 property, so long as that use continues.
- 41 7. The Developer will notify prospective new property purchasers that this is a voluntary
42 agriculture district.
43

44 Public Notifications: In accordance with Section 2.8.7 of the UDO, notices of the Public Hearing
45 were mailed via first class mail to property owners within 1,000 ft. of the subject parcel. These
46 notices were mailed on April 11, 2023, 21 days before the hearing. Staff also posted the subject
47 parcel with signs on April 11, 2023, 21 days before the hearing. See Attachment 3 for the
48 notification materials.

1 Planning Board Recommendation: The Planning Board reviewed the zoning atlas amendment at
2 its April 5, 2023 regular meeting. At this meeting the Board voted **unanimously** to recommend
3 **approval with specific changes** of the Statement of Consistency (Attachment 7) and the
4 proposed Zoning Atlas Amendment (Attachment 8). Two conditions are being recommended by
5 the Planning Board and the applicant offered four additional conditions after the Planning Board
6 meeting, based upon comments made at the meeting. All conditions are accepted by the
7 applicant and have been incorporated into the Ordinance in Attachment 8.

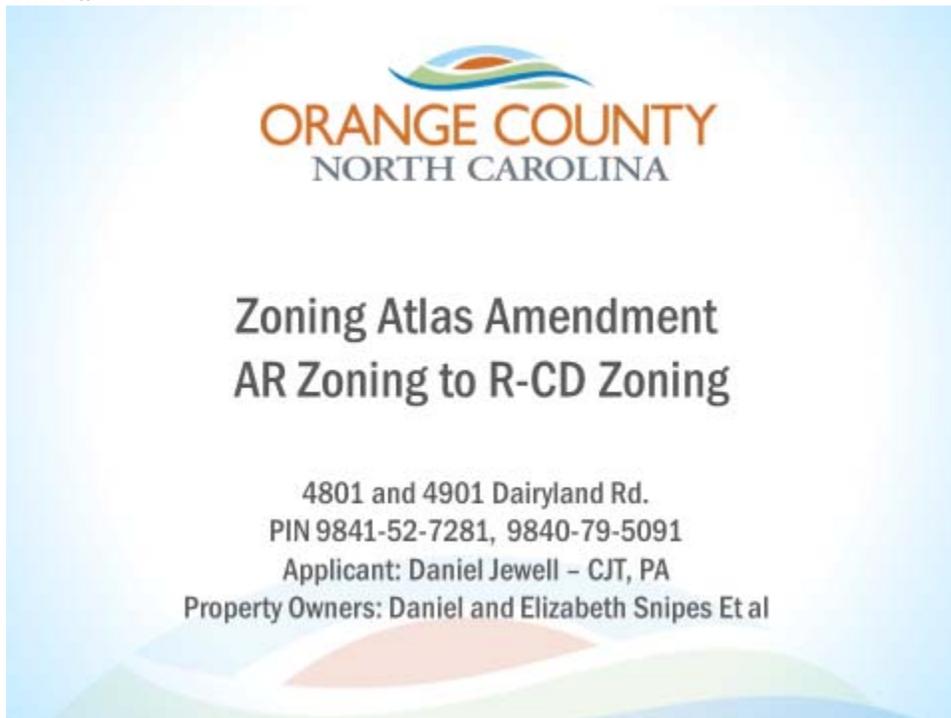
8
9 Excerpts of the minutes from the meeting, as well as the Board’s signed statement of consistency,
10 are included in Attachment 6. Agenda materials from the meeting can be viewed at:
11 <https://www.co.orange.nc.us/AgendaCenter/Planning-Board-26>.
12

13 Planning Director’s Recommendation: The Planning Director recommends **approval** of the:

- 14 1. Statement of Consistency indicating the zoning atlas amendment(s) are reasonable
15 and in the public interest as contained in Attachment 7.
- 16 2. Ordinance amending the Zoning Atlas, as well as imposing development conditions,
17 for the identified parcels as contained in Attachment 8.

18
19 Cy Stober, Planning and Inspections Director, introduced the item and reviewed the
20 background information. He made the following presentation:

21
22 Slide #1



23
24
25
26

1 Slide #2

MEETING PROCESS

1. Staff Presentation
2. Applicant Presentation
3. Questions from the Commissioners
4. Public Comments
5. BOCC Deliberation and Decision



2
3
4 Slide #3

ZONING & LAND USE REVIEW

NCGS 160D-701

Zoning regulations shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare.... The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the local government's planning and development regulation jurisdiction. The regulations may not include, as a basis for denying a zoning or rezoning request from a school, the level of service of a road facility or facilities abutting the school or proximately located to the school.



5
6
7
8

1 Slide #4

ZONING & LAND USE REVIEW

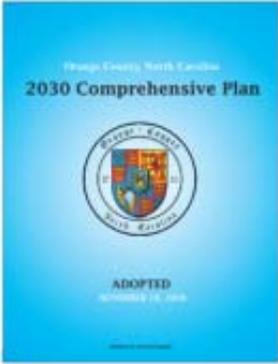
NCGS 160D-701

Zoning regulations shall be made **in accordance with a comprehensive plan** and shall be designed to **promote the public health, safety, and general welfare....** The regulations shall be made with reasonable consideration, among other things, as to the **character of the district and its peculiar suitability for particular uses** and with a view to **conserving the value of buildings and encouraging the most appropriate use of land** throughout the local government's planning and development regulation jurisdiction. The regulations may not include, as a basis for denying a zoning or rezoning request from a school, the level of service of a road facility or facilities abutting the school or proximately located to the school.



2
3
4 Slide #5

ZONING & LAND USE REVIEW



Comprehensive Plan

↔



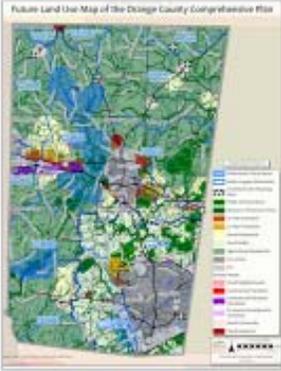
Unified Development Ordinance (UDO)



5
6
7

1 Slide #6

ZONING & LAND USE REVIEW



**Comprehensive Plan
Future Land Use Map**

↔



**Unified Development Ordinance
(UDO)**



2
3 Cy Stober explained how the plans are reviewed for the application and said there will be
4 additional information later in the presentation.

5
6 Slide #7

ZONING & LAND USE REVIEW

NCGS 160D-702

A local government may adopt zoning regulations... a zoning regulation may regulate and restrict

- the height, number of stories, and size of buildings and other structures;
- the percentage of lots that may be occupied;
- the size of yards, courts, and other open spaces;
- the density of population;
- the location and use of buildings, structures, and land....

Where appropriate, a zoning regulation may include requirements that street and utility rights-of-way be dedicated to the public, that provision be made of recreational space and facilities, and that performance guarantees be provided...

Any regulation relating to building design elements adopted under this Chapter may not be applied to any structures subject to regulation under the North Carolina Residential Code for One- and Two-Family Dwellings



7
8

1 Slide #8

ZONING & LAND USE REVIEW

NCGS 160D-702

A local government may adopt zoning regulations... a zoning regulation may regulate and restrict

- the height, number of stories, and size of buildings and other structures;
- the percentage of lots that may be occupied;
- the size of yards, courts, and other open spaces;
- the density of population;
- the location and use of buildings, structures, and land...

Where appropriate, a zoning regulation may include requirements that street and utility rights-of-way be dedicated to the public, that provision be made of recreational space and facilities, and that performance guarantees be provided...

Any regulation relating to building design elements adopted under this Chapter may not be applied to any structures subject to regulation under the North Carolina Residential Code for One- and Two-Family Dwellings



2
3 Cy Stober noted that one- and two-family dwellings cannot be architecturally regulated
4 under NC Code.

5
6 Slide #9

ZONING & LAND USE REVIEW

NCGS 160D-703

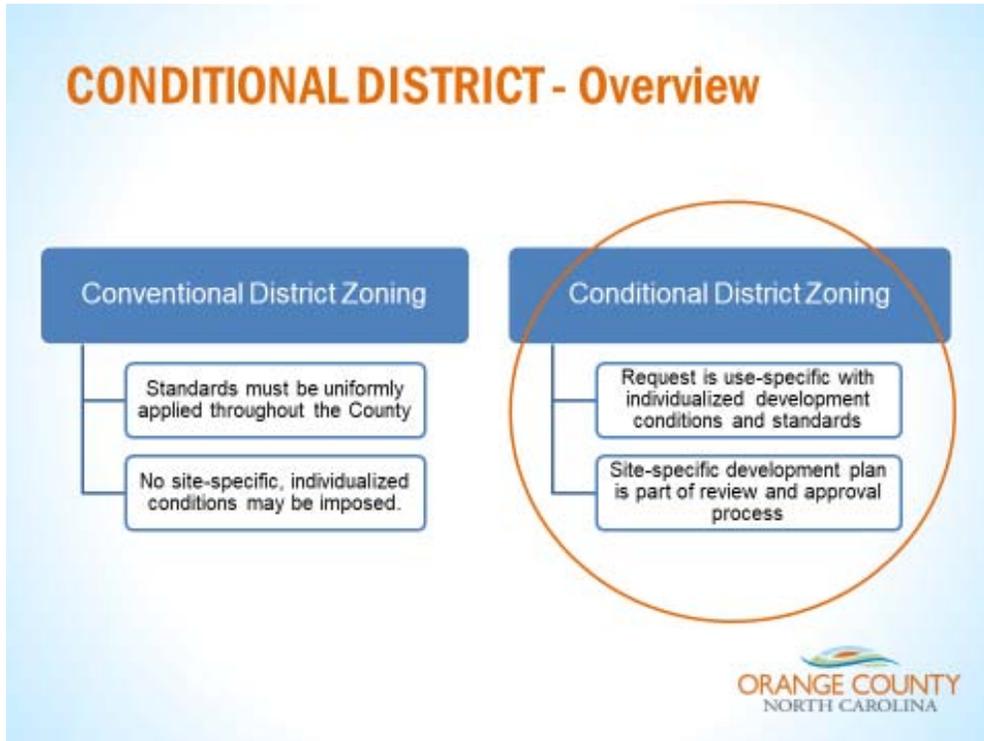
A local government may divide its territorial jurisdiction into zoning districts of any number, shape, and area deemed best suited to carry out the purposes of this Article. Within those districts, it may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land. Zoning districts may include, but are not be limited to, the following:

- (1) **Conventional districts**, in which a variety of uses are allowed as permitted uses or uses by right and that may also... a special use permit.
- (2) **Conditional districts**, in which site plans or individualized development conditions are imposed...



7
8

1 Slide #10



2
3 Cy Stober said if there is any deviation from the approved zoning, there would have to be
4 another public hearing because this is a site-specific development plan.

5
6 Slide #11

ZONING & LAND USE REVIEW

NCGS 160D-703 (cont.)

Specific conditions may be proposed by the petitioner or the local government or its agencies, but only those conditions approved by the local government and consented to by the petitioner in writing may be incorporated into the zoning regulations. Unless consented to by the petitioner in writing... a local government may not require, enforce, or incorporate into the zoning regulations any condition or requirement not authorized by otherwise applicable law...

Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to local government ordinances... or the impacts reasonably expected to be generated by the development or use of the site...

Any other modification of the conditions and standards in a conditional district shall follow the same process for approval as are applicable to zoning map amendments.

ORANGE COUNTY
NORTH CAROLINA

7
8

1 Slide #12

ZONING & LAND USE REVIEW

NCGS 160D-703 (cont.)

Specific conditions may be proposed by the petitioner or the local government or its agencies, **but only those conditions approved by the local government and consented to by the petitioner in writing** may be incorporated into the zoning regulations. Unless consented to by the petitioner in writing... a local government may not require, enforce, or incorporate into the zoning regulations any condition or requirement not authorized by otherwise applicable law...

Conditions and site-specific standards imposed in a conditional district **shall be limited to those that address the conformance** of the development and use of the site to local government ordinances... or the **impacts reasonably expected to be generated by the development or use** of the site...

Any other modification of the conditions and standards in a conditional district shall follow the same process for approval as are applicable to zoning map amendments.



2
3
4

Slide #13

CONDITIONAL DISTRICT – Applicant Responsibility and Review Flexibility

1. Establishment of Use Type

Applicant is required to define what type of development and/or land use is anticipated.

2. Site Plan Development

A formal site plan, reviewed and approved by staff in accordance with UDO Section 2.5, must be submitted and approved prior to any development activity on the parcel.

3. Subject to Conditions of Approval

Review and approval allows for negotiation of development standards and may vary considerably from ordinance standards. Room for creativity both from applicant and review authority.



5
6
7
8

1 Slide #14

CONDITIONAL DISTRICT – Review Process

Planning Staff Review

- Receive application and check for completeness
- Development Advisory Committee Review

Neighborhood Information Meeting

- To obtain neighborhood input on the proposal and allow the opportunity to explain the review process

Planning Board Review

- To make a recommendation of approval or denial of Zoning Atlas Amendment

→ Board of County Commissioners – Public Hearing

- To take action on the application to rezone



2
3
4
5
6

Taylor Perschau, Current Planning and Zoning Supervisor, continued the presentation:

Slide #15

CONDITIONAL DISTRICT – BOCC Review Role

Tonight's Board of Commissioners Objective

- Hear from the applicant, staff, and the public
- Review and discuss analysis and staff recommendation
- Take action on the Zoning Atlas Amendment application

For Board Consideration

NCGS 160D-703(b)

"Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to local government ordinances, plans adopted pursuant to G.S. 160D-501, or the impacts reasonably expected to be generated by the development or use of the site."



7
8

1 Slide #16

Daniel Jewell, Eden View Rezoning Application

Address	4801 and 4901 Dairyland Road
PIN	9841-52-7281 9840-79-5091
Township	Bingham
Watershed	Cane Creek Protected
Applicant	Daniel Jewell



Vicinity Map for Rezoning Application - PINs 9841527281/9840795091



2 Taylor Perschau said this project is located within the Cane Creek watershed and this is
 3 one of the more restrictive watersheds when it comes to capacity of development.
 4
 5

6 Slide #17

Daniel Jewell, Eden View Rezoning Application

Current Zoning
Agricultural Residential

Requested Zoning
Residential Conditional District (R - CD)

- Parcel Size: +/-190 ac
- Surrounding Zoning: AR
- No proposed Overlay District changes



Rezoning Application to R-CD for PINs 9841527281/9840795091



7
8
9
10

1 Slide #18

Daniel Jewell, Eden View Rezoning Application

AR AGRICULTURAL RESIDENTIAL			
DIMENSIONAL AND RATIO STANDARDS			
Lot Size, min. (square feet)	Conventional Subdivision Process (Article 7)	40,000	
	Flexible Development Subdivision Process (Section 7.2)	Proposed Open Space within subdivision	Allowable Lot Size (sq. ft.)
		33%	40,000
		40%	30,000
		45%	20,000
		50%	15,000
60% and over	10,000		





2 Taylor Perschau said this was pulled from the Unified Development Ordinance and shows
 3 what the planners are reviewing when an application comes in for rezoning. She said that 75
 4 acres of the total 190 are proposed to be open space and that is about 40% of the project total.
 5
 6

7 Slide #19

Daniel Jewell, Eden View Rezoning Application

Major Subdivisions, Conditional District	Eden View
A tract of land that is proposed for a subdivision into 21 or more lots (UDO Section 7.2.3)	38 total lots

Conservation Cluster Option	
Building lots are grouped together through a transfer of allowable density within the subdivided tract provided the transfer of density does not increase the average density in any overlay zoning district.	Cane Creek Protected: restricted to 1 dwelling/5 acres
	Eden View (190 total acres/38 lots): 1 dwelling/5 acres



8
9

1 Slide #21

Daniel Jewell, Eden View Rezoning Application

Future Land Use Map

- No proposed amendment

Resource Protection Areas

- Sensitive environmental resources
- Historically significant sites
- Features considered unbuildable because of their limitations or unsuitability for development



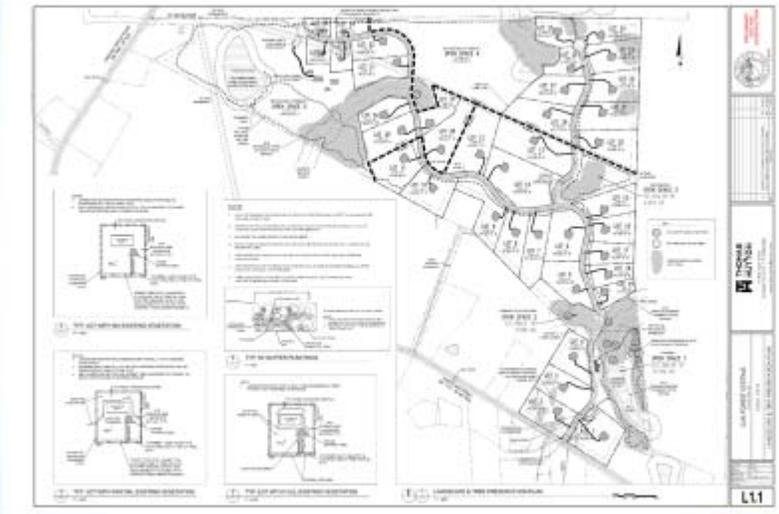
Adopted Future Land Use Map with Parcels 0649572089948795099 Depicted



2 Taylor Perschau said the dark green area of the map on slide #21 is resource protection
 3 property and it features wetlands, flood plains, and bottom land hardwood forests.
 4
 5

6 Slide #22

Site Plan Exhibit, Submitted by Applicant





7 Taylor Perschau said there are a total of 38 lots with 75 acres of dedicated open space.
 8 She said there is only road access from Dairyland. She said there is a gravel road but the
 9 southside is for residents.
 10

1 Chair Bedford said the fire department is right by the property to the north.
2

3 Slide #23



4
5
6 Slide #24

Public Notification

- Notices were mailed via first class mail to property owners within 1,000 ft. of the subject parcel on March 22, 2023.
- Signs posted the subject parcel on March 20, 2023.
- Application information has also been posted on the Planning Department's "Current Interest Projects" webpage.



7
8
9
10

1 Slide #25

Staff Analysis

- The proposal meets minimum lot size and density requirements (AR/Cane Creek Protected).
- A conditional rezoning is required only because it proposes 21+ lots.
- The proposed rezoning is consistent with the Comprehensive Plan. It is consistent with the Agricultural Land Use classification and the zoning matrix in the Comprehensive Plan (Appendix F), as required by the UDO.



2
3
4 Slide #26

Applicant Presentation

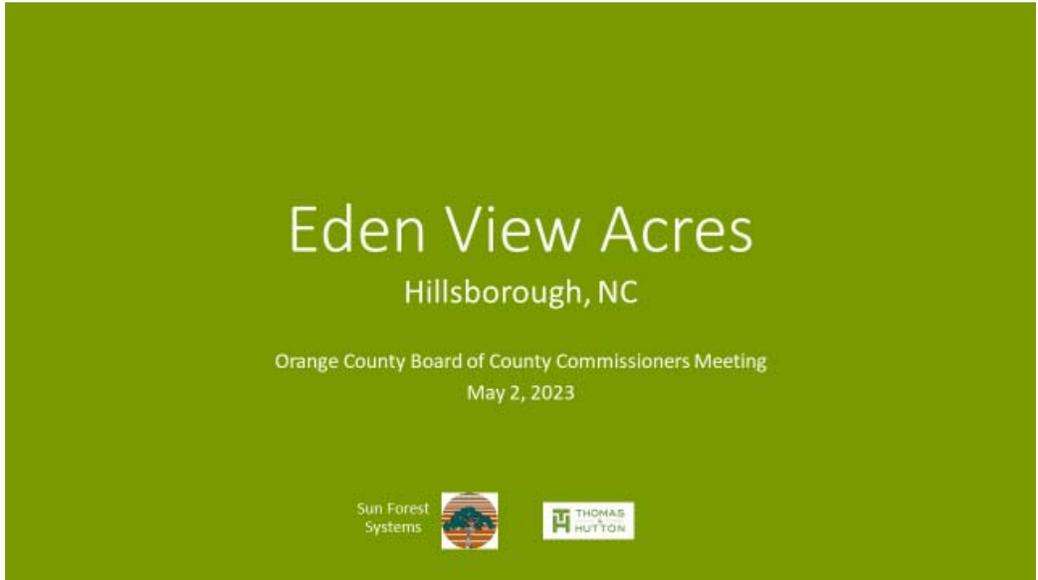


5
6
7
8
9
10

1 Dan Jewell, the applicant, made the following presentation:

2

3 Slide #1



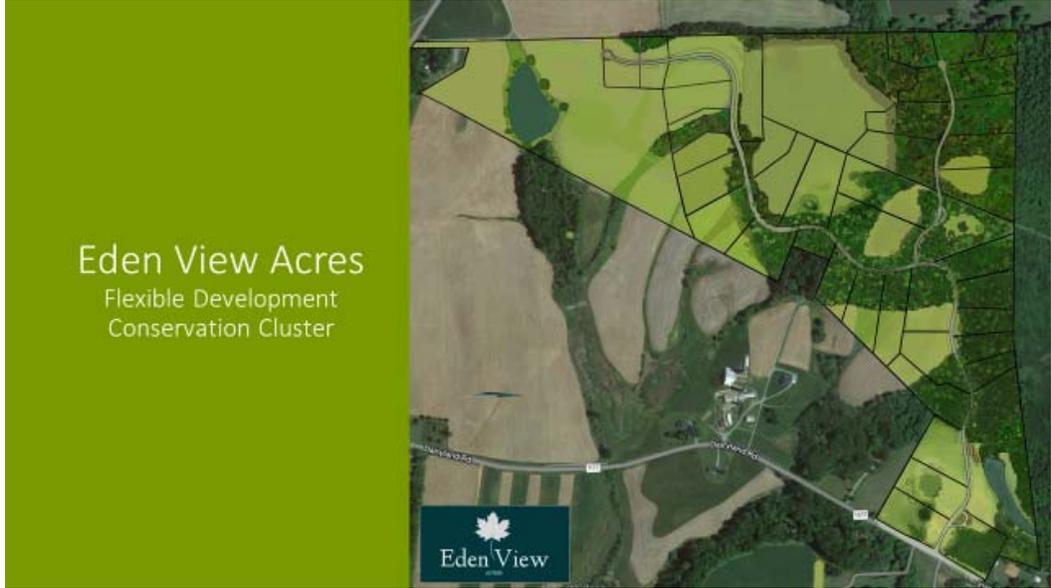
4

5 Dan Jewell introduced Keith Brown, the partner with the Snipes family on the project. He
6 said that Keith Brown would be discussing more about the project.

7 Keith Brown said it is a very important project to him and to the Snipes family. He said
8 they have owned the land for over 200 years and that it is a very beautiful piece of land. He said
9 that his background is in architecture and design is the way to start a project. He said they want
10 them to use the flexible development conservation cluster so they can allow the property to
11 demand attention to what it needs for each lot. He said the tree coverage, streams, and viewsheds
12 can be enjoyed and empowered by the design. He said that they do not want to change. He said
13 that pastures have been farmed for 200 years and they want those to be protected in the design.

14

15 Slide #2

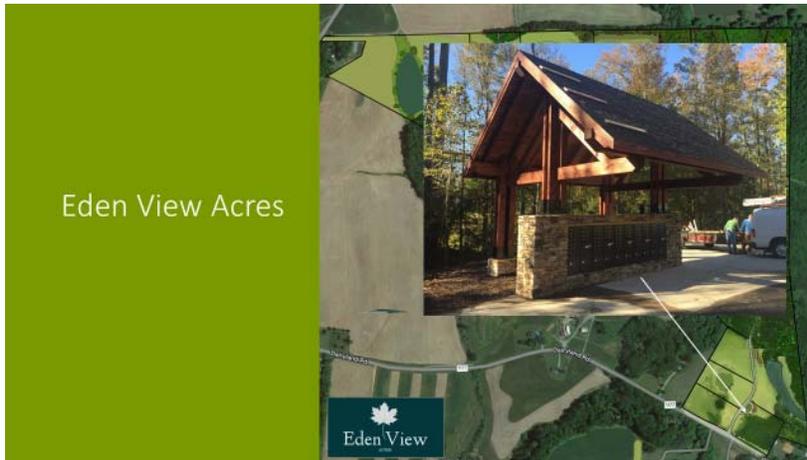


16

17

18

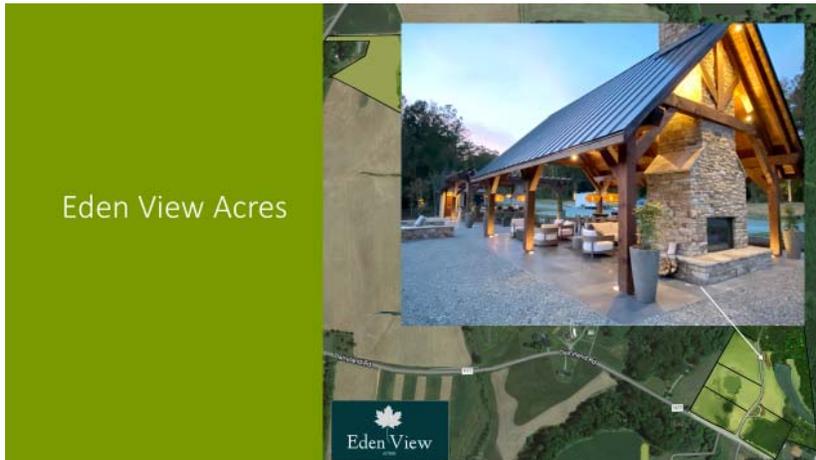
1 Slide #3



2
3
4
5
6

Keith Brown said the design of the development is intended to complement the natural beauty of the property. He said the view from the road will not significantly change.

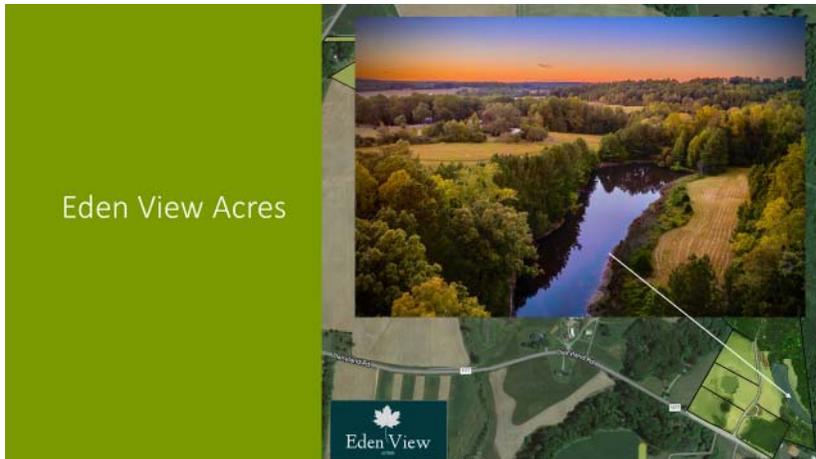
6 Slide #4



7
8
9
10

Keith Brown said this is a place for the community to gather and for neighbors to get to know one another.

11 Slide #5



12
13

1 Slide #6



2
3 Keith Brown said it will feel very much like it has all along from the Dairyland Road side.
4 He said that you will progress through the space and there will be void and open space as it
5 transitions into the neighborhood.
6

7 Slide #7



8
9 Keith Brown said that the lot size provides a bit of privacy for each residence.
10
11

1 Slide #8

Open Space

- Overall Site = 190.6 Acres
- Open Space = 76 acres (40% of site) (retained forests and former pastures)

Eden View

2
3
4 Slide #9

Open Space

- Overall Site = 190.6 Acres
- Open Space = 76 acres (40% of site) (retained forests and former pastures)

Eden View

5
6
7
8

1 Slide #10



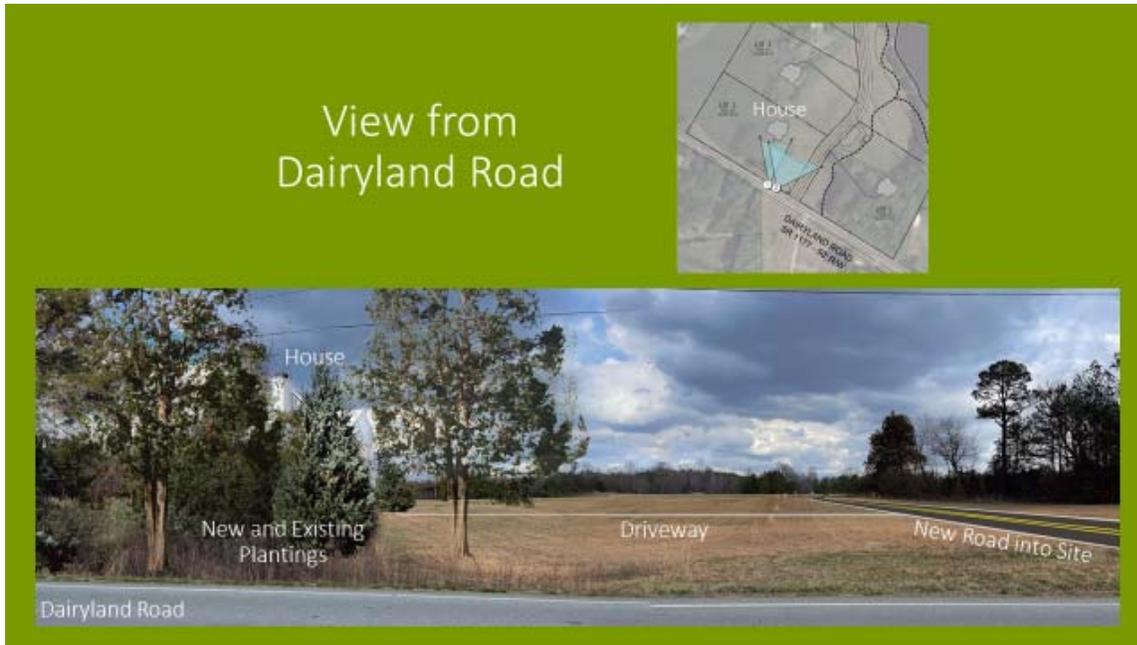
2
3 Keith Brown said that the lots will be of various sizes, and they did not choose five acres
4 per lot because they wanted to be able to use the fields as open space.
5

6 Slide #11



7
8 Keith Brown said the land was originally created by a volcano and sits at 700 feet, offering
9 one of the highest vistas in Orange County. He said they want to preserve these views.
10
11

1 Slide #12



2
3 Keith Brown said that there is a new road into the site, but otherwise, no visible disruption
4 to the view shed from the road.
5

6 Slide #13



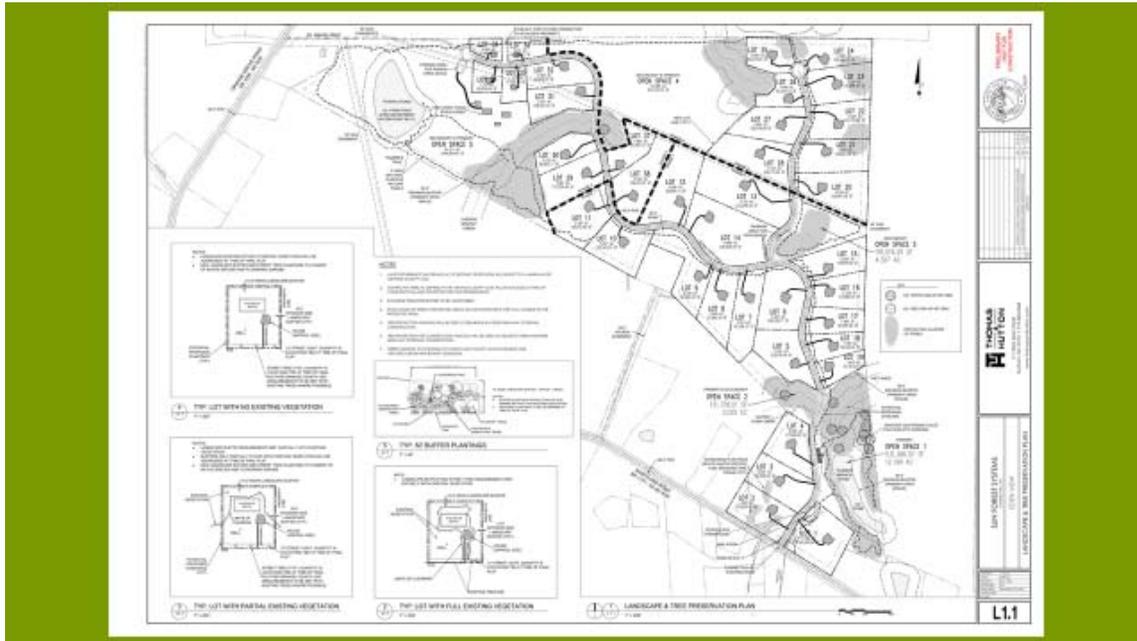
7
8 Keith Brown said the desires of the neighbors around the property were taken into account
9 as part of the design and they will only be able to see the tree line. He also said that the view
10 would also continue to show the pond and an additional screening will be added.
11
12

1 Slide #14



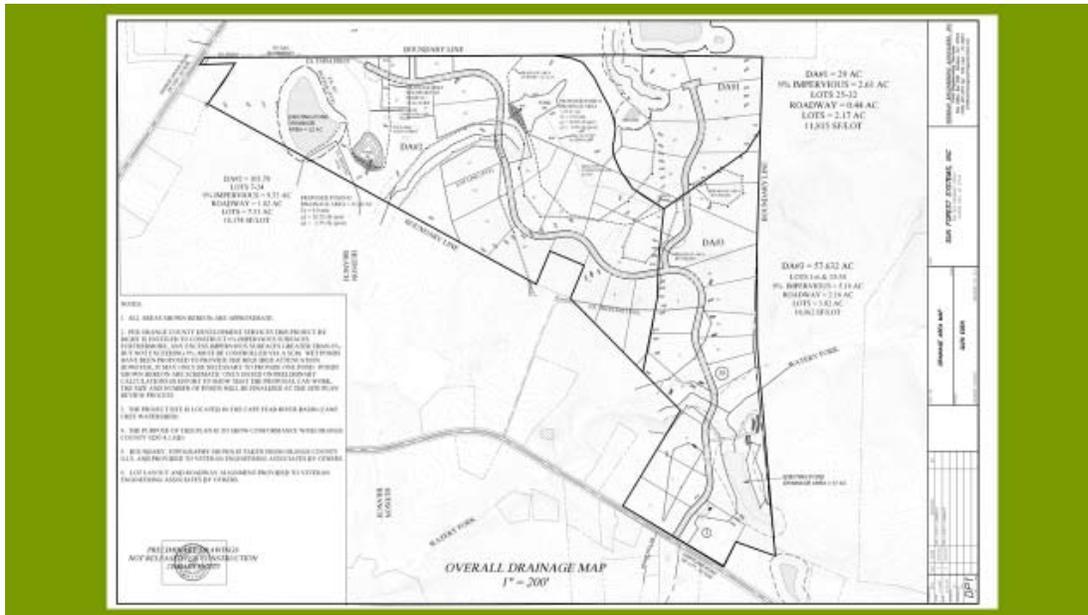
2
3 Keith Brown said he hopes this can be a template for other farm owners who want to
4 develop their land but also keep the farm. He said this development enhances the farm.
5

6 Slide #15



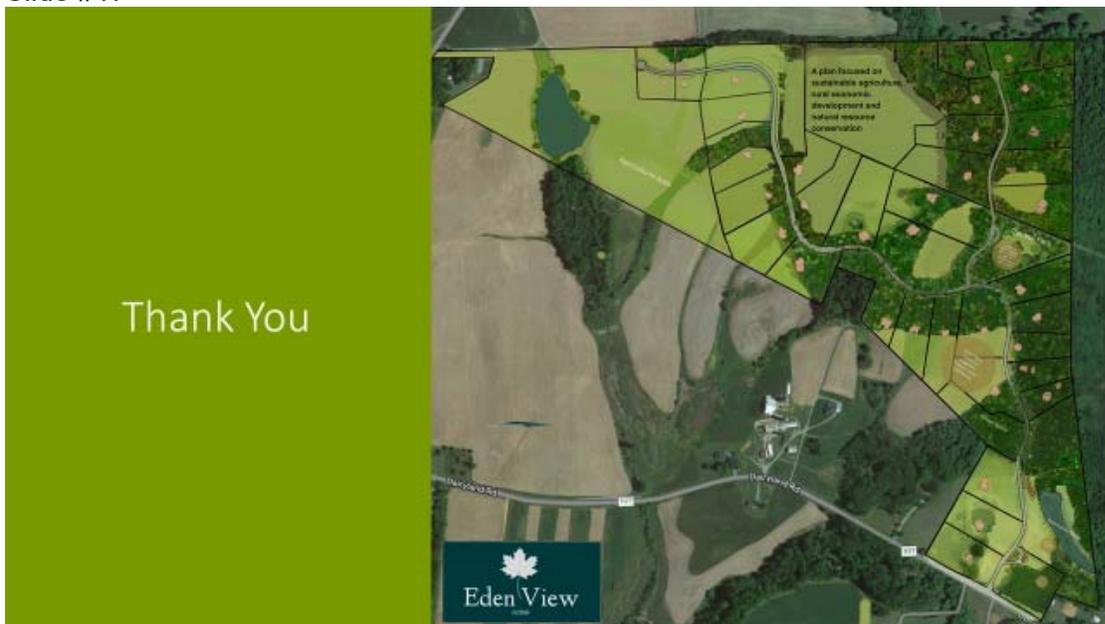
7
8 Dan Jewell continued the presentation. He said this is truly a very low intensity community
9 and that being able to cluster the lots, and saving the open space, means less infrastructure and
10 limits to impervious surfaces. He said these will be public streets. He said traffic is very low and
11 well below the capacity of the area. He said every lot is going to be within 300 feet of the open
12 space across the property. He said the entire community is going to be connected by over 3 miles
13 of recreation trails including some edible landscaping.
14

1 Slide #16



2
3
4 Dan Jewell said they have been in contact with the Fire Marshall, and they have assured
5 her that the pond will continue to be designated as a fire pond. He said there were several
6 references to Durham, but updates have been provided to Planning Staff, so if this is approved,
7 the corrected documents will be memorialized. He reiterated that there are committed elements
8 that will be conditionally approved and will be enforced. He said those include the following
9 conditions: uses on the farm will continue to be limited to those allowed on existing farms;
10 additional plantings on lot 34 to ensure the view shed for an existing neighbor; the southern side
11 of the property will be marked "danger, no trespassing, farm equipment in use," and there will be
12 a fence along the NE property line that has a no trespassing sign to keep people from a neighbor's
13 pond. He said that they will also notify prospective property owners of the shooting range on
14 property and that the property is in a voluntary agricultural zoning district.

15 Slide #17



1 Cy Stober continued with the staff presentation:

2

3 Slide #27

County Roles for Review Process

Planning Staff

- Determine application completeness and analyze proposed Zoning Atlas Amendment with Comprehensive Plan
- Planning Director Recommendation

Planning Board

- Hear from the applicant, staff, and the public
- Review and discuss analysis and staff recommendation
- Recommend approval or denial to Board of County Commissioners
 - Recommended Denial by a 7-3 Vote

★

Board of County Commissioners

- Schedule and hold public hearing to receive application
- Hear from the applicant, staff, and the public
- Review and discuss analysis and recommendations from staff and Planning Board
- Close public hearing



4

5

6 Slide #28

CONDITIONAL DISTRICT - Overview

Enabling Legislation

- NC General Statute 160D-703. Zoning Districts.
- Orange County Unified Development Ordinance Section 2.9 Conditional Districts

What makes CD rezoning "Conditional"?

- Site specific plan
- Individualized development conditions, mutually agreed upon by review authority and applicant

Basis of Decision

- Staff and Board recommendations and final approval are to be based on whether the request is consistent with the purpose and intent of the Comprehensive Plan



7

8

9

10

1 Slide #29

Staff Analysis and Recommendation

- The proposal is consistent with the allowed zoning districts for the Comprehensive Plan's Agricultural Residential Future Land Use.
- The Comprehensive Plan's Agricultural Residential Land Use is described as "[I]and in the rural areas where the prevailing land use activities are related to the land (agriculture, forestry) and which is an appropriate location for the continuation of these uses."

2
3
4

Slide #30

Staff Analysis and Recommendation

- Planning Director recommends approval of:
 - The Statement of Consistency that the amendments are reasonable, in the public interest, and serve Land Use Goal 6 (Attachment 7); and
 - The proposed ordinance to amend the Unified Development Ordinance and Zoning Atlas (Attachment 8).

5
6
7
8

1 Slide #31

Planning Board Recommendation

- Planning Board reviewed R-CD zoning application at its April 5, 2023 regular meeting
- Voted 10-0 to recommend approval with specified changes of the request.



2
3
4

Slide #32

Applicant-Offered Conditions (Attachment 8)

- 1) The uses on the farm and associated permanent conservation areas will be limited to only those uses that are currently allowed on existing farms in the Orange Grove Community as of the date of approval;
- 2) Additional plantings will be added to the western property line of lot #34 to screen the view from parcel PIN 9841322556;
- 3) The site property line will be marked with signage that reads "DANGER, NO TRESPASSING - FARM EQUIPMENT IN USE" at lots 7 through 11 with signage facing both directions;
- 4) The developer will install a fence along the shared property line with tax parcel 9841-73-4586;
- 5) The developer will notify prospective property purchasers of the Eden View subdivision of the presence of a shooting range currently on the adjacent property, so long as that use continues;
- 6) The developer will notify prospective property purchasers that this is a voluntary agriculture district.

* Conditions specified in Planning Board motion



5
6
7
8

1 Slide #33

Recommendation for Tonight

The Manager recommends the Board:

- Receive the rezoning application;
- Consider the Planning Director's and Planning Board's recommendations;
- Conduct the Public Hearing and accept public comment;
- Deliberate on the proposal, as desired; and

2
3
4

Slide #34

Recommendation for Tonight

- Vote To Approve or Deny the Statement of Consistency (Attachment 7) and the proposed ordinance (Attachment 8)
 - When adopting or rejecting any zoning text or map amendment, the [Commissioners] shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive or land-use plan.
 - Vote to Deny must be based on a stated rationale

NCGS 160D-605

5
6
7
8

1 Slide #35

Recommendation for Tonight

- **Vote To Approve or Deny the Statement of Consistency (Attachment 7) and the proposed ordinance (Attachment 8)**
 - When adopting or rejecting any petition for a zoning map amendment, a statement analyzing **the reasonableness of the proposed rezoning** shall be approved by the [Commissioners]. This statement of reasonableness may consider...
 - (i) the size, physical conditions, and other attributes of the area proposed to be rezoned,
 - (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community,
 - (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;
 - (iv) why the action taken is in the public interest; and
 - (v) any changed conditions warranting the amendment.

NCGS 160D-605



2
3 Commissioner Greene said she met with Dan Jewell and other members of his team a
4 few months ago. She said she recalled that the open space on the left-hand side of the property
5 would be leased to farmers and that there would be minimal infrastructure for community gardens.

6 Dan Jewell said the first is still part of the proposal. He said there will be an operator to
7 continue some type of agriculture, but also expand it in some way. He said that is absolutely still
8 the intent.

9 Keith Brown said the gardens will be designed for homeowners to have their own gardens.

10 Commissioner Greene said those two items are very important to her.

11 Commissioner Richards asked how the architectural review board works with the county.

12 Cy Stober said that the plotting of lots, the road design, the landscaping and the amenities
13 must all be provided as approved. He said that the design of the homes will be reserved
14 exclusively for architectural review board.

15 Commissioner Richards said that one concern the Board has stated is that these are public
16 roads, and it will not be a gated community that is shut off from everyone else. She clarified that
17 the comments about fencing are only for the individual lots.

18 Cy Stober said perimeter fencing is included as a condition in the plan, but the other fence
19 reference is for individual lots.

20 Commissioner Hamilton asked about the gated access for emergency vehicles and how
21 quickly it can open.

22 Dan Jewell said all emergency services will have a key, as well as the operator of the
23 farm, and the fire department. He said they have a universal key - that is a pair of bolt cutters -
24 they can also use to get in.

25 Commissioner Hamilton asked if the trails in the community would be public.

26 Dan Jewell said the trails are intended for the benefit of the residents of the community
27 and their guests.

28 Commissioner Hamilton said the information discussed the wells and water but not the
29 septic systems. She asked how the septic systems will be set up to protect water quality and
30 safety.

1 Dan Jewell said they have identified a perc site and well site for every lot that meets all of
2 the setback requirements. He said that has been reviewed by Environmental Health and they
3 were told they met the requirements, and the permits would be pulled at the time of construction.

4 Commissioner Fowler asked to see the trails.

5 Dan Jewell pointed out the nature trails from a slide in the staff presentation.

6 Commissioner Fowler asked how the water requirements for the farm impact the water
7 usage.

8 Cy Stober said farms are exempt from many local regulations but not the residential use
9 for a farm. He said that even on a farm, there could be no house.

10 Commissioner Fowler asked how it affects the regulations for the homes per acre if they
11 are using water for farming.

12 Cy Stober said the water consumption is not a reason for the five acres. He said it is for
13 Cane Creek and the reservoir but not the onsite water supply.

14 Commissioner Fowler asked if the 38 lots can count the farmland as their land even if the
15 farms use water for farming.

16 Cy Stober said that is correct.

17 Dan Jewell said the reason there is a large farm pond out near Orange Grove Rd. is
18 because it was built to provide water for agriculture. He said that the pond would be used as
19 needed to pull water for agriculture. He said there will not be a residence on the farm side, but
20 they could have a bathroom in the barn and install a septic system. He said that each resident
21 can put a garden on the property where they want, and it is not regulated.

22 Commissioner Fowler asked where the residents could put their gardens.

23 Dan Jewell said that it is not regulated.

24 Commissioner Greene said she understood that each lot would have infrastructure for a
25 garden, so his answer was confusing. She said she really liked the idea of providing space for
26 gardening.

27 Dan Jewell said that everyone can have a garden on their lot and there could also be a
28 community garden.

29 Commissioner Greene clarified that she was asking if there is a space designated on each
30 lot on where to place their personal garden. She said she liked the intentionality of the gardens.

31 Keith Brown said they will design the lots to include the best prospect of a garden but will
32 not require everyone to have a garden. He said they will design the place for a garden the same
33 way they will design the best space for the house, but they will work with the customer on all
34 aspects of the lot.

35 Commissioner Greene said the document states that it is ok to have a clothesline. She
36 said it should also say that it is ok for a community garden.

37 Keith Brown said he could add that in. He said there are also other questions they will
38 address such as the allowance of chickens and roosters.

39 Vice-Chair McKee said that he has spoken to some of the landowners and knows they
40 have addressed some concerns and he asked if they have addressed every concern of adjoining
41 landowners.

42 Keith Brown said they have tried but there is always a possibility that there will be
43 additional concerns. He said they are not closed off to continuing that conversation and would
44 address each as they come about.

45 Vice-Chair McKee said he heard that the agricultural uses will match existing uses in
46 Orange County and also that a farmer may continue to tend to the open space. He asked what
47 the plan is if the desires of the property owners do not include the ability for the farming to
48 continue.

49 Keith Brown said they are designing it so the land continues to produce. He said that it will
50 be enhanced and developed as time goes by.

51 Vice-Chair McKee asked about the pond for irrigation.

1 Keith Brown said it is needed for irrigation.

2 Vice-Chair McKee said that the ARB is in progress, but he thought they were looking at
3 specific conditions.

4 Keith Brown said he was told by Planning staff that the ARB document did not have to be
5 finished at this time and could develop as time goes by and homeowners take control.

6 Vice-Chair McKee asked if they have talked to the gentleman who does firearm training
7 and what guarantees he has been given that neighbors moving in will not try to shut it down.

8 Keith Brown said they made a commitment to support it and have documented that. He
9 said they are not trying to regulate the law, but they can make sure that everyone that moves
10 there knows they are in support of it.

11 Vice-Chair McKee said there are no guarantees to keep that even if the developer
12 supports it. He asked if there are any controls that could protect the range.

13 John Roberts said existing firing ranges are protected by state law and cannot be
14 regulated by the county or other local ordinances.

15 Chair Bedford said she was surprised to see the ARB because generally commissioners
16 do not regulate or rule on those.

17 Keith Brown said he would rather not include it because there is a lot to be addressed in
18 the future. He said that to discuss these issues at this point is premature.

19 Chair Bedford said the one they were presented with said that the community would be
20 built sustainably, and it was very focused on that. She said that the requirement for front lawn
21 irrigation is not one that she agrees with and was glad to see it removed.

22 Keith Brown said they did not intend to ever include that language and it was leftover from
23 a previous version of a document. He said they really wish they had not included the ARB
24 document because once it is finalized in the future it will not be recognizable to this draft version.
25

26 A motion was made by Vice-Chair McKee, seconded by Commissioner Fowler, to open
27 the public hearing.
28

29 **VOTE: UNANIMOUS**

30
31 **PUBLIC COMMENT:**

32 Ben Morgan said he lives at 5115 Dairyland Road. He said he appreciates Vice-Chair
33 McKee's comments about the firing range. He said he is a firearms instructor for his police
34 department and uses his property for training and qualification. He said that he fears there will be
35 increased calls for service for the Sheriff's Office and that future residents will have issues. He
36 said construction equipment is going to increase noise issues. He said that increased traffic will
37 cause accidents. He said there is a significant coyote, wild turkey, deer population and people
38 hunt there. He said that coyotes will be driven out and he has already lost livestock to coyote. He
39 asked them to deny the rezoning.

40 Anne Hawkins submitted a written copy of the story of the farm to the Clerk to the Board.

41 Susan Walson said she is thrilled that the voluntary agricultural district is included as a
42 disclosure for the buyers. She asked since the property falls under bona fide farm exemption; will
43 the exemption go away if the county approves this. She said they have a concern that if the bona
44 fide farm exemption is in place, they do not have to go to the county for any zoning changes. She
45 said that if they use the farming area for any other purposes, they could use the farm exemption
46 to create a farm stand and other purposes that are filed under agri-tourism, and the state statute
47 says they would not have to go to the county because it is conditional zoning. She said she is
48 interested to hear what the Planning Department would say.

49 Beth Murheed said she would like to know that everything the applicant has said tonight
50 is going to be permanent and cannot change. She said that is what she is concerned about. She

1 said that she raises racehorses and pine trees and that she lives near the property and does not
2 want to have any problems or surprises down the road.

3
4 A motion was made by Vice-Chair McKee, seconded by Commissioner Hamilton, to close
5 the public hearing.

6
7 **VOTE: UNANIMOUS**

8
9 Chair Bedford asked Cy Stober to answer the questions brought up during public
10 comments.

11 Cy Stober said everything brought forward is binding and that any deviation would have
12 to come back to public hearing to rezone the property. He said that the bona fide farm exemptions
13 do apply currently and there are four qualifying exemptions. He said the subdivisions of land
14 would require recertification for any remaining parcels to be considered a bona fide farm and, if
15 that is the case, then new residents would not be permitted but agricultural uses would be.

16 Commissioner Fowler asked if each residential property will be taxed as a residence rather
17 than a farm.

18 Cy Stober said that until the lots are platted, they are not under county regulation.

19 Chair Bedford asked him to define platted.

20 Cy Stober said that the hope is that plats will be recorded all at once. He said there would
21 be a dedicated right of way and that will also have to come back to a public hearing.

22 Vice-Chair McKee said he is curious as to the timing of loss of present use value. He said
23 that at the moment he signed the purchase contract he lost his present use value immediately.

24 Dan Jewell said that Vice-Chair McKee was correct and if you sell the property, you lose
25 the present use value. He said that he is not familiar enough with bona fide farm status to
26 understand how that will play in.

27 Commissioner Greene asked if the HOA will own the open areas.

28 Dan Jewell said yes.

29 Commissioner Greene asked if it will be incumbent on the HOA to file for classification of
30 any of those open areas to meet the bona fide farm classification.

31 Dan Jewell said yes, the HOA would have to do that.

32 John Roberts said once the HOA takes ownership of the remaining open space areas,
33 they would be responsible for meeting the standards of the state statutes for agricultural use and
34 to keep it in present use value.

35 Commissioner Greene asked if the HOA did not file to keep the status could they still farm.

36 Dan Jewell said yes. He said bona fide farm status just gives more rights.

37 Commissioner Greene said it is in the interest of the HOA to file for bona fide farm status.

38 Chair Bedford said it does not impact taxes; it just impacts use.

39 Vice-Chair McKee asked if the present use value is tax rated and if it cuts your taxes by
40 90%. He asked if the HOA would own the property as tenants in common.

41 John Roberts said if the HOA owns the areas and engages in farming activity then it could
42 meet the statutory standard for farm use.

43 Commissioner Fowler asked if the HOA will own the farm.

44 Dan Jewell said yes, and they may find another farmer to farm it.

45 Commissioner Fowler asked if berries along a trail count as farm use.

46 Dan Jewell said no.

47 Vice-Chair McKee said his wife and her brother own a farm within ½ on the other side of
48 Orange Grove Road and it is not within sight line of this property. He said he is going to support
49 this, but does not believe that this will continue to act as a farm. He said the 38 families who move
50 there will likely not be interested in farming. He said it would be a nice residential development.

1 He said that view shed will only last as long as people don't plant trees along the property line.
2 He said he hopes that will not happen. He said he has no objections to the proposal.

3 Commissioner Greene said the landscaping requirements in the ARB documents list
4 several species of plants that are invasive. She said the county requires native drought-resistant
5 plants. She said the plants they suggest in the design do not meet those goals and said she would
6 like for them to change.

7 Keith Brown said that document is not finished, and he wants to specify that they are
8 indigenous plants. He said that he hopes the HOA will help in maintaining individual gardens.

9 Commissioner Greene said she likes the commitment in favor of drought-resistant plants.
10 She said she did appreciate meeting with them, but what they are seeing is much less of a farm
11 friendly development than she hoped to see. She said she hopes through this conversation there
12 will be more commitment to keeping farmable land.

13 Keith Brown said that is the intent.

14 Commissioner Greene said the county has a Dark Sky ordinance, but she thinks there
15 should be some negotiations on spillover light. She offered a condition that said, "Applicant shall
16 limit spillover and night sky elimination within the NCDOT Right of Way to the extent permitted by
17 the NCDOT."

18 Keith Brown said they can do that.

19 Commissioner Hamilton asked if for tax purposes, if the land owned by the HOA would be
20 taxed at a different rate.

21 Cy Stober said if it is classified as a bona fide farm, it is typically appraised at 10% of its
22 market value.

23 Commissioner Hamilton asked if once the land is sold to the HOA, if it loses its designation
24 and has to reapply; and if approved, that they have a larger range of permitted farming activities.

25 Cy Stober said under 160D-903, all zoning land use regulations cease to apply when it is
26 a farm related activity. He said a residence would not qualify.

27 Commissioner Hamilton said it is unclear what is not allowed.

28 John Roberts said there's very little that's not allowed. He said that the legislature has
29 consistently expanded farm activity in the last ten years. He said that this helps farmers make
30 money, but they have also invited commercial activities onto farms and into rural areas and the
31 county then has no regulatory authority.

32 Vice-Chair McKee said he does not think there is a chance that the HOA will run a farm.
33 He said that there will be 38 homeowners of \$1 million homes and they are not going to want a
34 farm. He said he sees the HOA instituting an HOA fee to upkeep this property. He said farming is
35 an intense and difficult process. He said that from his standpoint, it should be looked at as a
36 residential development. He said present use value and bona fide farm status is an issue he is
37 familiar with and has been dealing with for 55 years and he still does not understand it.

38 Commissioner Fowler asked about the tax classification of the other open spaces within
39 the neighborhood.

40 John Roberts said the farm use exemption as it relates to local government is applicable
41 to the landowner, not the property. He said that the landowner gets the exemption for the property
42 that is in farm use. He said, without more information on what the other areas are used for, that
43 he cannot give an accurate answer as to what the other areas would be considered.

44 Commissioner Fowler asked if the Tax department will decide that.

45 John Roberts said if the HOA gets a farm use exemption they would apply to the Tax
46 department, and it would depend on what lands were submitted.

47 Commissioner Fowler asked if you can submit it for all portions of the land if you are just
48 farming part of it.

49 John Roberts said he did not know.

1 Vice-Chair McKee said it is set up on the use value. He said that if the HOA owns the
2 various open spaces, he believes they would all be considered under then and it would have to
3 be 10 acres or more and generate at least \$1,000 in revenue.

4 Commissioner Greene said she is not willing to give up on the idea that this could be a
5 very interesting farm on the western end. She said that she wants the applicant and County
6 Attorney to come up with language for a condition that stipulates keeping that part of the land in
7 farm use and if it changes it would have to come back to the Board. She said that because it is
8 high-end residential, she does not see it becoming an annoying use. She said that the idea that
9 it could be a bona fide farm does not bother her. She said that there could be small farming
10 activities put into use.

11 Commissioner Richards said she is happier that there are 38 lots and there is an effort
12 with design to maintain the opportunity for open space and farming and it is a low-density project
13 that maintains a rural nature. She said that this could have easily been something else, but they
14 have taken the opportunity to encourage agriculture and that is what she can support. She said
15 she worries about dictating a future that the Board cannot control. She said she thinks that
16 encouraging that and working with the developer to incentivize that would be a good outcome.
17 She said that she is touched by the statement of the family that owns the property and their love
18 for the land. She said that her family owns 80 acres that her grandparents bought in Mississippi
19 at the beginning of the century, and they are holding on to that because of what it meant to them.
20 She said the family's investment in this project is what she gravitates to.

21 Commissioner Greene said she met with the developers and owners early on when they
22 were on board to have a working farm.

23 Chair Bedford said she did not favor the proposal and did not think there was majority
24 support.

25
26 A motion was made by Chair Bedford, seconded by Commissioner Richards, to approve
27 the Statement of Consistency (Attachment 7) and Zoning Atlas Amendments (Attachment 8), with
28 the addition of the following condition:

- 29
30 • "The Applicant will minimize spillover and night sky elimination within the DOT right of way
31 to the extent permitted by the DOT".

32
33 Commissioner Fowler said she hopes that the farm use continuance will be the case.

34 Vice Chair-McKee said that he does not like to wordsmith on the fly, but he understands
35 Commissioner Greene's concern.

36 Commissioner Greene said she appreciates the concern and if they were serious about
37 the wording they could move to postpone and have more discussion.

38
39 **VOTE: Ayes, 6 (Commissioner Portie-Ascott, Commissioner Hamilton, Commissioner**
40 **Fowler, Chair Bedford, Vice-Chair McKee, Commissioner Richards); Nays, 1**
41 **(Commissioner Greene)**

42
43 **MOTION PASSES**

44
45 Commissioner Fowler said in a previous meeting for a different matter, she was requested
46 to be specific about reasonableness when making a motion to deny a rezoning amendment.

47 Cy Stober said that if the Board wishes to vote to deny, there is always available to the
48 Board a reasonableness denial or a consistency denial.

49
50
51

1 **6. Regular Agenda**
2

3 **a. Proposed Orange County FY 2023-2024 Annual Action Plan and HOME Activities**

4 The Board considered adopting a Resolution authorizing submission of the FY 2023-2024 Annual
5 Action Plan; adopting a Resolution approving the proposed HOME Program Activities for FY
6 2023-2024; and authorizing the County Manager to implement the HOME Program as approved
7 by the BOCC, including the ability to execute agreements with partnering nonprofit organizations
8 after consultation with the County Attorney and based on the allocation received from HUD.
9

10 **BACKGROUND:**

11 Annual Action Plan

12 Every year, state and local governments (“Participating Jurisdictions”) that receive HOME
13 Investment Partnerships Program (“HOME”) funds from the U.S. Department of Housing and
14 Urban Development (“HUD”) are required to complete an Annual Action Plan that lays out how
15 they will allocate HUD funds for the upcoming program year in order to address the goals and
16 priorities in the Consolidated Plan. A summary of the draft Annual Action Plan for FY 2023-2024
17 is in Attachment 1.
18

19 Orange County is a special type of Participating Jurisdiction, called a Consortium, consisting of
20 Orange County and the Towns of Carrboro, Chapel Hill, and Hillsborough. Orange County serves
21 as the lead entity for the Orange County HOME Consortium. The Consortium completed the
22 Annual Action Plan based on the HOME award recommendations made by the Local Government
23 Affordable Housing Collaborative, detailed in the section below.
24

25 A public comment period, as required by HUD, was held March 31 – May 1, 2023, and a public
26 hearing was held on the draft Annual Action Plan at the April 4, 2023 Orange County Board of
27 Commissioners Business meeting. Public notice of the hearing was posted in *The Herald Sun*
28 and *La Noticia*. Staff posted copies of the draft Annual Action Plan on the Orange County Housing
29 Department website, and circulated a link to the website and draft plan by public notice in the
30 newspapers listed above. Staff conducted outreach by email to over 100 housing and homeless
31 service providers nonprofit organizations, government entities, elected officials, and interested
32 residents. All comments will be incorporated into the final Annual Action Plan to be submitted to
33 HUD.
34

35 HUD requires staff to submit the FY 2023-2024 Annual Action Plan on or before May 15, 2023.
36 The Board of County Commissioners is therefore asked to consider approval of the attached
37 resolution (Attachment 2) authorizing submission of the Annual Action Plan.
38

39 FY 2023-2024 HOME Program Activities

40 For FY 2023-2024, Orange County has received the following HOME resources:
41

FY 2023-2024 HOME Funds	\$ 429,496.00
HOME Program Income	\$ 13,306.00
Local Match	\$ 96,636.60
Total	\$ 539,438.60

42
43 The Local Government Affordable Housing Collaborative (the “Collaborative”), comprised of one
44 (1) elected official and staff members from Orange County and the Towns of Carrboro, Chapel
45 Hill, and Hillsborough, reviewed the received applications for the FY 2023-2024 HOME Program
46 on March 9, 2023 and made the following funding recommendations for consideration by each of
47 the jurisdictions’ elected bodies:

Applicant and Project	Funding Requested	Funding Awarded
CASA – Pre-Development and Rental Development	\$512,000.00	\$446,489.00
Pee Wee Homes – Rental Development	\$50,000.00	\$50,000.00
Community Empowerment Fund – Homebuyer Assistance	\$50,000.00	-
Common Ground Eco- Village – Homebuyer Assistance	280,000.00	-
EMPOWERment – Rental Acquisition	120,000.00	-
Habitat for Humanity – Homebuyer Assistance	475,000.00	-
Hope Renovations – Homeowner Rehabilitation	24,975.00	-
Administration (10% of HOME Funds, per statute)	\$ 42,949.60	\$ 42,949.60
Total	\$ 1,554,924.60	\$ 539,438.60

1
2 A summary of the awarded projects can be found in Attachment 3.
3

4 In accordance with the Orange County HOME Consortium Agreement, approved in May 2011,
5 the HOME Program Design for each year must be approved by all jurisdictions prior to submission
6 to HUD. The HOME Program Design is scheduled for approval by the:

- 7 • Town of Carrboro on May 2, 2023;
- 8 • Town of Chapel Hill on May 3, 2023; and
- 9 • Town of Hillsborough on May 8, 2023.

10
11 The Board of Commissioners is therefore asked to consider approval of the attached HOME
12 Program Design Resolution (Attachment 4).
13

14 *HOME Program Implementation*

15 After approval of the FY 2023-2024 HOME Program Design by all Consortium participants,
16 authorization is requested to allow the Orange County Manager, based on the HUD allocation
17 received, to execute agreements with partnering nonprofit organizations as necessary to
18 implement the approved HOME Program Design. All agreements will be reviewed and approved
19 by the County Attorney's Office.
20

21 Corey Root, Housing and Community Development Director, introduced the item and
22 reviewed the background information.
23

24 A motion was made by Commissioner Fowler, seconded by Vice-Chair McKee, to adopt
25 the Resolution authorizing submission of the FY 2023-2024 Annual Action Plan; adopt and
26 authorize the Chair to sign the Resolution approving the proposed HOME Program Activities for
27 FY 2023-2024; and authorize the County Manager to implement the HOME Program as approved
28 by the BOCC, including the ability to execute agreements with partnering nonprofit organizations
29 after consultation with the County Attorney and based on the allocation received from HUD.
30

31 **VOTE: UNANIMOUS**
32
33

34 **7. Reports**

35 None
36
37

1 **8. Consent Agenda**
2

- 3 • Removal of Any Items from Consent Agenda
4 • Approval of Remaining Consent Agenda
5 • Discussion and Approval of the Items Removed from the Consent Agenda
6

7 A motion was made by Vice-Chair McKee, seconded by Commissioner Hamilton, to
8 approve the consent agenda.
9

10 **VOTE: UNANIMOUS**
11

12 **a. Minutes**

13 The Board approved the draft minutes for the March 9, 2023, March 14, 2023, and March 21,
14 2023 BOCC Meeting as submitted by the Clerk to the Board.

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

16 The Board adopted a resolution to release motor vehicle property tax values for seven (7)
17 taxpayers with a total of seven (7) bills that will result in a reduction of revenue.

18 **c. Property Tax Releases/Refunds**

19 The Board adopted a resolution to release property tax values for four (4) taxpayers with a total
20 of twelve (12) bills that will result in a reduction of revenue.

21 **d. Approval of Memorandum of Agreement between the Orange County Board of**
22 **Commissioners and North Carolina State University**

23 The Board approved and authorized the Manager to sign a Memorandum of Agreement between
24 Orange County and North Carolina State University (NCSU) that will define the individual
25 relationships and mutually agreed upon responsibilities of NCSU and Orange County Government
26 in the operation of the Orange County Center of North Carolina Cooperative Extension.

27 **e. North Carolina Local Government Commission Audit Contract with Mauldin & Jenkins,**
28 **LLC – First Renewal**

29 The Board:

- 30 1) Approved the first of two one-year renewal options for Mauldin & Jenkin, LLC to perform
31 full audit services which includes financial, single audits and financial statement
32 preparation; and
33 2) Authorized the Chair and Finance Officer to sign the North Carolina Government
34 Commission audit contract on behalf of the BOCC pending staff and attorney review.

35 **f. Application for North Carolina Education Lottery Proceeds for Chapel Hill Carrboro City**
36 **Schools (CHCCS) and Contingent Approval of Budget Amendment #8-B Related to**
37 **CHCCS Capital Project Ordinances**

38 The Board approved an application to the North Carolina Department of Public Instruction
39 (NCDPI) to release proceeds from the NC Education Lottery account related to FY 2022-23 debt
40 service payments for Chapel Hill Carrboro City Schools (CHCCS), and approving Budget
41 Amendment #8-B, contingent on the NCDPI's approval of the application.

42 **g. Application for North Carolina Education Lottery Proceeds for Orange County Schools**
43 **(OCS) and Contingent Approval of Budget Amendment #8-C Related to OCS Capital**
44 **Project Ordinances**

45 The Board approved an application to the North Carolina Department of Public Instruction
46 (NCDPI) to release proceeds from the NC Education Lottery account related to FY 2022-23 debt
47 service payments for Orange County Schools (OCS), and approving Budget Amendment #8-C,
48 contingent on the NCDPI's approval of the application.
49
50
51

1 **h. Older Americans Month Proclamation**

2 The Board approved a proclamation joining Federal and State governments in designating the
3 month of May as Older Americans Month and a time to honor older adults for their contributions
4 to the community.

5 **i. Provider Appreciation Day Proclamation**

6 The Board approved a proclamation designating May 12, 2023 as Child Care Provider
7 Appreciation Day in Orange County.

8 **j. Mental Health Awareness Month Proclamation**

9 The Board approved a proclamation designating May 2023 as Mental Health Awareness Month
10 in Orange County.

11
12
13 **9. County Manager's Report**

14 Bonnie Hammersley reminded the Board of the upcoming Budget Public Hearing on May
15 9, 2023 beginning at 7:00 pm at the Whitted Building. She also recognized the retirements from
16 January 1, 2023-March 31, 2023, which were provided as an Information Item.

17
18
19 **10. County Attorney's Report**

20 John Roberts said he wanted to address Commissioner Fowler's question to Cy Stober.
21 He said the Planning Director and the Planning Board recommended approval of the conditional
22 rezoning request tonight, and Planning staff provides the Board with a Statement of Consistency
23 that includes a Statement of Reasonableness as part of the recommendation. He said because
24 the last conditional rezoning request was denied by the Board, the Statement of Consistency
25 provided by the Planning staff was not appropriate, which was why the Board had to make a
26 statement of unreasonableness. He said he does not think it would be appropriate under the
27 ordinance for a Planning Director to provide both a recommendation to approve and a
28 recommendation to deny in the same agenda packet, and it would be confusing to the Board and
29 to the public to have competing documents.

30 Commissioner Fowler thanked John Roberts for explaining the reason for the difference.

31
32
33 **11. *Appointments**

34 None

35
36
37 **12. Information Items**

- 38 • April 18, 2023 BOCC Meeting Follow-up Actions List
- 39 • Tax Collector's Report – Numerical Analysis
- 40 • Tax Collector's Report – Measure of Enforced Collections
- 41 • Tax Assessor's Report – Releases/Refunds under \$100
- 42 • Memorandum – Orange County Participation Results of the Solarize the Triangle
43 Program
- 44 • Memorandum – Recognizing Retirements from January 1, 2023 through March 31, 2023

45
46
47 **13. Closed Session**

48 None

49

1 **Adjournment**

2

3 A motion was made by Commissioner Fowler, seconded by Commissioner Richards, to
4 adjourn the meeting at 9:51 p.m.

5

6 **VOTE: UNANIMOUS**

7

8

Jamezetta Bedford, Chair

10

11

12 Recorded by Tara May, Deputy Clerk to the Board

13

14 Submitted for approval by Laura Jensen, Clerk to the Board

15

1 DRAFT

2 **MINUTES**
3 **ORANGE COUNTY**
4 **BOARD OF COMMISSIONERS**
5 **BUDGET AND CIP PUBLIC HEARING AND WORK SESSION**
6 **MAY 9, 2023**
7 **7:00 p.m.**

8 The Orange County Board of Commissioners met for a Business Meeting on Tuesday, May 9,
9 2023 at 7:00 p.m. at the Whitted Human Services Center in Hillsborough, NC.

10
11 **COUNTY COMMISSIONERS PRESENT:** Chair Jamezetta Bedford, Vice Chair Earl Vice-Chair
12 McKee (arrived at 7:02 p.m.), and Commissioners Amy Fowler, Jean Hamilton, Phyllis Portie-
13 Ascott, and Anna Richards

14 **COUNTY COMMISSIONERS ABSENT:** Commissioner Sally Greene

15 **COUNTY ATTORNEYS PRESENT:** John Roberts

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

19
20 Chair Bedford called the meeting to order at 7:00 p.m. All commissioners were present,
21 except for Vice-Chair McKee and Commissioner Greene.

22
23 *Vice-Chair McKee arrived at 7:02 p.m.*

24
25
26 **1. Opening Remarks**

27
28 Chair Bedford read the public charge:

29
30 *The Board of Commissioners pledges its respect to all present. The Board asks those attending*
31 *this meeting to conduct themselves in a respectful, courteous manner toward each other, county*
32 *staff and the commissioners. At any time should a member of the Board or the public fail to*
33 *observe this charge, the Chair will take steps to restore order and decorum. Should it become*
34 *impossible to restore order and continue the meeting, the Chair will recess the meeting until such*
35 *time that a genuine commitment to this public charge is observed. The BOCC asks that all*
36 *electronic devices such as cell phones, pagers, and computers should please be turned off or set*
37 *to silent/vibrate. Please be kind to everyone.*

38
39
40 **2. Presentation of the County's Manager's Recommended FY 2023-24 Budget**

41 The County Manager made the following presentation:
42
43

1 Slide #1



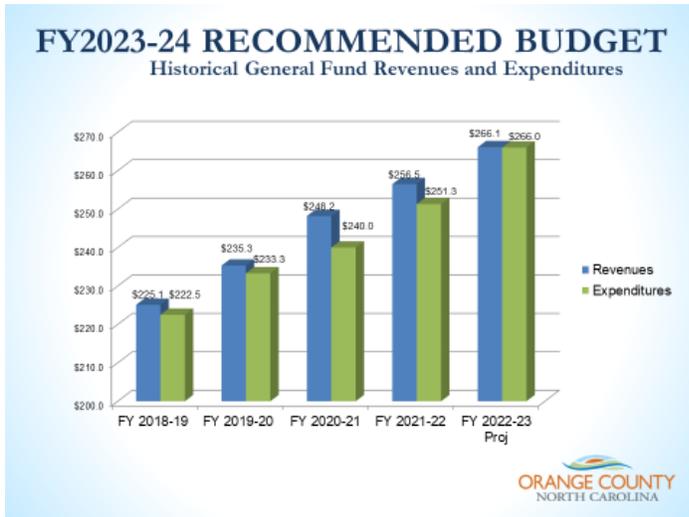
2
3
4

Slide #2



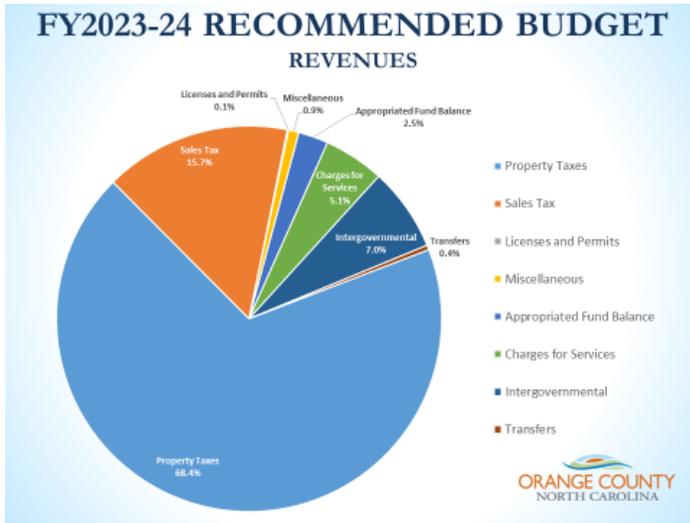
5
6
7

Slide #3



8

1 Slide #4



2
3
4

Slide #5

FY2023-24 RECOMMENDED BUDGET

Revenue Assumptions

FY 2023-24 Projected Revenue: \$279,194,928

Property Tax Assumptions

Recommended Property Tax Increase:
 $\$0.0046 = \$1,038,676$
 One Penny = \$2,257,990

Current Tax Rate = \$0.8312 per \$100 valuation
 Recommended Tax Rate = \$0.8358 per \$100 valuation

Total Property Tax Increase plus 2% natural growth = \$4.7 Million

ORANGE COUNTY
NORTH CAROLINA

5
6
7

Slide #6

FY2023-24 RECOMMENDED BUDGET

Revenue Assumptions

Sales Tax Assumptions

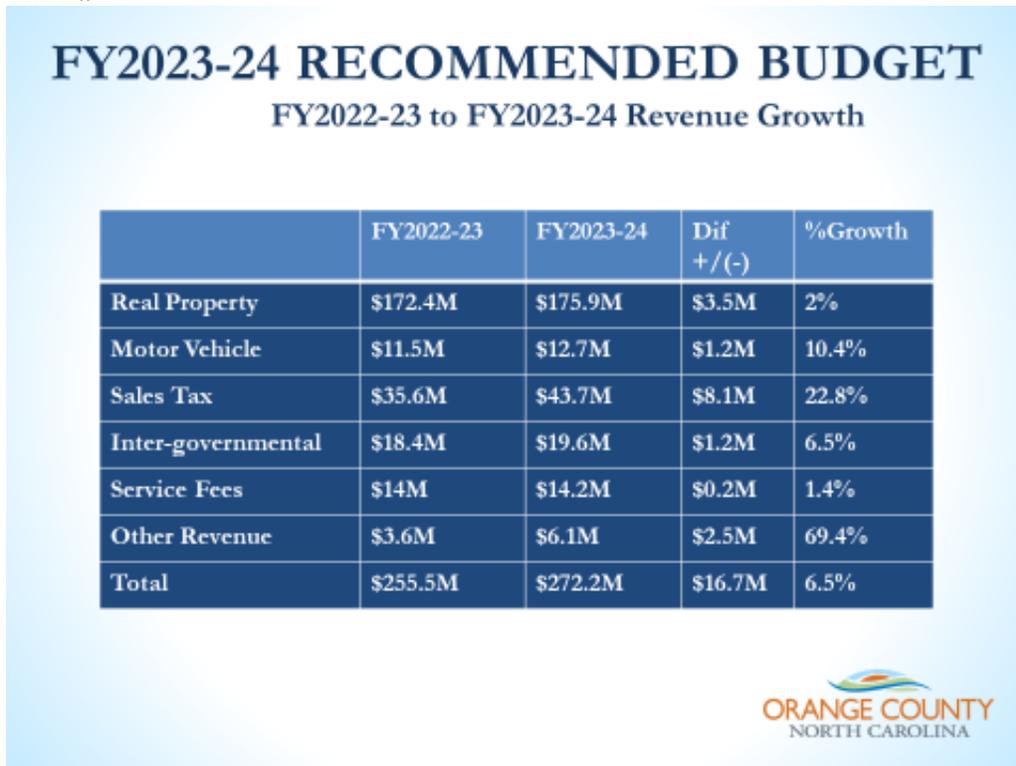
- 4-5% Growth over FY 2022-23 projection as economy normalizes to pre-Covid inflation rates.
- Third Quarter FY 2022-23 indicates 10-12% Growth over Prior Fiscal Year

Total Sales Tax Increase = \$8.1 Million

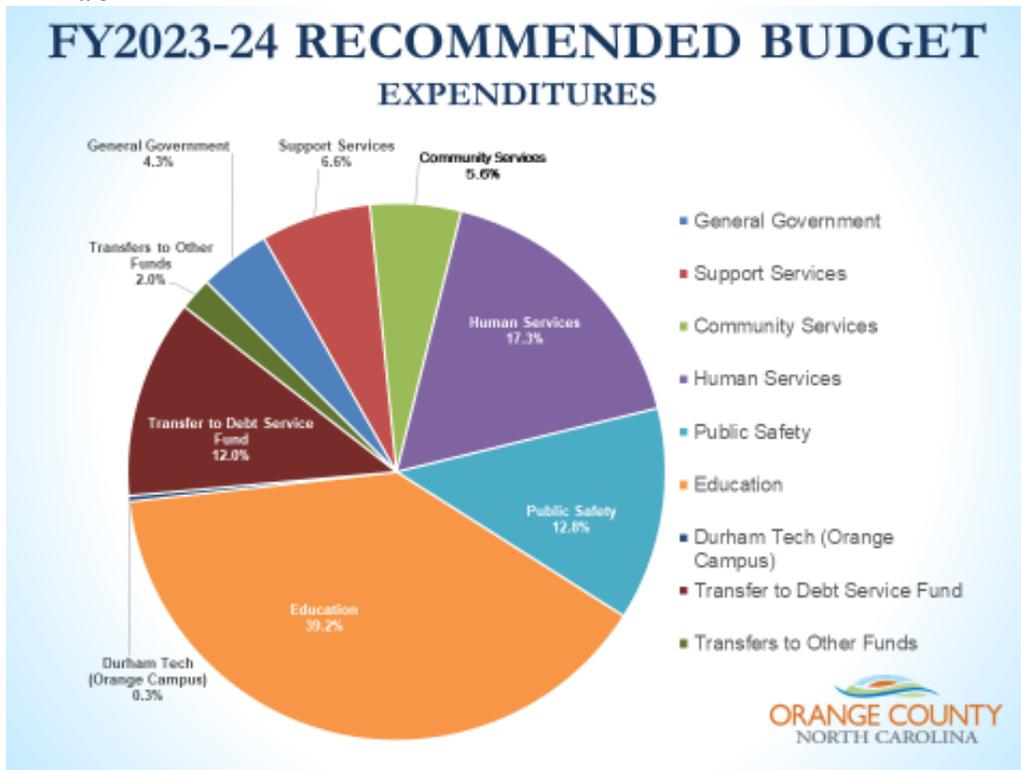
ORANGE COUNTY
NORTH CAROLINA

8

1 Slide #7



2
3
4 Slide #8



5
6 Bonnie Hammersley said that 8.87% of Debt Service is for education.
7

1 Slide #9

FY2023-24 RECOMMENDED BUDGET
Expenditure Assumptions

FY 2023-24 Projected Expenditures: \$279,194,928

Education Assumptions

- Education Current Expenses

Personnel Impacts

- Wage Adjustment Compensation
- Increase of Employer Health Insurance Contribution
- Increase of Employer Retirement Contribution Rate
- Increase Living Wage



2
3
4 Slide #10

FY2023-24 RECOMMENDED BUDGET
Expenditure Assumptions

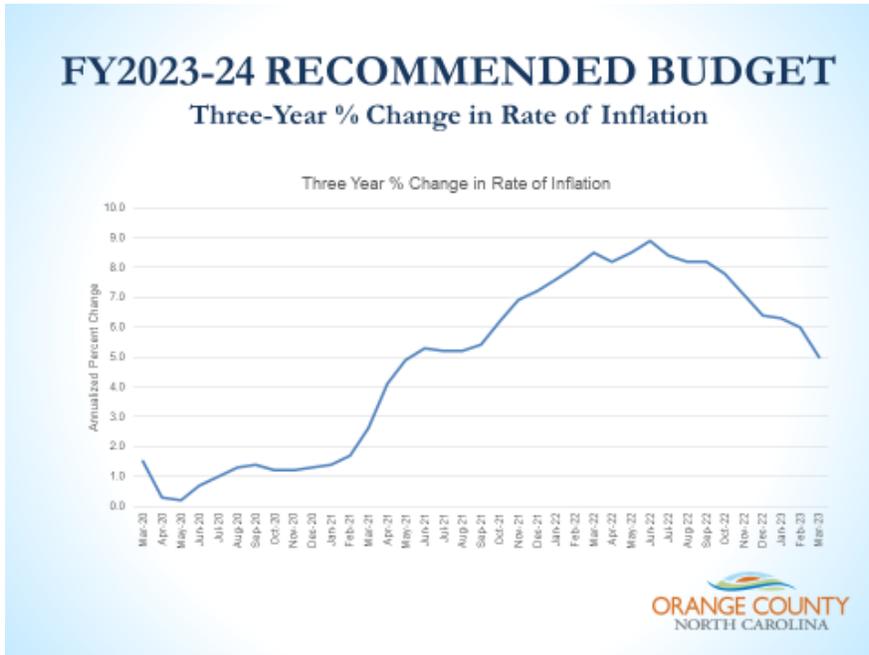
Operating Impacts

- Inflationary Increases
- Employee Retention
- Transfer ARPA funded essential programs and positions to General Fund and/or other funding sources
- Allocate remaining ARPA Funds



5
6
7

1 Slide #11



2
3
4

Slide #12

FY2023-24 RECOMMENDED BUDGET

K-12 EDUCATION

Chapel Hill-Carrboro City Schools	FY 2022-23 Current Expense	Continuation Request	Expansion Request	Manager Recommend	Recommend Increase
Current Expenses	\$ 55,007,882	\$ 63,447,882	\$ 66,157,882	\$ 60,158,538	\$ 5,150,656
Per Student	\$ 4,808	\$ 5,558	\$ 5,798	\$ 5,346	\$ 538
Special District Tax	\$ 0.183	\$ 0.183	\$ 0.183	\$ 0.198	\$ 2,095,301

Orange County Schools	FY 2022-23 Current Expense	Continuation Request	Expansion Request	Manager Recommend	Recommend Increase
Current Expenses	\$ 38,570,900	\$ 40,789,900	\$ 49,207,500	\$ 42,784,038	\$ 4,213,138
Per Student	\$ 4,808	\$ 5,085	\$ 6,137	\$ 5,346	\$ 538

1 - An increase in the Special District Tax for CHCCS is recommended at \$0.015 to provide additional ongoing revenue

5
6
7
8
9
10
11
12
13

Bonnie Hammersley said the recommended budget includes a 10% increase for K-12 education, totaling \$9,363,794. She said the total is divided between the two school districts based on average daily membership (ADM). She said the allocation for Chapel Hill-Carrboro City Schools (CHCCS) declined due to the loss of 189 students. She said the allocation percentage for CHCCS is 58.44%, down from 58.78% in the previous year. She said that the allocation for Orange County Schools (OCS) increased to 41.56% (from 41.22% in the previous year) due to a reduced loss of 20 students compared to CHCCS. She said there is a \$0.015 recommended increase in the Special District Tax to assist in meeting the continuation request for CHCCS. She

1 said that would generate \$2,095,301, based on an estimated per penny revenue amount of
 2 \$1,396,387.

3
 4 Slide #13

FY2023-24 RECOMMENDED BUDGET EDUCATION

COUNTY APPROPRIATION PER STUDENT			
Year	Per Student	\$ Increase	% GF Revenue
FY2016-17	\$ 3,868.00	\$ 170.50	50.6%
FY2017-18	\$ 3,991.00	\$ 123.00	49.7%
FY2018-19	\$ 4,165.00	\$ 174.00	50.1%
FY2019-20	\$ 4,352.25	\$ 187.25	49.5%
FY2020-21	\$ 4,367.00	\$ 14.75	49.4%
FY2021-22	\$ 4,367.00	-	48.7%
FY2022-23	\$ 4,808.00	\$ 441.00	47.1%
FY2023-24	\$ 5,346.00	\$ 538.46	48.1%



5
 6
 7 Slide #14

FY2023-24 RECOMMENDED BUDGET EDUCATION

Durham Technical Community College	FY2023-24 Base Budget	FY2023-24 Request	County Manager Recommend	Recommended Increase
Current Expenses	\$ 809,405	\$ 1,087,198	\$ 890,346	\$ 80,941
Capital Outlay	\$ 75,000	\$ 75,000	\$ 75,000	-
Innovation Hub*	\$	\$ 20,000	\$ 20,000	\$ 20,000
Back to Work Initiative*	\$ 50,000	\$ 100,000	\$ 100,000	\$ 50,000
Durham Tech Promise*	\$ 200,000	\$ 200,000	\$ 200,000	-
Small Business Center Coordinator*	\$ 70,000	\$ 70,000	\$ 70,000	-

** Funded in Article 46, outside of the General Fund*



8
 9
 10

1 Slide #15

FY2023-24 RECOMMENDED BUDGET OUTSIDE AGENCIES

Outside Agencies (501.c3)	FY2022-23 Approved	FY2023-24 Request	Outside Agency Fund Recommend	Department Budget Recommend
Agencies Funded	58	56	42	6
Total	\$ 1,854,691	\$ 2,436,822	\$ 1,037,016	\$ 937,656

- In FY 2023-24, the integral agencies awarded \$100K+ or majority of funding is Outside Agency funds are moved into department budgets to improve coordination, accountability and client outcomes.
- An additional \$45,000 is recommended for Arts and Tourism related Outside Agencies in the Visitors Bureau Fund, to be administered by the Orange County Arts Commission and The Visitors Bureau.



2
3
4

Slide #16

FY2023-24 RECOMMENDED BUDGET FIRE DISTRICTS

FIRE DISTRICT	CURRENT TAX RATE	REQUESTED INCREASE	RECOMMENDED TAX RATE
Cedar Grove	\$0.0763	\$0.0137	\$0.09
Chapel Hill	\$0.1387	\$0.00	\$0.1387
Damascus	\$0.1180	\$0.01	\$0.1280
Efland	\$0.0828	\$0.02	\$0.1028
Eno	\$0.0998	\$0.00	\$0.0998
Little River	\$0.0639	\$0.01	\$0.0739
New Hope	\$0.1156	\$0.0101	\$0.1257
Orange Grove	\$0.0727	\$0.01	\$0.0827
Orange Rural	\$0.0949	\$0.01	\$0.1049
South Orange	\$0.0909	\$0.00	\$0.0909
Southern Triangle	\$0.1180	\$0.01	\$0.1280
White Cross	\$0.1234	\$0.015	\$0.1384



5
6
7
8
9

Bonnie Hammersley said that inflation is affecting fire department budgets, which is why most requested a tax rate increase.

1 Slide #17

FY2023-24 RECOMMENDED BUDGET

COUNTY EMPLOYEE COMPENSATION		
	% Increase	Total
1- Compensation Adjustment	6%	\$4,400,000
2- Living Wage Adjustment	3%	\$36,000
Health & Dental Insurance	5%	\$540,000
Retirement Increase	6%	\$460,000

1- Compensation adjustment includes Merit and 401K adjustments of 6%
 2- Living Wage Increase living wage for temporary employees from \$15.85 per hour to \$16.60 per hour



2
3
4

Slide #18

FY2023-24 RECOMMENDED BUDGET

COUNTY POSITIONS – GF AND OTHER FUNDS

Fund	FTE Status	GF Cost
General Fund	22.0 FTE	\$85,902
Debt Service	1.0 FTE	\$0
Inspections	1.0 FTE	\$0
Visitors Bureau	1.0 FTE	\$0
Solid Waste	5.0 FTE	\$0
Total	30.0 FTE	\$85,902

Food Council FTE converted to Food Security Coordinator contract position in Cooperative Extension – 25% NC A&T revenue



5
6
7
8
9

Bonnie Hammersley said that the 22 FTEs recommended in the General Fund are funded through new revenues or a reallocation of existing funds.

1 Slide #19

FY2023-24 RECOMMENDED BUDGET AMERICAN RESCUE PLAN USE ACT (ARPA)

FY2023-24 Recommended ARPA Projects	Amount
Emergency Housing Assistance (EHA)	\$2,148,849
Long-term Homeowner's Assistance	\$250,000
ARPA Reporting Coordinator Contract	\$66,886
Total	\$2,465,735*

* The American Rescue Plan Act (ARPA) funds have been fully allocated with the recommended amount.



2
3
4 Slide #20

FY2023-24 RECOMMENDED BUDGET

BUDGET PUBLIC HEARINGS	DATE
Budget and Capital Investment Plan (CIP)	May 9 & June 1
BUDGET WORK SESSION SCHEDULE	DATE
Schools, Durham Tech, and Outside Agencies	May 11
Fire District, Public Safety and Human Services	May 18
Support Services, General Government and Community Services	May 23
Budget Amendments and Resolution of Intent to Adopt	June 8
BOCC REGULAR MEETING	DATE
FY2023-24 Operating and CIP Budget Adoption	June 20



5
6
7

1 Slide #21

FY2023-24 RECOMMENDED BUDGET DOCUMENT AVAILABILITY

- Clerk to Board of Commissioners
- County Budget Office
- Orange County Library
- Chapel Hill Public Library
- Orange County Website - <http://orangecountync.gov>



2
3
4

Slide #22

FY2023-24 RECOMMENDED BUDGET MISSION STATEMENT

Orange County exists to provide governmental services needed by our Residents or mandated by the State of North Carolina.

To provide these quality services efficiently, we must;

- Serve the Residents of Orange County – *Our Residents Come First*;
- Depend on the energy, skills, and dedication of all our employees and volunteers;
- Treat all our Residents and Employees with fairness, respect, and understanding.

Orange County Residents Come First



5
6
7

1 **3. Public Comments**

2 The board held a public hearing to receive comments on the FY24 recommended budget.

3
4 A motion was made by Commissioner Fowler and seconded by Vice-Chair McKee to open
5 the public hearing.

6
7 **VOTE: UNANIMOUS**

8
9 Public Comments:

10 Margo Lakin asked the Board to maintain the budget lines for Fairview Park improvements
11 and mitigation in the capital investment plan. She said that Fairview Park is an ideal location for
12 meeting the public's recreational needs. She said there is a community center and existing tennis
13 courts at the park. She said the additional three courts would increase availability to residents.
14 She said that Fairview Park is in a walkable neighborhood and used by local and county residents.
15 She said she believes the park is under capacity and there is untapped potential to build what the
16 public needs for recreational facilities. She said there is easy access and egress for cars,
17 reducing traffic within the neighborhood. She said earmarking development funds now to meet
18 current and future needs is both progressive and proactive on the county's part.

19 Jon Klein read the following statement:

20 "I have been an Orange County resident since 1984. I am a retired family physician, a former
21 member and chair of both the Orange County Board of Health, and the Orange County Schools
22 Health Advisory Council. I speak with you tonight as the President of Swim for Charlie a 501 (c)
23 3 charitable organization with a mission "To equip children with life-saving water safety skills by
24 providing a high-quality water safety program to second grade North Carolina students."
25 Drowning is one of the leading causes of death in children. 80% of children in low-income
26 households have no water safety skills. 64% of Black, 45% of Latino, and 40% of white children
27 have little to no swimming ability. 10 people drown each day in the US. Drownings can be reduced
28 by 88% with a structured water safety skills program. Swim for Charlie was formed as a memorial
29 legacy to Dr. Charles van der Horst who was an Orange County resident, internationally known
30 infectious disease physician, Public Health crusader, philanthropist, and social equity advocate.
31 He worked tirelessly to improve the health of those most vulnerable and he had a deep love for
32 children. Swim for Charlie has been providing an 8-lesson water safety program to Orange
33 County Schools' 2nd graders since February 2020. The program began in the 3 highest need
34 Title I Orange County Schools. This year the program expanded to include all 7 Orange County
35 Schools, offering the program to over 500 students. Swim for Charlie measures its success by
36 participation and achievement. With a participation rate of 95% the program is valued by parents
37 and students. For students starting with no water safety skills 65% have been made water safe,
38 this translates to 200 students who now know how to save themselves if they fall into a body of
39 water, such as a retention pond or lake. I have been told by teachers that there is greater
40 attendance at school during the weeks of Swim for Charlie, as well as increased confidence in
41 class resulting in improved academic achievement for those students participating. Swim for
42 Charlie has submitted an Outside Agency Grant to help fund the continued expansion of the
43 program from the 3 high need schools to include the additional 4 schools. The funding will help
44 pay for part of the Program Director's salary as well as the cost of lifeguards and instructors.
45 Other costs include swimsuits and towels for students who cannot afford them, a mesh bag for
46 each student to transport their swimsuit/towel, certificates for students, pool supplies, and plaques
47 to each new school in the program. Due to the significant impact Swim for Charlie has made and
48 will make for Orange County citizens I request that you fund the grant. Thank you.

49 Jim Tucker said he is a 26 year resident of Orange County. He said he was previously a
50 board member for Community Home Trust. He said he was at the meeting to speak about Swim
51 for Charlie, an organization for which he is a current board member. He said Swim for Charlie is

1 a public/private partnership. He said the school district provides the transportation for the
2 students, the Sportsplex provides the aquatic facility, and Swim for Charlie provides the program,
3 equipment, and instructors. He said was a volunteer at Swim for Charlie for students at Efland
4 Cheeks Elementary School. He said he saw firsthand what the program means for students. He
5 said the grant will continue their ability to offset some of the program costs and to offer the
6 program in all Orange County elementary schools. He said all competitive swimmers start as
7 beginner swimmers. He said he learned to swim because his grandmother lost a brother to
8 drowning. He said his grandmother made sure all of her grandchildren knew how to swim. He
9 said Swim for Charlie is here so that his family's experience will not be repeated for the families
10 of Orange County.

11 Matt McDermott said he has lived in Hillsborough for 24 years. He said he is an advocate
12 for initiatives that support sound bodies, minds, and souls. He said he especially supports
13 initiatives that maximize pre-existing resources and minimize unnecessary tax burdens. He said
14 he supports recommended funding for improvements at Fairview Park. He said the funding would
15 allow for expanded tennis and pickle ball access to accommodate a growing need. He said he
16 also supports the mitigation funding which will plant the seed of continued fiscal and responsible
17 future growth in a strategically located recreational park. He said the recommended funding
18 demonstrates smart growth and supports the county's commitment to climate change mitigation.
19 He asked the Board to support the recommended funding.

20 Sally Merryman said she is a 28 year resident of Orange County and has owned a home
21 in western Orange County for 19 years. She said she is a 26 year veteran teacher and has
22 worked at the same school in Chapel Hill for 22 of those years. She said she serves as the acting
23 president of the Chapel Hill Carrboro Association of Educators. She asked the Board to vote for
24 the County Manager's recommended budget. She said it is the closest alignment of the
25 continuation request and the County Manager's proposal. She praised the County Manager and
26 the school districts for collaborating during the budget process. She said that collaboration will
27 benefit more county students. She said that tax increases no matter how small are not often
28 welcome, but as the state legislature continues to choke public schools to fund private school
29 vouchers, we must act boldly with county budget and must fund schools first.

30 Karen Riley read the following statement:

31 "I am Karen Riley, president of United Voices of Efland Cheeks. I'm joined tonight with several
32 members of our board of directors. We have operated the Efland Cheeks community center since
33 2016 under an agreement with Orange County. Under this agreement, we provide programs to
34 the community and Orange County maintains the building. Since COVID, the Efland Cheeks
35 Community Center has grown dramatically. We regularly host over a hundred people each week
36 at the center. Our community events typically attract 200-300 people. We honored Efland's
37 seniors with a sit down holiday dinner serving 80 people. If you have been in the center, you
38 know that it's a lot of people to fit in a very small space. Over the next few months, we will be
39 adding summer STEM camp, a senior exercise class, a teen council and a family movie night.
40 Everything we do is free and accessible. Remember – Efland doesn't have healthclubs, a library
41 or public meeting spaces. The center is an essential community space. But the building is too
42 small to meet the Community's needs. Last year, we had a wait list of 20 kids for our afterschool
43 program. We are forced to limit summer camp to 12 kids a week. We need more space –
44 desperately. If you have been in the center, you know that there's one main room with a few small
45 offices. Last year, because of space constraints, we were forced to turn away kids for afterschool.
46 There's no place for community groups to meet if classes are going on. We are asking for a
47 capital investment of \$100,000 to expand the center and paint the exterior. These funds would
48 cover the cost fully enclose the concrete slab in the back of the building to create a conditioned
49 meeting room and additional storage space. Your Asset Management team provided the estimate
50 which includes design fees and exterior painting. Please appreciate that this is UVECs first capital
51 request since the center opened in 1994. This investment will get us through the next 3 years or

1 longer. As you know, Efland is often left behind when it comes to county resources and services.
 2 Please show us that is no longer the case. Please grant this request so that we can give Efland
 3 Cheeks families the services they deserve.”

4 Meaghun Darab said she is on the PORCH Hillsborough Board of Directors. She said
 5 PORCH Hillsborough is a dynamic volunteer group to help with food insecurity. She said that
 6 they applied for Outside Agency Funding. She said they partner with Orange County Schools,
 7 the county, and Cedar Grove for stocking pantries and making food distributions. She said she
 8 hopes that their funding grant will be supported. She said she was happy to see the 10% funding
 9 increase for schools. She said she hopes the increase helps keep teachers in the classroom.
 10 She said that Orange County Schools have increased Title I schools, and students qualifying for
 11 free and reduced lunch. She said families need support. She asked the Board to approve the
 12 10% increase for schools. She said she supported the increase for Fairview Park. She said
 13 Fairview seems to be centrally located and is on the bus system, and is in a walkable community.
 14 She said that the \$3 million mitigation can hopefully expand services at that location.

15
 16 A motion was made by Vice-Chair McKee and seconded by Commissioner Fowler to close
 17 the public hearing.

18
 19 **VOTE: UNANIMOUS**

20
 21 The Board transitioned to a Work Session.

22
 23
 24 **4. Adult Care Home Community Advisory Committee – Appointment Discussion**

25 The Board considered an appointment to the Adult Care Home Community Advisory Committee.

26
 27 **BACKGROUND:** The Adult Care Home Community Advisory Committee works to maintain the
 28 intent of the Adult Care Home Residents' Bill of Rights for those residing in licensed adult care
 29 homes. The members of this committee also promote community involvement and cooperation
 30 with these homes to ensure quality care for the elderly and disabled adults.

31
 32 The Board of County Commissioners appoints all ten (10) members.

33
 34 **REMINDER:** As of July 1, 2017, House Bill 248 was adopted in the North Carolina General
 35 Assembly regarding the training period for pending members of the “Adult Care Home Community
 36 Advisory Committee and Nursing Home Community Advisory Committee”. Applicants will be
 37 selected from the County “Applicant Interest List” for a condensed training, and if the applicant
 38 successfully completes the training, the individual would be recommended for appointment.
 39 Therefore, when an applicant is recommended for appointment, it would initially be for a one year
 40 preliminary term and the training will have already been completed.

41
 42 The following individual is recommended for Board consideration:

43

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Jacquelyn Podger	At-Large	Partial Term	03/31/2024

44
 45 **SPECIAL NOTATION: None of the other applicants have completed the mandatory pre-**
 46 **appointment training, and are therefore not eligible for appointment at this time.**

1 If the individual listed above is appointed, the following vacancies remain:

POSITION DESCRIPTION	EXPIRATION DATE	VACANCY INFORMATION
At-Large	06/30/2023	Vacant since 10/01/2022
At-Large	06/30/2024	Vacant since 10/17/2020
At-Large	10/31/2024	Vacant since 10/17/2020
At-Large	10/31/2023	Vacant since 05/12/2020
At-Large	06/30/2024	Vacant since 10/31/2017
At-Large	03/31/2025	Vacant since 10/01/2022

2
3 Tara May, Deputy Clerk to the Board, introduced the item. She said that Jacquelyn Podger
4 already serves on two advisory boards.

5
6 The Board agreed by consensus on the recommended applicant.

7
8
9 **5. Affordable Housing Advisory Board – Appointments Discussion**

10 The Board discussed appointments to the Affordable Housing Advisory Board.

11
12 **BACKGROUND:** The Affordable Housing Advisory Board prioritizes affordable housing needs
13 and assesses project proposals. The Board also publicizes the County’s housing objectives,
14 monitors the progress of local housing programs, explores new funding opportunities, and works
15 to increase the community’s awareness of, understanding of, commitment to, and involvement in
16 producing attractive affordable housing. As a general practice, this board has decided not to make
17 recommendations for vacancies going forward.

18
19 The Board of County Commissioners appoints all fifteen (15) At-Large members.

20
21 The following positions and individuals are presented for Board consideration:

22

NAME	SPECIAL REPRESENTATIVE	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Mary Towell	At-Large	First Full Term (reappointment)	06/30/2026
Paul Voss	At-Large	First Full Term (reappointment)	06/30/2026
BOCC Appointment	At-Large	First Full Term	06/30/2026
BOCC Appointment	At-Large	First Full Term	06/30/2026
BOCC Appointment	At-Large	Partial Term	06/30/2024

23
24 If the positions listed above are filled, no vacancies remain.

25
26 Tara May, Deputy Clerk to the Board, introduced the item. She said that Paul Voss is no
27 longer interested in reappointment to the board.

28 The Board agreed by consensus to reappoint Mary Towell.
29 Chair Bedford suggested Matthew Ferguson and Andrew Robinson.

1 Commissioner Richards suggested Hunter Beattie, who has worked with Habitat for
 2 Humanity and TABLE in Carrboro.

3 Chair Bedford said she was aware of Hunter Beattie from his work with Communities in
 4 Schools.

5 Commissioner Hamilton asked if Hunter Beattie was on other boards.

6 Tara May said he is on the Board of Equalization and Review.

7 Chair Bedford said that the Board of Equalization and Review does not meet regularly,
 8 so the Board of Commissioners has made exceptions for that in the past.

9 Commissioner Richards asked if it is an “on-call” type of board.

10 Chair Bedford said yes, when there is an appeal.

11 Tara May that the board is a quasi-judicial board, which is not considered one of the
 12 county’s advisory boards under the policy.

13 Commissioner Portie-Ascott suggested Paula Kotarakos. She said Paula Kotarakos had
 14 experience in the multi-family housing industry, which would be a good addition.

15 Commissioner Richards and Chair Bedford noted that because she is in the Cheeks
 16 Township, it would give the board a better geographic representation.

17 The Board agreed by consensus to appoint Matthew Ferguson, Andrew Robinson, Hunter
 18 Beattie, and Paula Kotarakos.

19
 20
 21 **6. Arts Commission – Appointment Discussion**

22 The Board considered an appointment to the Arts Commission.

23
 24 **BACKGROUND:** The Arts Commission recommends strategies to promote the artistic and
 25 cultural growth of Orange County, advises the Board of Commissioners on matters involving the
 26 arts, and acts as the granting panel for funding programs available to individual artists and non-
 27 profit groups sponsoring arts projects in Orange County.

28
 29 The Board of County Commissioners appoints all fifteen (15) At-Large members.

30
 31 The following individuals are recommended for Board consideration:

32

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Gideon Young	At-Large	First Full Term	03/31/2026

33
 34 If the individuals listed above are appointed, the following vacancies remain:

35

POSITION DESIGNATION	EXPIRATION DATE	VACANCY INFORMATION
At-Large	03/31/2024	Vacant since 12/01/2022
UNC Student Representative	06/30/2023	Vacant since 12/01/2022
At-Large	03/31/2026	Vacant since 03/31/2023

36
 37 Tara May, Deputy Clerk to the Board, introduced the item. She said that there will be the
 38 opportunity to vote on a change to the Arts Commission membership to allow the appointment of
 39 non-residents. She said there is interest from the Arts Commission to appoint the executive
 40 director of the Arts Center to one of the At-Large positions.

1 The Board agreed by consensus on the recommended applicant.
 2 Chair Bedford suggested Ryan Jackson for one of the At-Large positions.
 3 Commissioner Hamilton suggested Mark Miller and also though Ryan Jackson would be
 4 a good fit.
 5 The Board agreed by consensus on Mark Miller for an At-Large position.
 6 The Board agreed to hold one At-Large position open for a recommendation from the Arts
 7 Commission.
 8
 9

10 **7. Carrboro Board of Adjustment – Appointment Discussion**

11 The Board considered an appointment to the Carrboro Board of Adjustment.

12
 13 **BACKGROUND:** The Carrboro Board of Adjustment hears and decides appeals from any order,
 14 decision, requirement, or interpretation made by the Zoning Administrator. It also hears and
 15 decides on applications.
 16

17 The Board of County Commissioners appoints two (2) members, representing the Carrboro ETJ
 18 and the Transition Area.
 19

20 The following individual is recommended for Board consideration:
 21

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
John Baker	Carrboro ETJ	Second Full Term	02/28/2026

22
 23 NOTE: The Carrboro Town Council recommended the reappointment of a Carrboro Town resident
 24 to the Carrboro ETJ position due to a lack of applicants from the ETJ at the time they reviewed
 25 applications. Since that review, an application from an ETJ resident has been received.
 26

27 If the position listed above is filled, no vacancies remain.
 28

29 Tara May, Deputy Clerk to the Board, introduced the item. She said that another person
 30 applied from the ETJ named Nicholas Stover. She said that Carrboro has not yet had a chance
 31 to review his application.

32 Chair Bedford said the Board ought to consider Nicholas Stover, since he lives in the ETJ.

33 Commissioner Richards said his application came in too late for Carrboro to review. She
 34 said having someone from the ETJ is a priority for the Board.

35 The Board agreed by consensus on Nicholas Stover.
 36
 37

38 **8. Carrboro Planning Board – Appointments Discussion**

39 The Board considered appointments to the Carrboro Planning Board.
 40

41 **BACKGROUND:** The Carrboro Planning Board studies and makes recommendations to the
 42 Carrboro Town Council for proposed and actual developments in Carrboro. It also develops and
 43 recommends policies, ordinances, and administrative procedures, and performs any other duties
 44 assigned by the Town Council.
 45

1 The Board of County Commissioners appoints two (2) members, representing the Carrboro ETJ
 2 and the Transition Area.

3
 4 The following individuals are recommended for Board consideration:
 5

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
David H. Clinton	Carrboro ETJ	Seventh Full Term	02/28/2026
Susan Poulton	Joint Planning Transition Area	Fifth Full Term	02/28/2026

6
 7 If the positions listed above are filled, no vacancies remain.
 8

9 Tara May, Deputy Clerk to the Board, introduced the item. She said that David Clinton
 10 has been in the position since 2004, but indicated he would be willing to continue serving, but he
 11 would also step aside if there were other applicants. She said that there is another applicant from
 12 the ETJ, Terri Buckner.

13 The Board agreed by consensus on Susan Poulton for the Joint Planning Transition Area
 14 position and Terri Buckner for the Carrboro ETJ position.
 15

16
 17 **9. Commission for the Environment – Appointment Discussion**

18 The Board discussed an appointment to the Commission for the Environment.
 19

20 **BACKGROUND:** The Commission for the Environment advises the Board of Commissioners on
 21 matters affecting the environment with particular emphasis on protection. It educates public and
 22 local officials on environmental issues and performs special studies and projects. It also
 23 recommends environmental initiatives and study changes in environmental science and local and
 24 federal regulations.
 25

26 The Board of County Commissioners appoints all 15 members, including 10 At-Large members
 27 and 5 members with expertise in specific fields.
 28

29 The following individual is recommended for Board consideration:
 30

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Wilson Greene	At-Large	First Full Term	12/31/2025

31
 32 If the individual listed above is appointed, the following vacancy remains:
 33

POSITION DESIGNATION	EXPIRATION DATE	VACANCY INFORMATION
Water Resources	12/31/2024	Vacant since 03/12/2023

34
 35 Tara May, Deputy Clerk to the Board, introduced the item.
 36 The Board agreed by consensus on the recommended applicant.

1 Commissioner Hamilton asked what the qualifications are for the Water Resources
2 position.

3 Tara May said she would send that information to the Board.
4
5

6 **10. Jury Commission – Appointment Discussion**

7 The Board considered an appointment to the Jury Commission.
8

9 **BACKGROUND:** The Jury Commission reviews the list of potential jurors and prepares the jury
10 list. One appointment is made by the Board of Commissioners, one appointment is made by the
11 Senior Resident Superior Court Judge, and the third appointment is made by the Clerk of Superior
12 Court.
13

14 The following individual is presented for Board consideration:
15

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Phyllis Horton	At-Large (BOCC Appointee)	First Full Term (reappointment)	06/30/2026

16
17 If the position listed above is filled, no vacancies remain.
18

19 Tara May, Deputy Clerk to the Board, introduced the item.

20 Commissioner Portie-Ascott noted that the applications are dated from 2019.

21 Tara May said she reached out to all of the applicants and they indicated that they are still
22 interested. She said that because the Board only makes one appointment there is often a long
23 time between when an application is submitted and when it is considered.

24 The Board agreed by consensus on the recommended applicant.
25
26

27 **11. Orange County Board of Adjustment – Appointments Discussion**

28 The Board considered appointments to the Orange County Board of Adjustment.
29

30 **BACKGROUND:** The Board of Adjustment hears and decides on variance applications, appeals
31 submitted related to official decisions/determinations made by the Planning Director, reviews and
32 takes action on Class B Special Use Permit applications, as well as matters required to pass by
33 the Unified Development Ordinance.
34

35 The Board of County Commissioners appoints all seven (7) members. Due to the nature of its
36 work, the Board of Adjustment does not make recommendations for appointment.
37

38 The following individuals and position are presented for Board consideration:
39
40
41
42
43

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Jeff Scott	At-Large	Second Full Term	06/30/2026
Elizabeth Bronson	At-Large	First Full Tem (Reappointment)	06/30/2026
BOCC Appointee	Alternate	First Full Term	06/30/2025

1
2 If the positions listed above are filled, no vacancies remain.
3

4 Tara May introduced the item.

5 The Board agreed by consensus on the recommended applicants.

6 Tara May said that the only other applicant serves on several boards already.

7 Chair Bedford said she thought they should continue to advertise the alternate position,
8 unless it was time sensitive.

9 John Roberts said this board meets as necessary. He said they are a quasi-judicial board,
10 so if there is a special use permit or an appeal of a zoning officer's decision, the Board of
11 Adjustment would need to hear those.
12
13

14 12. Orange County Parks and Recreation Council – Appointments Discussion

15 The Board considered appointments to the Orange County Parks and Recreation Council.
16

17 **BACKGROUND:** The Orange County Parks and Recreation Council consults with and advises
18 the Department of Environment, Agriculture, Parks and Recreation, and the Board of County
19 Commissioners on matters affecting parks planning, development and operation; recreation
20 facilities, policies and programs; and public trails and open space.
21

22 The Board of County Commissioners appoints all 12 members with representatives from each of
23 the County's townships plus the municipalities.
24

25 The following individual is recommended for Board consideration:

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Louise Flinn	Bingham Township	First Full Term	03/31/2026
Hannah Darr	At-Large	Partial Term	03/31/2025
Jessie L. Birkhead (move from At-Large)	Little River Township	First Full Term	03/31/2026
Grayson Shinn	Youth Member (non-voting)	First Full Term	03/31/2026
Andrea Zimmerman	Chapel Hill Township	First Full Term (Reappointment)	03/31/2026
Dr. Xilong Zhao	Town Limits of Chapel Hill	Second Full Term	03/31/2026

26
27 If the individuals listed above are appointed, no vacancies remain.

1 Tara May introduced the item.

2 Commissioner Hamilton asked if they should appoint more males to the council to create
3 more gender balance. She suggested Trevor Robinson for the At-Large position.

4 Commissioner Fowler suggested Will Spoon for the At-Large position.

5 Commissioner Richards suggested that Tara May speak to staff liaisons as to why a
6 recommended applicant was not chosen.

7 The Board agreed by consensus on Louise Flinn for the Bingham Township position,
8 Jessie Birckhead for the Little River Township position, Trevor Robinson for the At-Large position,
9 Grayson Shinn for the Youth-Member position, Andrea Zimmerman for the Chapel Hill Township
10 position, and Xilong Zhao for the Town Limits of Chapel Hill position.

11
12
13 **13. Adjournment**

14 A motion was made by Commissioner Fowler and seconded by Commissioner Hamilton
15 to adjourn the meeting at 7:58 p.m.

16
17 **VOTE: UNANIMOUS**

18
19
20 Jamezetta Bedford, Chair

21
22
23 Laura Jensen
24 Clerk to the Board

25
26 Submitted for approval by Laura Jensen, Clerk to the Board.
27

1 DRAFT

2 **MINUTES**
3 **ORANGE COUNTY**
4 **BOARD OF COMMISSIONERS**
5 **BUDGET WORK SESSION**
6 **May 11, 2023**
7 **7:00 p.m.**

8 The Orange County Board of Commissioners met for a Budget Work Session on Thursday,
9 May 11, 2023 at 7:00 p.m. at the Whitted Human Services Center in Hillsborough, NC.

10
11 **COUNTY COMMISSIONERS PRESENT:** Chair Jamezetta Bedford, Vice-Chair Earl McKee,
12 and Commissioners Amy Fowler, Sally Greene, Jean Hamilton, and Phyllis Portie-Ascott

13 **COUNTY COMMISSIONERS ABSENT:** Commissioner Anna Richards

14 **COUNTY ATTORNEYS PRESENT:** John Roberts

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

18
19 Chair Bedford called the meeting to order at 7:00 p.m. All commissioners were present
20 except Commissioner Richards.

21
22 A motion was made by Commissioner Hamilton, seconded by Commissioner Fowler, to
23 delay discussion of Durham Technical Community College until the May 18, 2023 Budget Work
24 Session.

25
26 **VOTE: UNANIMOUS**

27
28
29 **1. Discussion Regarding Outside Agencies Funding for FY 2023-24, Pg. 198**

30
31 **BACKGROUND:** The County Manager presented the FY 2023-24 Recommended Budget
32 (<https://www.orangecountync.gov/budget>) on May 2, 2023. Since that time, the Board has
33 conducted one public hearing to receive residents' comments regarding the proposed funding
34 plan. This is the first opportunity for the Board to discuss next year's recommended funding
35 plan related to Outside Agency and Education funding.

36
37 **Outside Agency Funding:** The recommended Outside Agency Funding can be found on page
38 198 of the Manager's Recommended Budget. Six (6) major outside agencies are being funded
39 in departmental budgets to provide better accountability, coordination and client outcomes. This
40 amounts to \$937,656 funded outside the outside agency pool of funding. This lowers the
41 outside agency target to 5.6% of General Fund Expenditures, less education. The
42 recommended budget allocates \$1,037,016 to the remaining forty-two (42) agencies, or 7%
43 above the target. Additionally, there is \$45,000 in outside agency funds outside of the General
44 Fund in the Visitors Bureau Fund. Those agencies will be managed by the Visitors Bureau and
45 the Arts Commission.

46
47

1 Bonnie Hammersley, County Manager, made the following presentation:

2
3

Slide #1



4

5

6 Bonnie Hammersley said the Outside Agencies process begins each fall. She said there
7 is a standard application for funding from Chapel Hill, Carrboro, and Orange County for
8 nonprofits with 501(c)(3) status. She said Melissa Allison in her office leads the coordination of
9 outside agencies and sends applications to related advisory boards for review and scoring. She
10 said the advisory boards' scores are reviewed by the County Manager before she holds
11 individual meetings with each applicant. Bonnie Hammersley said she uses the ranking from
12 advisory boards and also depends on input from the Department Director that works with the
13 organization that applied for funding in order to ultimately make a funding recommendation to
14 the Board. She stated there were a few changes to the Outside Agencies process this year, and
15 she will discuss those later in the presentation. She said the input from advisory boards is
16 important to this process and this year, for the first time, she invited the Board of Social Services
17 to meet with the Outside Agencies they scored along with her. She said that worked very well
18 and she may extend that opportunity to other advisory boards next year.

18

Commissioner Portie-Ascott asked how likely it is for a new nonprofit to be funded.

19

20 Bonnie Hammersley said a new agency could be funded if they supplement the work of
21 Orange County to the benefit of county residents. To give an example, she said there was a
22 new executive director of the Ronald McDonald House that applied for funding through this
23 process a couple of years ago, but was not recommended to receive funding because, while the
24 charity does great work, they do not provide a service that is a function of county government.
25 She said there is a belief it's hard to get funding through this process but not if the agency is
26 providing a service that is a function of county government that the county is not able to provide,
27 or improves a service the county already provides.

27

28

1 Slide #2

FY2023-24 RECOMMENDED BUDGET OUTSIDE AGENCIES

Outside Agencies (501.c3)	FY2022-23 Approved	FY2023-24 Request	Outside Agency Fund Recommend	Department Budget Recommend
Agencies Funded	58	56	42	6
Total	\$ 1,854,691	\$ 2,436,822	\$ 1,037,016	\$ 937,656

- In FY 2023-24, the integral agencies awarded \$100K+ or majority of funding is Outside Agency funds are moved into department budgets to improve coordination, accountability and client outcomes.
- An additional \$45,000 is recommended for Arts and Tourism related Outside Agencies in the Visitors Bureau Fund, to be administered by the Orange County Arts Commission and The Visitors Bureau. (Kidzu, Hillsborough Arts Council, The Arts Center, etc.)



2
3
4

Slide #3

FY2023-24 RECOMMENDED BUDGET OUTSIDE AGENCIES Department Budget Line Item

AGENCY	DEPT	FY2023-24 Request	FY2023-24 Request	FY2023-24 Recommend
Community Home Trust	Housing	\$217,187	\$242,388	\$242,388
Inter-Faith Council – Shelter	Housing	\$231,250	\$264,453	\$264,453
Inter-Faith Council – Food	Social Services	\$50,000	\$75,000	\$75,000
Orange Congregations In Mission (OCIM)	Social Services	\$92,415	\$103,915	\$103,915
Senior Care of Orange County	Social Services	\$40,000	\$50,000	\$50,000
Compass Center	CJRD	\$104,281	\$104,700	\$104,700
Dispute Settlement Center	CJRD	\$90,000	\$97,200	\$97,200
TOTAL FUNDING				\$937,656



5

1 Bonnie Hammersley said the agencies listed on slide #3 would be moved into
 2 department budgets because they receive over \$100,000 in funding, or they receive the majority
 3 of their funds through Outside Agency funds. Rather than requesting funding annually through
 4 the Outside Agencies grant process, she said funding for these identified agencies will be
 5 requested by the Department Director, in coordination with the agency's Executive Director, as
 6 part of the Department's annual budget.

7 Bonnie Hammersley noted that costs have increased for the agencies due to inflation,
 8 especially the agencies that provide food. She noted that Senior Care of Orange County is one
 9 of the agencies that is recommended to move into a Department budget because it receives the
 10 majority of its funding from the county.

11 Bonnie Hammersley said the increase for just these agencies in the recommended
 12 budget is \$112,523 over what they were awarded last year. She said the total increase for all
 13 Outside Agencies in the recommended budget is \$119,981. She said there have not been
 14 significant changes to the needs of the rest of the Outside Agencies. She also added that the
 15 third column from the left should read "FY2022-23 Approved".

16
 17 Slide #4

FY2023-24 RECOMMENDED BUDGET
OUTSIDE AGENCIES
Funding Formula

Application Score	Funding Percentage
100 – 90	100%
89 – 80	75%
79 – 70	50%
69 and below	0%



18 Bonnie Hammersley the table in slide #4 demonstrates the funding percentage based on
 19 the advisory boards' scoring. She said once agencies are awarded funds, they have to provide
 20 quarterly performance measures to the originating department to ensure they are doing what
 21 has been asked.
 22
 23
 24
 25
 26
 27

1 Slide #5

**FY2023-24 RECOMMENDED BUDGET
OUTSIDE AGENCIES
Aging Services**

AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
Charles House	\$24,000	\$25,000	\$25,000	98
TOTAL			\$25,000	



2
3 Bonnie Hammersley said this agency is an adult daycare like Senior Care of Orange
4 County, but does not have medical care.

5
6 Slide #6

**FY2023-24 RECOMMENDED BUDGET
OUTSIDE AGENCIES
Behavioral Health**

AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
El Futuro	\$48,906	\$73,848	\$73,848	100
Freedom House	\$50,178	\$50,178	\$50,178	90
KidSCOpe	\$72,000	\$90,000	\$45,000	70
OE Enterprises	\$57,344	\$65,000	\$65,000	92
Voices Together	\$10,000	\$30,000	\$15,000	72
TOTAL FUNDING			\$249,026	



7
8 Bonnie Hammersley said these outside agencies have all received funding before and
9 continue to work with Orange County.

1 Commissioner Hamilton asked Bonnie Hammersley to describe Voices Together.

2 Bonnie Hammersley said they use music and song to help students in Orange County
3 Schools with severe intellectual and development disabilities (IDD).

4 Vice-Chair McKee encouraged commissioners to attend a performance if they can.

5 Bonnie Hammersley said one of the reasons the advisory board that scored this
6 agency's application did not recommend more funding was because they are only serving one
7 school system. She said the agency has asked for recommendations to start serving Chapel
8 Hill-Carrboro City Schools' students as well.

9 Chair Bedford asked which departments supervise these outside agencies.

10 Bonnie Hammersley said these will be supervised by the Health Department but they
11 also have strong relationships with Social Services.

12
13 Slide #7

FY2023-24 RECOMMENDED BUDGET OUTSIDE AGENCIES Community Services				
AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
Historic Hillsborough Commission	\$12,000	\$12,000	\$12,000	94
Big Brothers Big Sisters	\$7,500	\$14,687	\$14,687	94
Bridge II Sports	\$22,500	\$30,000	\$15,000	78
E3 Camp	\$1,125	\$2,000	\$1,500	87
Historical Foundation	\$18,750	\$30,000	\$30,000	91
Orange County Partnership for Young Children	\$6,000	\$6,000	\$3,000	75



14
15 Bonnie Hammersley said the Department of Environment, Agriculture, Parks, and
16 Recreation (DEAPR) will administer the contracts with the agencies on the slide above and the
17 slide below, and the advisory boards supported by DEAPR staff reviewed these applications,
18 with the exception of E3 Camp, which was reviewed by the Library.

19 Commissioner Portie-Ascott asked what E3 Camp is.

20 Bonnie Hammersley said it is a technology camp for students of color. She said this is
21 the second year they have applied and received funding.

22
23
24
25

1 Slide #8

**FY2023-24 RECOMMENDED BUDGET
OUTSIDE AGENCIES
Community Services**

AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
Piedmont Wildlife	\$6,750	\$12,000	\$12,000	93
Triangle Bikeworks	\$3,750	\$5,000	\$5,000	92
Swim for Charlie		\$13,281	\$6,641	73
TOTAL			\$99,828	



2
3 Bonnie Hammersley said Swim for Charlie didn't apply last year, but did apply the year
4 before and the year before that. She noted the Board heard from two people during the Budget
5 Public Hearing on May 9, 2023 about this organization.

6
7 Slide #9

**FY2023-24 RECOMMENDED BUDGET
OUTSIDE AGENCIES
Food/Nutritional Services**

AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
Chapel Hill/Carrboro Meals on Wheels	\$60,000	\$75,000	\$75,000	100
PORCH – Chapel Hill Carrboro	\$10,000	\$16,020	\$16,020	99
PORCH – Hillsborough*		\$83,050	\$16,020	73
Table	\$16,000	\$18,000	\$18,000	90
Transplanting Traditions	\$5,000	\$12,000	\$12,000	95
TOTAL			\$137,040	



8

1 Bonnie Hammersley said the increases requested in this category were funded because
 2 many of the increased costs were due to inflation. She said they work closely with Social
 3 Services to coordinate food. She said PORCH-Hillsborough didn't apply last year, but did apply
 4 this year. She said their application ranked low because their request included funding for a
 5 local food provider and the agency had handpicked a local provider but the county would
 6 require a competitive bid process to identify an entity to fill this role. She said PORCH will work
 7 with Social Services staff to strategize how to receive more funding for this and other initiatives.
 8

9 Slide #10

**FY2023-24 RECOMMENDED BUDGET
OUTSIDE AGENCIES**

Health

AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
Orange County Rape Crisis	\$62,000	\$61,000	\$61,000	92
Planned Parenthood	\$20,000	\$20,000	\$20,000	93
TOTAL FUNDING			\$81,000	



10
11
12

Slide #11

**FY2023-24 RECOMMENDED BUDGET
OUTSIDE AGENCIES**

Housing

AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
Center for Community Self Help	\$37,500	\$50,000	\$37,500	86
Community Empowerment Fund	\$30,000	\$30,000	\$22,500	88
EmPOWERment	\$40,000	\$60,000	\$60,000	93
Habitat for Humanity	\$80,000	\$95,000	\$95,000	92
PeeWee Homes	\$9,450	\$14,000	\$10,500	84
Rebuilding Together	\$15,000	\$15,000	\$11,250	80
TOTAL FUNDING			\$236,750	



13

1 Bonnie Hammersley said there is great need in this category. She said those who
 2 received less than requested were due to the ranking, not because there isn't a need. She said
 3 the scoresheets are available upon request.

4 Commissioner Fowler asked what the Center for Community Self Help and Rebuilding
 5 Together do.

6 Bonnie Hammersley said the Center for Community Self Help works in the Northside
 7 neighborhood and works on financial planning. She said they also provide property tax
 8 assistance to homeowners. She said Rebuilding Together helps with rehabilitating houses. She
 9 said they are in a consortium with Habitat and rehabilitation staff with the county and Chapel
 10 Hill. She said these agencies were all brought together to have one entry point for people
 11 applying for their houses to be rehabilitated. She said that Habitat also receives money from the
 12 county for rehabilitating homes.

13 Commissioner Fowler asked what the Community Empowerment Fund does.

14 Bonnie Hammersley said this agency's goal is to help to people experiencing
 15 homelessness, and others, reach their employment, housing, and finance goals. She said this
 16 agency housed the Housing Coordinator position for a while under a contract with the county
 17 before it became an in-house position.

18
 19 Slide #12

**FY2023-24 RECOMMENDED BUDGET
 OUTSIDE AGENCIES
 Office of Equity & Inclusion**

AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
El Centro Hispano	\$41,800	\$45,980	\$34,485	81
CHCCS Foundation	\$0	\$5,000	\$2,500	77
Refugee Community Partnership	\$0	\$10,000	\$7,500	89
Marian Cheek Jackson Center	\$10,000	\$22,000	\$22,000	96
Refugee Support Center	\$5,000	\$5,000	\$5,000	91
TOTAL FUNDING			\$71,485	



20
 21 Bonnie Hammersley said the CHCCS Foundation is only requesting money for the Blue
 22 Ribbon Mentor Advocates program from Orange County, and they are requesting money from
 23 Chapel Hill and Carrboro for other needs. She said they did not request funding from the county
 24 last year but have in the past and have received awards.

25
 26

1 Slide #13

**FY2023-24 RECOMMENDED BUDGET
OUTSIDE AGENCIES
Juvenile/Adult Justice Services**

AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
Boomerang Youth	\$10,000	\$20,000	\$20,000	90
Oxford House	\$0	\$5,000	\$5,000	90
Re-entry House Plus	\$15,000	\$25,000	\$25,000	90
Volunteers for Youth	\$10,000	\$10,700	\$10,700	94
TOTAL FUNDING			\$60,700	



2
3 Bonnie Hammersley said Oxford House was not awarded funding this year, but their
4 request this year included a program that the county asked them to do regarding re-entry. She
5 said sometimes agencies are doing great work, but it's not something the county should be
6 involved in.

7
8 Slide #14

**FY2023-24 RECOMMENDED BUDGET
OUTSIDE AGENCIES
Social Services**

AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
Club Nova	\$18,750	\$18,750	\$18,750	99
Family Reading Partners	\$5,000	\$10,000	\$10,000	93
OC Disability Awareness Council	\$8,513	\$28,000	\$14,000	77
Orange County Literacy Council	\$16,145	\$25,000	\$18,750	88
The Exchange Club	\$14,252	\$14,687	\$14,687	98
TOTAL FUNDING			\$76,187	



9

1 Bonnie Hammersley said Club Nova gets Maintenance of Effort (MOE) funding. The
 2 county's award would cover non-reimbursable expenses the agency cannot get from Alliance
 3 Health.

4
 5 Slide #15

**FY2023-24 RECOMMENDED BUDGET
 OUTSIDE AGENCIES
 Unfunded Agencies**

AGENCY	FY2022-23 Awarded	FY2023-24 Request	FY2023-24 Recommend	Application Score
Fathers on the Move	\$12,563	\$19,000	\$0	49
The Arc of the Triangle	\$5,625	\$5,625	\$0	59
The Art Therapy Institute	\$5,000	\$5,000	\$0	51
Childcare Services	\$0	\$35,000	\$0	58
Hope Renovation	\$28,500	\$50,000	\$0	69
Orange County Living Wage	\$36,000	\$40,000	\$0	69
TOTAL				



6
 7 Bonnie Hammersley said the agencies on the slide above were not funded this year due
 8 to low application scores.

9
 10 Slide #16



11
 12 Commissioner Hamilton asked what percentage of the county's portion (minus
 13 education) of the recommended budget is allocated to Outside Agencies.

14 Bonnie Hammersley said staff will provide that information.

1 Kirk Vaughn, Budget Director, stated it is around 1.34%.

2 Chair Bedford asked Bonnie Hammersley to explain the budget amendment process.

3 Bonnie Hammersley said any commissioner with an amendment should send an email
4 to her, Travis Myren, and Kirk Vaughn. She said staff will put the amendments on the website
5 as they come in so the public can view them. She said the Board will vote on the amendments
6 on June 8. She asked the Board to send any amendments by Friday, May 26, 2023 in order for
7 staff to post them in time for the Budget Public Hearing on June 1.

8 Chair Bedford said the Board may need to consider changing the percentage target for
9 Outside Agencies.

10 Bonnie Hammersley said that could go through as a budget amendment. She said there
11 was \$1 million at the time Outside Agencies funding started, and at the time, \$1 million was
12 1.2% of the budget, minus education, but the budget has since grown.

13 Chair Bedford reminded the Board that there was a new law last year that if any
14 commissioners sat on the boards of an outside agency that was recommended to receive
15 funding, they could not vote on the county's budget. She asked if all commissioners are able to
16 submit budget amendments.

17 Bonnie Hammersley said yes, because none of the commissioners serve on the boards
18 for any of these agencies.

19
20 **2. FY 2023-24 Operating and CIP Budget Discussions, regarding:**

- 21 • **Chapel Hill-Carrboro City Schools, Pg. Pgs. 134-137 of the Operating Budget and**
- 22 **Pgs. 116-133 of the Capital Investment Plan**
- 23 • **Orange County Schools, Pgs. 134-137 of the Operating Budget and Pgs. 134-143**
- 24 **of the Capital Investment Plan**

25
26 **BACKGROUND:** The County Manager presented the FY 2023-24 Recommended Budget
27 (<https://www.orangecountync.gov/budget>) on May 2, 2023. Since that time, the Board has
28 conducted one public hearing to receive residents' comments regarding the proposed funding
29 plan. This is the first opportunity for the Board to discuss next year's recommended funding
30 plan related to Outside Agency and Education funding.

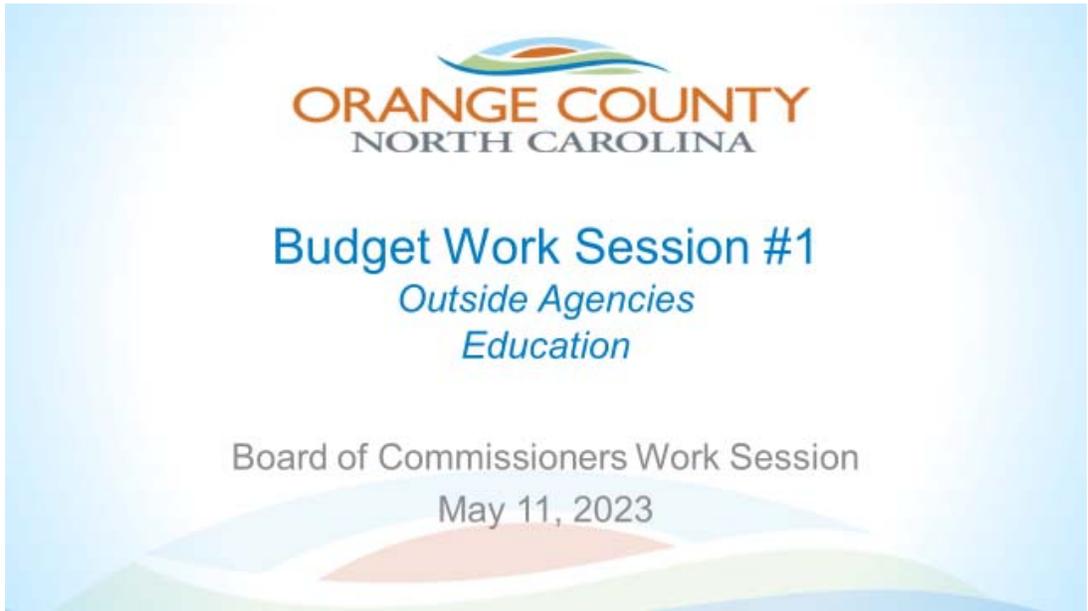
31
32 **Education Operating Funding:** The Manager's Recommended Education Funding can be
33 found starting on Page 134 of the Recommended Operating Budget. The budget provides
34 \$130,852,731 to both School Districts, an increase of \$10,510,111 from FY 2022-23 funding.
35 Per-pupil Current Expense funding is recommended to increase from \$4,808 to \$5,346. This will
36 provide Chapel Hill-Carrboro City Schools (CHCCS) \$60,158,538 and Orange County Schools
37 (OCS) \$42,784,038. In addition, the Manager's Recommended Budget includes a 1.5 cent
38 increase to the CHCCS District Tax, which will provide an additional \$2,095,301 to support the
39 district's continuation request.

40
41 **Education Capital Funding:** The Manager's Recommended Capital Investment Plan details
42 the School Funding Summary on Page 114. There are \$303.6 million of school capital projects
43 in the 10 year capital window. The largest investment is a planned \$130 million Bond
44 Referendum, with a planned referendum date of November 2024.

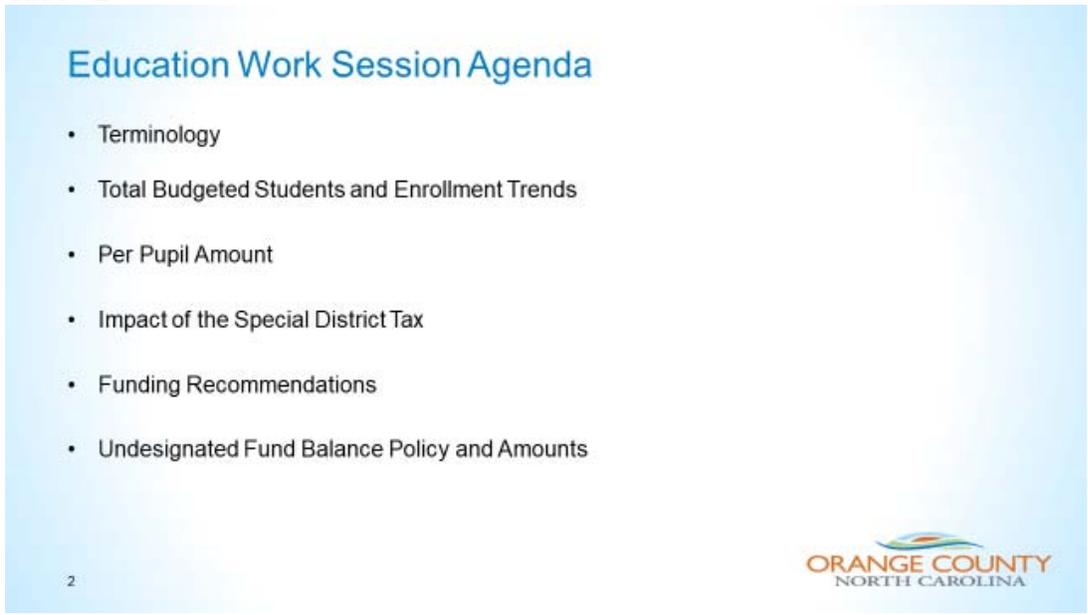
45
46 The year one funding will provide \$11,492,243 to the school districts in regular allocations. After
47 being adjusted to the FY 2023-24 Recommended Average Daily Membership (ADM) split,
48 CHCCS will receive \$6,716,067 and OCS will receive \$4,776,176. In addition, CHCCS will draw
49 down \$4 million of its Supplemental Deferred Maintenance.

50
51 Travis Myren, Deputy County Manager, made the following presentation:

1
2 Slide #1



3
4
5 Slide #2



6
7
8

1 Slide #3

Terminology

- Average Daily Membership (ADM)
 - Based on Department of Public Instruction's March Allotment
 - Students living in the District attending a traditional public school
- Out of District Students
 - Students from outside of the district attending a traditional Orange County public school
 - County is not responsible for funding Out of District Students
- Charter School Students
 - Students living in one of the Orange County school districts but attending a charter school including charter schools in other counties
 - School districts must transmit the local per pupil amount to the charter schools serving Orange County students
- Total Budgeted Students
 - Number of students for which Orange County government provides funding on a per pupil basis

3



2
3
4

Slide #4

Total Budgeted Students FY2023-24

	Chapel Hill-Carrboro City Schools	Orange County Schools
Average Daily Membership Allotment from DPI	11,393	7,122
Out of District Deduction	(350)	(118)
Charter Students	210	999
Total Budgeted Students	11,253	8,003
% of Total Budgeted Students	58.44%	41.56%

- The number of total budgeted students dictates the amount of **current expense** funding each District receives. The County must provide the same amount per pupil to each District.
- The percentage of total budgeted students influences how **capital and recurring capital funding** has historically been divided between the Districts.

4



5
6
7
8
9

1 Chair Bedford said she thought that 5 or 6 years ago Orange County was the only
2 county funding charter schools, but now some other counties are doing the same.

3 Travis Myren said yes, and he was able to find that Wake County changed its policy in
4 2018.

5 Chair Bedford said it's not required for the county to provide the per pupil allocation for
6 charter school students, but it's important to do because they are also Orange County students.

7 Travis Myren said it is also important because otherwise the school system's current
8 expense budget would have to be used to fund the charter students, and then the per pupil
9 allocation for traditional public school students would drop significantly.

10 Vice-Chair McKee asked if counties are required to fund charter students.

11 Chair Bedford said no, but the school districts are required to pass along the per pupil
12 allocation for each charter school student. She said years ago, Orange County recognized that
13 without including the per pupil funding for charter students in the funding for each school district,
14 the per pupil amount for traditional public school students would drop.

15 Vice-Chair McKee asked in a scenario where a school system has 1000 students and
16 100 went to charter schools, how many of those students does a county have to fund.

17 Chair Bedford and Travis Myren said 900 students.

18 Vice-Chair McKee said he doesn't want the implication to be that some other counties
19 are not funding charter students, when the funding is still from the county's allocation of funding
20 to the school system.

21 Travis Myren reiterated that the amount that Orange County provides to school districts
22 as part of their current expense budgets includes the amount the school districts then have to
23 provide to the charter schools.

24 Commissioner Fowler said she read it is state law that the two districts have to be
25 funded the way they are for operating expenses, but not capital expenses. She asked if it makes
26 sense to split the capital funding based on the percentage of budgeted students when the
27 charter school students included in this number are not in the traditional public school buildings
28 and the school districts do not have to pass capital money onto charter schools.

29 Travis Myren said the Board has chosen to do it that way in the past, but it doesn't have
30 to be done that way.

31 Chair Bedford said initially there weren't very many charter students and the argument
32 was that even if 25 students left, buildings still have a lot of fixed costs, so it made sense to do it
33 this way.

34 Commissioner Hamilton said part of the work of the Capital Needs Work Group may be
35 to revisit this concept. She said there are other criteria that can be used to determine the best
36 use of capital dollars given the great capital needs in both school districts.

37 Chair Bedford said it would be politically unfavorable to give all the capital money to one
38 of the school districts and it would also be hard to get people to vote for a bond if they know
39 their schools are getting nothing. She said she does agree that the Board should look at what
40 the consultant recommends and having a plan where the funding may ultimately balance out
41 over time would be good.

42 Commissioner Hamilton said part of the Board's job would be to educate the public
43 about the plan and how the funding decisions are being made.

44 Commissioner Fowler said she thinks this should be discussed at some point, and it's
45 great for the Capital Needs Work Group to make a recommendation.

46 Vice-Chair McKee said at some point, state law may change and the county may be
47 required to fund capital expenses for charter schools.

48
49

1 Slide #5

Charter Students

- School Districts are required to transmit the per pupil expenditure to each student living in the District but attending a Charter School
- As part of the Total Budgeted Students calculation, the County provides funds to the District to pay for those Charter Students through the Current Expense Budget
- If a student transfers from a Traditional School to a Charter School, the amount is prorated for the time the student spends in each location
- Orange County is not the only County that includes Charter students in the per pupil calculation
 - Wake, Durham, Mecklenburg (and perhaps more) counties include Charter students in determining the per pupil amount and providing funding through the Current Expense Budget



5

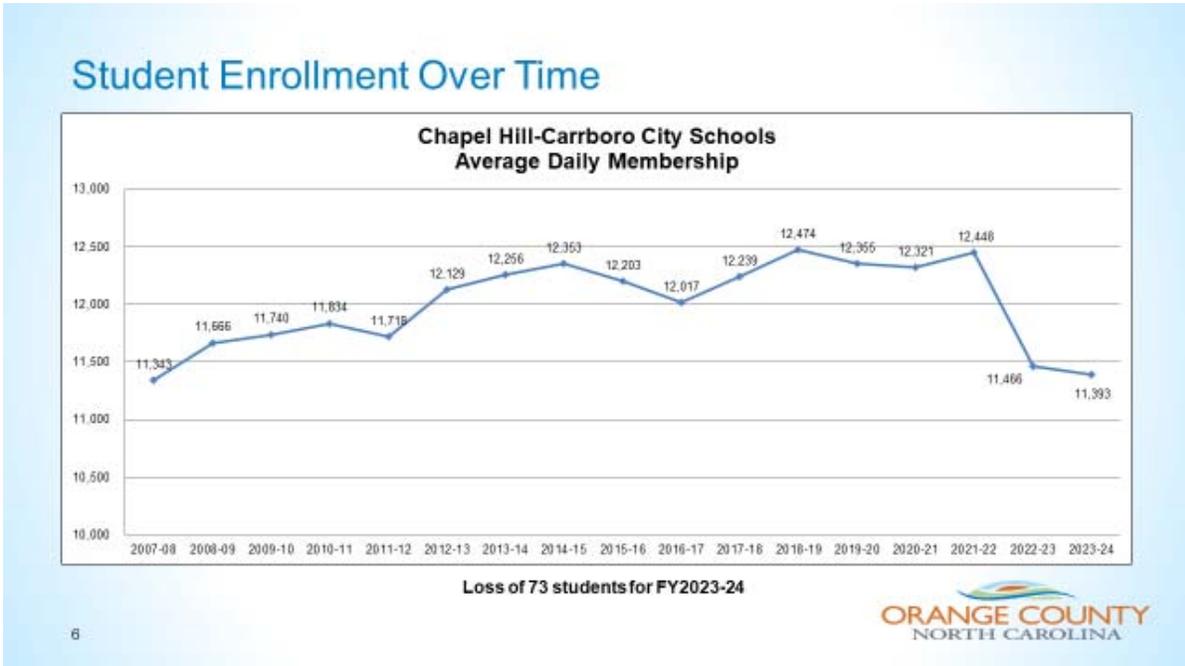
2
3 Commissioner Fowler asked what happens if the opposite happens: a charter school
4 student enters a traditional school mid-year.

5 Travis Myren said the school district would then stop paying the charter school for that
6 student, as funding is sent quarterly.

7 Chair Bedford said there is a possibility that timing of the transfer could be an issue and
8 the charter school would not have to send back the prorated amount.

9 Vice-Chair McKee said if ADM numbers on the 45th day doesn't meet what's projected,
10 the county doesn't ask for the money back, but the state does.

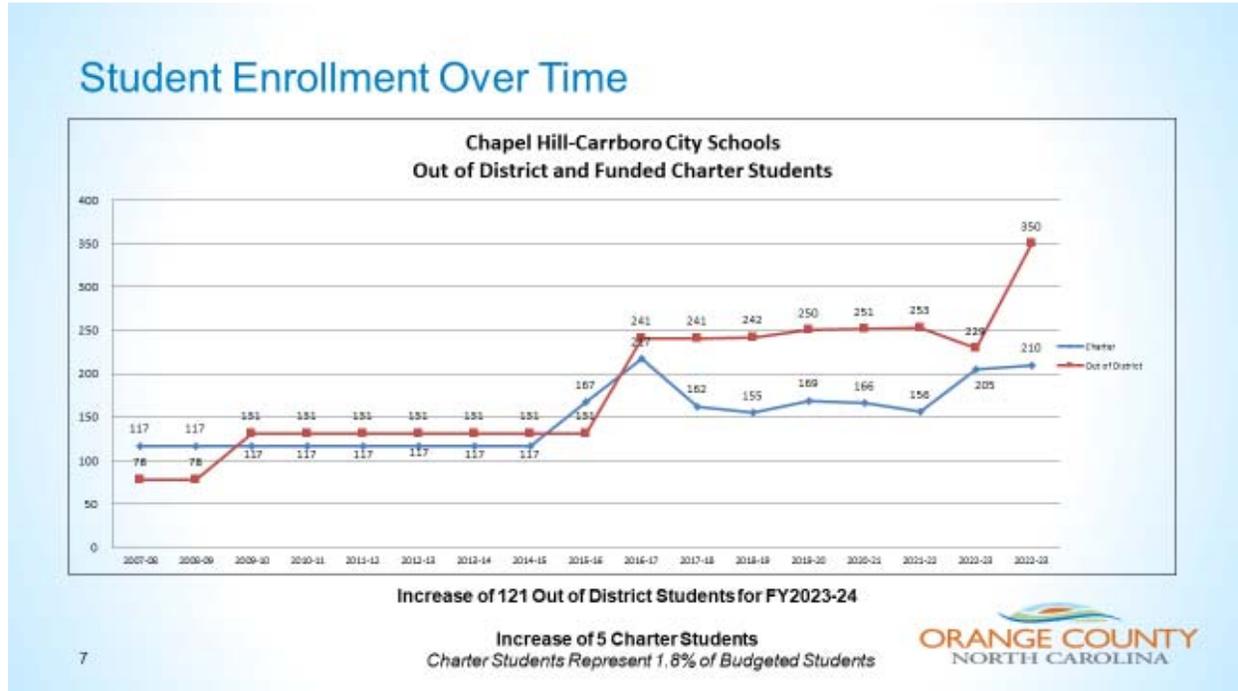
11
12 Slide #6



13

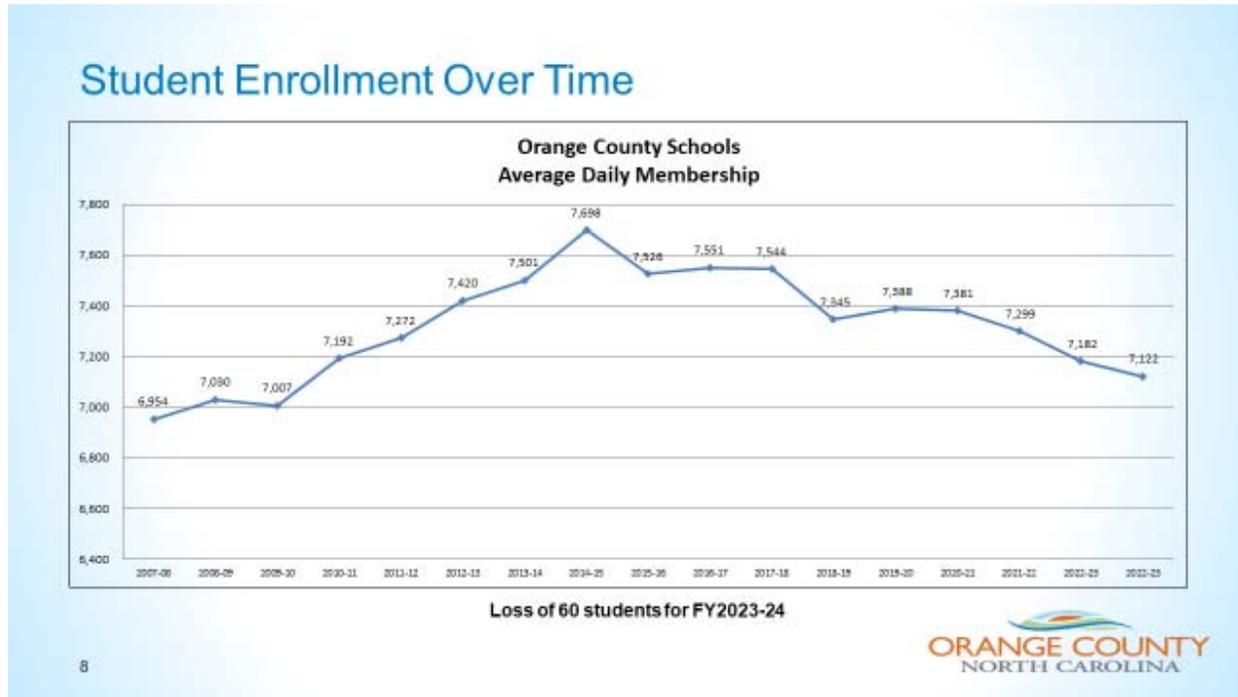
1 Travis Myren said the decrease in the number of students didn't actually decrease that
 2 much between FY21-22 and FY22-23. He said during there was a hold harmless policy in place
 3 so that school districts weren't penalized for the number of students lost during the pandemic.
 4 He said the losses occurred over two or three years, but only show in one year on the graph
 5 because of the moratorium.
 6
 7

Slide #7



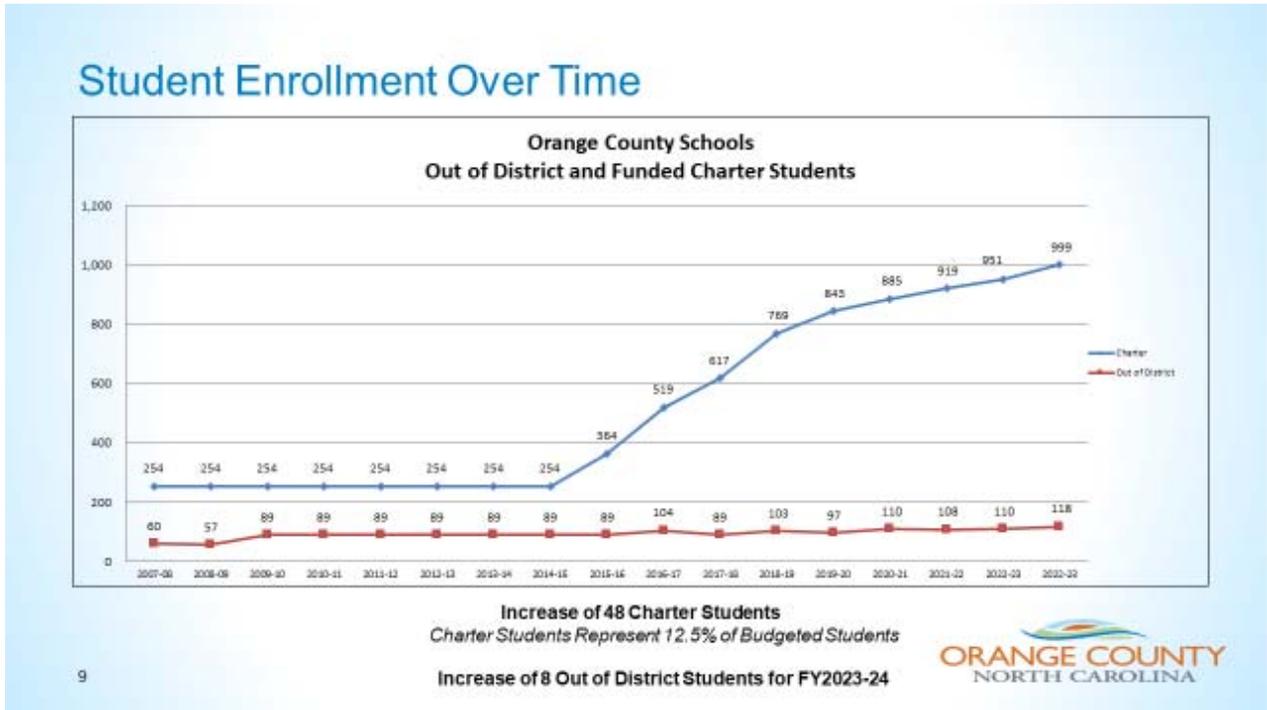
8
 9
 10

Slide #8



11

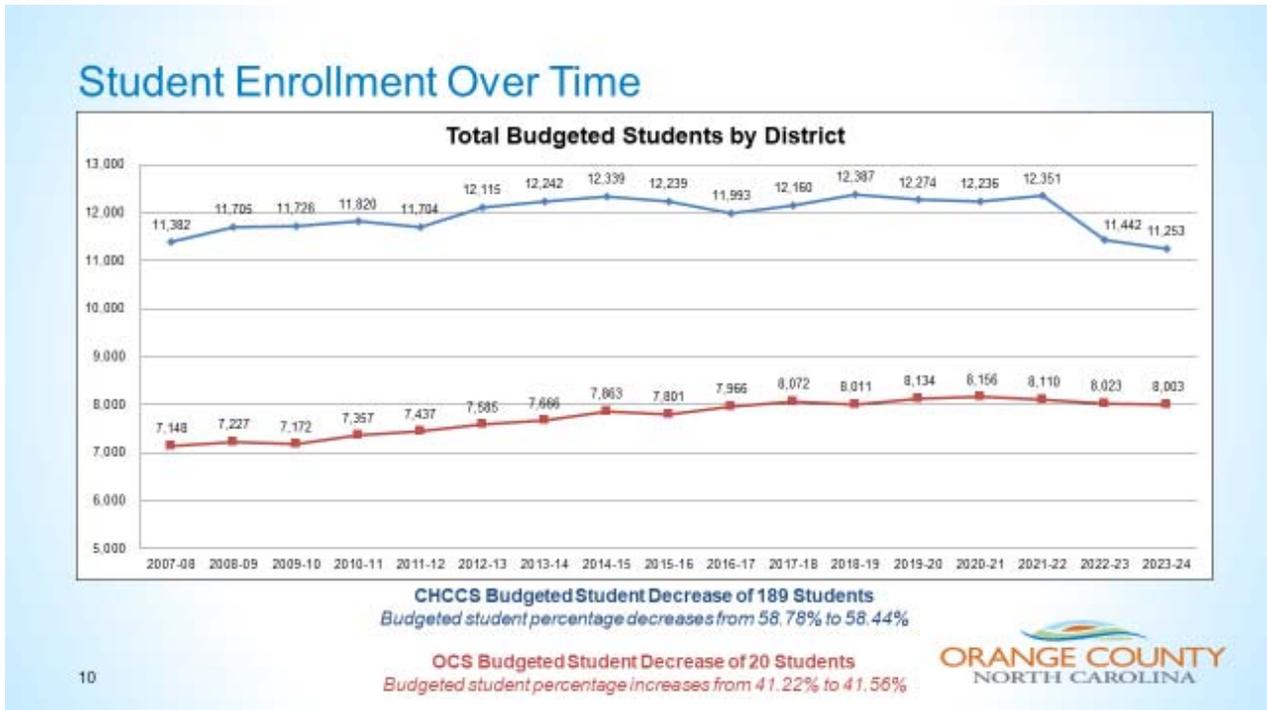
1 Slide #9



2
3
4
5
6
7

Commissioner Greene asked what percentage the 999 charter students make up of the total student population for Orange County Schools.
 Travis Myren said 12.5%.

Slide #10



8
9

1 Slide #11

Budgeted versus Actual Student Enrollment

Chapel Hill-Carrboro City Schools Budgeted vs. Actual Enrollment				
	Budget	Actual	Difference	Budget vs. Actual Cost Difference
2022-23 <i>Actual - Five Month Average</i>	11,466	11,371	95	\$ 456,760
2021-22	12,448	11,420	1,028	\$4,489,276
2020-21	12,312	11,645	667	\$2,912,789
2019-20	12,355	12,270	85	\$369,920
2018-19	12,474	12,296	178	\$741,370
2017-18	12,239	12,239	0	\$0
2016-17	12,017	12,113	-96	(\$371,328)

Orange County Schools Budgeted vs. Actual Enrollment				
	Budget	Actual	Difference	Budget vs. Actual Cost Difference
2022-23 <i>Actual - Five Month Average</i>	7,162	7,068	94	\$ 451,952
2021-22	7,299	7,073	226	\$886,942
2020-21	7,381	7,007	374	\$1,633,258
2019-20	7,388	7,358	30	\$130,560
2018-19	7,346	7,276	69	\$287,386
2017-18	7,544	7,315	229	\$913,939
2016-17	7,551	7,413	138	\$633,784

<https://www.dei.nc.gov/districts-schools/district-operations/financial-and-business-services/demographics-and-finance/student-accounting-data/average-daily-membership-and-membership-last-day-by-isa-adm-mid>



11

2
3
4
5
6
Travis Myren said the budgeted amount has almost always been higher than the actual enrollment.

Slide #12

Per Pupil Allocation

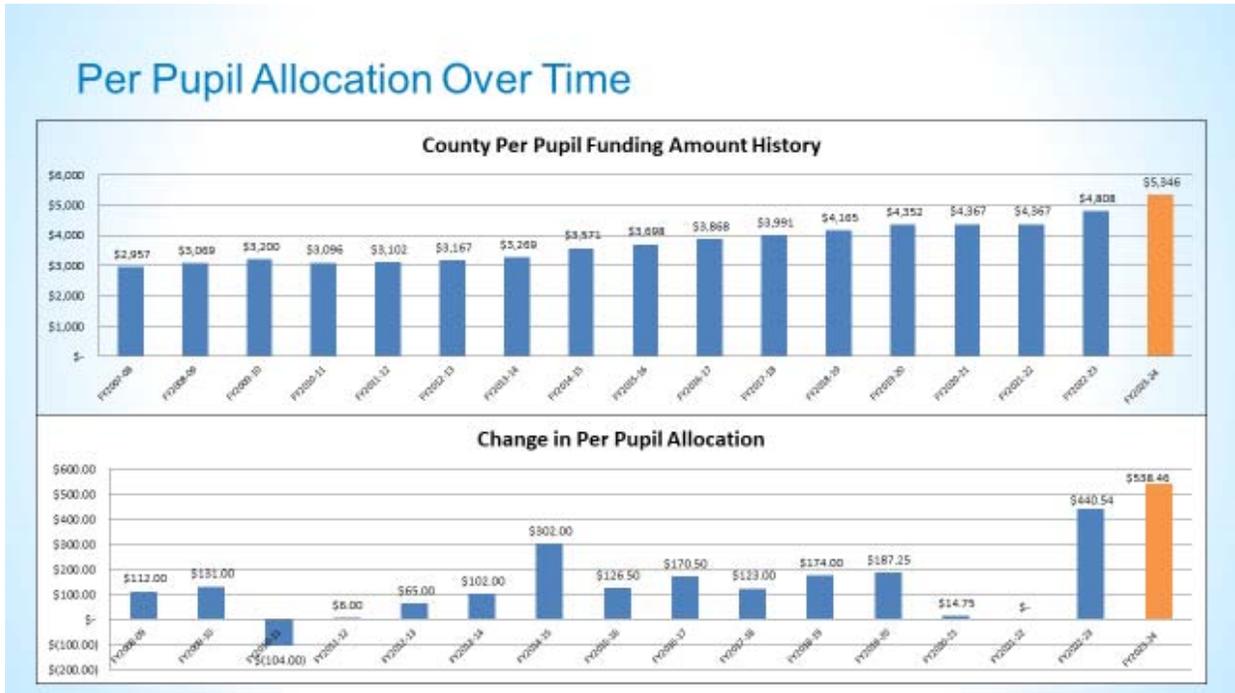
Per Pupil Allocation			
Total Current Expense Budget		\$102,942,576	
Total Countywide Budgeted Students		19,256	
Per Pupil Amount		\$5,346	
Orange County funds each budgeted student in the County by the same amount per pupil			
District	Budgeted Students	Countywide Per Pupil	District Allocation
CHCCS	11,253	\$5,346	\$60,158,538
OCS	8,003	\$5,346	\$42,784,038



12

7
8

1 Slide #13



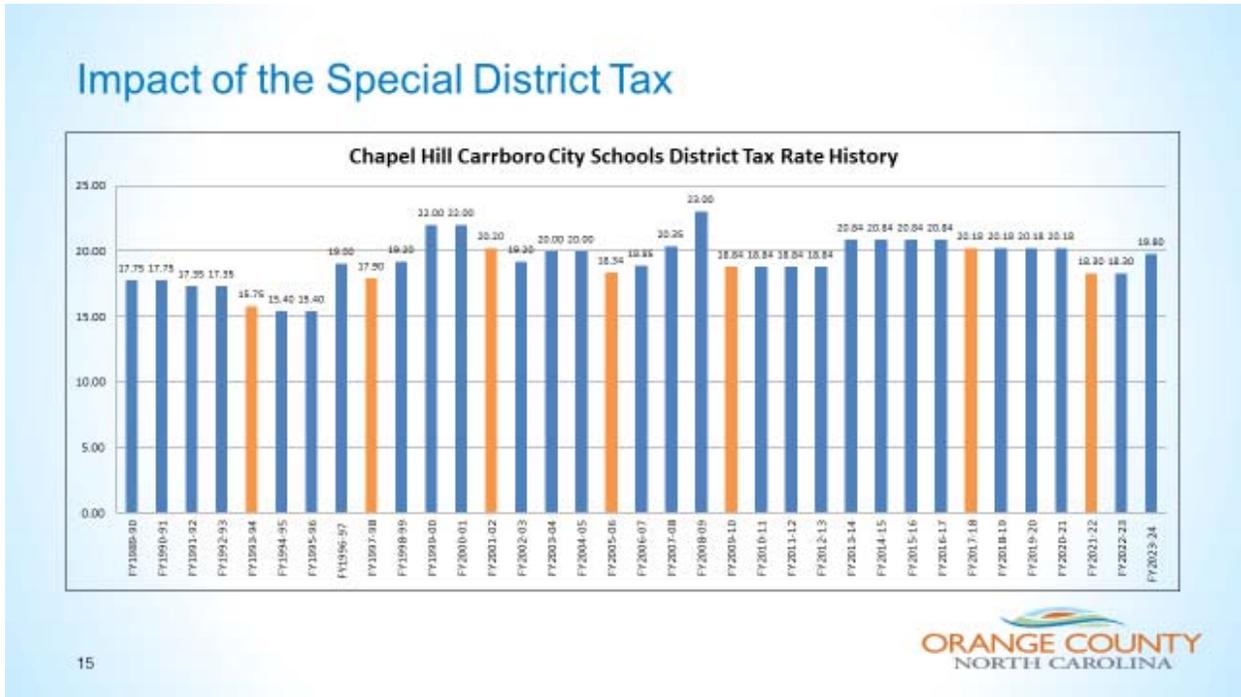
2
3
4 Slide #14

Impact of the Special District Tax

- Special District Tax only levied on property in the Chapel Hill Carrboro City Schools District
 - A penny is valued at \$1.4 million vs. \$2.2 million Countywide
- FY2023-24 Budget Recommends a 1.5 cent increase from 18.30 cents to 19.80 cents per \$100 of valuation
- Tax rate increase yields \$2.09 million to apply to continuation budget needs
- Total Special District Tax at the new tax rate generates \$27.7 million to support District expenditures

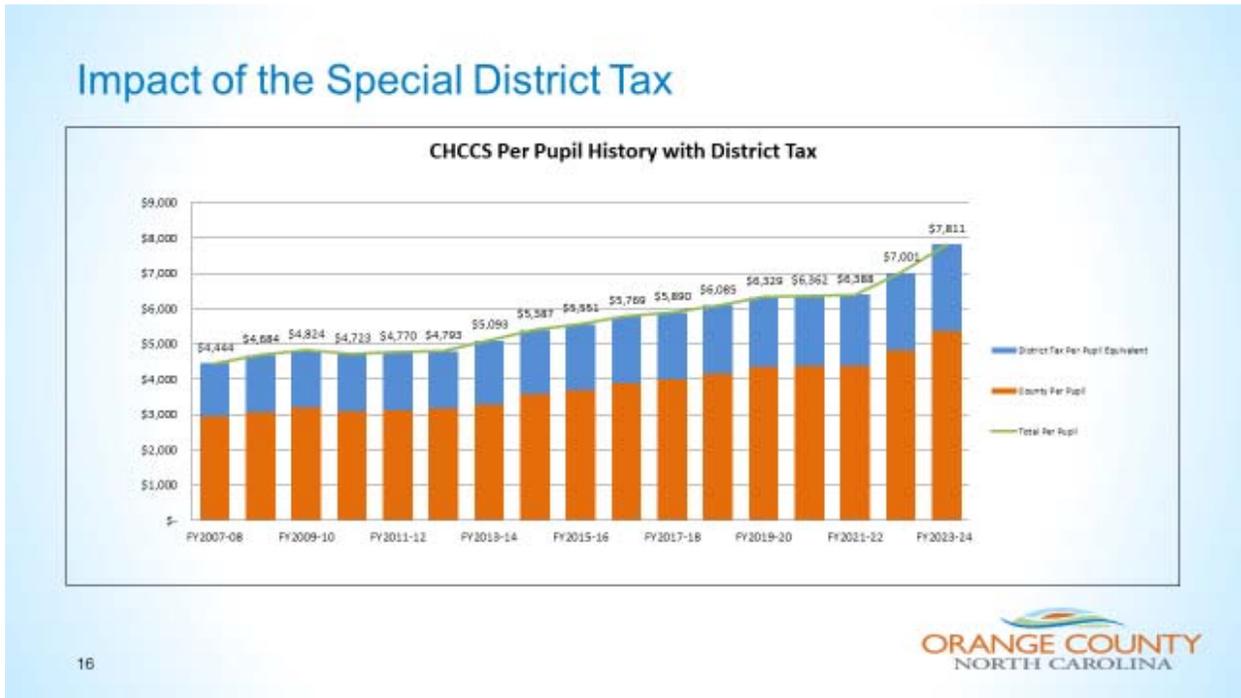
5
6
7
8
9
Travis Myren said for a home valued at \$400,000, the recommended special district tax increase would result in a \$60 per year increase to the homeowner's tax bill.

1 Slide #15



15

2
3
4 Slide #16



16

5
6
7

1 Slide #17

FY2023-24 Funding Recommendations

Total Recommended School District Funding (p. 134)		
Current Expense	\$102,942,576	Local funding for operating expenses
Recurring Capital	\$2,700,000	\$2.7 million pay-go + \$300,000 debt financed in CIP
Debt Service	\$21,322,130	Principal and interest payments on school debt
Health & Safety Contracts	\$3,888,025	One School Nurse per Facility One Safety Officer for Middle and High Schools
TOTAL	\$130,852,731	

Calculation of Percentage of General Fund Revenues Dedicated to K-12 Education

<u>Total School Funding</u>	\$130,852,731	= 48.07%
Total General Fund Revenue	\$272,194,928	



17

2
3
4 Travis Myren said pay-go is for small capital improvements that are not debt financed.
5 He also said the county has a typical goal of allocating 48.1% of current expense to education
6 funding, and this recommended budget would make education 48.07% of current expense.

7 Slide #18

FY2023-24 Funding Recommendations

Operating Budget Funding as a Percentage of General Fund Revenue
Funding Target - 48.1%

Fiscal Year	Percentage of General Fund Revenue
FY 2009-09	48.91%
FY 2009-10	48.10%
FY 2010-11	48.10%
FY 2011-12	47.54%
FY 2012-13	48.06%
FY 2013-14	48.09%
FY 2014-15	50.68%
FY 2015-16	49.00%
FY 2016-17	50.58%
FY 2017-18	49.68%
FY 2018-19	50.05%
FY 2019-20	49.49%
FY 2020-21	49.58%
FY 2021-22	48.21%
FY 2022-23	47.09%
FY 2023-24	48.07%



18

8
9

1 Slide #19

FY2023-24 Funding Recommendations

FY2023-24 Changes from FY2022-23 Approved Budget		
Current Expense	\$9,363,794	Ten percent (10%) Increase
Recurring Capital	\$ -	No change from FY2022-23
Debt Service	(\$485,223)	Two percent (2%) decrease based on actual projects financed
School Health and Safety	\$149,540	Four percent (4%) Increase
TOTAL	\$9,028,101	7.5% increase over FY2022-23

19

2
3
4 Slide #20

FY2023-24 Capital Funding Recommendations

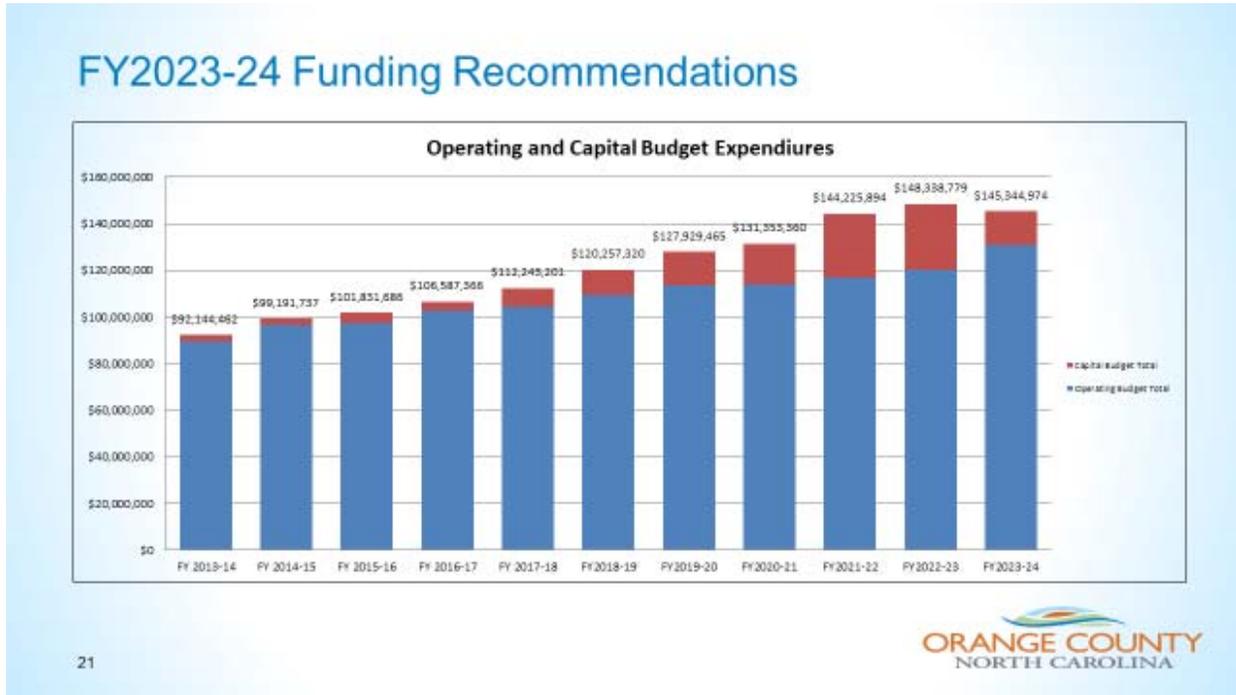
FY2023-24 Capital Budget Total Recommended School District Funding		
Article 46 Sales Tax	\$2,747,029	Proportion of Budgeted Students
Debt Financed School Improvements	\$4,342,860	Proportion of Budgeted Students
Lottery Proceeds	\$1,402,354	Proportion of Budgeted Students
Recurring Capital <i>\$2.7 million pay-go + \$300,000 debt financed</i>	\$3,000,000	Proportion of Budgeted Students Represented in Transfer from General Fund; Not new resources
Supplemental Deferred Maintenance	\$4,000,000	Proportion of Budgeted Students at time of appropriation
TOTAL	\$15,492,243	

20

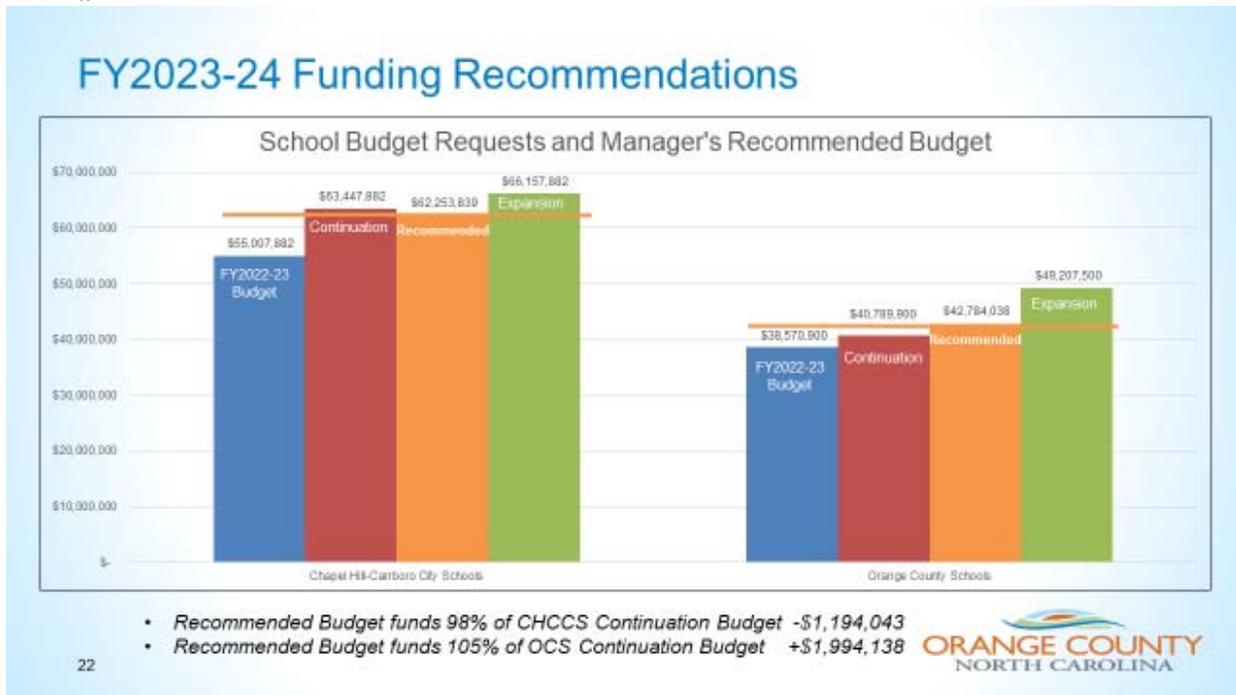
5
6 Travis Myren said only one district is drawing on the supplemental deferred maintenance
7 funds for next year.
8 Vice-Chair McKee asked why only one school system is drawing down.
9 Travis Myren said Orange County Schools drew down a larger amount last year, so are
10 probably working through that money first.
11 Commissioner Fowler said CHCCS was delayed in the first year the funds were
12 available, so they are taking theirs now.

1 Travis Myren said capital projects are also unique in that there will be peaks and valleys
 2 over time in spending.

3
 4 Slide #21



5
 6
 7 Slide #22

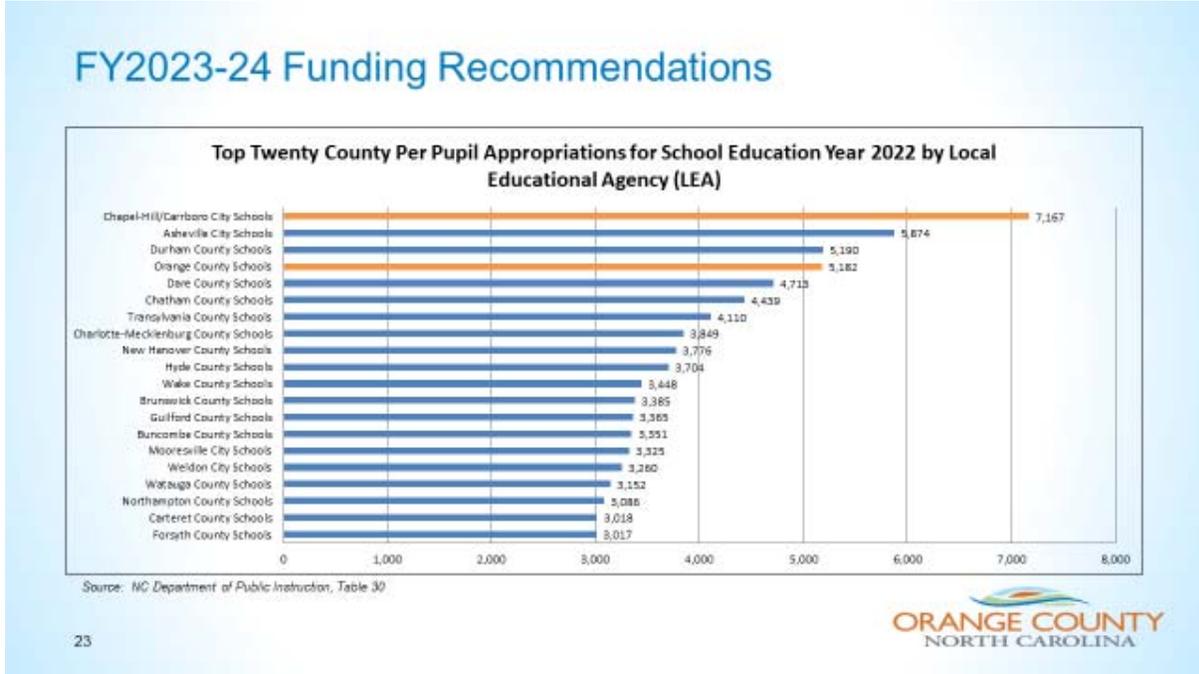


8
 9 Travis Myren said if the Board wants to increase the special district tax rate to close the
 10 funding gap in the continuation request for CHCCS, it would require an additional .0086 cents.

1 Vice-Chair McKee said this would also increase the gap in the total funding for each
 2 school district.

3 Chair Bedford said it is a bit of a misnomer to call it a continuation budget when fund
 4 balance is spent on operating current expenses rather than one-time expenses, but it is also
 5 unusual to have such an emergency to recruit and retain staff.

6
 7 Slide #23



23

8
 9 Travis Myren said last year, Durham County funded \$8 more per student than Orange
 10 County, putting Orange County Schools in 4th place state for per pupil appropriations.

11
 12 Slide #24

Fund Balance

- Joint policy between the County and the School Districts
 - Last amended in 2018 to increase Orange County Schools undesignated fund balance target from 3% to 5.5%
 - Each District has targeted undesignated fund balance target of 5.5% of budgeted expenditures for "cash flow purposes only"
 - Undesignated fund balance may exceed targeted amount for "unseen events or opportunities" and other non-recurring purposes
 - Extraordinary emergency needs may exhaust fund balance
 - School Districts will take appropriate action to address the problem
 - County will reimburse the Districts for the necessary expenditures to address emergencies

ORANGE COUNTY
NORTH CAROLINA

24

13
 14

1 Slide #25

Fund Balance

- Audited undesignated fund balance amounts for FY2021-22
 - *Does not represent fund balance appropriations made during FY2022-23 Year to Date*
 - Chapel Hill-Carrboro City Schools \$5,009,419 5.88% of FY2021-22 actual expenditures
 - Orange County Schools \$3,922,830 10% of FY2021-22 actual expenditures
 - OCS has appropriated \$1.3 million of the undesignated fund balance year to date



25

2
3 Chair Bedford commended Bonnie Hammersley, Travis Myren, Kirk Vaughn, and school
4 superintendents and staff for a phenomenal recommend budget to address the needs for the
5 schools. She said she very much supports this funding for the schools.

6 Commissioner Fowler said she also appreciates that Bonnie Hammersley coordinated
7 with the superintendents so well this year so that she was able to get an idea of the needs
8 before putting in a placeholder amount into the recommended budget.

9 Commissioner Hamilton agreed with Commissioner Fowler, and said she thinks all
10 residents and students are better served when the county and schools work together. She said
11 children are the future and she doesn't want to continue to have to remedy issues through
12 county's other services that could be addressed earlier on with investments in education.

13 Bonnie Hammersley said it is and always has been a pleasure to work with the schools.
14 She said this year they did work more closely, which is a credit to budget staff with each school
15 district. She said the county received continuation budgets from the school districts earlier this
16 year and got to think about how it would impact the recommended budget. She said she looks
17 forward to continue working with them. She recognized Kirk Vaughn for his work on the
18 recommended budget and said he has done a fantastic job and has been able to bring a new
19 perspective and ask new questions. She said it's always great to have the public pleased with
20 the budget. She also thanked Travis Myren and Greg Wilder for all of their work as well.

21
22 **Adjournment**

23
24 A motion was made by Vice-Chair McKee, seconded by Commissioner Fowler, to
25 adjourn the meeting at 8:19 p.m.

26
27 **VOTE: UNANIMOUS**

28
29
30
31
Jamezetta Bedford, Chair

- 1
- 2 Recorded by Tara May, Deputy Clerk to the Board
- 3
- 4 Submitted for approval by Laura Jensen, Clerk to the Board.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Motor Vehicle Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Resolution
Releases/Refunds Data Spreadsheet
Reason for Adjustment Summary

INFORMATION CONTACT:

Nancy Freeman, Tax Administrator,
(919) 245-2735

PURPOSE: To consider adoption of a resolution to release motor vehicle property tax values for one (1) taxpayer with a total of one (1) bill that will result in a reduction of revenue.

BACKGROUND: North Carolina General Statute (NCGS) 105-381(a)(1) allows a taxpayer to assert a valid defense to the enforcement of the collection of a tax assessed upon his/her property under three sets of circumstances:

- (a) "a tax imposed through clerical error", for example when there is an actual error in mathematical calculation;
- (b) "an illegal tax", such as when the vehicle should have been billed in another county, an incorrect name was used, or an incorrect rate code (the wrong combination of applicable county, municipal, fire district, etc. tax rates) was used;
- (c) "a tax levied for an illegal purpose", which would involve charging a tax which was later deemed to be impermissible under state law.

NCGS 105-381(b), "Action of Governing Body" provides that "Upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the taxing unit shall within 90 days after receipt of such a request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct liability or notify the taxpayer in writing that no release or refund will be made".

For classified motor vehicles, NCGS 105-330.2(b) allows for a full or partial refund when a tax has been paid and a pending appeal for valuation reduction due to excessive mileage, vehicle damage, etc. is decided in the owner's favor.

FINANCIAL IMPACT: Approval of these release/refund requests will result in a net reduction of \$193.78 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2022-2023 is \$19,254.55.

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:

- Accept the report reflecting the motor vehicle property tax releases/refunds requested in accordance with the NCGS; and
- Approve the attached release/refund resolution.

NORTH CAROLINA

RES-2023-049

ORANGE COUNTY

REFUND/RELEASE RESOLUTION (Approval)

Whereas, North Carolina General Statutes 105-381 and/or 330.2(b) allows for the refund and/or release of taxes when the Board of County Commissioners determines that a taxpayer applying for the release/refund has a valid defense to the tax imposed; and

Whereas, the properties listed in each of the attached “Request for Property Tax Refund/Release” has been taxed and the tax has not been collected: and

Whereas, as to each of the properties listed in the Request for Property Tax Refund/Release, the taxpayer has timely applied in writing for a refund or release of the tax imposed and has presented a valid defense to the tax imposed as indicated on the Request for Property Tax Refund/Release.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the recommended property tax refund(s) and release(s) are approved.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners _____

Noes: _____

I, Laura Jensen, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a business meeting of said Board held on _____, said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this _____ day of _____, 2023

Clerk to the Board of Commissioners

BOCC REPORT - REGISTERED MOTOR VEHICLES
JUNE 20, 2023

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	ADDITIONAL EXPLANATION
Triplett, Richard	72340450	2022	21,560	21,560	(193.78)	*Situs error (illegal tax)	
					<u>(193.78)</u>	TOTAL	

Adjustment Descriptions

Clerical error G.S. 105-381(a)(1)(a): e.g. when there is an actual error in mathematical calculation.

Illegal tax G.S. 105-381(a)(1)(b): e.g. when the vehicle should have been billed in another county, an incorrect name was used, or an incorrect rate code was

Tax levied for an illegal purpose G.S. 105-381(a)(1)(c): e.g. charging a tax that was later deemed to be impermissible under State law.

Appraisal appeal G.S. 105-330.2(b): e.g. reduction in value due to excessive mileage or vehicle damage.

**Situs error: An incorrect rate code was used to calculate bill. Value remains constant but bill amount changes due to the change in specific tax rates applied to*

Classification GS 105-330-9(b): e.g. Antique automobiles are designated a special class of property under the NC Constitution.

The spreadsheet represents the financial impact that approval of the requested release or refund would have on the principal amount of taxes.

Approval of the release or refund of the principal tax amount also constitutes approval of the release or refund of all associated interest, penalties, fees, and costs appurtenant to the released or refunded principal tax amount.

Military Leave and Earning Statement (LES): Is a document given on a monthly basis to members of the United States military which reports their pay, home of record and service status. The LES is required when applying for exemption from Motor Vehicle Property Taxes. Active duty, non-resident military personnel may be exempt from North Carolina motor vehicle property tax as allowed by United States Code, Title 50, Service members' Civil Relief Act of 1940. (Amended in 2009 by The Military Spouse's Residency Relief Act)

Titles and Brands: Section 1, Chapter 7
NCDMV Title Manual 14th Edition Revised January 2016

Title: Document that records the ownership of vehicles and the liens against them.

Custom-Built: A vehicle that is completely reconstructed or assembled from new or used parts. Will be branded "Specially Constructed Vehicle"

Flood Vehicles: A motor vehicle that has been submerged or practically submerged in water to the extent that damage to the body, engine, transmission or differential has occurred.

Reconstructed Vehicles: A motor vehicle required to be registered that has been materially altered from original construction due to the removal addition or substitution of essential parts.

Salvaged Motor Vehicles: Is a vehicle that has been damaged by collision or other occurrence to the extent that the cost of repairs exceeds 75% of fair market value, whether or not the motor vehicle has been declared a total loss by an insurer. Repairs shall include the cost of parts and labor, or a vehicle for which an insurance company has paid a claim that exceeds 75% of the Fair Market Value. If the salvaged vehicle is six model years old or newer, an Anti-Theft Inspection by the License and Theft Bureau is required.

Salvage Rebuilt Vehicle: A salvaged vehicle that has been rebuilt for title and registration.

Junk Vehicle: A motor vehicle which is incapable of operation or use upon the highways and has no resale value except as scrap or parts. The vehicle shall not be titled.

Antique Vehicle: A motor vehicle manufactured in 1980 and prior

Commercial Trucking (IRP): The International Registration Plan is a registration reciprocity agreement among jurisdictions in the US and Canada which provides for payment of license fee on the basis of fleet miles operated in various jurisdictions.

Total Loss: Repairs were more than the market value of the vehicle and the insurance company is unwilling to pay for the repairs.

Total Loss/Rebuilt: Whatever the repairs were to make the vehicle road worthy after a Total Loss status has been given. Vehicle must be 5 years old or older. Vehicle status then remains as salvaged or rebuilt.

Certificate of Destruction: NC DMV will not register this type of vehicle. It is not fit for North Carolina roads.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Resolution
Releases/Refunds Data Spreadsheet

INFORMATION CONTACT:

Nancy Freeman, Tax Administrator,
(919) 245-2735

PURPOSE: To consider adoption of a resolution to release property tax values for five (5) taxpayers with a total of thirteen (13) bills that will result in a reduction of revenue.

BACKGROUND: The Tax Administration Office has received five (5) taxpayer requests for release or refund of property taxes. North Carolina General Statute 105-381(b), "Action of Governing Body" provides that "upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the Taxing Unit shall within 90 days after receipt of such a request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct liability or notify the taxpayer in writing that no release or refund will be made". North Carolina law allows the Board to approve property tax refunds for the current and four previous fiscal years.

FINANCIAL IMPACT: Approval of this change will result in a net reduction in revenue of \$5,962.96 to the County, municipalities, and special districts. The Tax Assessor recognized that refunds could impact the budget and accounted for these in the annual budget projections.

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

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 attached resolution approving these property tax release/refund requests in accordance with North Carolina General Statute 105-381.

NORTH CAROLINA

RES-2023-050

ORANGE COUNTY

REFUND/RELEASE RESOLUTION (Approval)

Whereas, North Carolina General Statutes 105-381 and/or 330.2(b) allows for the refund and/or release of taxes when the Board of County Commissioners determines that a taxpayer applying for the release/refund has a valid defense to the tax imposed; and

Whereas, the properties listed in each of the attached "Request for Property Tax Refund/Release" has been taxed and the tax has not been collected: and

Whereas, as to each of the properties listed in the Request for Property Tax Refund/Release, the taxpayer has timely applied in writing for a refund or release of the tax imposed and has presented a valid defense to the tax imposed as indicated on the Request for Property Tax Refund/Release.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the recommended property tax refund(s) and release(s) are approved.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners _____

Noes: _____

I, Laura Jensen, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a business meeting of said Board held on _____, said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this _____ day of _____, 2023

Clerk to the Board of Commissioners

Clerical error G.S. 105-381(a)(1)(a)
 Illegal tax G.S. 105-381(a)(1)(b)
 Appraisal appeal G.S. 105-330.2(b)

**BOCC REPORT - REAL/PERSONAL
 JUNE 20, 2023**

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	ADDITIONAL INFORMATION
Kim, Justin Jimin	3207247	2022	8,270	0	(571.69)	Assessed in error (illegal tax)	Gap Bill: vehicle registered in California during Gap period
Laws, Carlton A. Trustee	231528	2018	166,100	120,600	(428.56)	Incorrect value (clerical error)	House coded incorrectly as Single Family instead of Manufactured Home
Laws, Carlton A. Trustee	231528	2019	166,100	120,600	(436.53)	Incorrect value (clerical error)	House coded incorrectly as Single Family instead of Manufactured Home
Laws, Carlton A. Trustee	231528	2020	166,100	120,600	(438.03)	Incorrect value (clerical error)	House coded incorrectly as Single Family instead of Manufactured Home
Laws, Carlton A. Trustee	231528	2021	180,500	121,100	(542.68)	Incorrect value (clerical error)	House coded incorrectly as Single Family instead of Manufactured Home
Laws, Carlton A. Trustee	231528	2022	180,500	121,100	(550.10)	Incorrect value (clerical error)	House coded incorrectly as Single Family instead of Manufactured Home
Mallernee, Robert Edward	3204305	2022	17,510	0	(1,367.36)	Situs error (illegal tax)	Gap bill: vehicle located at Durham County address
Rodrigues, Cesar	1076674	2019	32,350	0	(391.77)	Double billed (illegal tax)	Also assessed on account 1073161
Rodrigues, Cesar	1076674	2020	29,880	0	(342.95)	Double billed (illegal tax)	Also assessed on account 1073161
Rodrigues, Cesar	1076674	2021	28,560	0	(287.01)	Double billed (illegal tax)	Also assessed on account 1073161
Rodrigues, Cesar	1076674	2022	27,280	0	(291.80)	Double billed (illegal tax)	Also assessed on account 1073161
Staley, Scott	3191505	2021	16,579	0	(147.80)	Double billed (illegal tax)	Also assessed on account 281738
Staley, Scott	3191505	2022	16,579	0	(166.68)	Double billed (illegal tax)	Also assessed on account 3198329
				Total	(5,962.96)		
Gap Bill: A property tax bill that covers the months between the expiration of a vehicle's registration and the renewal of that registration or the issuance of a new registration.							
The spreadsheet represents the financial impact that approval of the requested release or refund would have on the principal amount of taxes.							
Approval of the release or refund of the principal tax amount also constitutes approval of the release or refund of all associated interest, penalties, fees, and costs appurtenant to the released or refunded principal tax amount.							

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Tax Refund Request – Walker Hall Busby, Jr.

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Busby Email Refund Request
North Carolina General Statute 105-381
Coates' Cannons Blog – Appraisal vs
Clerical Error
Resolution

INFORMATION CONTACT:

Nancy T Freeman, Tax Administrator,
(919) 245-2735

PURPOSE: To consider a refund request for taxes submitted by Walker Hall Busby, Jr.

BACKGROUND: Walker Hall Busby, Jr. submitted a refund request for property identified as PIN 9779209961 and owned by Walker Hall Busby, Jr. and Marjorie G. Busby for taxes improperly assessed from 2021 through 2022. The claim for this request is based on the premise that for 2021, the County incorrectly calculated the finished area of the residence of the property to be 4,216 square feet, whereas a 2023 inspection of the property resulted in a re-measuring of the residence and a revised finished area calculation of 2,975 square feet. Mr. Busby maintains that the values for 2021 and 2022 are incorrect due to a clerical error on the part of the Orange County Tax Office appraisers. Mr. Busby has requested a refund in the amount of \$2,959.57 for overpayment of taxes due to this calculation error. Based on Tax Office review, if the property value were changed as proposed from \$610,200 to \$523,100, the appropriate calculated refund amount would be \$2,808.71.

Each year, property owners have the opportunity to appeal their values prior to the adjournment of the Board of Equalization and Review. Once the Board adjourns, the Assessor has no statutory authority to make adjustments on the current assessments.

The value for the 2023 tax year was adjusted on March 27, 2023 to \$523,100 representing a correction to an appraisal error for the property initiated by the taxpayer's return of a data validation form mailed by the Orange County Tax Office.

North Carolina General Statute (NCGS) 105-381(a) allows the refund and release of taxes only under very limited circumstances, including clerical error. In the 1997 case Ammons vs. Wake County, the NC Court of Appeals concluded that to qualify as a clerical error, a mistake must be one that produces an unintended result and is apparent from the face of the documents, such as a transcription mistake (for example, recording 5,200 square feet instead of 2,500 square feet.). The term "clerical error" does not include errors in judgment such as an appraisal error.

In this instance, the change in value made for the 2023 tax year by the Orange County Tax Office represents a correction to an appraisal error. The appropriate procedure is to correct the error and valuation for the current tax year and subsequent years, which has been done for 2023 and forward according to NCGS 105-287.

FINANCIAL IMPACT: Approval of the refund request would result in a \$2,808.71 loss as calculated by the Tax Office.

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 approve the attached resolution denying the refund request based on consultation with the County Attorney.

From: Walker Busby Jr <walkerbusby@gmail.com>
Sent: Tuesday, April 18, 2023 11:48 AM
To: Nancy Freeman; Bonnie Hammersley; Anna Richards; Amy Fowler; Earl McKee; Jean Hamilton; Phyllis Portie-Ascott; Sally Greene; Roger Gunn; Steven "Chad" Phillips
Subject: [EXTERNAL MAIL!] Re: Overpayment of property taxes in 2021

Hello:

My responses to your letter AND the professor (just one lawyer's opinion and an incorrect one I suggest) would include:

- 1) Your department has admitted a serious 'error' in the specified square footage and that I was indeed overcharged. You are now making excuses not to re-pay me. I am now quoting the professor, " Very few appraisals are based on the actual physical inspections of the property at issue" "and at the end of the day it was a judgement error". Your professor also states and I quote "But if the error was truly one of judgment, then I don't think a refund is justified regardless of how big the error was". This was a physical inspection however and any error was not "judgment", therefore a refund would be entirely appropriate.
- 2) 'Clerical' error and and case law also seem to be key words in the 'professors' reasoning and clerical errors are valid as reasons for issuing refunds. I suggest that there MUST have been a 'clerical' error in the appraisal of my house by your appraiser, which according to the professor would again allow for a refund. The appraiser wrote down an incorrect length because he misread his monitor; when back at his office, he couldn't read his writing and typed in the wrong numbers; he merely typed in the wrong numbers when calculating the square footage.....ALL Clerical errors, NOT an error in judgement. Your staff clearly had access to all the permits needed for this addition, otherwise you would not have known to re-appraise the house. Easily found within these permits is the square footage of the addition and that it was brick....all that was needed, besides your actual physical verification, to re-value the house. Contained within these permits are the 525 sq feet that were added to an existing 2450 square feet home data...not possibly resulting in 4216 sq feet.
- 3) If the appraiser is a member of your staff, has he been questioned about this matter?
- 4) The appraiser never asked about the attic above the room, nor came inside to look at it. It is an 'unfinished' attic.
- 5) I am sure that in a year when there are NOT countywide re-assessments in value, that the increase in square footage largely determines an increase in taxes.
- 6) You know your department made an egregious error, yet you had to ask a professor whether or not LEGALLY you have to correct the mistake. Disappointing. I suggest the professor failed to make his case; there was no 'judgment', but an actual physical appraisal, that was clearly wrong.

Commissioners, please correct this wrong.

Sincerely,

Walker Busby

On Thu, Apr 13, 2023 at 1:49?PM Nancy Freeman
<nfreeman@orangecountync.gov> wrote:
Good afternoon Mr. Busby and Chair Bedford,

Mr. Busby, as Real Property Manager Roger Gunn explained to you in response to your email of March 16, North Carolina General Statutes (NCGS) allow for refunds only in limited situations. These are explained in NCGS 105-381(a)(1):

§ 105-381. Taxpayer's remedies.

(a) Statement of Defense. - Any taxpayer asserting a valid defense to the enforcement of the collection of a tax assessed upon his property shall proceed as hereinafter provided.

(1) For the purpose of this subsection, a valid defense shall include the following:

- a. A tax imposed through clerical error;
- b. An illegal tax;
- c. A tax levied for an illegal purpose.

Your square footage error is not a clerical error, it is considered an appraisal error, and is not entitled to a refund according to this statute. A clerical error must be apparent from the record, such as a transcription error (example would be recording 6,200 square feet instead of 2,600 square feet).

As you stated, and verified by the North Carolina Department of Revenue, refunds requested of our office must be approved by the Board of County Commissioners (BOCC). However, our office would not recommend a refund in your situation to the BOCC because it does not meet the requirements of the statute. I have attached an opinion from Chris McLaughlin, Associate Professor of Public Law and Government at the UNC School of Government, that will help to explain why we are unable to recommend your request for refund.

You are correct that the square footage of improvements (in this case, your home) are not included on the annual tax bill. As there are multiple factors that determine the value of a property, including but certainly not limited to land value and improvement value, there is not sufficient room on the annual bill for a full description of each property.

That information is available on our website, and we encourage property owners to review their property record online, which includes an option to report a data issue. We send annual listing forms each January for property owners to notify us of changes to their property. The listing form includes instructions for reviewing your property's detailed data online. Our appraisal staff is also available to discuss the details of your property during business hours at 919-245-2100, option 2.

Orange County conducts a revaluation every four years. Revaluation is a process by which all property tax assessments in Orange County are reassessed to their market value as of the revaluation date. The most recent revaluation date was January 1, 2021. The data validation form you recently received is part of the process we use to update and correct our records in preparation of the upcoming revaluation, which will be effective January 1, 2025. The change in value for your 2021 tax bill was not limited to the change in square footage due to the one-

bedroom addition and the error in the square footage. It was also due to bringing your property value in line with current market value. The value prior to the January 1, 2021 was \$387,000. The value for 2023 is \$523,100, which encompasses the new addition at the correct square footage, and the increase in market value, all as of January 1, 2021. As a side note, we mailed value change notices on April 11, and you may have already received the notice of the 2023 value. Please contact our office if you have questions about the notice.

In Mr. Gunn's email to you, he offered to assist you with any questions that you might have about the information he provided. I will offer the same to you now. If you have additional questions, please do not hesitate to reach out to me, or to Mr. Gunn for assistance. The email that you originally used, tax@orangecountync.gov, is a group email that our management team receives and to which we respond. We are also available to assist by phone or in person. Mr. Gunn's direct extension is 919-245-2118 and email is rgunn@orangecountync.gov. You can reach me at 919-245-2735 or nfreeman@orangecountync.gov.

I hope this information is helpful for you.

Best,

Nancy Freeman, Director

Orange County Tax Administration

228 S. Churton St, PO Box 8181, Hillsborough, NC 27278 | office:
(919) 245-2735 | nfreeman@orangecountync.gov

CONFIDENTIALITY NOTICE: All email messages, including any attachments, generated from or received by this account are the property of Orange County Government and as such are considered public domain and are subject to the North Carolina Public Records Law. Certain confidential information may be transmitted and any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: Jamezetta Bedford <jbedford@orangecountync.gov>

Sent: Monday, April 3, 2023 2:03 PM

To: Walker Busby Jr <walkerbusby@gmail.com>; Anna Richards

<arichards@orangecountync.gov>;

Amy Fowler <afowler@orangecountync.gov>; Earl McKee

<emckee@orangecountync.gov>; Jean

Hamilton <jhamilton@orangecountync.gov>; Phyllis Portie-Ascott <pportie-

ascott@orangecountync.gov>; Sally Greene <sgreene@orangecountync.gov>

Cc: Nancy Freeman <nfreeman@orangecountync.gov>; Bonnie Hammersley

<bhammersley@orangecountync.gov>

Subject: Re: [EXTERNAL MAIL!] Overpayment of property taxes in 2021

Mr. Busby,

I am copying our county tax director, Ms. Freeman, who will check into your situation and be in touch. I am glad that NCDOR referred you to our county government for this tax matter.

Sincerely,

Jamezetta Bedford, Chair

From: Walker Busby Jr <walkerbusby@gmail.com>
Sent: Monday, April 3, 2023 10:30 AM
To: Anna Richards; Amy Fowler; Earl McKee; Jamezetta Bedford; Jean Hamilton; Phyllis Portie-Ascott; Sally Greene
Subject: [EXTERNAL MAIL!] Overpayment of property taxes in 2021

Hi: My wife and I overpaid our property taxes by \$2,959.57 in 2021 due to the County's error. A Mr Roger Gunn has replied "Unfortunately, the NC general statutes only allow for refunds under very limited circumstances, and the situation you described falls into a category that would not be statutorily refundable." This is unacceptable and an inquiry by me to the NC Dept of Revenue confirmed this. He told me that you, the Orange County Commissioners, could instigate this refund. Our property tax bill in 2020 was \$6,693.09. In 2021 the bill was \$10,032.43. This was because we added on a 525 sq foot downstairs bedroom/bath as we are getting old and having more difficulty with stairs. If one notices on the tax bill, there is NO indication for square footage, so when the appraiser, re-appraised our home, after the addition, we had no idea he had re-appraised it to 4216 sq ft. and we paid our taxes. Previously our house was appraised at 2450 sq ft. The addition of one bedroom/bath at 525 sq ft could not possibly have increased the sq footage to 4216sq ft. This seems strange. After asking for a re-appraisal, Bill Hiltbolt re-appraised the house at 2975 Sq ft. which is entirely correct.

I do expect a refund of \$2,959.57. (2975sq ft/4216sq ft= 70.5%; overpayment of 29.5%) While the expenses of hiring a lawyer would not be feasible for this amount; if denied, I would send a letter to all nearby newspapers explaining my situation and suggesting that each homeowner request a re-appraisal of their home.

I would not sound so angry if Roger Gunn had not denied the complete possibility of a refund, which the NC Dept of Revenue office said was entirely up to you, the Commissioners.

Sincerely,
Walker Busby
103 Rainbow Dr
Carrboro, NC 27510

§ 105-381. Taxpayer's remedies.

(a) Statement of Defense. – Any taxpayer asserting a valid defense to the enforcement of the collection of a tax assessed upon his property shall proceed as hereinafter provided.

- (1) For the purpose of this subsection, a valid defense shall include the following:
 - a. A tax imposed through clerical error;
 - b. An illegal tax;
 - c. A tax levied for an illegal purpose.
- (2) If a tax has not been paid, the taxpayer may make a demand for the release of the tax claim by submitting to the governing body of the taxing unit a written statement of his defense to payment or enforcement of the tax and a request for release of the tax at any time prior to payment of the tax.
- (3) If a tax has been paid, the taxpayer, at any time within five years after said tax first became due or within six months from the date of payment of such tax, whichever is the later date, may make a demand for a refund of the tax paid by submitting to the governing body of the taxing unit a written statement of his defense and a request for refund thereof.

(b) Action of Governing Body. – Upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the taxing unit shall within 90 days after receipt of such request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct tax liability or notify the taxpayer in writing that no release or refund will be made. The governing body may, by resolution, delegate its authority to determine requests for a release or refund of tax of less than one hundred dollars (\$100.00) to the finance officer, manager, or attorney of the taxing unit. A finance officer, manager, or attorney to whom this authority is delegated shall monthly report to the governing body the actions taken by him on requests for release or refund. All actions taken by the governing body or finance officer, manager, or attorney on requests for release or refund shall be recorded in the minutes of the governing body. If a release is granted or refund made, the tax collector shall be credited with the amount released or refunded in his annual settlement.

(c) Suit for Recovery of Property Taxes. –

- (1) Request for Release before Payment. – If within 90 days after receiving a taxpayer's request for release of an unpaid tax claim under (a) above, the governing body of the taxing unit has failed to grant the release, has notified the taxpayer that no release will be granted, or has taken no action on the request, the taxpayer shall pay the tax. He may then within three years from the date of payment bring a civil action against the taxing unit for the amount claimed.
- (2) Request for Refund. – If within 90 days after receiving a taxpayer's request for refund under (a) above, the governing body has failed to refund the full amount requested by the taxpayer, has notified the taxpayer that no refund will be made, or has taken no action on the request, the taxpayer may bring a civil action against the taxing unit for the amount claimed. Such action may be brought at any time within three years from the expiration of the period in which the governing body is required to act.

(d) Civil Actions. – Civil actions brought pursuant to subsection (c) above shall be brought in the appropriate division of the general court of justice of the county in which the taxing unit is located. If, upon the trial, it is determined that the tax or any part of it was illegal or levied for an illegal purpose, or excessive as the result of a clerical error, judgment shall be

rendered therefor with interest thereon at six percent (6%) per annum, plus costs, and the judgment shall be collected as in other civil actions. (1901, c. 558, s. 30; Rev., s. 2855; C. S., s. 7979; 1971, c. 806, s. 1; 1973, c. 564, s. 3; 1977, c. 946, s. 2; 1985, c. 150, s. 1; 1987, c. 127.)



Coates' Canons NC Local Government Law

When Does An Appraisal Error Justify a Refund?

Published: 02/14/13

Author Name: Chris McLaughlin

Which of these appraisal errors justifies a property tax refund?

1. Taxpayer is taxed for property that did not have a taxable situs in the jurisdiction.
2. Taxpayer is taxed for a house that burned the prior December.
3. Taxpayer has vacant land but is taxed for the land plus a house.
4. Taxpayer has an unfinished attic but was taxed for a finished attic. Finish was never verified by appraiser.
5. Taxpayer has a 1,500 square-foot house but the assessor appraised it at 1,750 square feet based on the size of similar houses in the same neighborhood.

Most property tax professionals would agree that a refund is justified in situations 1, 2 and 3. So do I. But situations 4 and 5 are tougher nuts to crack.

Property tax refunds and releases are governed by G.S. 105-381, which limits them to circumstances in which the tax either was levied due to clerical error or was illegal. While those terms are not defined by the statute, they've been analyzed several times our state courts.

The most detailed of these opinions came from the N.C. Court of Appeals when it analyzed the meaning of the term "clerical error" in the 1997 case Ammons v. Wake County. As I discussed in this 2010 post, the court concluded that to qualify as a clerical error the mistake must be that one produces an unintended result and is apparent from the face of the documents, such as a transcription mistake (for example, recording 5,200 square feet instead of 2,500 square feet.) The term "clerical error" does

<https://canons.sog.unc.edu/2013/02/when-does-an-appraisal-error-justify-a-refund/>

not include errors in judgment or law on such issues as market value, quality of construction, or eligibility for a property tax exclusion. These types of non-clerical errors must be resolved through the annual appeal process and may not be corrected retroactively under G.S. 105-381.

Applying the *Ammons* analysis to the five situations above, I don't think any qualifies for a refund due to clerical error. In each situation, the appraisal was that intended by the assessor. None of the situations involved an unintended appraisal—in each instance the assessor produced an appraisal that he/she thought was appropriate at the time.

But clerical error is only one of two justifications for a property tax refund. Might any of the five situations above qualify as “illegal taxes”?

Here's our court defines that term: “[G.S. 105-381] and our case law recognize a distinction between an erroneous tax and an illegal tax or invalid tax. An illegal or invalid tax results when the taxing body seeks to impose a tax without authority, as in cases where it is asserted that the rate is unconstitutional or that the subject is exempt from taxation.” *Redevelopment Comm. V. Guilford County*, 274 N.C. 585 (1968).

I think it's clear that situations 1 and 2 would constitute illegal taxes because the taxing unit had no authority to tax property not in its jurisdiction (situation 1) or that did not exist as of January 1 (situation 2). Similarly, situation 3 seems to be an illegal tax because a taxing unit has no authority to tax property that never existed.

In contrast, situations 4 and 5 involve property that did exist in the taxing unit's jurisdiction as of the listing date but that received inflated appraisals. Is a tax on non-existent market value illegal and subject to a refund under G.S. 105-381?

Not normally. In *Kinro, Inc. v. Randolph County*, 108 N.C. App. 334 (1992), the court of appeals concluded without analysis that “over assessed values of personal property” do not constitute an illegal tax. If the taxpayers in situations 4 and 5 were complaining only of market value errors—let's say they

<https://canons.sog.unc.edu/2013/02/when-does-an-appraisal-error-justify-a-refund/>

thought that the assessor ignored relevant sales of comparable properties—clearly they would not be entitled to refunds. Market value judgments may be challenged only during the appeal process for the current tax year.

But that's not really the case in situations 4 and 5. The taxpayers don't claim that the assessor simply made a poor estimate of what the properties would have sold for on January 1. Instead, the taxpayers claim that the assessor appraised and taxed physical property features (a finished attic, additional square feet) that did not exist in the taxing unit's jurisdiction as of the listing date (and in fact never existed at all).

That sounds pretty darn similar to situations 1, 2, and 3, doesn't it? If refunds are justified in the first three situations of non-existent property, aren't they also justified in the last two?

I think the best answer is no. A valuation error cannot justify a refund as an illegal tax even if that error was caused by the valuation of property features that never existed.

Very few appraisals are based on actual physical inspections of the property at issue. Instead, assessors rely on the mass appraisal process which requires countless judgment calls about specific physical features and their market value.

If we open up every one of those judgment calls to retroactive review for five years under G.S. 105-381, we would do serious harm to finality of our local government tax bases. And without that finality, budgeting for local governments would become far more difficult than it already is.

No doubt, some valuation errors make compelling arguments for refunds. Consider an example similar to situation 5 above, but assume that instead of mistakenly appraising a 1,500 square-foot house as 1,700 square feet the assessor appraises it at 5,000 square feet. Is a refund justified when the judgment error is so egregious?

Despite the size of the error, I still don't think it qualifies as an illegal tax because at the end of the day it was a judgment error. And once you start refunding any judgment error, you open the door for countless retroactive appraisal reviews.

But my veteran assessor SOG colleague Ken Joyner thinks when an appraisal error is so large—appraising a house at more than 3 times its actual square footage, for example—the result must have been unintended. If so, then a refund would be justified under the clerical error criterion even if we conclude that it was not an illegal tax. In other words, any truly egregious appraisal error must have been unintended and therefore should be eligible for a refund.

Similarly, a county could adopt a rule of reason: if an appraisal error is large enough, then a refund is justified. For example, a county might adopt a policy under which appraisal errors of greater than 10%

<https://canons.sog.unc.edu/2013/02/when-does-an-appraisal-error-justify-a-refund/>
justify a refund, but errors smaller than that do not.

Both suggestions sound reasonable. But neither the Machinery Act nor property tax case law from state courts make any distinction for refunds based on the size of the error involved. If an error truly was clerical, as Ken suggests a huge error likely would be, then clearly a refund is justified. But if the error was truly one of judgment, then I don't think a refund is justified regardless of how big the error was.

Remember that the General Assembly sets policy, not mere mortals such as you and me. I can't in good faith recommend a policy, no matter how reasonable, if it contradicts the black-letter statutory law. Unless and until the law is changed or we get more guidance from the courts, my advice remains the same: local governments should construe the refund provisions in G.S. 105-381 very narrowly. Taxpayers can use the appeal process to correct erroneous value judgments for the current tax year going forward, but they cannot attack those judgments retroactively.

(Hat tip to my friend Lee Harris of Orange County for raising this interesting issue. Lee's wise counsel has been invaluable during my time at the SOG.)

All rights reserved. This blog post is published and posted online by the School of Government to address issues of interest to government officials. This blog post is for educational and informational use and may be used for those purposes without permission by providing acknowledgment of its source. Use of this blog post for commercial purposes is prohibited. To browse a complete catalog of School of Government publications, please visit the School's website at www.sog.unc.edu or contact the Bookstore, School of Government, CB# 3330 Knapp-Sanders Building, UNC Chapel Hill, Chapel Hill, NC 27599-3330; e-mail sales@sog.unc.edu; telephone 919.966.4119; or fax 919.962.2707.

NORTH CAROLINA

RES-2023-051

ORANGE COUNTY

REFUND RESOLUTION (Denial)

Whereas, North Carolina General Statutes 105-381 allows for the refund of taxes when the Board of County Commissioners determines that a taxpayer applying for the refund has a valid defense to the tax imposed; and

Whereas, the properties listed in the attached "Refund Request" has been taxed and the tax has been collected: and

Whereas, as to the property listed in the Refund Request, the taxpayer has timely applied in writing for a refund of the tax imposed but has not presented a valid defense to the tax imposed as indicated on the Request for Property Tax Refunds.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the property tax refund recommended for denial are denied.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners _____

Nayes: _____

I, Laura Jensen, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a regular meeting of said Board held on _____, said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

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

Clerk to the Board of Commissioners

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Proclamation Recognizing Susan Worley

DEPARTMENT: County Manager

ATTACHMENT(S):

Proclamation

INFORMATION CONTACT:

Bonnie Hammersley, 919-245-2300

PURPOSE: To consider a proclamation recognizing and expressing gratitude to Susan Worley for her devotion and service to the people of Orange County.

BACKGROUND: After 35 years of service with Volunteers for Youth, Inc., Susan Worley is stepping down as the Executive Director.

Ms. Worley has been a leader in providing services for area youth for much of her life. Under her leadership, Volunteers for Youth has excelled as a non-profit organization assisting youth across Orange County through teen court, community service, and mentoring programs.

Ms. Worley has also offered leadership and guidance to the countless individuals, providing career advice and encouragement, and set a high standard for generations of nonprofit leaders.

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 Susan Worley for her service to the people of Orange County and wishing her well in her retirement.

ORANGE COUNTY BOARD OF COMMISSIONERS

PROCLAMATION RECOGNIZING AND HONORING SUSAN PROTHRO WORLEY, RETIRING EXECUTIVE DIRECTOR, VOLUNTEERS FOR YOUTH

WHEREAS, Susan Prothro Worley was not born a Tar Heel, but was fortunate enough to arrive with her family to Chapel Hill, North Carolina in time to celebrate her seventh birthday in 1960; and

WHEREAS, Ms. Worley was educated in the Chapel Hill-Carrboro City Schools system, and received an education degree from University of North Carolina-Chapel Hill and later a master's degree from the School of Social Work; and

WHEREAS, in 1989, Ms. Worley became the Executive Director of Volunteers for Youth, Inc., a nonprofit agency serving Orange County children and teens and was the agency's only full-time employee overseeing a mentoring program; and

WHEREAS, under Ms. Worley's leadership, Volunteers for Youth has grown into a robust organization benefitting thousands of local youth through teen court, community service, and mentoring programs; and

WHEREAS, during her distinguished thirty-five year career, Ms. Worley's leadership and guidance has extended to the countless staff members, interns and volunteers she has been a mentor to, providing invaluable career guidance and encouragement and setting a high standard for generations of nonprofit leaders; and

WHEREAS, in addition to leading Volunteers for Youth, Ms. Worley has been instrumental in shaping our community through her numerous volunteer efforts including as a UNC School of Social Work Field Instructor, founder of the Third Sector Alliance, Member of UNC Center for Public Service Advisory Council, Interfaith Council for Social Services Board member, Chapel Hill Historical Society Board member, and current Guide for Chapel Hill Historical Walking Tours; and

WHEREAS, Ms. Worley is retiring from Volunteers for Youth on June 30, 2023, after 35 years in non-profit leadership and service to our communities, 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 Susan Prothro Worley to the Orange County community, and wish her well in her retirement.

This the 20th day of June, 2023.

Jamezetta Bedford, Chair
Orange County Board of Commissioners

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Renewal of Health Services Agreement with Southern Health Partners for Medical Services at the Orange County Detention Center

DEPARTMENT: Sheriff's Office

ATTACHMENT(S):

Renewal Letter Dated April 13, 2023 for
Contract Period July 1, 2023–June
30, 2024

INFORMATION CONTACT:

Sheriff Charles S. Blackwood,
919.245.2900
Jennifer Galassi, Legal Advisor to the
Sheriff, 919.245.2952

PURPOSE: To approve a renewal of the Health Services Agreement with Southern Health Partners for medical services at the Orange County Detention Center for Contract Period July 1, 2023 through June 30, 2024.

BACKGROUND: Since 2009, the County has contracted with Southern Health Partners (SHP) to provide a structured and comprehensive medical program for inmates housed in the Orange County Detention Center (OCDC). SHP is experiencing rising costs associated with providing competitive pay rates to staff and inflationary costs related to supply lines and core business insurance.

FINANCIAL IMPACT: Upon approval of the renewal, the monthly contract price will increase \$19,500.94 per year (\$1,625.07 per month). The new contract price, effective July 1, 2023, will be \$409,518.48 annually (\$34,126.54 per month). If the average daily population (ADP) exceeds 140 inmates, the compensation payable to SHP shall be increased by a per diem rate of \$1.60 for each inmate over 140.

Other financial obligations under the Agreement remain unchanged.

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.

- **GOAL: CREATE A SAFE COMMUNITY**

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

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 renewal of the Health Services Agreement with Southern Health Partners for medical services at the Orange County Detention Center; and authorize the Chair to sign on behalf of the Board.

April 13, 2023

Sheriff Charles Blackwood
Orange County Sheriff's Office
106 East Margaret Lane
Hillsborough, NC 27278

Re: Health Services Agreement

Dear Sheriff Blackwood:

Southern Health Partners has been proudly partnering with Orange County since 2009. With our contract anniversary approaching, I want to welcome you to reach out with any questions or needs. I would be happy to speak with you if there were any areas of the contract you would like to discuss.

Being on the front lines caring for patients and serving our customers' correctional health care needs, SHP has repeatedly confronted a range of financial and operational challenges since the outset of the pandemic, including substantial growth in expenses across labor, drugs, and supplies, let alone higher economy-wide inflation. Labor costs have presented a dramatic and extended wave of challenges. Quality staffing is central to the care process and represents a significant portion of our operating budget. With nursing shortages being what they are nationally, we have continued to experience considerable issues with recruitment and retention of nurses, especially in perspective to correctional work.

As we strive to ensure coverage at our facilities, we have become increasingly reliant on utilizing current staff, Operational managers, travel nurses and agency staffing as resources for providing coverage until we can bring on permanent team members to fill open positions. We have increased recruitment efforts as well as added higher pay rate scales, sign-on bonuses, and other benefits to help attract applicants. These coverage and recruitment practices, of course, come at a much greater cost to SHP than originally budgeted for in our contracts, as the parties could not have foreseen such an unprecedented hike in healthcare labor costs.

Professional lines of insurance and employee benefits costs have continued an upward trend, as well as expenses for prescription drugs. Medical supply costs are another area which has hit hard over the past few years, considering supply chain disruptions and infection control practices/procedures put in place to comply with governmental regulations and to assure the health and safety of patients, and facility/medical staff. A major driver in increased medication costs has been the continued spike in drug prices, coupled with increased utilization, treating sicker patients in the correctional environment during and since the pandemic.

Despite persistent cost pressures, SHP has tried to price annual contract adjustments modestly over the history of the contract. Unfortunately, our direct and indirect costs have escalated to the point of being unsustainable without an adequate annual increase for the new contract year. We have incorporated a 5% adjustment on the base fee and per diem rate based on continuation of the program at the current level of staffing/services for the 2023-2024 period. The new rates are provided for you below.

Sheriff Charles Blackwood
Orange County Sheriff's Office
Page 2
April 13, 2023

Contract Period: July 1, 2023 through June 30, 2024	
Base annualized fee:	\$409,518.48 (\$34,126.54 per month)
Per diem greater than 140:	\$1.60
Annual outside cost pool limits:	\$60,000.00 (first tier); \$140,000.00 (second tier)

Again, please feel free to reach out to me directly with any questions at 423-553-5635, ext. 922. **I will ask that you keep this letter on file with your contract and return a signed copy to me at your earliest convenience, or by May 26, 2023**, for the historical contract record and to confirm the renewal of our original Health Services Agreement dated August 18, 2009 with Orange County. A scan to email will be fine at jeanette.rodriquez@southernhealthpartners.com or if you prefer by direct confidential fax at 423-305-6964. **If this letter is not signed in a timely manner, then billing will be prorated back to the contract inception date.** Except as stated herein, or as may be amended or modified in writing by mutual agreement of the parties, all provisions of the contract will remain in full force and effect.

We appreciate the support and resources provided by our customers, and we will continue to look toward mutually beneficial solutions in partnership together so that SHP can stay strong in providing high-quality care to the patients we serve.

Sincerely,

SOUTHERN HEALTH PARTNERS, INC.

ORANGE COUNTY, NC

BY:

Jeanette Rodriguez

Jeanette Rodriguez
Contracts Administrator

cc: Chief Deputy Jamison Sykes
Jennifer Galassi, Legal Advisor

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: JCPC Certification and County Plan for FY 2023-2024

DEPARTMENT: Social Services

ATTACHMENT(S):

1. NC Department of Public Safety
Juvenile Crime Prevention Council
Certification

2. Juvenile Crime Prevention Council
County Plan 2023-2024

INFORMATION CONTACT:

Nancy Coston, 245-2802
Sharron Hinton, 245-2840

PURPOSE: To approve the Orange County Juvenile Crime Prevention Council (JCPC) Certification and County Plan for FY 2023-2024.

BACKGROUND: Orange County receives \$359,096 from the NC Department of Public Safety to provide program services to juvenile offenders through the JCPC. The County is required to provide a 30% match which totals \$107,729, which was included in the Manager's recommended budget. (Note: The attached funding grid reflects the County match as well as other local dollars awarded to the program agencies.)

Every JCPC in the State of North Carolina must be certified to perform the legislated duties outlined in the North Carolina General Statutes. The certification verifies that the local JCPC has completed the following responsibilities in its efforts to function within the guidelines of legislation:

- Membership: positions are filled and appointed by the Board of Commissioners with staggered terms;
- By-laws: the JCPC has current bylaws;
- Policies and Procedures: the JCPC has written policies and procedures for funding of programs and conflict of interest;
- Leadership: the JCPC has a Chair and Vice-Chair at a minimum;
- Minutes: minutes of meetings are recorded and maintained;
- Meetings: the JCPC meets at least bi-monthly and a majority of members is required to conduct business;
- Program Monitoring/Evaluation: the JCPC monitors and evaluates all funded programs;
- Media and Requests for Proposal (RFP): the JCPC communicates through the media and by written RFP the availability of funding to all public and private non-profit agencies and interested community members that serve at-risk children and their families;
- Public Awareness: the JCPC announces meetings in advance to the public and makes the community aware of the results of the planning process;
- Risk Factor Assessment: the JCPC documents prioritization of risk factors;

- Comprehensive Strategy Assessment: the JCPC documents services available to meet prioritized risk factors and an assessment of gaps issues and barriers to needed services;
- Needed Interventions: the JCPC documents the prioritized, needed interventions;
- Outcomes and Strategies: the JCPC reviews juvenile justice data and develops specific outcomes and strategies for implementation;
- Funding: the JCPC Annual Plan includes the Funding Plan.

FINANCIAL IMPACT: The Certification document must be received by the NC Department of Public Safety, Division of Adult Correction and Juvenile Justice, by June 30, 2023 in order for local program funds to be disbursed beginning in the month of July.

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

- **GOAL: CREATE A SAFE COMMUNITY**
The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

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 JCPC Certification and County Plan for FY 2023-2024 and authorize the Chair to sign the associated documents.

Juvenile Crime Prevention Council Certification

Fiscal Year: 2023-2024 _____

County: Orange	Date: 5/25/2023
<p>G.S. 143B-853 allows for a 2-year funding cycle for programs that meet the requirements of the statute and have been awarded funds in a prior funding cycle. Indicate below if the JCPC plans to allow for a 1-year or 2-year funding cycle.</p> <p style="text-align: center;">(Check 2-year if the JCPC has a mixture of 1-year and 2-year funding.)</p>	
1-Year Funding: FY 2023-2024	2-Year Funding: FY _____ and FY _____

CERTIFICATION STANDARDS

STANDARD #1 - Membership

- | | |
|---|--------------|
| A. Have the members of the Juvenile Crime Prevention Council been appointed by county commissioners? | Yes
_____ |
| B. Is the membership list attached? | Yes
_____ |
| C. Are members appointed for two-year terms and are those terms staggered? | Yes
_____ |
| D. Is membership reflective of social-economic and racial diversity of the community? | Yes
_____ |
| E. Does the membership of the Juvenile Crime Prevention Council reflect the required positions as provided by N.C.G.S. §143B-846? | No
_____ |

If not, which positions are vacant and why?

Person Under the Age of 21 - recruitment efforts to find new representative have been unsuccessful; will conduct outreach to schools and youth serving organizations to try to find an interested youth

Member of Business Committee - recruitment efforts to find new representative have been unsuccessful; will conduct outreach to chambers of commerce.

Representative of Parks and Rec - council member left previous year and efforts to find replacement have been unsuccessful; will continue outreach to local parks and rec departments to try to find representative.

STANDARD #2 - Organization

- | | |
|--|--------------|
| A. Does the JCPC have written Bylaws? | Yes
_____ |
| B. Bylaws are <input checked="" type="checkbox"/> attached or <input type="checkbox"/> on file (Select one.) | |
| C. Bylaws contain Conflict of Interest section per JCPC policy and procedure. | Yes
_____ |
| D. Does the JCPC have written policies and procedures for funding and review? | Yes
_____ |
| E. These policies and procedures <input type="checkbox"/> attached or <input checked="" type="checkbox"/> on file. (Select one.) | |
| F. Does the JCPC have officers and are they elected annually? | Yes
_____ |
| JCPC has: <input checked="" type="checkbox"/> Chair; <input checked="" type="checkbox"/> Vice-Chair; <input checked="" type="checkbox"/> Secretary; <input checked="" type="checkbox"/> Treasurer. | |

STANDARD #3 - Meetings

- | | |
|--|--------------|
| A. JCPC meetings are considered open and public notice of meetings is provided. | Yes
_____ |
| B. Is a quorum defined as the majority of membership and required to be present in order to conduct business at JCPC meetings? | Yes
_____ |
| C. Does the JCPC meet six (6) times a year at a minimum? | Yes
_____ |
| D. Are minutes taken at all official meetings? | Yes
_____ |
| E. Are minutes distributed prior to or during subsequent meetings? | Yes
_____ |

STANDARD #4 - Planning

- A. Does the JCPC conduct a minimum of biennial planning process which includes a needs assessment, monitoring of programs and funding allocation process? Yes
- B. Is this Annual or Biennial Plan presented to the Board of County Commissioners and to DPS? Yes
- C. Is the Funding Plan approved by the full council and submitted to Commissioners for their approval? Yes

STANDARD #5 - Public Awareness

- A. Does the JCPC communicate the availability of funds to all public and private non-profit agencies which serve children or their families and to other interested community members? (RFP, distribution list, and article attached) Yes
- B. Does the JCPC complete a minimum of biennial needs assessment and make that information available to agencies which serve children or their families, and to interested community members? Yes

STANDARD #6 – No Overdue Tax Debt

- A. As recipient of the county DPS JCPC allocation, does the County certify that it has no overdue tax debts, as defined by N.C.G.S. §105-243.1, at the Federal, State, or local level? Yes

Briefly outline the plan for correcting any areas of standards non-compliance.

N/A

Having complied with the Standards as documented herein, the Juvenile Crime Prevention Council may use up to \$15,500 of its annual Juvenile Crime Prevention fund allocation to cover administrative and related costs of the council. Budget pages (sections VI and VII) printed from NCALLIES detailing the expenditure's must be attached to this certification.

The JCPC Certification **must be received by DPS by June 30th annually.**

**JCPC Administrative Funds
SOURCES OF REVENUE**

DPS JCPC	
Only list requested funds for JCPC Administrative Budget.	<u>\$10,282</u>
Local	<u>\$2,363</u>
Other	<u>0</u>
Total	<u>\$12,645</u>

JCPC Chairperson Date

Chair, Board of County Commissioners Date

DPS Designated Official

Date

Orange

County

FY 2023-2024

Instructions: N.C.G.S. § 143B-846 specifies suggested members be appointed by county commissioners to serve on local Juvenile Crime Prevention Councils. In certain categories, a designee may be appointed to serve. Please indicate the person appointed to serve in each category and his/her title. Indicate appointed members who are designees for named positions. Indicate race and gender for all appointments.

Specified Members	Name	Title	Designee	Race	Gender
1) School Superintendent or designee	Charlos Banks	Senior Executive Director of Student Services	<input checked="" type="checkbox"/>	B	F
2) Chief of Police or designee	Paul Bell	Captain	<input checked="" type="checkbox"/>	B	M
3) Local Sheriff or designee	Tina Sykes	Lieutenant	<input checked="" type="checkbox"/>	W	F
4) District Attorney or designee	Rachel Gessouroun	Assistant District Attorney	<input checked="" type="checkbox"/>	W	F
5) Chief Court Counselor or designee	Amanda Farris	Chief Court Counselor	<input type="checkbox"/>	W	F
6) Director, Local Management Entity/Managed Care Organization (LME/MCO), or designee	Laurie Williamson	VAYA Representative	<input checked="" type="checkbox"/>	W	F
7) Director DSS or designee	Bernard Miles	CPS Treatment Supervisor	<input checked="" type="checkbox"/>	B	M
8) County Manager or designee	Sharron Hinton	Human Services Manager	<input checked="" type="checkbox"/>	B	F
9) Substance Abuse Professional	Carol McClelland	Director of Outpatient Services		W	F
10) Member of Faith Community	Kysha Thompson	Pastor		B	F
11) County Commissioner	Phyllis Portie-Ascott	Orange County Commissioner		B	F
12) Two persons under the age of 21, or one person under the age of 21 and one member of the public representing the interests of families of at-risk juveniles					
	Lateef Mitchell	Student Community Support Liaison		B	M
13) Juvenile Defense Attorney	Crista Collazo	Assistant Public Defender		W	F
14) Chief District Judge or designee	Joal H. Broun	District Court Judge	<input checked="" type="checkbox"/>	B	F
15) Member of Business Community					
16) Local Health Director or designee	Dana Crews	Division Director for Community Health Services	<input checked="" type="checkbox"/>	B	F

Juvenile Crime Prevention Council Certification (cont'd)

17) Rep. United Way/other non-profit	Gayane Chambless	Coordinator, Orange Partnership for Alcohol and Drug Free Youth		W	F
18) Representative/Parks and Rec.					
19) County Commissioner appointee	Jon Berkley	Court Counselor Supervisor		B	M
20) County Commissioner appointee	Tami Pfeifer	Youth Behavioral Health Liaison		W	F
21) County Commissioner appointee					
22) County Commissioner appointee					
23) County Commissioner appointee					
24) County Commissioner appointee					
25) County Commissioner appointee					

SECTION VI: BUDGET NARRATIVE			
JCPC Administration		Fiscal Year	FY 23-24
Item #	Justification	Expense	In Kind Expense
220	Food for meetings (\$375 x 6 JCPC meetings = \$2,250; \$200 x 1 funding committee meeting; \$200 x 1 risk and needs committee meeting: totals \$2,650)	\$2,650	
260	Office supplies, i.e., paper, printer ink, etc. (~\$80 x 12 = \$960)	\$960	
390	Training(s) for JCPC members, JCPC program providers and community stakeholders	\$6,632	
390	Provide sponsorships for court involved and at-risk youth to attend summer camps and/or programs	\$2,403	
TOTAL		\$12,645	\$0

Job Title	Annual Expense Wages	Annual In Kind Wages
TOTAL		

SECTION VII: BUDGET NARRATIVE LINE ITEM SUMMARY			
Program:	JCPC Administration		
Fiscal Year:	FY 23-24	Number of Months:	12
	Cash	In Kind	Total
I. Personnel Services			\$0
120 Salaries & Wages			\$0
180 Fringe Benefits			\$0
190 Professional Services*			\$0
*Contracts MUST be attached			
II. Supplies & Materials	\$3,610		\$3,610
210 Household & Cleaning			\$0
220 Food & Provisions	\$2,650		\$2,650
230 Education & Medical			\$0
240 Construction & Repair			\$0
250 Vehicle Supplies & Materials			\$0
260 Office Supplies and Materials	\$960		\$960
280 Heating & Utility Supplies			\$0
290 Other Supplies and Materials			\$0
III. Current Obligations & Services	\$9,035		\$9,035
310 Travel & Transportation			\$0
320 Communications			\$0
330 Utilities			\$0
340 Printing & Binding			\$0
350 Repairs & Maintenance			\$0
370 Advertising			\$0
380 Data Processing			\$0
390 Other Services	\$9,035		\$9,035
IV. Fixed Charges & Other Expenses			\$0
410 Rental or Real Property			\$0
430 Equipment Rental			\$0
440 Service and Maint. Contracts			\$0
450 Insurance & Bonding			\$0
490 Other Fixed Charges			\$0
V. Capital Outlay			\$0
[This Section Requires Cash Match]			
510 Office Furniture & Equipment			\$0
530 Educational Equipment			\$0
540 Motor Vehicle			\$0
550 Other Equipment			\$0
580 Buildings, Structure & Improv.			\$0
Total	\$12,645	\$0	\$12,645

BY-LAWS

ORANGE COUNTY JUVENILE CRIME PREVENTION COUNCIL

ARTICLE I: NAME AND PURPOSE

Section 1 General Statute 143B-845 - 852 sets out that it is the intent of the General Assembly to prevent juveniles who are at risk from becoming delinquent and develop community-based alternatives to youth development centers and to provide community-based delinquency, substance abuse and gang prevention strategies and programs.

The statute also says that the General Assembly intends to provide non-institutional disposition alternatives that will protect the community and juveniles. These programs and services are to be planned at the local level by local Juvenile Crime Prevention Councils (hereinafter referred to as The Council) in partnership with the state.

Section 2 The name of this body shall be the Orange County Juvenile Crime Prevention Council.

Section 3 The Council is created by the General Assembly and accountable to the Orange County Board of Commissioners, (hereafter referred to as County Commissioners). The Council is made up of interested Orange County citizens and professionals.

Section 4 An important function of The Council is to make recommendations to the County Commissioners regarding the expenditure of funds for programs geared toward the prevention of and intervention into juvenile delinquency and to provide oversight to those programs funded to provide services.

Section 5 Review the needs of juveniles in Orange County who are at risk of delinquency or who have been adjudicated undisciplined or delinquent, evaluate the resources available to address those needs, and develop strategies to address unmet needs.

Section 6 Fund direct services to intervene and appropriately respond to and treat the needs of juveniles at risk of delinquency through the study of juvenile risk/needs data as well as other community data.

- Section 7** Fund direct services to intervene and appropriately respond to the needs of juveniles who have been associated with gang activity or who are at risk of becoming associated with gang activity.
- Section 8** Ensure that appropriate intermediate dispositional options are available and shall prioritize funding for dispositions of intermediate and community level sanctions for court adjudicated juveniles under minimum standards adopted by the Department of Public Safety, Division of Adult Corrections and Juvenile Justice.
- Section 9** Evaluate programs funded by The Council as a condition of continued funding.
- Section 10** Increase public awareness of the causes of delinquency and of strategies to reduce the problem.
- Section 11** Plan for a permanent funding stream for delinquency prevention programs.
- Section 12** Comply with current DPS JCPC Policies and Procedures.

ARTICLE II: MEMBERSHIP

- Section 1** For Orange County to receive funding, the County Commissioners must appoint a Council that consists of not more than 26 members and should include, if possible, the following:
1. The local school superintendent or designee;
 2. The chief of police in the county or designee;
 3. The local sheriff, or designee;
 4. The district attorney, or designee;
 5. The chief court counselor, or designee;
 6. Director, Local Management Entity/Managed Care Organization (LME/MCO), or designee abuse authority, or designee
 7. The director of DSS, or designee;
 8. The county manager, or designee;
 9. The substance abuse professional;
 10. A member of faith community;
 11. A county commissioner;
 12. Two persons under the age of 21, or one person under the age of 21 and one member of the public representing the interests of families of at-risk juveniles
 13. A juvenile defense attorney;
 14. The Chief District Court Judge or designee;
 15. A member of the business community;
 16. The local health director, or designee;
 17. A representative of United Way or other non-profit;

18. A representative of local parks and recreation; and
 19. Up to seven members appointed by the board of county commissioners.

Section 2 Each member shall serve a term of two years and may be reappointed by the County Commissioners. Terms of appointment shall begin July 1st of each year.

Section 3 The Council shall make recommendations to the County Commissioners to fill any membership vacancies.

Section 4 Three consecutive unexcused absences shall constitute grounds for replacement. Members are expected to notify the chairperson in advance of scheduled meetings if unable to attend.

Section 5 A quorum shall be a majority of appointed members.

ARTICLE III: OFFICERS

Section 1 The offices shall consist of a Chairperson, Vice-Chair, Secretary and Treasurer (optional)

Section 2 These officers shall be elected from The Council membership on an annual basis and on or before the first meeting of the fiscal year and may succeed themselves. The elected officers of The Council shall include:

1. Chair – Shall preside over all meetings with a set agenda and shall decide all matters of order and procedures subject to these Bylaws; has the authority to appoint committee members and subcommittees as necessary to conduct business of The Council; accountable to the JCPC and DPS for the expenditures of the JCPC administrative funds and ensures all fiscal reports for these funds are completed and submitted to DPS by the established DPS due dates; responsible for approving JCPC Program Agreements, Program Agreement Revisions, Third Quarter Accountings and Final Accountings through the DPS electronic signature process; responsible for the submission of the Annual Report, County Funding Plan, JCPC Certification and other fiscal/funding documents per direction of DPS. The Chair represents The Council before the County Commissioners and other agencies and community groups.

2. Vice-Chair – Shall serve as acting Chair in the absence of the Chair and as such shall have the same power and duties as the Chair when presiding.

3. Secretary – Shall assist the Chair/Vice-Chair regarding the organization and planning of meetings for The Council; takes minutes for all of The Council proceedings and makes them available to The Council members by the next scheduled meeting; records all resolutions and votes taken in matters; sends notices regarding meetings as requested by the Chair/Vice-Chair; keeps an accurate and current membership list, takes roll and determines a quorum for all meetings of the general membership.

NOTE: The Council may recruit a community volunteer for this position or, approve JCPC funds to pay someone to fulfil this position through a Contract for Professional Services. When contracting for this position, a Secretary will not be an elected Officer of The Council in order to comply with statute of council members not being financially compensated.

4. Treasurer, optional - Shall be accountable to The Council and DPS for the expenditures of the JCPC administrative funds; submits all fiscal reports to DPS by the established due dates to include Third Quarter Accounting, Final Accounting and Program Agreement Revisions, as needed, throughout the year.

NOTE: The Council may reply on the elected officers and/or volunteer/contracted position to fulfill these responsibilities.

Section 3 Removal from The Council

A member shall be removed for malfeasance or nonfeasance as determined by the County Board of Commissioners. Additionally, the County Board of Commissioners may remove a member upon the recommendation of the Council for any of the following reasons:

1. Absence, without excuse, from three (3) scheduled meetings, within one year.
2. Failure to participate in the work of The Council
3. Conduct that demonstrates a lack of responsibility or is unbecoming of The Council.

ARTICLE IV: MEETINGS

Section 1 The Council shall meet at least bi-monthly or more often if a meeting is called by the Chairperson.

Section 2 All meetings shall follow Open Meetings Law and conducted in accordance with Robert's Rules of Order.

- Section 3** Meetings may be held in-person or at the discretion of the Chair, virtually. Meetings conducted in-person, shall offer the option for attendees to join the meeting virtually. Members joining a virtual meeting shall count towards the quorum and count as actual attendance for that JCPC meeting.
- Section 4** The membership shall be notified of all meetings, in writing, or by phone at least five days prior to the meeting.
- Section 5** Minutes shall be taken at every meeting and distributed prior to or at the subsequent meetings.
- Section 6** Special Meetings
- 6.1** The Chairperson may call special meetings as deemed necessary to carry out the duties of The Council.
- 6.2** Notice of special meetings shall be given to The Council, in writing, by phone, or by email at least two days in advance.

ARTICLE V: FUNDING PROCEDURES

- Section 1** Screening Applications for Funding.
- Section 1.1** All applications submitted to The Council will be screened by the Funding and Review Committee.
- Section 1.2** Proposals will be scrutinized according to whether they meet the needs as provided in the annual needs assessment, the requirements of the Request for Proposals (RFP) as well as for program effectiveness, staffing issues, amount requested and expectations of the program.
- Section 2.** Voting to Fund
- Section 2.1** The Council, except as hereinafter excluded, will vote on the recommended funding provided by the Funding/Review Committee and may amend recommendations before a final vote.
- Section 2.2** Members of The Council who are affiliated with a program who is a recipient of funding shall not be eligible to vote on any business relating to that particular program.

Section 3 Approved or Disapproved.

Section 3.1 The Council shall adopt procedures for program funding which are consistent with DPS JCPC Policies.

Section 3.2 Funding Decisions

1. Applicants shall be notified of the funding decision, in writing, within ten (10) business days of the approved funding decision.
2. Notifications must include comments supporting (why or why not funded) the funding decisions.

Section 3.3 Applicants

May request, in writing to the JCPC Chair, the funding process protocol followed by The Council within five (5) business days of receiving the funding notification. Requests will be reviewed by the Funding Committee and presented to The Council at the next scheduled JCPC meeting following receipt of the request. The JCPC Chair or the Funding Committee Chair, will respond to the applicant, in writing, within ten (10) business days following the JCPC meeting.

ARTICLE VI: JCPC MONITORING

Section 1 The Monitoring Committee, comprised of JCPC members not affiliated with funded programs, shall conduct annual on-site monitoring visits of the JCPC funded programs. The committee chair is responsible for submitting the DPS form, JCPC Monitoring Report and Confidentiality Statement, and reporting the outcomes to The Council and DPS at the scheduled meeting following the monitoring visit.

ARTICLE VII: CONFLICT OF INTEREST

Section 1. Juvenile Crime Prevention Council (JCPC) members are public officers. N.C. Gen. Stat. § 14-234 requires that:

1. No public officer or employee who is involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract except as provided in this section, or as otherwise allowed by law; and
2. A public officer or employee who will derive a direct benefit from a contract with the public agency he or she serves, but who is not involved in making or administering the contract, shall not attempt to influence any other person who is involved in making or administering the contract; and (3) No public officer or employee may solicit or receive any gift, reward, or promise of reward in

exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency he or she serves.

Accordingly, no JCPC member or managing staff may receive directly or indirectly, any funds disbursed from the State of North Carolina, except for duly, authorized staff compensation and benefits, and reimbursement for expenses actually incurred in connection with the Council's business and in accordance with final approved grant agreements.

Orange County JCPC desires to require its members to avoid conflicts of interest or the appearance of impropriety in the disbursement of State funds;

No member of the JCPC shall be deemed to benefit directly or indirectly from any contract or grant funded in whole or in part by State funds if he/she receives only the salary or stipend due to him/her in the normal course of employment with, or service to, said JCPC.

These policies have been communicated to members and full disclosure has been provided for any possible appearance of conflict of interest that may exist. All members will be required to sign the conflict of interest disclosure policy on a yearly basis at the beginning of the fiscal year or upon appointment to the Board.

Council members shall not use their official affiliation with the JCPC to secure preferential treatment for any juvenile. Council members shall not use confidential information regarding juveniles or their families, JCPC agencies or other council members for personal gain or benefit. Council members must disclose, in writing, by submitting the DPS JCPC Conflict of Interest Disclosure Form for JCPC Members (Form DPS 13 001 c), a (potential) conflict of interest when the council member:

1. Is related to a program staff member;
2. Is related to another JCPC member;
3. Has/may have personal, financial, professional, and/or political gain at the expense or benefit of the JCPC, other than the benefit of therapeutic intervention for the juveniles and families served by JCPC funded programs;
4. Or a council member's family member participates in activities of, is a member of, or is an employee of a business entity that may be viewed as having direct or indirect influence over the JCPC's business;
5. Or a council member's family member may be viewed as having direct or indirect financial gain from personal or business investments/interest in real property held by that council member;
6. Received honorarium or other compensation outside of the scope of employment and operations that creates or appears to create bias;
7. Secured employment with a competing applicant for JCPC funding; and

8. Has a relationship other than professional with a JCPC funded program or applicant for funding, or any staff member or volunteer working for the program/applicant?

A. Disclosure of any conflict of interest is mandated by statute.

The Chair shall:

1. Initiate annual review of all conflict of interest disclosures and compare JCPC actions taken as a result of the disclosure to the JCPC's bylaws; and
2. Ensure all new and existing council members receive the DPS Conflict of Interest Disclosure Form for JCPCs (Form DJJ 13 001c) and are made aware of the JCPC's conflict of interest policy, which states:

The purpose of disclosure of financial and personal interests (business, professional, or political) of JCPC members is to avoid conflicts of interest, potential conflicts of interest and the appearance of conflicts of interest between the member's private interest and his/her public duties. It is critical to this process that JCPC members examine, evaluate, and disclose those personal and financial interests that may pose a real or potential conflict of interest. Each JCPC member must take an active, thorough, and conscientious role in the disclosure and review process, including having a complete knowledge of how the JCPC member's private interests (business, professional, or political) might impact his/her position or duties on the council. JCPC members have an affirmative duty to provide any and all information that a reasonable person would conclude is necessary to disclose any conflict of interest, potential conflict of interest, or the appearance of a conflict of interest between the member's public and private interests; however the disclosure, review, and evaluation process is not intended to result in the disclosure of unnecessary or irrelevant personal information.

Therefore, personal relationships that may inappropriately influence (bias) or appear to influence actions must be disclosed. Conflict means a conflict or the appearance of a conflict between the private interests and official responsibilities of a person in a position of trust, including a Juvenile Crime Prevention Council member.

Failure to disclose any conflicts of interest, potential conflicts of interest and the appearance of conflicts of interest within the JCPC may result in the DPS cessation of any further State funds.

To comply with this mandate and with DPS JCPC Policy (1 Operations: JCPC Operations), the Orange County Juvenile Crime Prevention Council adopts the use of the DPS JCPC Conflict of Interest Disclosure Form for JCPC Members (Form DPS 13 001c Conflict of Interest Disclosure Form for JCPC Members).

3. Any action taken by The Council in response to a conflict of interest being disclosed by a JCPC member shall be recorded in the minutes of the meeting

ARTICLE VIII BY-LAWS AMENDMENTS

Section 1 Amendments to these Bylaws require a majority vote of members

Section 2 Amendments are permissible at any time but must be brought before The Council at least one meeting prior in which the vote will be taken.

These Bylaws shall become effective immediately upon approval of a majority vote by The Council.

Amended Bylaws respectfully submitted to The Council for review on this date: Aug 7, 2020.

Adopted as amended as of this date: Oct 2, 2020.

A handwritten signature in black ink, appearing to read "Bernard Miles", is written over a horizontal line.

Signature: Bernard Miles, Chair
Orange County Juvenile Crime Prevention Council

**Orange County Juvenile Crime Prevention Council Meeting
Friday, August 5, 2022 (12:00noon – 2:00pm)
Virtual Zoom Meeting**

Proposed Minutes

Attendees: Sharron Hinton, Kysha Thompson, Amy Fowler, Carol McClelland, Gayane Chambless, Laurie Williamson, Hathaway Pendergrass, Crista Collazo, Lateef Mitchell, Amanda Farris, Bernard Miles, Jamie Jacobs, Lucy Battles, LaDanna Strong, Susan Worley, Val Hanson, David Carter, Eddie Crews (*Members in bold)

Absent: Tina Sykes, Rachel Gessouroun, Dana Crews

Excused: Charlos Banks, Jon Berkeley, Tami Pfeifer

Welcome

The meeting opened with a welcome from Chair, Sharron Hinton, and introductions.

Minutes Review and Approval

The Council reviewed the minutes from April 2022. Carol McClelland motioned for minutes to be approved and was seconded by Amy Fowler. Motion carried unanimously.

The Council reviewed the minutes from May 2022. Amy Fowler motioned for minutes to be approved and was seconded by Carol McClelland. Motion carried.

The Council reviewed the minutes from June 2022. Carol McClelland motioned for minutes to be approved and was seconded by Amy Fowler. Motion carried unanimously.

JCPC Business

Nominating Committee – Carol McClelland, Committee Chair

Currently, one nomination has been received for Chair and one nomination has been received for Vice Chair. Sharron was nominated for Chair and accepted the nomination; Carol McClelland was nominated for Vice Chair and accepted the nomination. The floor is open for any additional nominations. Hearing no additional nominations, Hathaway Pendergrass motioned to close nominations from the floor. The Council unanimously voted to appoint Sharron Hinton as Chair. The Council unanimously voted to appoint Carol McClelland as Vice Chair.

Meeting Calendar –

Reviewed meeting calendar for upcoming fiscal year. We will continue to meet every other month and will keep with the virtual format since that seems to be most convenient for members. Please mark the meeting dates on your calendars for the coming year.

Workplan Calendar –

We have a schedule of events and activities throughout the year, so this outlines the timelines and activities that we need to complete, as well as the reporting that is required by the State. This is for your information and review so that you can see where we are with respect to following through with our necessary mandates and activities.

Conflict of Interest forms –

There are required each year for all JCPC Council members. Voting members are required to certify that there are no conflicts of interest, and if there are, to identify them and describe what steps will be taken to address the conflict. Please complete and email back to Sharron Hinton and/or Rebekah Rapoza.

Committee Sign-Up –

We have three subcommittee – Monitoring, Risk and Needs, and Funding. Council members are strongly encouraged to review the provided descriptions and sign-up to serve on at least one committee. You are welcome to serve on more than one. Program providers and other community agencies are welcome to sit on the Risk and Needs committee.

Q: How do we sign up for a committee?

A: Please send an email to Sharron Hinton and/or Rebekah Rapoza.

Crista Collazo, Hathaway Pendergrass, Gayane Chambless, Lateef Mitchell, Carol McClelland, and Amanda Farris volunteered for the Risk and Needs committee.

Bernard Miles, Laurie Williamson, Carol McClelland, Gayane Chambless, and Amanda Farris volunteered for the Funding committee.

Laurie Williamson, Carol McClelland, and Amy Fowler volunteered for the Monitoring committee.

Guest Speaker – Val Hanson representing the Restoring Youth Coalition of North Carolina

RYCNC is a group of ten mediation centers and agencies across the state that applied for grant funding three years ago to do research in a collaborative effort to bring statewide restorative justice processes to the division of juvenile justice. They are in their third year of meeting, and over the last year and a half, have been working directly with DPS and juvenile justice to guide, encourage, and provide structure to restorative justice across the state. Over the next two months, these ten centers will give presentations to all 100 JCPCs in the state.

There are few counties in North Carolina that have restorative justice programs other than teen court. The presentation will give an introduction to restorative justice, share new programming options and a virtual guidebook, and provide information on how you can grow restorative justice in your county.

The traditional system is a punitive punishment system where we talk about what rule was broken and what the punishment should be. Restorative justice talks about how the behavior is unacceptable and fosters accountability and the ability to restore the harm. It's based on crime is violation of people and interpersonal relationships and that it's important to remedy the harm caused by the criminal act. The process is about guiding the offender to acknowledge that what they did was harmful and as much as possible to take action to repair the harm.

Restorative justice is evidence based and has been named a promising practice by the US Department of Justice, National Institute of Justice, and Office of Juvenile Justice and Delinquency Prevention. It is also on the registry of evidence based practices. Being evidence based, restorative justice has been acknowledged to have a positive impact on crime and delinquency, compliance with restitution and fine payments, an offender make reparations for the harm caused by the offense, and a victim's perception of fairness of the justice system.

During the restorative justice process, participants talk about who was impacted, how they were impacted, and what needs to be done to repair the harm. The process offers the youth an opportunity to repair the

harm and know that they can be reintegrated back into their community as much as possible. In general youth tend to see punishment as a passive experience, see themselves as victims, and dwell on their feelings.

Restorative justice happens through restorative practices. These practices are drawn from the fields of education, psychology, social work, organizational development and leadership. Human beings are happier, more cooperative, more productive, and more likely to make positive changes in their behavior when those in position of authority do things with them rather than to or for them to.

Effective July 1, 2022, there are five new restorative practice program types that JCPC providers will be able to offer: Peer Accountability Circles; Responsive Circles; Victim-Youth Conferencing; Family Group Conferencing; and Responsive Circles.

Q: Will we have access to this presentation?

A: Yes. It will be shared along with the RJ guidebook.

Q: What programs are we actually using in Orange County? Are we using them prior to court involvement or post court involvement?

A: Referrals to Dispute Settlement Center for restorative practices can be made at any point. Primarily their services has been used as diversion over the last few years, especially in the schools.

Program Updates

Dispute Settlement Center – We have received three referrals since the beginning of the fiscal year, which is a big start. The referrals have been for incidences of pretty serious harm.

Q: What stage in the process did you get those referrals and what were the charges?

A: To the best of my knowledge, two of them involved weapons, at least one was at adjudication and the other was a diversion that was pled down to a lower offense. All youth were age 14 and up. Val will confirm the information and send an email.

The Exchange Club – Jerrell will be leaving on August 12 and they are currently in the hiring process. We just started having our PTS group. Of the referrals received, two were able to be engaged. Three are enrolled in PTS group and there are three open referrals they are trying to reach, which would give them a total of six for group. For PTS in home, they have four active and have terminated four, three of which were unsuccessful – one moved out of the area and the other two were having a difficult time participating.

Q: It sounds like you are having difficulty contacting people. Do you know why there is difficulty reaching them or do you have a remedy?

A: A couple staff members went out in the field to try to make contact and both were unsuccessful. So, we don't know if it's due to the summer break and maybe when school starts back up parents will be easier to contact.

Q: Where are you referral from?

A: We do have some referrals from JJ, but the ones they are having difficulty reaching are from truancy.

Q: With the schools being out, is the social worker or a contact with the school available to help make a connection with the client?

A: It seems like the school social workers are out for the summer due to receiving away message and it appears that Avis Barnes is the only one covering during the summer.

Q: Did the truancy referrals come in before school let out? Do any of the families have a language barrier? What are the next steps if non-JJ referrals are not able to be contacted? Are there any means to communicate with the schools when their referrals cannot be reached?

A: Lateef mentioned that he is able to help make contact with any of the truancy referrals. He can also help bring the group together to discuss what next steps may be and help problem solve.

Reintegration Support Network – We had some difficulties with our program agreement opportunity and just got it signed ten days ago. We did not receive any referrals during the month of July when the program agreement first became official. Megan and Amanda met a couple weeks ago to discuss the referral process and what it would look like. At this time they are open for business and have been receiving referrals from counselors for a number of years. The conversation they are having internally is how best to engage a participant that is referred and they are still trying to get acquainted with community partners. Most of the difficulties with engagement has not been from youth, but with parents seeing the need and benefit for services. They would love lots of help and guidance and direction, cooperation and collaboration. They have also had a staffing change and are in the midst of hiring for a new participant program manager. An announcement will be going out at the end of next week to community partners.

Volunteers for Youth – They have gotten off to a fairly good start so far with 12 kids being served in Community Service and three in Teen Court. We are a little concerned about referrals to Teen Court but there will be a gathering of SROs in Orange County that they have been invited to and that will hopefully get Teen Court back on their radar.

Volunteers for Youth will be sponsoring an equity training on September 21 from 10a-2:30p at United Church in Chapel Hill. Susan will send out an invitation with all the details, including how to register; it will be free to JCPC members.

Q: Who is sponsoring the training?

A: Educational Equity Institute from Charlotte.

Wrenn House – For the month of July they had one youth. Their target is to serve 10 youth from Orange County. Haven House is doing some reorganization and Kelsey will be stepping down from the Director of Wrenn House; she had been overseeing Wrenn House, street outreach program, and transitional living program, which are three of their larger programs. They have hired a full-time, dedicated staff to oversee just Wrenn House. Kelsey will attend the next meeting and will introduce the new staff.

Q: What was DJJ the referral source for the referral received in July?

A: Yes.

JJ Data Update

May – 14 juveniles at intake (9 were RTA); 45 delinquent complaints; 2 undisciplined complaints; 4 school based complaints; 37 complaints approved for court; 8 complaints diverted; 2 complaints closed; 7 juvenile placed in detention for 104 days; 14 days used at Wrenn House; and 1 YDC admissions.

June – 12 juveniles at intake (2 were RTA); 24 delinquent complaints; 1 undisciplined complaints; 5 school based complaints; 21 complaints approved for court; 2 complaints diverted; 2 complaints closed; 5 juvenile placed in detention for 55 days; 24 days used at Wrenn House; and 0 YDC admissions.

To provide some more information on the detention information, the youth that was admitted to the YDC was in detention for a period of time prior to court and then while awaiting a YDC bed, a bond over youth that had some serious offenses for both of those months, and another youth with some serious offenses that ended up being admitted to a YDC in another county. They also served seven youth on electronic monitoring this year.

Q: Can you share what the trends are for the school referrals?

A: I do not have the offenses of the school based offenses, but the top 10 offenses were breaking and entering, assault, robbery, weapon charges, financial charges, and other more serious offenses.

One serious charge/case can really spike up detention days, and if you get a couple kids then it can really increase the totals detention days.

Consultant Update

We are at the beginning of the new fiscal year and really starting with running through the administrative processes. There will be a new member orientation available on YouTube for any new members, and existing members and programs, and Eddie will share the link when it becomes available.

Programs are getting their Final Accounting reports in. For those unfamiliar with this, it is an expenditure listing for the previous fiscal year and the consultants will spend most of the month of August reviewing these reports.

Please make sure you get your conflict of interest forms signed and get turned into Rebekah and Sharron.

David would like to get out to see each program in person in the coming months.

**Orange County Juvenile Crime Prevention Council Meeting
Friday, October 7, 2022 (12:00noon – 2:00pm)
Virtual Zoom Meeting**

Proposed Minutes

Attendees: Tami Pfeifer, Amy Fowler, Jon Berkeley, Sharron Hinton, Kysha Thompson, Lateef Mitchell, Bernard Miles, Dana Crews, Tina Sykes, Hathaway Pendergrass, Gayane Chambless, Tamarann Marteny, LaDanna Strong, Caraina Edwards, Kassi Dadufalza, Val Hanson, Kayla Merkel, Jamie Jacobs, Sarah Black, David Carter, Rebekah Rapoza (*Members in bold)

Absent: Charlos Banks

Excused: Rachel Gessouroun, Amanda Farris, Laurie Williamson, Carol McClelland, Crista Collazo

Welcome

The meeting opened with a welcome from Chair, Sharron Hinton, and introductions.

Minutes Review and Approval

The Council reviewed the minutes from August 2022. Amy Fowler motioned for minutes to be approved and was seconded by Hathaway Pendergrass. Motion carried unanimously.

JCPC Business

Conflict of Interest forms –

As a reminder, these are required for all members serving on the JCPC. If you haven't had an opportunity to do so, please get those into Rebekah as soon as possible; they're required for all members. If we have any kind of conflict of interest within the agencies or the programs that we're servicing, we do need to report that.

Risk and Needs Committee –

We need to select the chair for the committee and schedule a date.

David, Area Consultant, stated that they just received the data and it's quite extensive. The data this year includes all the YASI information which is 135 questions. They are currently working through analyzing all of it and will be sending it to Amanda for review to ensure it looks accurate before it will be ready for committee review. Given the volume of data this year, it may not be possible to meet in early November like last year. Realistically it will probably be closer to the end of November before everything will be ready for committee review. David will coordinate with the committee members to schedule a day/time to meet just before the December JCPC meeting.

Program Updates (inc. FY 21-22 Measurable Objectives report)

Volunteers for Youth – For the Community Service/Restitution program, all goals were met last year except one very critical one - number served. This is something that has been talked about and has been an issue for all programs, but other than that all goals were met for both programs.

Q: How many youth are currently enrolled?

A: Currently have 16 enrolled with another three intakes scheduled for next week. We thought the numbers would be higher since it seems like referrals have picked up.

Similar to the Community Service program, Teen Court met all goals last year as well, except for the number served. Jamila has been conducting a lot of outreach in the community, including the schools and other organizations in order to get referrals and recruit volunteers.

Lateef Mitchell stated that he would connect with Susan after the meeting because he may be able to help increase their referral numbers through his role as Student Support Liaison.

Dispute Settlement Center – Like Susan, our program’s numbers were also down last year. Last year we served 10, but this year so far, we have already received six referrals since July so numbers seem to be picking up. Programmatically, the youth have really been engaging in the process and writing some good letters of apology where they are able to express remorse, responsibility, and accountability in written form. These letters have been really impactful for those that were harmed.

Q: How are the connections with Orange County schools?

A: In the last couple weeks we have talked with student support and the executive cabinet about how they can provide support. So we are hoping that referrals will be picking up.

The Exchange Club – We were able to serve the number we projected but ran into problems with parental participation in the group. They were willing to bring the youth but didn’t feel they needed to participate themselves. We are hoping to have more success with the group this year. With regards to the in-home component, we did have success getting families to participate and meet goals. Referrals have picked up and we currently have 13 enrolled. We are looking forward to having more participation with the group since Covid is not having as much of an impact anymore. The group space is large enough that it still allows for social distancing and so some of those barriers have decreased. Now the barrier seems to be that parents are working more and don’t have time to participate in the evenings. They are receptive to the in-home component, though, and if they could drop off their kid for the group they’d be happy.

Q: Why do you think parents are resistant to participating?

A: The feedback from parents is that they would participate if the group was virtual. However, the youth would rather have in-person format. We are having a struggle with parents because they think that if it’s virtual it will help with time management and multi-tasking, like cooking dinner in the background. We are trying to acknowledge that and be sensitive, but also recognize that they understand the value that even though it’s convenient, sometimes when you’re talking about real world practice and connecting with your kid it needs to be in person. The virtual format preference from parents is happening across all our programs, not just this one.

Lateef mentioned that when he makes a referral to the program, he sets the expectation with the parent from the beginning, that the in-person participation is expected and required. So maybe if all referring parties can do this it may help cut down on some of the push back.

David mentioned that he ran the referral sources for this program and that none were DJJ-referred. Sometimes without a judge’s order, parents may not feel like they have to complete a program.

Q: Not necessarily related to this particular program, but understanding the report format in general. When looking at the Measurable Objectives report format, is there a guide that explains each column and how the numbers are calculated? What does “terminations” means? What does “answered” and “met” mean?

A: Every program has to have identifiable measureable objectives based on their program type. Terminations refer to youth who have been closed out. Met means that the terminated youth achieved that goal.

Q: What does the “answered” column mean? It seems like someone is answering the questions and that is what the “met” column is being measured against to determine if a measurable objective was met.

A: When a youth is terminated from a program, staff go into NCALLIES and enter the type of termination (successful, unsuccessful, etc.) and answer the measurable objectives. The system then takes those responses and generates the report that you see. The format of the report is system generated and the labeling of columns and calculations is done by the system and may not match with what providers see when they enter the termination information.

Q: Follow-up question. I agree that it looks like the percentage is calculated just by dividing the “met” by “answered”. But why are the number of answers different from the number of terminations? If someone has terminated, wouldn’t you be answering the questions at the end?

A: David will research and follow-up.

Q: Would the monthly report that is optional for programs be helpful in providing some clarity as we move along? We have never required it of programs but maybe it would be helpful.

A: The excel spreadsheet report is optional and some other JCPCs require it. It is designed to be user friendly with monthly tabs to be able to track program and fiscal data. As a JCPC, you can decide if we’d like to require it or continue with a verbal report format.

The monthly report form will be added to next meeting’s agenda for discussion.

Wrenn House – Echoing what other programs have said, our number served was also low last year having served only one youth. This year we have already served one youth and just got a referral the other day.

Q: What was the referral source for the youth this year?

A: I am not sure on the one from August, but the one just received was from DSS.

JJ Data Update

July – 8 juveniles at intake (1 were RTA); 12 delinquent complaints; 2 undisciplined complaints; 1 school based complaints; 9 complaints approved for court; 5 complaints diverted; 0 complaints closed; 1 juvenile placed in detention for 31 days; unknown days used at Wrenn House; and 0 YDC admissions.

August – 8 juveniles at intake (4 were RTA); 11 delinquent complaints; 1 undisciplined complaints; 0 school based complaints; 10 complaints approved for court; 0 complaints diverted; 2 complaints closed; 3 juveniles placed in detention for 55 days; unknown days used at Wrenn House; and 0 YDC admissions.

September – 4 juveniles at intake (3 were RTA); 12 delinquent complaints; 0 undisciplined complaints; 1 school based complaints; 11 complaints approved for court; 0 complaints diverted; 0 complaints closed; 4 juvenile placed in detention for 82 days; unknown days used at Wrenn House; and 0 YDC admissions.

Q: What were the primary types of complaints?

A: Assault and stolen vehicles are high right now. And it seems like a lot of the youth committing these crimes are crossing county lines.

Consultant Update

You all received the report on indicators of school crime and safety that Rebekah sent out this week. That is a national report and I would strongly encourage you all to read it.

Our department received a \$2.5 million grant to do campaigning around gun safety. There have been several meetings that Billy Lassiter has held and they have created a gun safety committee where they will be looking at different campaigns for media, social media, and billboards. What they found during the pandemic was that it was the highest period for gun purchases at any point in history and people were not educated about proper gun safety and storage. Many were being left unsecured in vehicles leading to vehicle break-ins and the guns would then end up on the streets.

There is another committee within our department called RED – Racial and Ethnic Disparities. This came about from a national campaign to reduce disparities among minority youth within the juvenile justice system. It is actually part of our juvenile justice strategic plan and we are encouraging local JCPCs to look at local data as it relates to your county and consider forming a JCPC subcommittee and devising some local strategies. Crystal Lewis is our RED specialist and has all the RED data. If interested, she can come to a meeting and present information and data related to RED. *(Members expressed interest in her coming to present; David will work on getting her on the schedule.)*

There is a program that began in Fayetteville about 6-7 years ago by the Fayetteville Police Department called EKG (Educating Kids on Gun violence) that has gained a lot of traction. The department is embracing the program and trying to get funding for it to be implemented statewide. There may be funding available coming to the JCPCs to replicate the program.

The department would like to provide some baseline training to providers on YASI. YASI is the new assessment form that juvenile court counselors are completing on youth. A YASI score is provided on referrals and providers are required to enter that in NCALLIES. The training would help providers understand the YASI and how the score is determined, but providers would not be required to complete the YASI on their youth.

In the coming months, you may want to review the JCPC Bylaws to see if any updates are needed.

Announcements

Orange Partnership, through Freedom House Recovery Center, was one of seven in the county at a community level to receive a SAMHSA grant. It is a five year grant that will bring about \$1.8 million into our community to focus on things around mental health, nicotine misuse, and cannabis-related issues we are seeing with youth.

WIOA NextGen program is accepting referrals to work with youth and young adults aged 16-24 who are interested in education, training, and employment. All youth must have an identified barrier, one of which being justice involvement. If you have any youth that are interested in these services, please refer them.

Dispute Settlement Center is hosting monthly community listening circles that are still happening virtually for now.

**Orange County Juvenile Crime Prevention Council Meeting
Friday, December 2, 2022 (12:00noon – 2:00pm)
Virtual Zoom Meeting**

Proposed Minutes

Attendees: Sharron Hinton, Gayane Chambless, Carol McClelland, Bernard Miles, Amy Fowler, Laurie Williamson, Tami Pfeifer, Tina Sykes, Kysha Thompson, Hathaway Pendergrass, Joy Clark, Susan Worley, LaDanna Strong, Val Hanson, Pam Weiden, Jamie Jacobs, Kassi Dadufalza, Sarah Black, David Carter, Rebekah Rapoza (*Members in bold)

Absent: Charlos Banks, Rachel Gessouroun, Dana Crews, Jon Berkeley

Excused: Amanda Farris, Lateef Mitchell, Crista Collazo

Welcome

The meeting opened with a welcome from Chair, Sharron Hinton, and introductions. Quorum is not met so the agenda will need to be moved around.

JCPC Business

Monitoring Committee – Monitoring committee members are Amy Fowler, Carol McClelland and Laurie Williamson. They will coordinate responsibilities through email and decide who will monitor which programs.

RED Committee – David will reach out to the RED Coordinator with the State to see if she can give a presentation at the February meeting. Currently, Gayane and Lateef have volunteered to serve on the RED Committee and will coordinate a time to meet, hopefully before the February meeting.

Monthly JCPC Program Report – We have talked previously about having funded programs utilize this report. It is optional but provided by the State to give more structure in program reporting to JCPCs. The question before the JCPC today is do we want to make this a new requirement.

The form is set-up to help both programs and JCPC track their progress. There are sections to record data on referral sources, number admitted and served, terminations, youth demographics, and fiscal/budget information.

Q: Do the programs see any challenges to completing this report?

A: One of the biggest challenges would be getting fiscal information to report monthly. It would require establishing new protocols with their accounting team to be able to get the information on a timely basis.

Q: If the JCPC decides to adopt this form, would all information be required every month? Do we have flexibility to require certain information?

A: Since the report is optional anyways, you can choose which sections programs would need to complete.

Programs stated that they find the report to be helpful for programmatic information but the financial information could be a bit burdensome. It would be good to see information reported monthly and would also provide data for when looking at trends.

Q: Is there an ability to change or add additional categories to the demographic section?

A: The options available under the demographic section are taken directly from the options available in NCALLIES. This leads to a larger issue of NCALLIES possibly needing an update to the demographic options available in the system.

The JCPC would like to explore if there is already a template developed by another county that has more inclusive demographic options and if it's possible to have NCALLIES updated as well. David will reach out to the lead consultant and report back.

To summarize, the JCPC is in favor making the financial section of the report optional, changing Hispanic black to Hispanic non-white, and adding greater inclusionary language within the demographic section.

Carol McClelland motioned to adopt this form with the option to complete the financial section and contingent upon what David finds out from a higher level with regards to changes to the demographic section and Bernard Miles seconded. Motion passed unanimously.

Risk and Needs Committee – The Risk and Needs Committee met last month to review YAZI data, identify the needs of the youth in our county and where there may be gaps in services. The YAZI is administered by the juvenile court counselors and is 33 questions long. There are some questions that are historic, such as legal history, and others that are more dynamic and answers can change overtime. The committee also reviewed racial equity report provided by the Southern Coalition on Juvenile Justice, but for some reason Orange County schools did not provide any data.

Some of the areas of concern for Orange County include:

- Prior runaway history
- Family history of substance use problems
- Family history of mental health problems
- Marginal or inadequate supervision
- Poor school performance (failing classes, attendance rate)
- School infractions or interventions
- Short-term suspension, particularly among black youth, multiracial youth, and youth with disabilities
- Association with delinquent peers and gangs
- Alcohol and drug use with few youth receiving services/treatment
- Mental health problems
- Prior physical or sexual abuse history
- Low rate of involvement in structured activities

After reviewing the data, the committee decided that the following program types should be considered for funding and included in the RFP:

- Interpersonal skill building
- Substance abuse counseling
- Individual, group, mixed counseling
- Mediation/conflict resolution
- Parent and family skill building
- Family counseling
- Temporary shelter care
- Runaway shelter care
- Restitution/community service

- Mentoring services
- Teen Court
- Tutoring/academic enhancement
- Experiential skills
- Juvenile structured day

The committee asked for discussion around posting and closing date for the RFP. The JCPC decided they would like to advertise on January 9, 2023 and close on February 8, 2023.

Carol McClelland made a motion to accept the RFP as written with posting dates of January 9-February 8, 2023 and was seconded by Amy Fowler. Motion passed unanimously.

Minutes Review and Approval

The Council reviewed the minutes from October 2022. Amy Fowler motioned for minutes to be approved and was seconded by Carol McClelland. Motion passed unanimously.

Program Updates

Dispute Settlement Center – They currently have four open referrals and one black male, one white female, and two black females just finished up. Taking the young people through the accountability has really been eye-opening for them, especially when talking about who has been affected by their actions and how.

The Exchange Club – Both group and in-home programs are going well. They have received seven referrals last month and are working hard to engage parents in group. This has been a struggle because they want to continue programming virtually and not in-person. The in-home component is currently at capacity and going well; everyone loves the in-home component.

Q: Where is your Parent Teen Solutions program located?

A: Currently are held at a church in Chapel Hill that is on the bus line. But they are always looking for donated space.

Q: Is there a location in northern Orange for those who wouldn't have easy access to Chapel Hill?

A: We can. The issue currently is trying to match a location to where the parents are located. They tend to follow the flow of the referral. Historically the referrals have been coming from Chapel Hill-Carrboro area.

Q: Are you able to meet the language needs of Spanish speaking families?

A: We are currently working with volunteer interpreters and have had an issue with their availability around group time.

Reintegration Support Network – Jamie Jacobs has served as the Executive Director for RSN for the last four years and is stepping aside to take on responsibilities of programming and to serve as the Director of Operations since Megan Raymond will be leaving RSN. The acting Executive Director has been with the organization for four years and resigned from their board so that he could take on this role while they search for a new Executive Director.

They don't see the transitions having any impact on programming. They have on-boarded a new participant program manager and he has been instrumental in bringing in a number of referrals in such a short amount of time.

Volunteers for Youth – Both Teen Court and Community Service/Restitution programs are going well. Numbers still have not returned to pre-pandemic levels. We, of course, do not want kids getting into trouble but would like to make sure we are serving those in need. They received four referrals for Teen Court last month and are working to get them all admitted into the program. We are working on a community service activity for Martin Luther King, Jr. holiday and more information on that will be forthcoming.

Q: How many referrals for Community Service program have you received?

A: Currently have four referrals and four enrolled, so these referrals will double the number served.

Wrenn House – We currently have served two youth from Orange County and have one open referral.

Q: Do you know where the referrals are coming from or if any were referred by DSS?

A: The current referral is from DSS. The two were referred by CSS and a self-referral.

JJ Data Update

No data to present at this month's meeting.

Consultant Update

The state is currently in crisis situation with staff shortages at the juvenile detention facilities, so much so that some facilities have had to close and youth have been moved to others within the state. This is problematic because some facilities are already at, or over, capacity. Some of juvenile court counselors throughout the state have been going into the facilities to help with staffing shortages and are working 60+ hour weeks. Billy Lassiter has worked really hard with the legislature trying to get them to pass some retention initiatives such as bonuses, pay raises, etc. The general session that the house held discussed and passed bills for the adult system, but somehow left out the juvenile system. Billy is asking county commissioners to pass resolutions to support compression increases for juvenile justice facility staff so that they can retain and recruit staff. David has a draft he will share and this request is going out across the state to all county commissioners.

Announcements

Freedom House is recruiting for a child therapist.

Orange County has two spots on Alliance Board of Directors. Commissioner Fowler will be stepping down and another commissioner will be replacing her since she will now have conflict of interest as a pediatrician when the switch to tailored plans is made. The other spot is also open if anyone knows of someone with interest and expertise in substance abuse or mental health but not currently being receiving payment as a provider from Alliance. If someone is interested they will need to apply through Alliance's website and then be approved by the Board of County Commissioners.

**Orange County Juvenile Crime Prevention Council Meeting
Friday, February 3, 2023 (12:00noon – 2:00pm)
Virtual Zoom Meeting**

Proposed Minutes

Attendees: Amanda Farris, Bernard Miles, Amy Fowler, Tami Pfeifer, Carol McClelland, Sharron Hinton, Gayane Chambless, Dana Crews, Tina Sykes, Lateef Mitchell, Laurie Williamson, Hathaway Pendergrass, Crystal Wynn-Lewis, Joy Clark, LaDanna Strong, Susan Worley, Kassi Dadufalzi, Caitlin Fenhagen, Caraina Edwards, Jamie Jacobs, Stephanie Cloughesy, Joal Broun, David Carter, Rebekah Rapoza (*Members in bold)

Absent: Charlos Banks, Rachel Gessouroun, Crista Collazo, Jon Berkeley

Excused: N/A

Welcome

The meeting opened with a welcome from Chair, Sharron Hinton, and introductions.

Minutes Review and Approval

The Council reviewed the minutes from December 2022. Amy Fowler motioned for minutes to be approved and was seconded by Carol McClelland. Motion passed unanimously.

JCPC Business

Monitoring Committee – Volunteers for Youth’s program monitorings have been completed and the paperwork has been turned in. Exchange Club monitoring has been postponed until next week while they went through an intensive accreditation process. Carol will be reaching out to her assigned programs to schedule her visits now that the email issue with Freedom House has been fixed.

Funding Committee – This committee has members and needs to select a chair and set a date to meet. Gayane will coordinate a doodle poll for committee members to set a time to meet and select a chair at that time.

Guest Speaker: Crystal Wynn-Lewis, Racial and Ethnic Disparities Coordinator, Division of Juvenile Justice and Delinquency Prevention

Youth of color make up 46% of the youth population ages 6-17 in NC but represented 71% of complaints, 80% of detentions, and 78% of commitments to YDC. Black/AA make up 24% of the youth population ages 6-17 in NC but represented 58% of complaints, 66% of detentions, and 66% of commitments to YDC.

Racial and Ethnic Disparity, as defined by the JJDP, means that minority youth populations are involved at a decision point in the juvenile justice system at disproportionately higher rates than non-minority youth at that decision point. JJDP is the first, and probably only, piece of comprehensive juvenile justice legislation passed by Congress. It specifically outline standards for the fair treatment of juveniles and authorizes states to innovate efforts to prevent delinquency. There are four Core Protections of JJDP: Deinstitutionalization of Status Offenders, Sight and Sound Separation, Adult Jail and Lock-up Removal, and Racial and Ethnic Disparities (formerly DMC).

State compliance is required for Title II funding and is achieved when states address RED through identification, development of 3-year RED action plan, and outcome-based evaluation. Data collection is

required related to five “contact points” and the Governor’s Crime Commission is NC’s designated state agency to monitor compliance. The five contact points that need to be reported on include: arrest, diverted/not approved, detention, YDC placement, and transfer.

Data is published on fiscal year basis with most current data from FY21-22. According to US Census data, there are almost 21,000 youth ages 6-17 in Orange County (White = 61%, Black/AA = 12%, Hispanic/Latino = 16%, Asian = 10%, Native American = 0.34%). There were a total of 316 complaints files against 103 juveniles (Black/AA = 67%, White = 24%, Hispanic = 6%, other = 3%). When talking about disparities you need to look at the relative rate index (RRI). In Orange County, youth of color are 5 times more likely to receive a complaint than their white counterpart. Over the past 5 years, there has been about a 60% increase in the number of complaints received. When looking at the number of complaints not approved, 24% were not approved for Black/AA compared to 40-45% for the other races/ethnicities. There were 5 youth in Orange County that were transferred to adult court and all of them were youth of color (5 Black/AA, 1 Hispanic/Latino).

Orange County had 55 school-based complaints (out of total 316). 53% were White youth, 42% were Black/AA youth, 4% Hispanic/Latino, and 1% other. When looking at offense group by race, this data stood out because Orange County has higher rates than other counties in NC in terms of the breakdown of violent, serious, and minor offenses. Felony Class A-E made up 23% of complaints which is over 3x times the state average.

What could we do with the RED data? It should be used to help law enforcement, judges, community leaders, and other decision makers understand the reality of racial and ethnic disparities within the community. Examine the resources on hand and determine from the data how to distribute them to ensure all youth have access to the same opportunities. Talk to law enforcement to see what their policies are and find out if they are encouraged to divert young people and if there are diversion programs available.

The RED Section of Court Services’ primary role is to assist jurisdictions in reducing the disproportionate representation of youth of color in the NC juvenile justice system by providing data analysis, education and awareness, JJDPa compliance, grant management, and Juvenile Minority Sensitivity Training (JMST). There are 8 REDuction Strategies that have proven to be effective: 1) focus on data and utilization; 2) increase collaboration with other state and local agencies, police, judges, and the community; 3) changing culture away from punitive or procedural focus toward a focus that’s best for the youth and community; 4) affiliate with National JJ (Youth Justice) Reform Initiatives; 5) creating alternative to detention, secure confinements, and formal system involvement; 6) intentional focus has to be on RED reduction; 7) leadership at both state and local levels; and 8) making RED a long-term priority.

Program Updates

Dispute Settlement Center – In FY 21-22, they handled 10 referrals and so far YTD, they are just wrapping up their eighth referral and will be working on 9, 10, and 11 next week and are on track to potentially double last year’s number. Shout out to the court counselors for keeping the referrals coming and diverting the youth where possible.

The Exchange Club – We have received one referral for the month of December and was a slow month. They are still having issues with getting their families to attend group so they decided to get creative and allow the parents to do group virtually and see if they would bring the youth. The in-home component is thriving and they are trying to find a way to get the same support over to the group.

Q: What was the source of your one referral in December?

A: It was DSS.

Reintegration Support Network – No referrals were received in January. They have two individuals who are currently participating in the JCPC portion of the program and have four individuals who are wait listed. They met with David last week to sort through some things and they continue to learn the ways of the JCPC. They have 10 mentors available with great diversity, including bilingual.

Volunteers for Youth – They have seen referrals pick up quite a bit since the holidays for community service but the numbers for Teen Court are still low. They've had conversations with the court counselors to figure out how they can work together to get more referrals for Teen Court. They are also looking at opportunities to offer community service projects for youth in other JCPC programs.

Q: Do you ever get referrals directly from schools for community service?

A: No. Not for community service but for Teen Court. However, they would be open to that so long as JCPC is.

Q: Is there a written standard of what can be deflected and what cannot? How often is training being provided on deflection, for example, an annual training with all the SROs?

A: The Criminal Justice Resource Department is continuously providing outreach to law enforcement about the options and programs available. By statute, law enforcement discretion must be maintained. However, each local agency can set their own parameters that they expect their patrol officers to follow in terms of diversion, whether adult, juvenile or harm reduction. Particularly for the youth deflection program, there is an agreement between the district attorney's office and all law enforcement agencies that a first time juvenile will be deflected. However, if they are already in the juvenile justice system or have been, then they will not get the benefit of deflection, although there have already been some exceptions to that.

Conversion around diversion and the barrier to utilizing JCPC programs when there is a requirement that the youth's information be entered into a database, when the goal of deflection is to avoid all entering them in any kind of system. However, without the use of a database, program progress and success cannot be tracked and measured and that in turn could affect the ability to receive funding from the State. NC Allies removes names from information when reports are generated. It would be great if there was way to enter youth's information anonymously.

Wrenn House – They had one referral in December and none in January. They recently reviewed the data from FY21-22 and noticed that the instances of youth reporting a history of running away was 9% higher than the state average. And they also saw that 13% reported being kicked out of their home at some point which is also higher than the state average. These stats show that there is a need for their services in community.

Q: Where did the referral in December come from?

A: DSS

JJ Data Update

Paige Walsh was recently reassigned to Orange County and is doing intake. She was in Alamance but lives closer to Orange and was reassigned. They are also hoping to have another staff member on board soon. There are still 8 vacancies in the district and they are working hard to get staffed back up.

December – 18 juveniles at intake (4 were RTA); 36 delinquent complaints; 3 undisciplined complaints; 19 school based complaints; 1 complaint approved for court; 6 complaints diverted; 5 complaints closed; 3 juveniles placed in detention for 29 days; 0 days used at Wrenn House; and 0 YDC admissions.

January – 11 juveniles at intake (4 were RTA); 27 delinquent complaints; 0 undisciplined complaints; 11 school based complaints; 13 complaints approved for court; 0 complaints diverted; 0 complaint closed; 3 juvenile placed in detention for 28 days; 0 days used at Wrenn House; and 0 YDC admissions.

The top offenses from January were communicating threats and simple assault. The more serious ones were robbery with a dangerous weapon (those were the 3 youth that were in detention).

Q: Do you keep statistics on the age of youth (elementary, middle, high) and school district?

A: Reports can only be run by the county so it would combine both Orange County and Chapel Hill-Carrboro City Schools. However, more complaints do come in from Orange County Schools. Some of this data can be obtained from their website and does provide a three year comparison.

Consultant Update

Thank you to Commissioner Fowler for sending up a resolution to Orange County Commissioners to support a step pay plan for juvenile justice staff. They did sign the resolution back in January and Deputy Secretary Billy Lassiter is currently gathering other county resolutions and data to bring to the General Assembly as they begin their session.

Third Quarter accounting will be due March 24 so now is the time to look at your expenditures and budgets to make sure you are track with spending as planned. Also make sure that you are utilizing in-kind as that could generate a refund at final accounting. There is a possibility of discretionary funds that would be offered based on the refunds collected from last year's final accounting.

There are a couple facilities that will be coming online by the end of the fiscal year. One is a transitional living facility in Wayne County that will join the male one in Craven and female one in North Hills, Raleigh. There is also an Eckerd male residential facility that is coming Caswell County that they've been working on for the last year and a half.

Announcements

Judge Pendergrass announced he will be coming off JCPC as Judge Cabe is working with the judges for each court to be on the corresponding committees. Judge Broun will be taking over as the JCPC representative and will bring a lot of knowledge and insight to the council.

Orange County Juvenile Crime Prevention Council Meeting
Wednesday, February 22, 2023 (3:00pm – 3:30pm)
Virtual Zoom Meeting

Proposed Minutes

Attendees: **Carol McClelland, Kysha Thompson, Charlos Banks, Bernard Miles, Laurie Williamson, Jamie Jacobs, David Carter, Rebekah Rapoza (*Members in bold)**

Welcome

The meeting opened with a welcome from Vice Chair, Carol McClelland, and introductions.

JCPC Business

This special meeting was called at the request of the Funding Committee to discuss the possibility of posting another RFP. After the RFP closed and upon review of the submitted applications by the Funding Committee, there are services that are needed in Orange County for which no applications were received. The Funding Committee is recommending that the JCPC vote to approve posting another RFP for \$60,181 to provide mentoring and/or interpersonal skills building services. It is also recommended that the RFP be posted from February 23, 2023 to March 24, 2023.

Bernard Miles made a motion to accept the recommendation of the Funding Committee and advertise a new RFP in the amount of \$60,181 for program types Mentoring Services and Interpersonal Skill Building to be advertised between February 23, 2023 and March 24, 2023. Charlos Banks seconded the motion and it passed unanimously.

**Orange County Juvenile Crime Prevention Council Meeting
Friday, April 21, 2023 (12:00noon – 2:00pm)
Virtual Zoom Meeting**

Proposed Minutes

Attendees: Kysha Thompson, Sharron Hinton, Crista Collazo, Jon Berkeley, Tina Sykes, Lateef Mitchell, Laurie Williamson, Gayane Chambless, Joal Broun, Susan Worley, Frances Henderson, Caitlin Fenhagen, Jamie Jacobs, Kayla Merkel, Pam Weiden, Terence Johnson, Caraina Edwards, Val Hanson, LaDanna Strong, Matt Hughes, David Carter, Rebekah Rapoza (*Members in bold)

Absent: Charlos Banks, Rachel Gessouroun, Dana Crews, Tami Pfeifer

Excused: Amanda Farris, Bernard Miles, Carol McClelland, Phyllis Portie-Ascott

Welcome

The meeting opened with a welcome from Chair, Sharron Hinton, and introductions. Quorum has not been met so the agenda will be reorganized to allow for additional members to join before proceeding with JCPC business.

Program Updates

Dispute Settlement Center – They have served 12 youth year-to-date and have five active referrals, so they expect to surpass their estimated served for the year. They have been receiving a lot of diversion referrals and referrals directly from the bench.

Q: Question for all the programs, is data collected on race and ethnicity of youth served and if so, could that information be provided, at least quarterly, to the RED committee?

A: That information is collected and entered into NCALLIES. The information should be easy to pull and provide a report.

The Exchange Club – They have served 12 youth year-to-date in the in-home program and have another three referrals pending. They have served six youth in the group program and last week received four new referrals, so they should be on track to meet their projected number served.

They have come up with a plan for a hybrid group sessions in an effort to get more engagement from families because a lot were reporting that they don't have the time or transportation or other excuses.

Reintegration Support Network – They have received five referrals in March and two of those individuals have been admitted to the program and they expect to enroll the other three soon, bringing their year-to-date served to eight. They have been receiving a lot of referrals recently from Lateef and the school counselors, and even some parents. They have worked on streamlining the referrals process and it can be done directly from their website.

Volunteers for Youth – Referrals have also been picking up for them, especially those coming from the court counselors. They have been having a bit of conversation with the court counselors because it seems like many are new. Teen Court coordinator, Jamella, will be on maternity leave soon so another staff member will be filling in for the summer. Susan is retiring soon so they will be bringing in a new executive director in the summer.

Wrenn House – No representative present to give an update.

JJ Data Update

There is no data to present this month because Amanda has been out and unable to run the reports. However, they do have some staff updates to provide. One of the supervisors recently left to go to another district, Paige Walsh is the Intake Court Counselor, and Derek Fitz recently joined at the beginning of the month and will be taking over some of the Orange cases. Last month they received about 35-40 new intake cases and Paige has been booked with at least two intakes per day for the last month and a half and they are still gaining more numbers this month. They are trying to get more staff into the office help. While Amanda wasn't able to run specific stats, common offenses are stolen vehicles, communicating threats, and assaults; there have also been a lot of gun possession charges going along with these other offenses.

Q: Do we have a sense of where under 18 are accessing guns?

A: There really isn't a definite answer. There are some robberies of homes, people leaving vehicles unlocked, and ghost guns being ordered online.

Caitlin Fenhagen with Orange County Criminal Justice Resource Department provided an update on an initiative they are looking to bring to Orange County that is modeled from Durham's Project Build. Project Build is not interested in seeking any JCPC funding because they are a county funded program in Durham and if they are going to have any of their staff come over here it would have to be as a county employee. Caitlin included Project Build in her department's budget request for next fiscal year with a lot of support from stakeholders, but unfortunately the manager's budget is very tight next year and so they are in the process of trying to see if they can potentially get funding from ABC Board, early intervention funds from opioid funds and Chapel Hill PD funds. Chapel Hill and Carrboro police departments both feel strongly that the program is needed. It would provide intensive case management in the homes, communities, and schools for high-risk teens.

Q: Is there an opportunity to get JCPC funding if Project Build was a county program? Is that doable, has it been done somewhere else?

A: It can be done. There are other JCPC programs that are run by the county with blended funding. The county acts as the program manager and the employee is written into the grant and all the programming expenses is also part of the budget. But it all comes down to the RFP and we are already past that phase in the year and so we'd have to look at for FY24-25 planning.

Minutes Review and Approval

The Council reviewed the minutes from the regular February 2023 meeting. Joal Broun motioned for minutes to be approved and was seconded by Sharron Hinton. Gayane Chambless would like to make an amendment to the minutes because her intention at the meeting was to send a Doodle poll for the RED committee, not the Funding committee. The mover accepts the amendment to the minutes. Motion passed unanimously.

The Council reviewed the minutes from the special February 2023 meeting. Joal Broun motioned for minutes to be approved and was seconded by Crista Collazo. Motion passed unanimously. Gayane Chambless abstained from voting.

JCPC Business

Budget Revision presentations –

Exchange Club – The revision is due to lapse salary adjustment.

Sharron Hinton motioned for budget amendment to be approved and was seconded by Laurie Williamson. Motion passed unanimously.

Reintegration Support Network – Due to change in staff members, they needed to update the budget for staff salary and FICA. They are also proposing the addition of a new line items to help with interpretation and translation services, advertising their JCPC program services, and an IT assessment to

help with the development of policies and enhancing infrastructure. All of these new requests would be funded through the use of lapse salary.

Crista Collazo motioned for budget amendment to be approved and was seconded by Sharron Hinton. Motion passed unanimously.

Funding Committee – The Funding Committee was unable to meet during the last couple months so it was decided to incorporate the meeting into our regular JCPC meeting since there are no new program application requests and the total of all requests does not exceed the county's allocation. The JCPC would like to give applicants the opportunity to speak briefly about their proposals for next year, highlighting any changes.

Dispute Settlement Center – We are looking to continue the same work and are only requesting slight increase in requested funding.

They are currently funded at \$58,000 and are requesting \$59,000 for FY23-24. Crista Collazo made a motion to approve funding Dispute Settlement in the amount of \$59,000 for FY23-24 and was seconded by Gayane Chambless. Motion passed unanimously.

Exchange Club – No program updates or changes to report for next year.

They are currently funded at \$60,760 and are requesting \$59,049 for FY 23-24. Laurie Williamson made a motion to approve funding Exchange Club in the amount of \$59,049 for FY23-24 and was seconded by Joal Broun. Motion passed unanimously.

Reintegration Support Network – We have seen the most interest in the mentoring program so with the new proposal we are focusing on one-on-one mentoring instead of life skills but at a similar cost.

They are currently funded at \$61,627 and are requesting \$57,778 for FY 23-24. Gayane Chambless made a motion to approve funding Reintegration Support Network in the amount of \$57,778 for FY23-24 and was seconded by Crista Collazo. Motion passed unanimously.

Volunteers for Youth: Community Service and Restitution – We are not proposing any major changes and are continuing services as in the past and are not requesting any funding increase. They are currently funded at \$84,730 and are requesting the same for FY 23-24. Laurie Williamson made a motion to approve funding Volunteers for Youth Community Service and Restitution in the amount of \$84,730 for FY23-24 and was seconded by Gayane Chambless. Motion passed unanimously.

Volunteers for Youth: Teen Court - We are not proposing any major changes and are continuing services as in the past and are not requesting any funding increase. They are currently funded at \$69,625 and are requesting the same for FY 23-24. Sharron Hinton made a motion to approve funding Volunteers for Youth Teen Court in the amount of \$69,625 for FY23-24 and was seconded by Laurie Williamson. Motion passed unanimously.

Wrenn House – No representative present. They are currently funded at \$16,475 and are requesting the \$18,632 for FY 23-24. Sharron Hinton made a motion to approve funding Wrenn House in the amount of \$18,632 for FY23-24 and was seconded by Crista Collazo. Motion passed unanimously.

Administrative budget – We haven't really had any expenses this year because we have been virtual. In the past we have used it to pay for meeting requests, conferences and associated travel, and would propose the same for the upcoming year. Admin budget is currently at \$7,879.

After funding all program requests at full ask, there is \$2,403 unallocated and a decision needs to be made on what to do with those funds. Options include: leaving unallocated until December 31 and allow programs to apply for those funds or add into the admin budget now to use for training or sponsorships for

kids at camp or public awareness/outreach. Consensus seems to be that the council would like to add the additional funds to the admin budget to allow for greater flexibility with the funds. Gayane Chambless made a motion to approve funding Admin budget in the amount of \$10,282 for FY23-24 and was seconded by Crista Collazo. Motion passed unanimously.

Consultant Update

The department is also seeing a statewide increase in gun charges among juveniles and they tend to be acquiring them through vehicle and home break-ins and online ghost sales. Stats are showing that that deaths from gun violence has surpassed that of motor vehicle deaths. The department is working on safety campaign to include a safe week of action from June 4-10. This will include radio, social media, and billboard campaigns to spread the message of gun storage safety. The department has also asked for \$7.6 million in the budget for programming to address gun safety and programming for at-risk youth.

Some other items in the legislative bills is money for startup and operating costs for Richmond (detention center) and Rockingham County facilities (hybrid YDC and detention center). Both facilities should be online by the end of the year. They are also looking to expand C.A. Dylan for a residential crisis unit and whose beds would be for youth experiencing family and mental health issues where juvenile justice needs to place them and mental health beds are full.

Trainings are being offered by the Restorative Youth Coalition of NC. They are holding lunch and learns monthly on the third Friday from 12-1 via Zoom.

Orange County Juvenile Crime Prevention Council Meeting
Monday, May 8, 2023 (11:00am – 11:30am)
Virtual Zoom Meeting

Proposed Minutes

Attendees: **Phyllis Portie-Ascott, Sharron Hinton, Carol McClelland, Dana Crews, Laurie Williamson, Jon Berkeley, Lateef Mitchell**, Paul Bell, Terence Johnson, David Carter, Rebekah Rapoza
(*Members in bold)

Welcome

The meeting opened with a welcome from Chair, Sharron Hinton, and introductions.

JCPC Business

This special meeting was called at the request of the JCPC Chair to discuss and vote on accepting the discretionary funds that were awarded to Reintegration Support Network by the Department. In order for them to receive those dollars the JCPC must vote to approve acceptance.

Last month, the Department put out a notice to all currently funded JCPC programs letting them know that discretionary monies were available. RSN requested \$7,400 in discretionary funds from the Department to support the purchase of four new laptops for staff. Staff have been working on personal computers, many of which are also outdated, which poses a possible IT risk. The type of request submitted by RSN is typical, especially if it's for equipment that is crucial for their operation.

RSN's request was approved by the Department and they were awarded the full \$7,400. Policy/procedure dictates that the request must also go before the JCPC for approval before the funds can be disbursed. Carol McClelland made a motion to accept the discretionary funds awarded to Reintegration Support Network in the amount of \$7,400 and was seconded by Laurie Williamson. Motion passed unanimously.

Juvenile Crime Prevention Council County Plan

Orange County

For FY 2023-2024

Table of Contents

- I. Executive Summary
- II. County Funding Plan
- III. Juvenile Crime Prevention Council Organization
- IV. County Risk, Needs and YASI Assessment Summary
- V. County Juvenile Crime Prevention Council Request for Proposals
- VI. Funding Decisions Summary
- VII. Funded Programs *Program Enhancement Plan* (PEP) OR, add brief program description for any program without a PEP.

Executive Summary

The Orange County Juvenile Crime Prevention Council (JCPC), in fulfillment of the duties and responsibilities as set forth in the General Statutes of the State of North Carolina, has reviewed and updated this County Plan for FY 2023-2024. In 2019, House Bill 593 passed which approved an optional 1 or 2-year funding cycle for DPS JCPC funds, which is determined locally by each JCPC statewide. Also included in the HB was Raise the Age in N.C. which directs 16 & 17 years old from District Court to Juvenile Court. In order to see any new possible trends in juvenile justice data (now serving 16 & 17 year old) and to plan programming in the community accordingly, the Orange County JCPC approved a one-year funding cycle. Data continues to be monitored by the JCPC annually which provides direction to which funding cycle is most beneficial to the community and Council.

The JCPC has identified the issues and factors which have an influence and impact upon vulnerable youth, at-risk youth, delinquent youth, and their families in Orange County. Further, the JCPC has identified the strategies and services most likely to reduce/prevent delinquent behavior.

Monitoring and Evaluation: Each program funded in the past fiscal year by the JCPC has been monitored by the JCPC Monitoring Committee and programs were found in full compliance with DPS JCPC Policy and within the operating parameters of their budget and, providing the services as described in their program agreement. The monitoring results and program outcome evaluations were considered in making funding allocation decisions. The JCPC will continue to conduct annual implementation monitoring of its funded programs.

Priorities for Funding: Through a review of risk & needs assessment data, the Youth Assessment Screening Inventory (YASI) data and a community resource assessment, the JCPC has determined that the following services are needed to reduce/prevent delinquency in Orange County.

1. Mentoring Services
2. Parent/Family Skill Building
3. Interpersonal Skill Building
4. Experiential Skills
5. Tutoring/Academic Enhancement
6. Mediation/Conflict Resolution
7. Restitution/Community Service
8. Teen Court
9. Family Counseling
10. Individual/Group/Mixed Counseling
11. Substance Abuse Counseling
12. Temporary Shelter Care
13. Runaway Shelter Care
14. Juvenile Structured Day

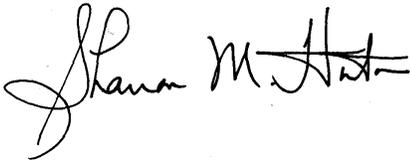
Funding Recommendations: Having advertised a Request for Proposals (RFP) for these needed services for a minimum of thirty (30) days, the JCPC has screened the submitted proposals and has determined which proposals best meet the advertised needed services. As required by statute, the JCPC recommends allocation of the NC Department of Public, Division

of Juvenile Justice and Delinquency Prevention funds to the following programs in the amounts specified below for the upcoming fiscal year: (Also, see the Orange County Funding Plan with this report.)

Name of Programs (Type)	Funding Recommendations
Juvenile Community Service and Restitution (Restitution/Community Service)	\$84,730
Mediation/Conflict Resolution (Mediation/Conflict Resolution)	\$59,000
Teen Court (Teen Court)	\$69,625
Trauma Informed Certified Peer Support (Interpersonal Skill Building)	\$57,778
Parent Teen Solutions (Home-Based Family Counseling and Interpersonal Skill Building)	\$59,049
Wrenn House (Runaway Shelter Care)	\$18,632

The JCPC further recommends that the following amount be allocated for the administrative costs of the Council for fiscal year 23-24: \$10,282.

Respectfully Submitted,



Sharron Hinton, Chair, Orange County Juvenile Crime Prevention Council

Date: May 25, 2023

ORANGE County NC DPS - Community Programs - County Funding Plan

Available Funds: \$ 359,096 Local Match: \$ 220,888 Rate: 30%

DPS JCPC funds must be committed with a Program Agreement submitted in NC Allies and electronically signed by authorized officials.

								% Non DPS-JCPC Program Revenues
1	JCPC Administration	\$10,282	\$2,363				\$12,645	19%
2	Juvenile Community Service and Restitution	\$84,730	\$25,419	\$29,725			\$139,874	39%
3	Mediation/Conflict Resolution	\$59,000	\$17,700	\$1,260			\$77,960	24%
4	Parent Teen Solutions	\$59,049	\$25,307		\$19,626		\$103,982	43%
5	Teen Court	\$69,625	\$20,888	\$4,428			\$94,941	27%
6	Trauma-Informed certified peer support	\$57,778	\$24,515		\$25,068		\$107,361	46%
7	Wrenn House	\$18,632	\$5,589	\$19,000			\$43,221	57%
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
TOTALS:		\$359,096	\$121,781	\$54,413	\$44,694		\$579,984	38%

The above plan was derived through a planning process by the ORANGE County
Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 23-24

Amount of Unallocated Funds _____

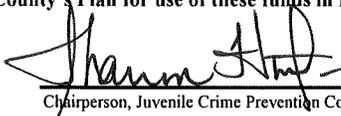
Amount of funds reverted back to DPS _____

Discretionary Funds added _____

check type initial plan update final

-----DPS Use Only-----

Reviewed by _____ Area Consultant	_____ Date
Reviewed by _____ Program Assistant	_____ Date
Verified by _____ Designated State Office Staff	_____ Date


 Chairperson, Juvenile Crime Prevention Council 5/16/2023
 (Date)

Chairperson, Board of County Commissioners (Date)
or County Finance Officer

Juvenile Crime Prevention Council Organization

FY 23-24	Name	Organization	Title
Chairperson	Sharron Hinton (interim until elections in Aug)	Orange County Social Services	Human Services Manager
Vice-Chairperson	Carol McClelland (interim until elections in Aug)	Freedom House Recovery Center	Dir. of Outpatient Services
Secretary	Rebekah Rapoza "volunteer position"	Orange County Social Services	Fiscal Operations Manager
Treasurer			
Assessment Committee Chairperson			
Funding Committee Chairperson			

Number of
members for
FY 23-24:

18

List meeting dates during the current fiscal year and identify the number of JCPC members in attendance for each.

Meeting Date	Number of Members in Attendance	Quorum Present? Yes/No
8/5/22	11	Yes
10/7/22	11	Yes
12/2/22	10	Yes
2/3/23	12	Yes
2/22/23* *special meeting	5	Yes
4/21/23	9	Yes
5/8/23* *special meeting	8	Yes

**SUMMARY REPORT OF THE
ORANGE COUNTY RISK AND NEEDS ASSESSMENT COMMITTEE**

- I. Youth Assessment and Screening Instrument (YASI) Summary
- II. Summary of Community Resources
- III. Summary of Gaps and Barriers in the Community Continuum
- IV. Proposed Priority Services for Funding

Part I. Youth Assessment and Screening Instrument (YASI) Summary

On November 29, 2022, the Orange County JCPC Risk and Needs Assessment Committee met to review the data gleaned from the Youth Assessment and Screening Instrument (YASI) which was implemented by Juvenile Court Services beginning January 1, 2021. The full assessment consists of over 100 separate items useful for both predictive risk and case management, so data reported from this review will consist of county-level risk factors that may be prioritized by the JCPC for RFP development, as well as for highlighting prevalent issues among court involved juveniles that individual programs and community-based service organizations will want to consider when working with court-involved juveniles in the county.

All juveniles at intake receive the YASI Pre-Screen (33 questions) which is also embedded in each full assessment. The aggregate outputs from full YASI assessments are just one of the data sources used by the Committee and are the focus of summaries that follow in this document. YASI questions are framed in either a historic context (Legal History, for example), or in some cases, “current” or “prior three-months” timeframes for other, more dynamic, questions. The following data summary represents the first full fiscal year of implementation of the YASI. In reviewing and prioritizing the elevated risk and needs extracted from this data set, one must consider the utilization of YASI as a predictor of future risk of offending; and as a case management instrument for determining level of service and types of services necessary to reduce recidivism.

Orange County YASI Summary Observations: FY 2021-2022

The overall YASI summary data is based on 64 individual youth who were assessed during the fiscal year 2021-2022 coming to the attention of Court Services.

Elevated Risk and Needs:

- 80% of youth scored as moderate to high risk level per the YASI instrument.
- 67% of youth scored as moderate to high level needs per the YASI instrument.

Legal History Domain

- 44% of youth had a previous delinquent referral which is 6% higher than the state rate.
- 84% of youth had a complaint which had a result (i.e., adjudication, diversion plan/contract, continued adjudication, or continued disposition). This is 5% higher than the state rate.
- 45% of youth had felony referrals which is 9% higher than the state rate.
- 59% of youth had referrals for person crimes which is 12% higher than the state rate.

Family Domain

- 13% of youth were kicked out of their home which is 7% higher than the state rate.
- 31% of youth have a prior runaway history which is 9% higher than the state rate.
- 25% of youth are living with family member with substance abuse problems.
- 25% of youth are living with family member with mental health problems.
- 27% of parents have marginal or inadequate supervision which is higher than state.

School Domain

- 40% of youth are attending school which is less than the state rate of 51%.
- 50% of youth are failing some or the majority of their classes.
- 56% of youth had an infraction and school intervention which is higher than the state.
- NCDPI school data report card for 2021-2022 shows a high rate of short-term suspensions per 1,000 youth for both school systems in Orange County. These suspensions show an ethnic disparity amongst black, two or more races and students with disabilities.

Community and Peers Domain

- 48% of youth have some association with delinquent peers and 12% of youth are associate with gangs or in a gang themselves.

Alcohol and Drugs Domain

- 42% of youth answered yes to previous alcohol and/or drug use which is 4% higher than the state rate, although this statistic is most likely under reported.
- Only 11% of those youth admitted to receiving substance abuse treatment.

Mental Health Domain

- 45% of youth responded to having mental health problems and/or having a diagnosis
- 28% of youth had a prior physical and/or sexual abuse history which is higher than the state rate.
- 20% of youth were victims of physical assault which is 11% higher than the state rate.

Employment and Free Time Domain

- Only 20% of youth have one or more structured activity which is 5% lower than the state rate suggesting more youth need structured activities.
- 36% of youth are involved in one or more unstructured activity which is 2% higher than the state rate also suggesting youth need more structured activities.

Part II. Summary of the Existing Community Resources

JCPC Funded Programs 22-23

Parent Teen Solutions Group
 Parent Teen Solutions Home Visitation
 Teen Court
 Community Service & Restitution
 Mediation & Conflict Resolution
 Trauma Informed Peer Support
 Wrenn House

Division of Juvenile Justice and Delinquency Prevention Funded Programs

North Hills Transitional Living (Females)
 Craven Transitional Living (Males)
 Eckerd Residential (Male and Female)
 Juvenile Crisis and Assessment Centers
 Multi-purpose group homes
 AMI Kids Functional Family Therapy (FFT)

Community Resources

Ligo Dojo of Budo Karate	Boys and Girls Club
Jr. Police Academy	Citizens Academy
Communities In Schools	GED
Josh's Hope – Tools for Hope	Grow Your World
YMCA	4-H Youth Services
Girls and Boys Scouts of America	Recreation Department
Behavior Skills Counseling	WIOA Building Futures Program
Peer-to-Peer Mediation	Truancy Mediation
Alternative School (For Non-Susp Students)	Boomerang
Phoenix Academy	Day Treatment Center
Partnership Academy	Multi-Systemic Therapy
El Futuro	Court Psychologist
Substance Use and Mental Health	Sex Offender Assessment
Therapeutic Foster Care	Job Corps.
Wright School	Whitaker School
Tarheel Challenge	

Community Resources available but difficult to access

AA/NA (Spanish Speaking)	Substance Use and Mental Health
Sex Offender Treatment	Substance Abuse Residential Treatment

Part III. Summary of Gaps and Barriers in the Continuum of Services

Gaps of Services (needed not available)

Parenting Classes in Spanish	Multi-Dimensional Family Treatment
Parent Support Group for Latinos	Substance Abuse Relapse Treatment
Church Based Mentoring Programs	Runaway Shelter Services
Tutoring Programs outside of School	Multipurpose Group Home

Barriers to JCPC Programs and other Community Programs

Experiential Education

Part IV. Proposed Priority Services for Funding

The committee compared the services needed to address the elevated Juvenile Risk Factors and Juvenile Needs with services currently available in the community. Services which are currently available in the community and sufficient to meet the needs of court involved youth or those youth most at risk for court involvement are not considered as a priority for JCPC funding.

The Committee proposes that the following services in ranked order be approved as the funding priorities for FY 23-24:

1. Interpersonal Skill Building
2. Substance Abuse Counseling
3. Individual/Group/Mixed Counseling
4. Mediation/Conflict Resolution
5. Parent/Family Skill Building
6. Family Counseling
7. Temporary Shelter Care
8. Runaway Shelter Care
9. Restitution and Community Service
10. Mentoring Services
11. Teen Court – including Sentencing and Responsive Circles
12. Tutoring/Academic Enhancement
13. Experiential Skills
14. Juvenile Structured Day

YASI Full Assessment Data

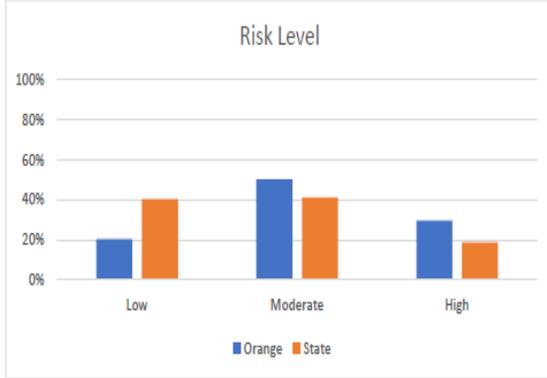
64

Assessed Juvenil

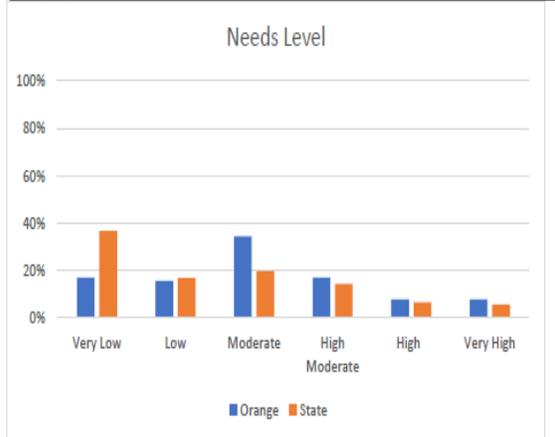
Orange County

RISK/NEEDS/STRENGTHS LEVEL

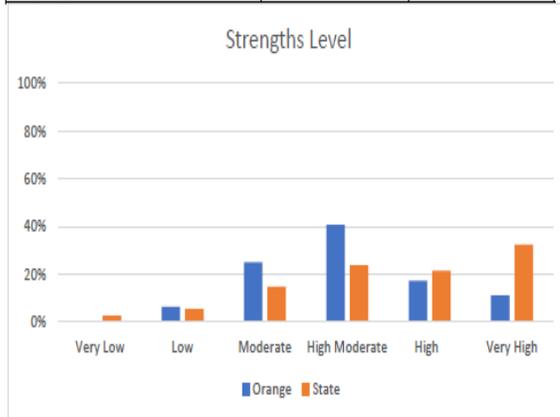
Risk Level	Orange	State
Low	20%	40%
Moderate	50%	41%
High	30%	19%



Needs Level	Orange	State
Very Low	17%	37%
Low	16%	17%
Moderate	34%	20%
High Moderate	17%	14%
High	8%	7%
Very High	8%	6%



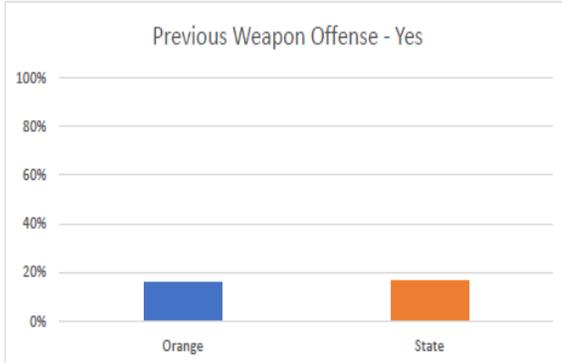
Strengths Level	Orange	State
Very Low	0%	2%
Low	6%	5%
Moderate	25%	15%
High Moderate	41%	24%
High	17%	21%
Very High	11%	32%



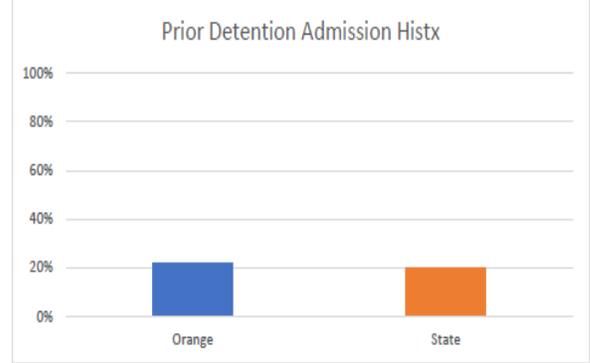


LEGAL HISTORY

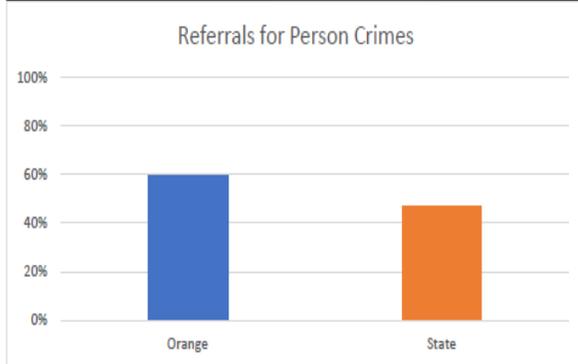
Q6 Weapon Offenses - 1 or more	Orange	State
Previous Weapon Offense - Yes	16%	17%



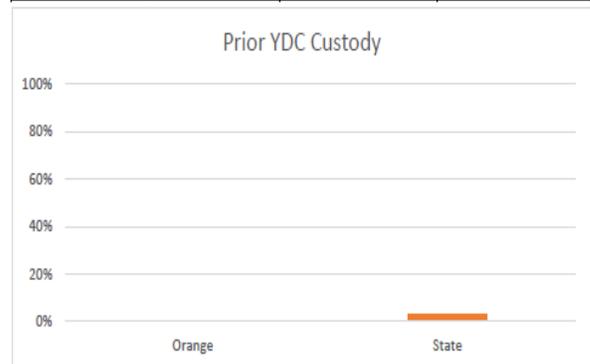
Q10 Detention Admissions	Orange	State
Prior Detention Admission Histx	22%	19%

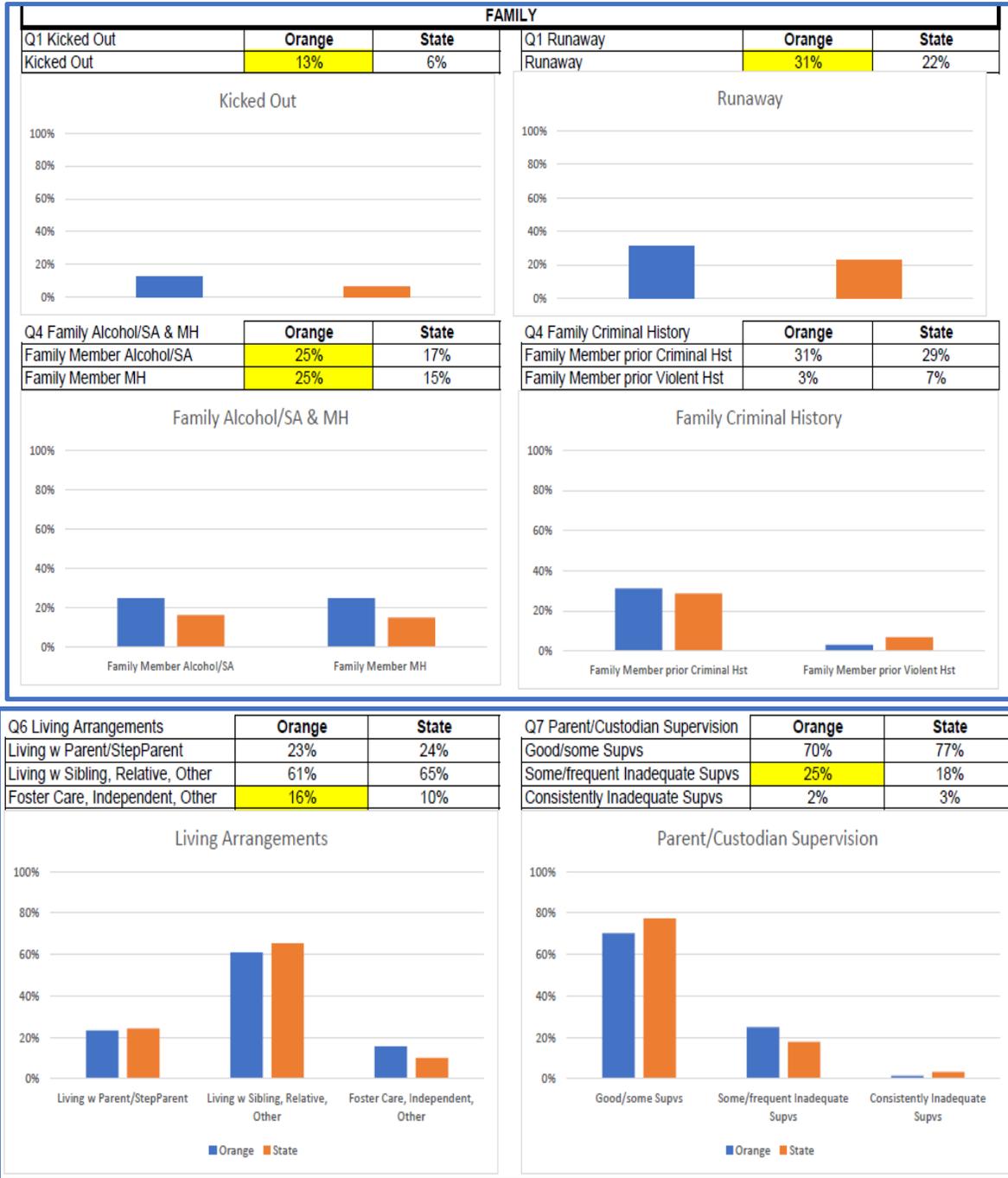


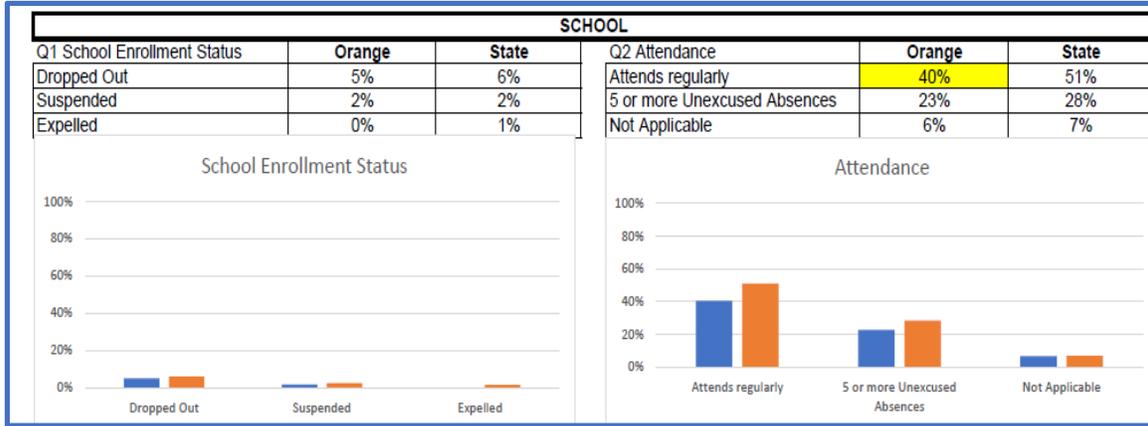
Q7 Person Crimes	Orange	State
Referrals for Person Crimes	59%	47%



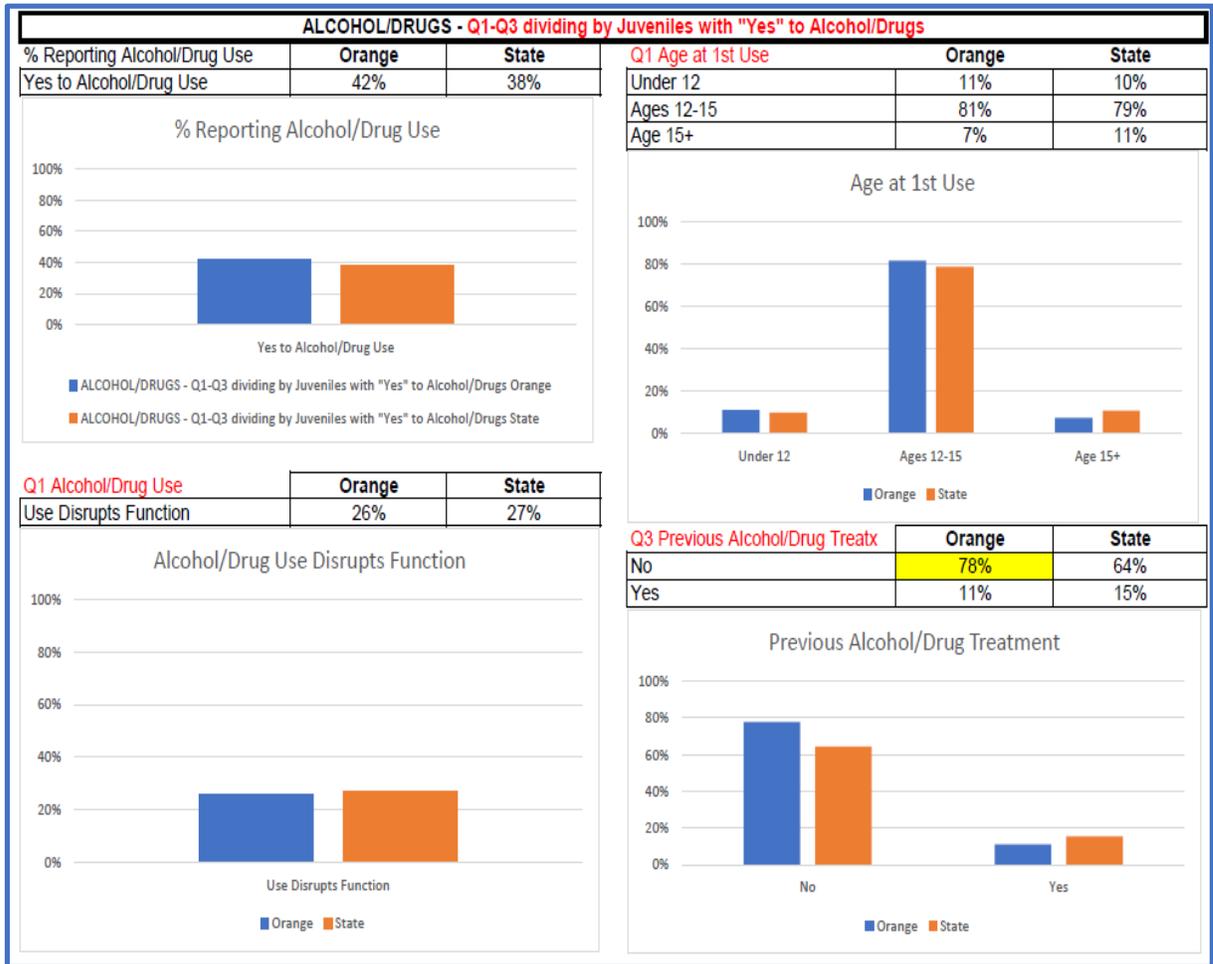
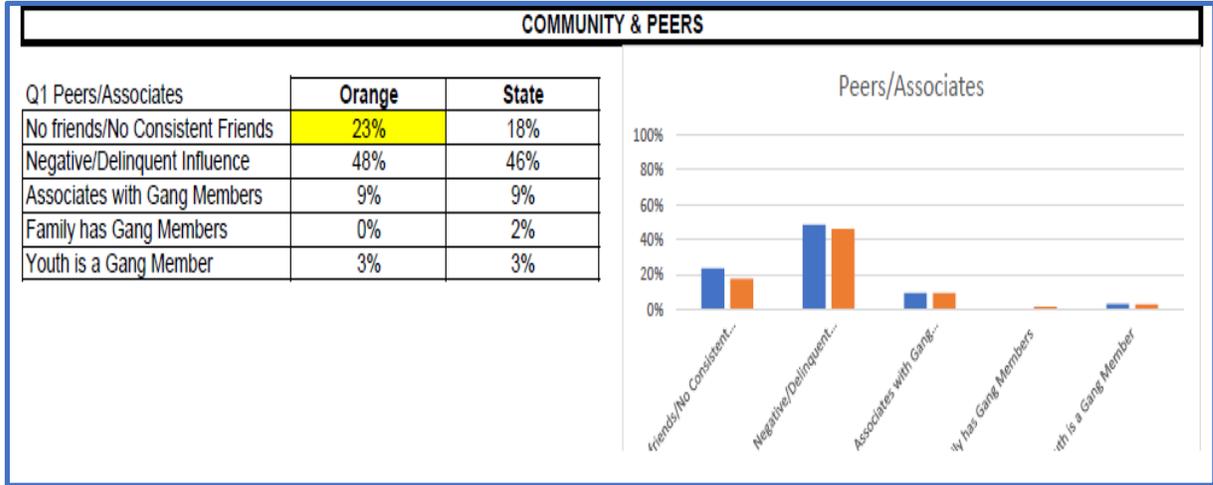
Q11 YDC Placement	Orange	State
Prior YDC Custody	0%	3%

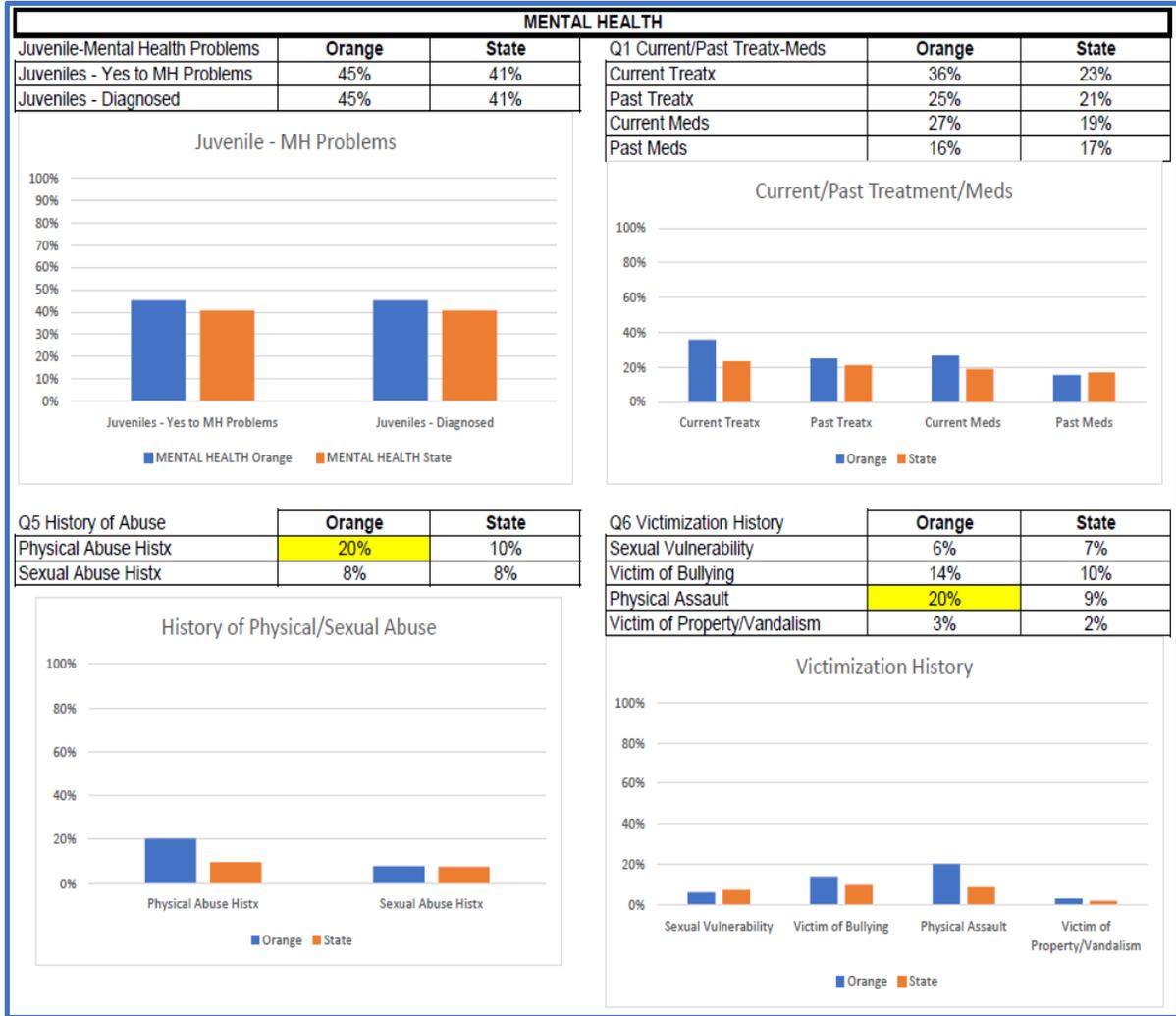


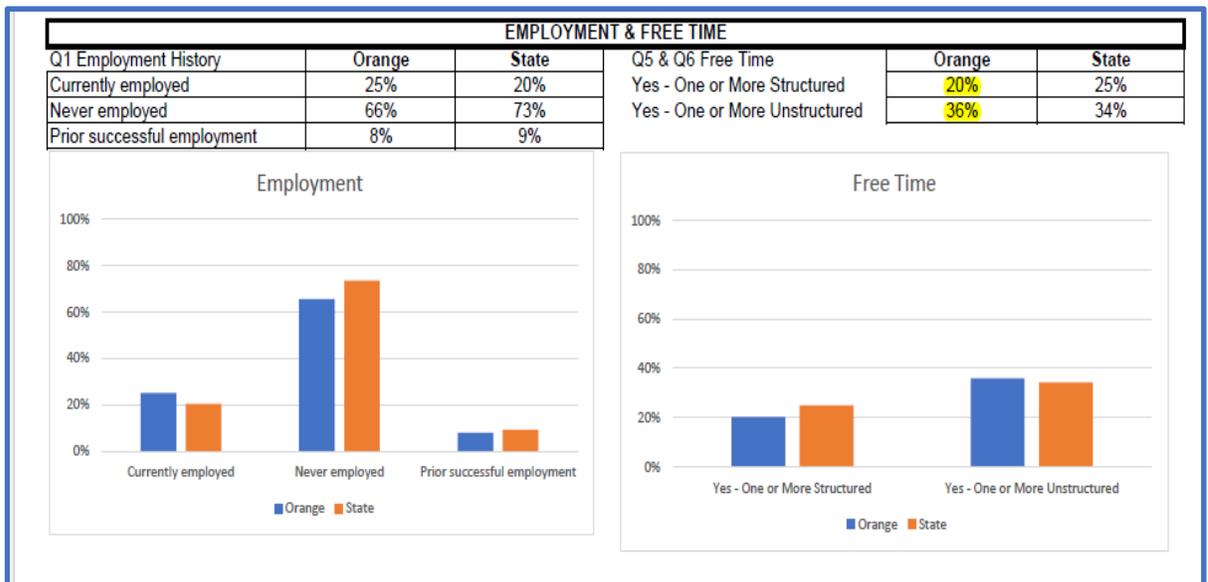
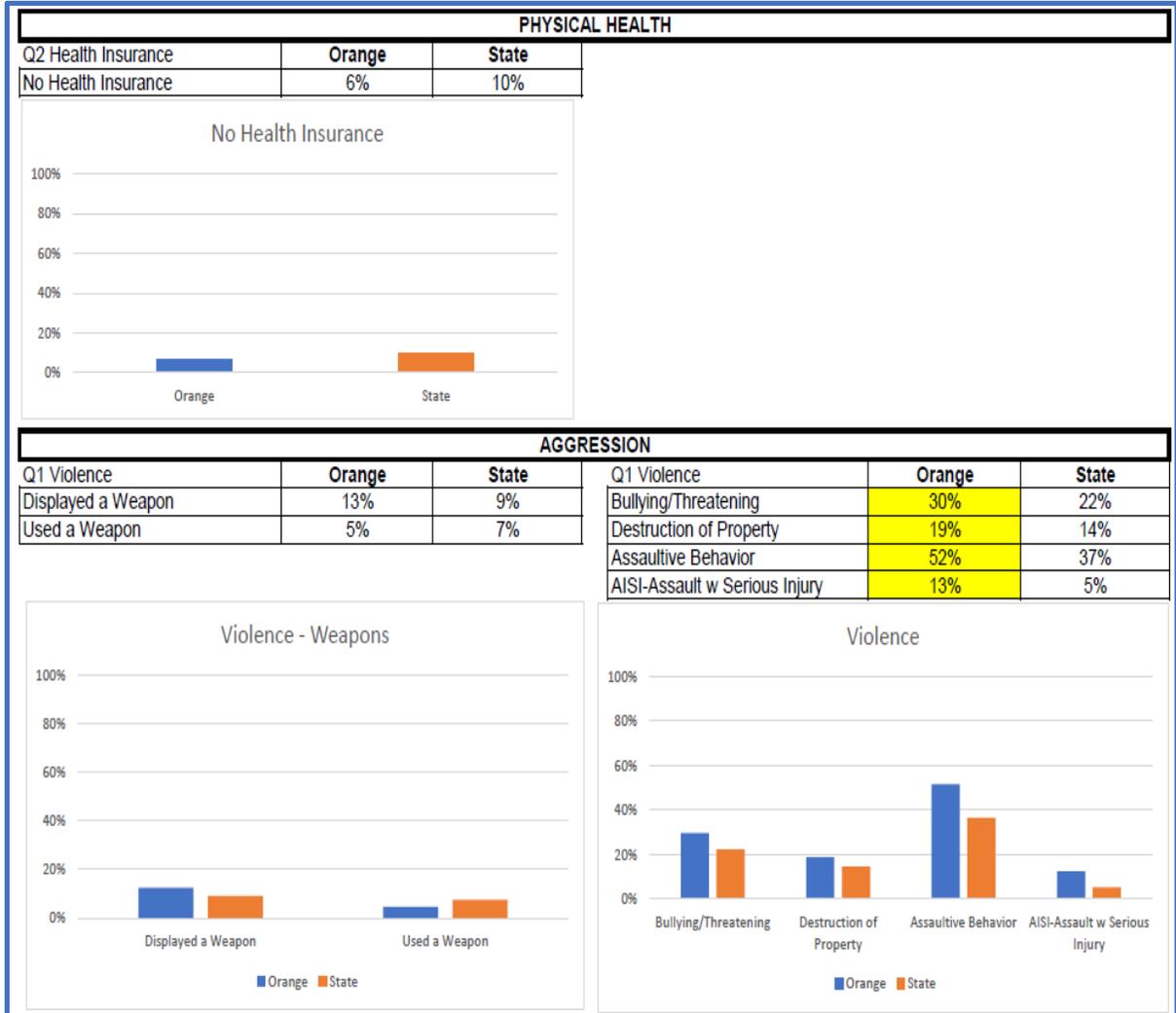




■ Orange ■ State







Juvenile Crime Prevention Council Funding Decisions Summary

Funding Decision for:	FY 2023-24	Date Completed:	5/8/23
Program(s) Funded	Select 1-year or 2-year funding and reason(s) for Funding (Check all that apply)		
Mediation/Conflict Resolution (Dispute Settlement Center)	<input type="checkbox"/> 2-year Funding approved for FY _____ and _____ OR <input checked="" type="checkbox"/> 1-year Funding approved for FY2023-24 Rationale for 2-year Funding approval: <input type="checkbox"/> Funded in past _____ years <input type="checkbox"/> In good standing with county/JCPC and DPS (following PA, timely reports, reporting to JCPC as requested) <input type="checkbox"/> Favorable JCPC monitoring <input type="checkbox"/> In compliance with Consultant Monitoring <input type="checkbox"/> Quality of Service Assessment (QOS) rating is min 70% (min. score of 14) OR progress made on PEP in QOS. <input type="checkbox"/> Provides an essential dispositional option, explain: <input type="checkbox"/> Meets target population as described in Program Agreement (<i>number served, and described target population</i>), with minimal exceptions (i.e. less than 10% variance) <input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input checked="" type="checkbox"/> Would increase funding to this service if funds were available <input type="checkbox"/> Other _____ Other _____		
Parent Teen Solutions (Exchange Clubs Family Center in Alamance)	<input type="checkbox"/> 2-year Funding approved for FY _____ and _____ OR <input checked="" type="checkbox"/> 1-year Funding approved for FY2023-24 Rationale for 2-year Funding approval: <input type="checkbox"/> Funded in past _____ years <input type="checkbox"/> In good standing with county/JCPC and DPS (following PA, timely reports, reporting to JCPC as requested) <input type="checkbox"/> Favorable JCPC monitoring <input type="checkbox"/> In compliance with Consultant Monitoring <input type="checkbox"/> Quality of Service Assessment (QOS) rating is min 70% (min. score of 14) OR progress made on PEP in QOS. <input type="checkbox"/> Provides an essential dispositional option, explain: <input type="checkbox"/> Meets target population as described in Program Agreement (<i>number served, and described target population</i>), with minimal exceptions (i.e. less than 10% variance) <input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input checked="" type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input checked="" type="checkbox"/> Would increase funding to this service if funds were available <input type="checkbox"/> Other _____ Other _____		
Wrenn House (Haven House, Inc.)	<input type="checkbox"/> 2-year Funding approved for FY _____ and _____ OR <input checked="" type="checkbox"/> 1-year Funding approved for FY2023-24 Rationale for 2-year Funding approval: <input type="checkbox"/> Funded in past _____ years <input type="checkbox"/> In good standing with county/JCPC and DPS (following PA, timely reports, reporting to JCPC as requested) <input type="checkbox"/> Favorable JCPC monitoring <input type="checkbox"/> In compliance with Consultant Monitoring <input type="checkbox"/> Quality of Service Assessment (QOS) rating is min 70% (min. score of 14) OR progress made on PEP in QOS. <input type="checkbox"/> Provides an essential dispositional option, explain: <input type="checkbox"/> Meets target population as described in Program Agreement (<i>number served, and described target population</i>), with minimal exceptions (i.e. less than 10% variance) <input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input checked="" type="checkbox"/> Would increase funding to this service if funds were available <input type="checkbox"/> Other _____ Other _____		
Trauma-Informed Certified Peer Support (Reintegration Support Network)	<input type="checkbox"/> 2-year Funding approved for FY _____ and _____ OR <input checked="" type="checkbox"/> 1-year Funding approved for FY2023-24 Rationale for 2-year Funding approval: <input type="checkbox"/> Funded in past _____ years <input type="checkbox"/> In good standing with county/JCPC and DPS (following PA, timely reports, reporting to JCPC as requested) <input type="checkbox"/> Favorable JCPC monitoring <input type="checkbox"/> In compliance with Consultant Monitoring <input type="checkbox"/> Quality of Service Assessment (QOS) rating is min 70% (min. score of 14) OR progress made on PEP in QOS. <input type="checkbox"/> Provides an essential dispositional option, explain: <input type="checkbox"/> Meets target population as described in Program Agreement (<i>number served, and described target population</i>), with minimal exceptions (i.e. less than 10% variance) <input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input checked="" type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input checked="" type="checkbox"/> Would increase funding to this service if funds were available <input type="checkbox"/> Other _____ Other _____		

Juvenile Crime Prevention Council Funding Decisions Summary

<p>Juvenile Community Service and Restitution (Volunteers for Youth, Inc.)</p>	<p><input type="checkbox"/> 2-year Funding approved for FY and OR <input checked="" type="checkbox"/> 1-year Funding approved for FY2023-24</p> <p>Rationale for 2-year Funding approval: <input type="checkbox"/> Funded in past years <input type="checkbox"/> In good standing with county/JCPC and DPS (following PA, timely reports, reporting to JCPC as requested) <input type="checkbox"/> Favorable JCPC monitoring <input type="checkbox"/> In compliance with Consultant Monitoring <input type="checkbox"/> Quality of Service Assessment (QOS) rating is min 70% (min. score of 14) OR progress made on PEP in QOS. <input type="checkbox"/> Provides an essential dispositional option, explain: <input type="checkbox"/> Meets target population as described in Program Agreement (<i>number served, and described target population</i>), with minimal exceptions (i.e. less than 10% variance)</p> <p><input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input checked="" type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input checked="" type="checkbox"/> Would increase funding to this service if funds were available <input checked="" type="checkbox"/> Other Provides a diversion option for law enforcement for youth to perform community service hours. Other</p>
<p>Teen Court (Volunteers for Youth, Inc.)</p>	<p><input type="checkbox"/> 2-year Funding approved for FY and OR <input checked="" type="checkbox"/> 1-year Funding approved for FY2023-24</p> <p>Rationale for 2-year Funding approval: <input type="checkbox"/> Funded in past years <input type="checkbox"/> In good standing with county/JCPC and DPS (following PA, timely reports, reporting to JCPC as requested) <input type="checkbox"/> Favorable JCPC monitoring <input type="checkbox"/> In compliance with Consultant Monitoring <input type="checkbox"/> Quality of Service Assessment (QOS) rating is min 70% (min. score of 14) OR progress made on PEP in QOS. <input type="checkbox"/> Provides an essential dispositional option, explain: <input type="checkbox"/> Meets target population as described in Program Agreement (<i>number served, and described target population</i>), with minimal exceptions (i.e. less than 10% variance)</p> <p><input checked="" type="checkbox"/> Meets funding priority <input checked="" type="checkbox"/> Compatible with research <input checked="" type="checkbox"/> Cost efficient <input checked="" type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input checked="" type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input checked="" type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input checked="" type="checkbox"/> Would increase funding to this service if funds were available <input checked="" type="checkbox"/> Other Provides a diversion option for court services and law enforcement. Other</p>
<p>Juvenile Community Service and Restitution (Volunteers for Youth, Inc.)</p>	<p><input type="checkbox"/> 2-year Funding approved for FY and OR <input type="checkbox"/> 1-year Funding approved for FY</p> <p>Rationale for 2-year Funding approval: <input type="checkbox"/> Funded in past years <input type="checkbox"/> In good standing with county/JCPC and DPS (following PA, timely reports, reporting to JCPC as requested) <input type="checkbox"/> Favorable JCPC monitoring <input type="checkbox"/> In compliance with Consultant Monitoring <input type="checkbox"/> Quality of Service Assessment (QOS) rating is min 70% (min. score of 14) OR progress made on PEP in QOS. <input type="checkbox"/> Provides an essential dispositional option, explain: <input type="checkbox"/> Meets target population as described in Program Agreement (<i>number served, and described target population</i>), with minimal exceptions (i.e. less than 10% variance)</p> <p><input type="checkbox"/> Meets funding priority <input type="checkbox"/> Compatible with research <input type="checkbox"/> Cost efficient <input type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Would increase funding to this service if funds were available <input type="checkbox"/> Other Other</p>
<p>Juvenile Community Service and Restitution (Volunteers for Youth, Inc.)</p>	<p><input type="checkbox"/> 2-year Funding approved for FY and OR <input type="checkbox"/> 1-year Funding approved for FY</p> <p>Rationale for 2-year Funding approval: <input type="checkbox"/> Funded in past years <input type="checkbox"/> In good standing with county/JCPC and DPS (following PA, timely reports, reporting to JCPC as requested) <input type="checkbox"/> Favorable JCPC monitoring <input type="checkbox"/> In compliance with Consultant Monitoring <input type="checkbox"/> Quality of Service Assessment (QOS) rating is min 70% (min. score of 14) OR progress made on PEP in QOS. <input type="checkbox"/> Provides an essential dispositional option, explain: <input type="checkbox"/> Meets target population as described in Program Agreement (<i>number served, and described target population</i>), with minimal exceptions (i.e. less than 10% variance)</p> <p><input type="checkbox"/> Meets funding priority <input type="checkbox"/> Compatible with research <input type="checkbox"/> Cost efficient <input type="checkbox"/> Addresses reductions of complaints, violations of supervision & convictions <input type="checkbox"/> Has evaluation component <input type="checkbox"/> Addresses parental accountability <input type="checkbox"/> Addresses use of alcohol/controlled substances <input type="checkbox"/> Addresses restitution to victims <input type="checkbox"/> Addresses gang participation <input type="checkbox"/> Would increase funding to this service if funds were available <input type="checkbox"/> Other Other</p>

Juvenile Crime Prevention Council Funding Decisions Summary

Program Not Funded	Reason for Not Funding (Check all that apply)
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of its type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of its type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of its type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of its type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of its type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of its type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of its type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of its type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of its type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other
	<input type="checkbox"/> Lack of funding, addresses priority need and would fund if resources allowed <input type="checkbox"/> Does not meet funding priority <input type="checkbox"/> Not compatible with research <input type="checkbox"/> Lesser quality than another program funded of its type <input type="checkbox"/> Greater cost than program of same type and quality <input type="checkbox"/> Other <input type="checkbox"/> Other

**Orange County Juvenile Crime Prevention Council
Request for Proposals**

62

\$359,096

30%

January 9, 2023

Anticipated Annual Allocation

Required Local Match Rate

Date Advertised

The Juvenile Crime Prevention Council (JCPC) has studied the risk factors and needs of Juvenile Court involved youth in this county and hereby publishes this Request for Proposals. The JCPC anticipates funds from the NC Dept. of Public Safety Juvenile Justice and Delinquency Prevention in the amount stated above to fund the program types specified below. Such programs will serve delinquent and at-risk youth for the state fiscal year 2023-2024 beginning on, or after, July 1, 2023. The use of these funds in this county require a local match in the amount specified above. The county can approve programs for 1 or 2 year funding awards, dependent on county approval and programs meeting all requirements.

Based on identified needed programs and possible gaps in the service continuum, the following checked program types will be considered for funding:

<input checked="" type="checkbox"/> Mentoring Services	<input checked="" type="checkbox"/> Restitution/Community Service	<input type="checkbox"/> Services Addressing Problem Sexual Behavior
<input checked="" type="checkbox"/> Parent/Family Skill Building	<input checked="" type="checkbox"/> Teen Court – including Sentencing and Responsive Circles	<input type="checkbox"/> Group Home
<input checked="" type="checkbox"/> Interpersonal Skill Building	<input type="checkbox"/> Psychological Assessments	<input checked="" type="checkbox"/> Temporary Shelter Care
<input type="checkbox"/> Vocational Skills	<input checked="" type="checkbox"/> Family Counseling	<input checked="" type="checkbox"/> Runaway Shelter Care
<input checked="" type="checkbox"/> Experiential Skills	<input type="checkbox"/> Home Based Family Counseling	<input type="checkbox"/> Specialized Foster Care
<input checked="" type="checkbox"/> Tutoring/Academic Enhancement	<input checked="" type="checkbox"/> Individual/Group/Mixed Counseling	<input type="checkbox"/> Temporary Foster Care
<input checked="" type="checkbox"/> Mediation/Conflict Resolution – including Truancy Mediation, Victim-Youth and Family Group Conferencing, Responsive Circles	<input checked="" type="checkbox"/> Substance Abuse Counseling	<input checked="" type="checkbox"/> Juvenile Structured Day

Proposed program services should target the following risk factors for delinquency or repeat delinquency:

Indicators suggest youth coming to the attention of Juvenile Services are at moderate to high risk for re-offending. Youth are generally age 12-18. Indicators suggest youth are using/abusing substances, exhibit anger management issues, run away from home/placement, have moderate to serious school behavior problems, associate with peers who lack pro-social behaviors and are delinquent. Due to the diversity of Orange County, the JCPC is particularly interested in funding programs that offer culturally appropriate services with accommodations for Limited English Proficiency (LEP) youth and their families.

Proposed services should address the following concerns as reported in the Youth Assessment Screening Instrument (YASI):

Peer Domain: Youth are in need of development of prosocial peer relationships. Indicators suggest youth have some association with and/or regularly associate with delinquent peers.

Individual Domain: Indicators suggest youth are victims of abuse/neglect. There is a strong need for individualized mental health and substance use/abuse evaluations and treatment.

Family Domain: Indicators show that youth have been kicked out of their home and/or run away from home. Parents have marginal or inadequate supervision skills, and substance abuse/mental health are areas that need to be addressed.

School Domain: Indicators suggest youth having moderate to serious behavioral problems at school resulting in receiving out of school suspensions at a high rate presenting ethnic disparities with low academic functioning.

Applicants are being sought that are able to address items below:

1. Program services compatible with research that are shown to be effective with juvenile offenders.
2. Program services are outcome-based.
3. The program has an evaluation component.
4. Program services detect gang participation and divert individuals from gang participation.
5. Awareness of and sensitivity to Racial Ethnic Disparity that exists in the County.
6. Programs are encouraged to provide effective programming that includes restorative justice practices.

Only local public agencies, 501c3 non-profit corporations and local housing authorities will be considered for funding.

In order to apply for FY 2023-2024 JCPC funding, you must complete and submit your application online by accessing NC ALLIES. Please read and follow all instructions at: <https://cp.ncdjjdp.org/CP>
 Additional self-help videos on the NC ALLIES webpage are available by clicking on the HELP tab.
 Private non-profits are also required to submit, by uploading in NC ALLIES, the following:
 1) No Over Due Tax form, 2) DPS Conflict of Interest Statement,
 3) Agency Conflict of Interest Policy, and 4) Proof of 501(c)(3) status. (#1 & #2 are available at the above link.)

Rebekah Rapoza

JCPC Chairperson / or Designee

919-245-2869

Telephone #

For further information or other technical assistance about applying for JCPC funds in this county or about the program application workshop, contact:

David R. Carter _____, DPS Area Consultant at **919-608-4504** or email at **david.r.carter@ncdps.gov**.

The deadline for receiving the application: Feb. 8, 2023 (Email/Mail or deliver) to: _____

**Orange County Juvenile Crime Prevention Council
Request for Proposals**

64

\$60,181

30%

February 23, 2023

Anticipated Annual Allocation

Required Local Match Rate

Date Advertised

The Juvenile Crime Prevention Council (JCPC) has studied the risk factors and needs of Juvenile Court involved youth in this county and hereby publishes this Request for Proposals. The JCPC anticipates funds from the NC Dept. of Public Safety Juvenile Justice and Delinquency Prevention in the amount stated above to fund the program types specified below. Such programs will serve delinquent and at-risk youth for the state fiscal year 2023-2024 beginning on, or after, July 1, 2023. The use of these funds in this county require a local match in the amount specified above. The county can approve programs for 1 or 2 year funding awards, dependent on county approval and programs meeting all requirements.

Based on identified needed programs and possible gaps in the service continuum, the following checked program types will be considered for funding:

<input checked="" type="checkbox"/> Mentoring Services	<input type="checkbox"/> Restitution/Community Service	<input type="checkbox"/> Services Addressing Problem Sexual Behavior
<input type="checkbox"/> Parent/Family Skill Building	<input type="checkbox"/> Teen Court – including Sentencing and Responsive Circles	<input type="checkbox"/> Group Home
<input checked="" type="checkbox"/> Interpersonal Skill Building	<input type="checkbox"/> Psychological Assessments	<input type="checkbox"/> Temporary Shelter Care
<input type="checkbox"/> Vocational Skills	<input type="checkbox"/> Family Counseling	<input type="checkbox"/> Runaway Shelter Care
<input type="checkbox"/> Experiential Skills	<input type="checkbox"/> Home Based Family Counseling	<input type="checkbox"/> Specialized Foster Care
<input type="checkbox"/> Tutoring/Academic Enhancement	<input type="checkbox"/> Individual/Group/Mixed Counseling	<input type="checkbox"/> Temporary Foster Care
<input type="checkbox"/> Mediation/Conflict Resolution – including Truancy Mediation, Victim-Youth and Family Group Conferencing, Responsive Circles	<input type="checkbox"/> Substance Abuse Counseling	<input type="checkbox"/> Juvenile Structured Day

Proposed program services should target the following risk factors for delinquency or repeat delinquency:

Indicators suggest youth coming to the attention of Juvenile Services are at moderate to high risk for re-offending. Youth are generally age 12-18. Indicators suggest youth are using/abusing substances, exhibit anger management issues, run away from home/placement, have moderate to serious school behavior problems, associate with peers who lack pro-social behaviors and are delinquent. Due to the diversity of Orange County, the JCPC is particularly interested in funding programs that offer culturally appropriate services with accommodations for Limited English Proficiency (LEP) youth and their families.

Proposed services should address the following concerns as reported in the Youth Assessment Screening Instrument (YASI):

Peer Domain: Youth are in need of development of prosocial peer relationships. Indicators suggest youth have some association with and/or regularly associate with delinquent peers.

Individual Domain: Indicators suggest youth are victims of abuse/neglect. There is a strong need for individualized mental health and substance use/abuse evaluations and treatment.

Family Domain: Indicators show that youth have been kicked out of their home and/or run away from home. Parents have marginal or inadequate supervision skills, and substance abuse/mental health are areas that need to be addressed.

School Domain: Indicators suggest youth having moderate to serious behavioral problems at school resulting in receiving out of school suspensions at a high rate presenting ethnic disparities with low academic functioning.

Applicants are being sought that are able to address items below:

1. Program services compatible with research that are shown to be effective with juvenile offenders.
2. Program services are outcome-based.
3. The program has an evaluation component.
4. Program services detect gang participation and divert individuals from gang participation.
5. Awareness of and sensitivity to Racial Ethnic Disparity that exists in the County.
6. Programs are encouraged to provide effective programming that includes restorative justice practices.

Only local public agencies, 501c3 non-profit corporations and local housing authorities will be considered for funding.

In order to apply for FY 2023-2024 JCPC funding, you must complete and submit your application online by accessing NC ALLIES. Please read and follow all instructions at: <https://cp.ncdjjdp.org/CP>

Additional self-help videos on the NC ALLIES webpage are available by clicking on the HELP tab.

Private non-profits are also required to submit, by uploading in NC ALLIES, the following:

- 1) No Over Due Tax form, 2) DPS Conflict of Interest Statement,
- 3) Agency Conflict of Interest Policy, and 4) Proof of 501(c)(3) status. (#1 & #2 are available at the above link.)

Rebekah Rapoza

JCPC Chairperson / or Designee

919-245-2869

Telephone #

For further information or other technical assistance about applying for JCPC funds in this county or about the program application workshop, contact:

David R. Carter _____, DPS Area Consultant at **919-608-4504** or email at **david.r.carter@ncdps.gov**.

The deadline for receiving the application: March 24, 2023 (Email/Mail or deliver) to: _____

SECTION I B: PROGRAM COMPONENT DESCRIPTION	
COMPONENT ID #	COMPONENT INFORMATION
38112	<p>NAME OF COMPONENT: Community Service and Restitution</p> <p>BRIEF DESCRIPTION: The Juvenile Community Service and Restitution Program works with Orange County youth who have committed offenses and are assigned community service hours and/or restitution. Youth are assigned to nonprofit work sites throughout the county where volunteer supervisors oversee and evaluate their work. Through this program, youthful offenders learn important lessons in responsibility and accountability and often develop positive relationships with their adult supervisors.</p>

SECTION I B: PROGRAM COMPONENT DESCRIPTION	
COMPONENT ID #	COMPONENT INFORMATION
38031	<p>NAME OF COMPONENT: Comprehensive Youth and Family Conflict Resolution and Victim-Offender Mediation</p> <p>BRIEF DESCRIPTION: Restorative Justice practices consisting of mediated victim-offender conferences, restorative circles, and accountability processes. Program primarily serves youth referred by DJJ, and is also available to schools and community partners, including school resource officers and law enforcement officers.</p>

SECTION I B: PROGRAM COMPONENT DESCRIPTION

COMPONENT ID #	COMPONENT INFORMATION
38279	<p>NAME OF COMPONENT: Parent Teen Solutions Home Visitation</p> <p>BRIEF DESCRIPTION: The home-based counseling program will be provided to at-risk or delinquent youth (10- 17, court referred 18-19) and their parent(s) 3 hours per week from 5 to 9 months with families averaging 6 months (180 days). The program is designed to maintain youth in the home while reducing recidivism, improving family relationships, school motivation, problem-solving skills, interpersonal skills, and parenting skills. Families have the option to participate in group services along with this program.</p>

COMPONENT ID #	COMPONENT INFORMATION
38280	<p>NAME OF COMPONENT: Parent Teen Solutions Group</p> <p>BRIEF DESCRIPTION: The Parent Teen Solutions group serves at-risk and delinquent youth (10-17, court referred 18-19). Interpersonal skill building and social skills training helps to maintain youth in the home, reduce recidivism, improve parent/child relationship, school motivation, social skills, problem-solving, and interpersonal skills. Youth participate in peer group sessions for 2 hours that include discussion and peer practice for a 14-week group and a total of 16 weeks with intake & closure sessions.</p>

SECTION I B: PROGRAM COMPONENT DESCRIPTION	
COMPONENT ID #	COMPONENT INFORMATION
38137	<p>NAME OF COMPONENT: Orange County Teen Court</p> <p>BRIEF DESCRIPTION: Teen Court is an alternative court program for middle- and high-school students based upon the principles of restorative justice. Youth are tried and sentenced by a jury of their peers. Fellow students take the roles of defense attorney, prosecutor, clerk of court, or juror to carry out these proceedings. Local attorneys or retired judges volunteer to serve as Teen Court judges.</p>

SECTION I B: PROGRAM COMPONENT DESCRIPTION	
COMPONENT ID #	COMPONENT INFORMATION
38397	<p>NAME OF COMPONENT: Trauma-informed certified peer support</p> <p>BRIEF DESCRIPTION: Reintegration Support Network (RSN) is a community that embraces, empowers, and inspires youth and emerging adults who experience challenges related to substance use, mental health and justice involvement. Specialty trained mentors work with youth (ages 13-20), through one-to-one mentoring and facilitated peer support groups, creating a safe and resilient space for young people to center their needs and build agency while increasing their engagement with self, school, and community.</p>

SECTION I B: PROGRAM COMPONENT DESCRIPTION	
COMPONENT ID #	COMPONENT INFORMATION
38175	<p>NAME OF COMPONENT: Wrenn House</p> <p>BRIEF DESCRIPTION: Wrenn House (WH) is a crisis shelter that provides a safe environment for runaway, homeless, and in-crisis youth. WH is open 24 hours per day, 365 days per year. Services are for youth ages 10-17. By offering temporary shelter, it eliminates the need for illegal means of support by homeless and runaway youth and therefore reduces rate of juvenile crime. It also serves as an alternative to detention. Services are provided within a therapeutic environment, promoting individuality and empowerment.</p>

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Extension of Food and Organic Waste Collection and Composting Contract

DEPARTMENT: Solid Waste

ATTACHMENT(S):
Contract Amendment

INFORMATION CONTACT:
Robert Williams, 919-968-2788

PURPOSE: To approve the extension of the contract with Judy D Brooks Contractor, Inc. that enables the County to provide collection, hauling and processing for separated food waste and other organic materials from commercial and institutional establishments throughout Orange County.

BACKGROUND: Orange County Solid Waste Management has been collecting food waste from selected establishments since the mid-1990s, originally utilizing two local pig farmers. Due to stringent quality controls necessary with regard to contaminants for food waste being fed to animals, the program ended in 1999. In 2000, Orange County entered into a food waste collection arrangement, and following a Request for Proposal (RFP) process in 2011, expanded the program further to include collection, hauling, processing and compost delivery.

Following an RFP issued in March 2018 seeking proposals for the provision of food and organic waste collection, which called for an additional program expansion, a five-year contract with an option to renew for five years was entered with Judy D Brooks Contractor. The program expansion was limited during the original five-year term as a result of the pandemic resulting in only approximately \$700,000 of the original \$1.2 million contractual amount being used. Additional expansion is anticipated during the upcoming contract term.

The organics collection program diverted over 470 tons (940,000 pounds) of compostable material during calendar year 2022 and over 163 tons (326,000 pounds) of compostable material from landfills during the first four months of 2023.

FINANCIAL IMPACT: The Solid Waste Management Department proposed budget for this program for FY 2023-24 is \$212,000. While the program is anticipated to expand, if no expansion occurs, the new contract pricing would result in an anticipated \$1,100,000 for the five-year term.

With the expected expansion of the program, the projected expenditures, subject to annual budgeting, are estimated to be \$1,300,000 for the five-year period.

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: The following Orange County Environmental Responsibility Goal impact is applicable to this item:

- **GOAL: 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.

RECOMMENDATION(S): The Manager recommends that the Board approve the extension of the contract to collect and compost food waste with Judy D Brooks Contractor, Inc. and authorize the Manager to sign the contract.

NORTH CAROLINA

CONTRACT AMENDMENT

ORANGE COUNTY

THIS CONTRACT AMENDMENT (“Amendment”) is made and entered into this ___ day of ___ June ___, 2023 by and between **ORANGE COUNTY** (hereinafter referred to as “County”) and _____ **Judy D Brooks Contractor, Inc.** _____ (hereinafter referred to as “Provider”).

WITNESSETH:

THAT WHEREAS, the County and Provider entered into a contract dated _June 30, 2018_, (hereinafter the “Original Agreement”), for the provision of services for _continued organics collection, hauling, processing, and education related to collection and compost purchasing for County's existing participating businesses, and future organic waste material collection for growth areas identified by County___; and

WHEREAS, the County and Provider desire to amend the Original Agreement while keeping in effect all terms and conditions of the Original Agreement not inconsistent with the terms and conditions set forth below.

NOW THEREFORE, for and in consideration of the mutual covenants and agreements made herein, the parties agree to amend the Original Agreement as follows:

1. In order to ensure the completion of the Services identified in the term of the Original Agreement is amended to reflect an end date by which all Services shall be completed of _June 30, 2028_.
2. Article __5_, Section __a__ is amended to reflect a maximum payable not-to-exceed amount of _Two Million Dollars (\$2,000,000)_____.
3. Section 12.1.14 of the response to RFP is deleted and a new section 12.1.14 is added as follows:

12.1.14 Pricing

Prices will be per cart, \$14.95 per 65 gallon and \$12.51 per 35 gallon with a \$25 minimum charge per collection (0-1 cart). All effort will be done to minimize the number of minimum charge accounts and individually set carts behind shopping centers will not be considered minimum stops. Collection will include an excellent level of education and outreach to the individual waste generators. This will cover all weighing, rinsing of carts, and transport to Brooks Compost Facility. In addition to the price set forth above, any collection outside the current service area set forth on attachment 1 hereto, marked current service area, will be charged an additional fee of \$50.00. No collection shall be made outside the current service area without the explicit approval of Orange County Solid Waste.

Tipping fee at Brooks Compost Facility will be \$25.00 per ton.

Indoor Organic Pail costs are negotiable depending on the application and number needed. Everything needed by a customer to implement and maintain a successful composting program is provided by Brooks contractor.

Compost delivery to 1514 Eubanks Rd., Chapel Hill, NC shall be \$885.00 per 40 cubic yards plus tax.

Prices will be adjusted annually on July 1 of each year beginning in July, 2024 in an amount not to exceed 4%. Price adjustment shall be in the same amount, up to 4%, as the percentage change in the Bureau of Labor Statistics Consumer Price Index for all Urban Consumers: US City Average, Expenditure category Garbage and Trash Collection, measured for the most recently available 12 month period average preceding the adjustment date.

- 4. Attachment 1- Price Sheet One of the Response to RFP is deleted.

- 5. Except for the changes made herein, the Original Agreement shall remain in full force and effect to the extent it is not inconsistent with this Amendment. In the event there is a conflict between the terms of the Original Agreement and the terms of this Amendment, this Amendment shall control.

IN TESTIMONY WHEREOF, this Amendment has been executed by the parties hereto, as of the date first above written.

ORANGE COUNTY

PROVIDER

Bonnie Hammersley
County Manager

OCSW Trip Fee

Orange County, NC Bounds



Line 1



Line 2



Line 3

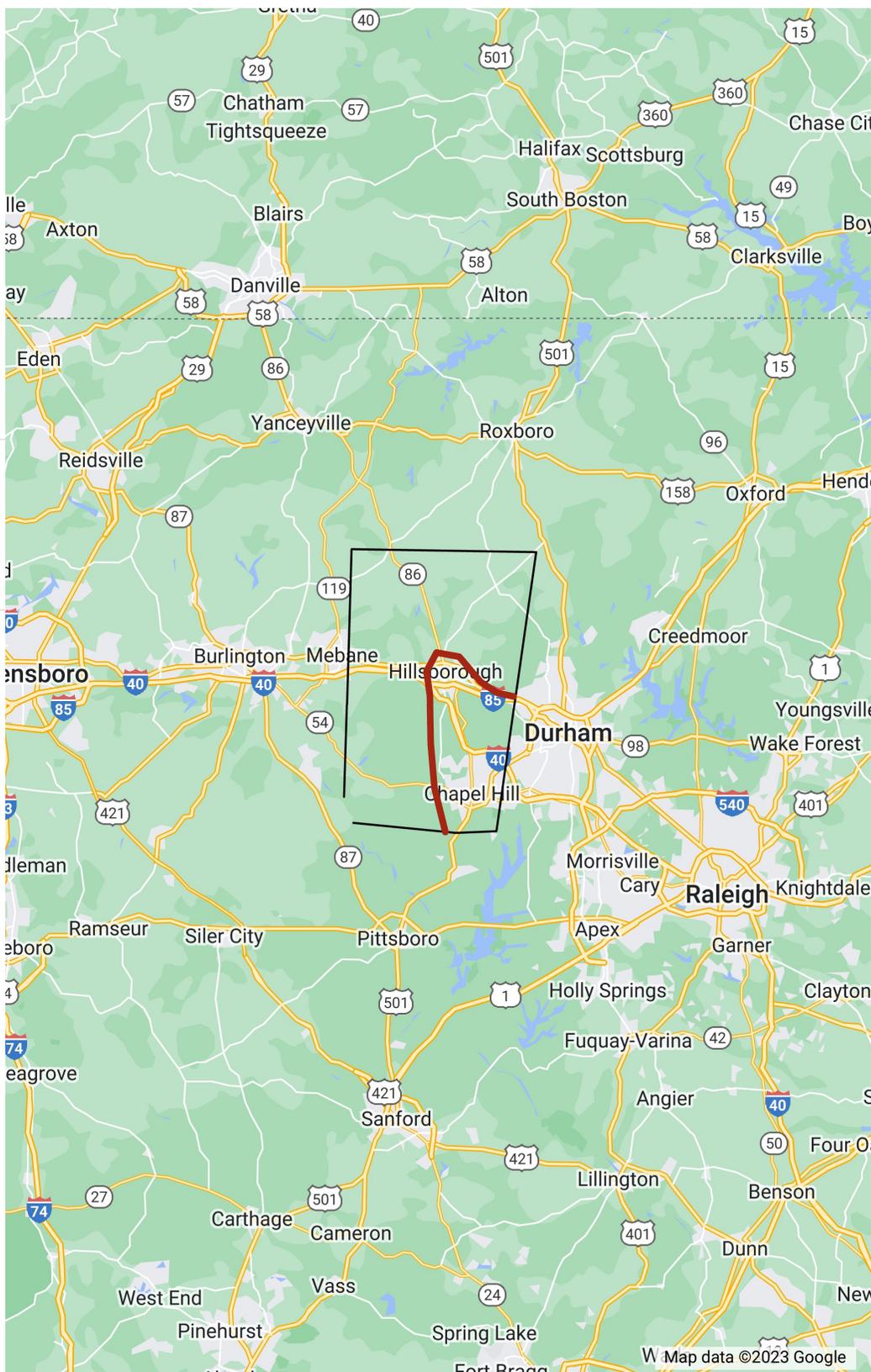


Line 6

Service Area



Line 3



**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Orange County Climate Council Memorandum of Understanding

DEPARTMENT: Asset Management Services

ATTACHMENT(S):

1. Orange County Climate Council Memorandum of Understanding
2. Climate Council Sub-Committee Report
3. Town of Chapel Hill and Hillsborough Resolutions to Adopt Climate Council MOU

INFORMATION CONTACT:

Amy Eckberg, Sustainability Programs Manager, 919-245-2626;
Steven Arndt, Asset Management Services Director, 919-245-2658

PURPOSE: To approve a Memorandum of Understanding (MOU) for the restructuring of the Orange County Climate Council.

BACKGROUND: In Fall 2021, the Board of County Commissioners created a sub-committee consisting of Commissioners Jamezetta Bedford, Amy Fowler and Anna Richards to assess, review and consider the restructuring of the Orange County Climate Council.

The Sub-committee reviewed background materials, conducted a survey of current and former Climate Council members, interviewed Climate Council members, and reviewed other models for intergovernmental information sharing and coordination. The Sub-Committee recommended that the Climate Council be restructured and remodeled similar to the Intergovernmental Parks Work Group and expressed that the charge of the group should be focused on information sharing and not on joint action or programming (Attachment 2).

The Sub-committee also recommended that the participating jurisdictions create a Memorandum of Understanding to govern the new Climate Council. (This was consistent with the request from the initial Climate Council and the direction from the Mayors and Chair to their respective attorneys). It was stated that the MOU should detail the membership, charge and boundaries of work, meeting frequency, appointment process, and an understanding of staff responsibilities. Pending completion of that MOU, the County's participation in the Climate Council was suspended.

In Fall 2022, staff attorneys from the County and participating municipalities developed a draft MOU, which was then reviewed and finalized by Town and County sustainability staffs (Attachment 1). In Spring 2023, both the Towns of Chapel Hill and Hillsborough approved the MOU. However, the Town of Carrboro has not approved the MOU at this time.

FINANCIAL IMPACT: There are no financial impact associated with this item.

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: 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: The following Orange County Environmental Responsibility Goal impacts are applicable to this item:

- **ENERGY EFFICIENCY AND WASTE REDUCTION**
Initiate policies and programs that conserve energy, reduce fuel/utility/resource consumption, increase the use of recycled products and renewable energy services, and minimize waste stream impacts on the environment.

RECOMMENDATION(S): The Manager recommends that the Board approve and authorize the Chair to sign the Memorandum of Understanding for the Orange County Climate Council.

Memorandum of Understanding Creating the Intergovernmental Climate Council of Orange County

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is made and entered into this ____ day of _____, 2023 between and among the Towns of Carrboro, Chapel Hill, and Hillsborough, North Carolina, municipal corporations in Orange County, North Carolina (hereinafter referred to collectively as the “Towns”), and Orange County, a political subdivision of the State of North Carolina (hereinafter referred to as the “County”), for the purpose of creating a joint climate council to explore climate change issues in and their impact on Orange County and its residents. (County and Towns may be referred to individually as “Party” and collectively as the “Parties”).

The Parties also acknowledge that the University of North Carolina – Chapel Hill, UNC Healthcare, the Orange Water and Sewer Authority, Orange County Schools, Chapel Hill Carrboro City Schools, North Carolina Cooperative Extension, Durham Technical Community College, and The Chamber for a Greater Chapel Hill Carrboro Partnership for Sustainable Community are important member entities (stakeholders) in the County and the Towns and though not parties to this MOU, the Parties acknowledge the vital role they play and further acknowledge their intention to invite full participation by these member entities with respect to the issues covered by this MOU.

The purpose of this MOU is to foster the cooperation and collaboration between the County and the Towns, which has proved so successful on many issues and topics, to provide flexibility to explore the impacts of climate change and the mitigation of those impacts in Orange County. This collaborative agreement is established and maintained based on the cooperative trust among the Parties that is essential to the effective implementation of this MOU.

WITNESSETH

WHEREAS, the County, and Towns are public bodies, politic and corporate, under the laws of the State of North Carolina and are vested with the power and authority by Article 20 of North Carolina General Statutes Chapter 160A to enter into this MOU; and

WHEREAS, at the January 29, 2019 Assembly of Governments, the County and Towns discussed the formation of a climate committee to explore issues related to climate change; and

WHEREAS, a climate council was subsequently created with input from the Parties and began meeting in the Fall of 2019; and

WHEREAS, the County and Towns determined that the climate council’s purpose and function were unclear and jointly desired to formally establish an Intergovernmental Climate Council (the “Council”) and impart to it a clear charge and purpose.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and obligations set forth herein, the receipt and sufficiency of which is hereby acknowledged, the County and Towns agree as follows:

1. Charge and Goals of the Council

The charge/goals of the Council are to coordinate on climate related issues and opportunities. More specifically, the Council shall:

- Exchange information on climate justice, climate change mitigation, resiliency, and adaptation;
- Maintain and update an inventory of climate change initiatives of the entities represented on the Council that can be used to advance climate action plan strategies;
- Promote communication between the Towns and the County on future opportunities and collaborative efforts;
- Provide informational updates on the Climate Action Plans of the entities represented on the Council;
- Share public education and outreach opportunities conducted by the entities.

2. Term and Termination

This MOU shall continue in full force and effect until such time as it is terminated by mutual agreement of the Parties or until such time as two or more of the Parties withdraw from participation. A Party may withdraw from participation upon thirty (30) days written notice to the other Parties. Upon withdrawal by a Party, that Party shall have no further responsibilities or obligations under this MOU and that Party's appointees shall no longer have membership on the Council.

3. Membership

The Council shall have 16 members, as follows:

<i>Organization Representatives</i>	<i># of Positions</i>
Orange County Board of Commissioners	1
Orange County Commission for the Environment Representative	1
Hillsborough Board of Commissioners	1
Hillsborough Parks and Recreation Board Representative	1
Carrboro Town Council	1

Carrboro Climate Action Team	1
Chapel Hill Town Council	1
Chapel Hill Environmental Stewardship	
Advisory Board Representative	1
CHCCS Board Member	1
Orange County Schools Board Member	1
UNC Sustainability Lead	1
UNC Health Sustainability Lead	1
OWASA Sustainability Lead	1
NC Cooperative Extension Representative	1
Durham Tech Sustainability Lead	1
The Chamber for a Greater Chapel Hill Carrboro Partnership for a Sustainable Community Representative	1

Members may be removed and replaced at any time for any reason by the entity that appointed the member. If an elected and/or advisory board member’s term ends, a new member shall be appointed by the entity. The Council shall select a meeting facilitator and co-facilitator. The Climate Council is inter-jurisdictional, providing information to elected boards on the areas listed in Section 1. It is not a formal advisory board and therefore not subject to voting and quorum requirements.

Advisory board and elected representatives from each Party to this Agreement shall be appointed by the elected board of that Party. All other member entities shall choose and appoint their own representative. The Managers of each local government will select the staff who will participate in the Council.

4. Meetings and Nature

The Council will meet two (2) times per year; Spring and Fall. The Council may meet remotely as authorized by the County Manager. A remote meeting is an official meeting, or any part thereof, with a majority or all of the members participating by simultaneous communication.

- a. Simultaneous communication is any communication by conference telephone, conference video, or other electronic means.

The Council is a public body and its meetings are subject to North Carolina Open Meetings Law and shall be open to the public to engage with concerns and ideas regarding climate change, climate justice and resiliency whether the meetings are conducted in person or remotely. The Council shall coordinate with the Clerk to the Board of Commissioners to notify the public of the means by which the public may access the remote meetings. All documents created by or for

the Council are presumed to be public records unless an exception to North Carolina Public Records Law applies.

5. Work of the Council and Staffing Arrangements

The Council is a multi-jurisdictional entity and is not an advisory board to any of the Parties. Staffing for the Council shall be of a joint venture, including staff from:

- Orange County
- Town of Carrboro
- Town of Chapel Hill
- Town of Hillsborough

Orange County staff will be responsible for administration, agenda preparation, meeting coordination, and meeting notes with support from other Town staff.

The Council shall faithfully adhere to its charge and purpose, shall not have supervisory authority over any Town or County staff who may be assigned to provide assistance to the Council, shall not have authority to incur any costs on its own behalf or any costs to the County or Towns, and shall meet regularly, with County staff support, to pursue its charge and goals.

6. Responsibilities of the Towns and County

The Towns and County shall:

- Provide meeting space and remote meeting capabilities for the meetings of the Council
- Provide staff assistance as described herein to support the Council
- Provide appointments to the Council as provided herein
- Continue to support the Council for the duration of their participation in this MOU

[SIGNATURE PAGE TO FOLLOW]

Wherefore the Parties hereto have set their hands and seals on the day and date first above recorded.

CARRBORO

Damon Seils, Mayor

Clerk-Attest

CHAPEL HILL

Pam Hemminger, Mayor

Clerk-Attest

HILLSBOROUGH

Jenn Weaver, Mayor

Clerk-Attest

ORANGE COUNTY

Jamezetta Bedford, Chair

Clerk-Attest

Report of the Climate Council Review Sub-Committee April 2022

The Board of Commissioners created a sub-committee to review the Orange County Climate Council in the Fall of 2021. The Board appointed Commissioners Bedford, Fowler, and Richards to serve on the sub-committee. The petition that initiated the sub-committee stated that the sub-committee may recommend a restructuring of the Climate Council as a result of this assessment.

The sub-committee reviewed background materials, conducted a survey of current and former climate council members, interviewed Climate Council members, and reviewed other models for intergovernmental information sharing and coordination.

Climate Council Background

The Orange County Climate Council began as an Ad Hoc Climate Change Committee. The original informal group was composed of four elected officials to explore opportunities to accelerate collaborative action on climate change. The Committee provided a report to the Assembly of Governments meeting on January 29, 2019 where the concept of establishing a more formal committee structure was discussed noting that the composition and charge for the new committee would need to be discussed and approved by the boards of the constituent jurisdictions.

Following the Assembly of Governments meeting, each jurisdiction took different approaches to their appointments to the Climate Council

- **Orange County**
Orange County approved the formation of a Climate Council and proposed membership structure of thirty-one (31) positions.
- **Hillsborough**
On April 8, 2019, the Hillsborough Board of Commissioners reviewed the proposed membership list of thirty-one (31) positions with no formal action to approve the composition and appointed a representative.
- **Carrboro**
At the May 7, 2019 meeting, the Board of Aldermen endorsed a participant list of 26 positions, rather than the 31 positions approved by Orange County. The list the Board of Aldermen endorsed did not include 4 at-large positions for each jurisdiction or a representative from UNC Hospital.

On March 19, 2019, the Board of Aldermen appointed a representative.

- **Chapel Hill**

On April 10, 2019, the Chapel Hill Town Council passed a resolution approving the membership list of 31 positions and appointed a representative.

The current membership structure is included in the following table:

Organization	Representatives	# of Positions
Orange County BOCC	Sustainability Director, Commissioner	2
Hillsborough	Designated staff, Commissioner	2
Carrboro	Sustainability Director, Alderperson	2
Chapel Hill	Sustainability Director, Council person	2
CHCCS	Sustainability Director, Board member, Student	3
Orange County Schools	Designated staff, Board member, student	3
UNC	Sustainability Director, Student	2
OWASA	Sustainability Director, Board member	2
CH-Carrboro NAACP	Representative, youth	2
Northern Orange NAACP	Representative, youth	2
Orange/Chatham Sierra Club	Representative	1
NC Cooperative Extension	Representative	1
Durham Tech	Representative, student	2
At Large Appointments	Orange County, Chapel Hill, Carrboro, Hillsborough	4
UNC Hospital	Representative	1
Total Members		31

County records indicate that the Council met seven times during 2021 with an average attendance of 15.9 members at each of the meetings.

Mission Statement

The Climate Council has adopted a mission statement to, "...accelerate joint action addressing the climate emergency by sharing successful strategies and identifying equitable opportunities to reduce greenhouse gas emissions, provide stewardship of the natural world, and protect all County residents from climate impacts.

Recent Accomplishments

The Climate Council prepared a report for the Board of Commissioners in April of 2021 that outlined the following accomplishments.

- Created the Climate Action Reporting Database (CARD) where all 12 active member organizations documented over 200 climate actions taken to date by at least one of our members.
- Generated a list of climate actions and policies which might be used by local governments in North Carolina, and categorized by cost estimates, general impact on emissions, and additional benefits:
- Consulted a local communication professional to identify the most impactful and appropriate way for the Climate Council to communicate.
- Won a technical assistance grant from the US Green Building Council to pursue LEED certification for Orange County under the new LEED for Cities and Communities Rating System.
- Conducted our First Annual Community Update on Thursday, October 22nd, engaging with more than 80 participants to share our work to date and answer community questions.

Request for Memorandum of Understanding

In December of 2021, the Climate Council submitted a letter to the Mayors, Chair, and Managers requesting a process to develop a memorandum of understanding (MOU) that would govern the work of the Climate Council moving forward.

The letter proposed an eight member Climate Council Executive Committee composed of the Climate Council governing body liaisons, the Climate Council Chair, Vice-chair and two other representatives from the Climate Council elected by that body. That group would draft an MOU based on the experience of the Council to date, the latest draft Climate Council bylaws, and other intergovernmental governing documents that may serve as appropriate models.

The letter indicated that the draft MOU would be shared with the other Climate Council members for feedback, followed by a potential presentation to the Assembly of Governments meeting or to each governing board detailing the Climate Council's work, and, finally, distribution to each governing board for approval.

The Mayors and Chair discussed the request for an MOU and subsequently asked their attorneys to begin the drafting process using the Intergovernmental Parks Work Group as the model structure.

Feedback from Current and Former Climate Council Members

The Sub-Committee sought feedback from current and former Climate Council members regarding what work is going well and what could be improved. That feedback took the form of a survey that was distributed to 48 current and former members as well as a

meeting with the Council Chair and Town of Carrboro representative with the members of the Sub-Committee.

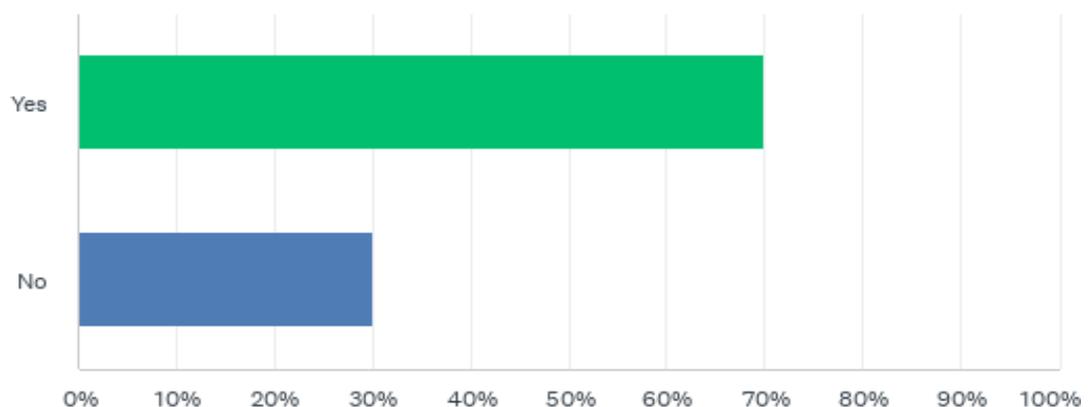
The Sub-Committee received a total of twelve responses from elected officials, a community organization, at large members, and staff. Commissioners Richards and Bedford received the survey as former members of the Council, but they did not complete it.

What was/is your role on the Climate Council?

Elected Official/Board Member	33.33%	4
Community Organization Representative	8.33%	1
At-Large Resident Appointee	41.67%	5
Staff	16.67%	2
Student	0.00%	0
Intern	0.00%	0
TOTAL		12

Seventy percent (70%) of those respondents indicated that the Climate Council added value to the existing work on sustainability and climate change.

Does the Climate Council add value to existing work on sustainability and climate change happening in public sector or in non-governmental organizations?



The survey also asked more qualitative questions from which themes could be discerned.

- **From your perspective, what is the primary purpose of the Climate Council?**
Primary Themes: Collaboration, Information Sharing
- **What elements of the Climate Council's work are going well?**
Primary Themes: Collaboration of technically competent council members, development of relationships between members, foundational work of council
- **What elements of the Climate Council's work are not going well?**
Primary Themes: No clear understanding of mission, purpose, goals and responsibilities. Inconsistent attendance/participation by some council members.
- **What is your perspective on the size, structure, and representation on the Climate Council?**
Primary Themes: No consistent opinion on size. Many commented on representation, indicating the council should seek wider representation outside of government, and more diversity.
- **What role should staff play?**
Primary Themes: Pretty evenly split between active members and technical support only.
- **What would be included in an ideal Climate Council work plan?**
Primary Themes: A specific charge from the governments, Definition of the relation of the council to the county (i.e., advisory?) and municipal governments, Brainstorming

Existing Models for Collaboration

Based on the feedback from members, the Sub-Committee recognized the value of an intergovernmental group focused on information sharing and collaboration. The County and the Towns currently have three formal models for collaboration.

- **Intergovernmental Parks Work Group**
The Intergovernmental Parks Work Group was created through a resolution that was adopted by the elected boards of Orange County, Chapel Hill, Hillsborough and Carrboro. That resolution was accompanied by a governing document that outlined the membership, detailed a meeting frequency of three times per year, and established the group's charge.

The charge to the Intergovernmental Parks Work Group included seven (7) goals.

1. To gather, exchange and **share information** on parks planning and development in the municipalities and County.

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

The governing document also indicated that the Intergovernmental Parks Work Group is inter-jurisdictional group, providing information to all elected boards on the areas listed above. It is not a formal advisory board of any jurisdiction.

- **Partnership to End Homelessness**

The Partnership to End Homelessness started in April 2008 as the Orange County, Chapel Hill, Carrboro, and Hillsborough endorsed the Orange County 10-Year Plan to End Chronic Homelessness and entered into a formal memorandum of understanding (MOU) to fund and support the Plan's implementation.

The 10-Year Plan to End Chronic Homelessness has evolved into a living document that the Partnership updates over time to reflect its accomplishments and the evolution of policies, evidence-based practices, and funding. It is currently supported by two professional staff and program expenses funded by the County and Towns through a population based funding formula. The County provides administrative support and oversight of the staff.

The Partnership to End Homelessness MOU created a Leadership Team consisting of representatives appointed from each of the above governmental partners and a cross-section of community representation, charged with providing oversight and direction to the Plan.

The MOU also designates the four elected appointees to serve on the OCPEH Executive Team to ensure that the interests of all four funding jurisdictions are consistently represented and clearly specifies the role of the Towns and the County.

- **Food Council**

The Orange County Food Council was formally created in June of 2015 as each jurisdiction approved an MOU specifying the role, governance, and funding model to support the work of the Council. This MOU modeled on the Partnership to End Homelessness MOU.

Although the Food Council did not have a ten year plan to guide its initial work, the MOU specifies that the Council's role is to "...provide advice and recommendations to the four jurisdictions on issues related to the county community food system and also facilitate communication between community groups, committees, commissions, and other boards whose work supports a thriving local farm economy, access to healthy food, food related economic development, strong communities, sustainable ecosystems, and healthy people.

The MOU also specifies a sixteen member Council consisting of elected representatives appointed from each of the above governmental partners and a cross-section of community members, food access and food provider representation, charged with providing direction for the council's work.

Sub-Committee Recommendations

The Sub-Committee recommends that the Climate Council be modeled after the Intergovernmental Parks Work group. Both groups serve as forums to share information, promote communication among jurisdictions, identify areas of potential collaboration, and educate the public.

The Partnership to End Homelessness conducts these activities but also serves a more formal role as the County's designated Continuum of Care under rules established by the Department of Housing and Urban Development, and both the Partnership to End Homeless and the Food Council have staff dedicated to implement programming and funding from each of the jurisdictions to support those staff. The Climate Council offers an important opportunity for communication but does not have the same level of responsibility.

The Sub-Committee also recommends that the participating jurisdictions create a Memorandum of Understanding (MOU) to govern the new Climate Council. This is consistent with the request from the Climate Council and the direction from the Mayors and Chair to their respective attorneys. The MOU should detail the membership, charge and boundaries of work, meeting frequency, appointment process, and an understanding of staff responsibilities. Pending completion of that MOU, the County's participation in the Climate Council should be suspended.

Suggestions for Moving Forward

The Sub-Committee also offers the following suggestions regarding the content of the MOU.

Membership

The Sub-Committee suggests that the overall size of the Council decrease to increase the number of meetings at which a quorum of members is present. More specifically, the membership should be limited to the government agencies that create the group and the entities and employers that could have the most impact on operations and behaviors that drive climate change.

Organization	Representatives	# of Positions
Orange County BOCC	Commissioner	1
Orange County Commission for the Environment	Representative	1
Hillsborough	Commissioner	1
Hillsborough Parks and Recreation Board	Representative	1
Carrboro	Aldersperson	1
Carrboro Environmental Advisory Board	Representative	1
Chapel Hill	Council person	1
Chapel Hill Environmental Stewardship and Advisory Board	Representative	1
CHCCS	Board member	1
Orange County Schools	Board member	1
UNC	Sustainability Lead	1
UNC Health	Sustainability Lead	1
OWASA	Sustainability Director	1
NC Cooperative Extension	Representative	1
Durham Tech	Sustainability Lead	1
The Chamber for a Greater Chapel Hill Carrboro Partnership for Sustainable Community	Representative	1
Total Members		16

Charge

The Charge to the group should be focused on information sharing and collaboration and not on joint action or programming. Like the Intergovernmental Parks Workgroup, goals should include

- Providing opportunities to engage with the community on concerns and ideas regarding climate change and climate justice;
- Gathering and exchanging information on climate change mitigation and prevention;

- Maintaining and updating an inventory of climate change initiatives of the entities represented on the Council;
- Promoting communication between the municipalities and the County on future opportunities and collaborative efforts;
- Providing updates on the Climate Action Plans of the entities represented on the Council;
- Providing feedback on public education and public outreach conducted by the entities represented on the Council or any collaborative education and outreach activities as requested by those entities.

Meeting Frequency

The Sub-Committee suggests a meeting frequency similar to the Intergovernmental Parks Work Group of three times per year. This will provide a meaningful interval for updates while not consuming a considerable amount of staff time.

Appointment Process

Appointments should be made through each entity's respective appointment process. The Board of County Commissioners will appoint its own member. The Town of Carrboro will appoint its own member, etc. The Clerk to the Board of Commissioners will coordinate this process with the Town Clerks.

Nature of the Work Group

As an intergovernmental entity, the Climate Council should not be considered to be an advisory board of any of its constituent entities.

Staffing Arrangements

County staff will work with the appointed County representatives to prepare agendas and coordinate meetings. Each entity represented on the Council will be responsible for providing individual agency updates and engaging in collaborative activities.

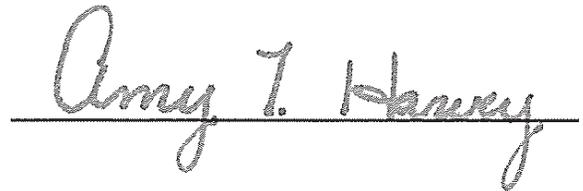
Importance of a County Climate Action Plan

The Sub-Committee also recognized the need for the County to create its own **Climate Action Plan** to identify the County's goals and strategies. This Plan is a prerequisite to successful information sharing and collaboration with other jurisdictions.

Attachment 3

I, Amy T. Harvey, Deputy Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2023-02-22/R-6) adopted by the Chapel Hill Town Council on February 22, 2023.

This the 23rd day of February, 2023.

A handwritten signature in cursive script, reading "Amy T. Harvey", is written over a horizontal line.

Amy T. Harvey
Deputy Town Clerk



A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING TO CREATE THE INTERGOVERNMENTAL CLIMATE COUNCIL OF ORANGE COUNTY (2023-02-22/R-6)

WHEREAS, in January of 2019, at the Assembly of Governments meeting, the County and Towns of Carrboro, Chapel Hill, and Hillsborough (herein "Towns") discussed the creation of a climate committee;

WHEREAS, in the fall of 2019, a climate council was formed by the County and Towns and began meeting;

WHEREAS, in April of 2021, the Town of Chapel Hill adopted a Climate Action and Response Plan, which charts a course for reducing the emissions that cause climate change and adapting to our changing climate;

WHEREAS, the County and Towns agree that there is an opportunity to clarify the purpose and function of the climate council by formally establishing an Intergovernmental Climate Council; and

WHEREAS, the County and Towns developed the attached Memorandum of Understanding that describes the charge, goals, terms, membership, meetings, staffing and responsibilities of an Intergovernmental Climate Council of Orange County.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorizes the Mayor to execute a Memorandum of Understanding to create the Intergovernmental Climate Council of Orange County.

This the 22nd day of February, 2023.



RESOLUTION

Authorizing the Mayor to Execute a Memorandum of Understanding to Create the Intergovernmental Climate Council of Orange County

WHEREAS, in January 2019, at the Assembly of Governments meeting, Orange County and the towns of Carrboro, Chapel Hill, and Hillsborough (herein "towns") discussed the creation of a climate committee; and

WHEREAS, in the fall of 2019, a climate council was formed by the county and towns and began meeting; and

WHEREAS, the county and towns agree that there is an opportunity to clarify the purpose and function of the climate council by formally establishing an Intergovernmental Climate Council; and

WHEREAS, the county and towns developed a Memorandum of Understanding that describes the charge, goals, terms, membership, meetings, staffing and responsibilities of an Intergovernmental Climate Council of Orange County;

NOW, THEREFORE, be it resolved the Hillsborough Board of Commissioners authorizes the mayor to execute a Memorandum of Understanding to create the Intergovernmental Climate Council of Orange County.

Approved this 13th day of March in the year 2023.



Jenn Weaver, Mayor
Town of Hillsborough

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Approval of Contracts with Capital Area Workforce Development (CAWD) for Workforce Innovation & Opportunity Act (WIOA) Program Services

DEPARTMENT: Social Services

ATTACHMENT(S):

Adult and Dislocated Worker Services
Contract
Youth Services Contract

INFORMATION CONTACT:

Nancy Coston, 919-245-2802
Sharron Hinton, 919-245-2840

PURPOSE: To approve a contract with the Capital Area Workforce Development (CAWD) for the implementation of Workforce Innovation & Opportunity Act (WIOA) employment and training program services for youth and adults in Orange County.

BACKGROUND: At the June 7, 2022 Board Business meeting, representatives from the NC Department of Commerce provided a presentation regarding the realignment of regional workforce development boards, options for Orange County for future alignment, and the approval process for proposed realignments. At the June 21, 2022 Business meeting, the Board approved a resolution and authorized staff to pursue realignment efforts with CAWD.

In March 2023, staff received an award letter indicating that Orange County Social Services (DSS) is approved for Adult and Dislocated Worker funds in a first-year contract for the period July 1, 2023 through June 30, 2024. CAWD reserves the right to renew contracts on an annual basis for up to three additional years (through June 30, 2027).

Typically, CAWD allows providers to contract for the provision of **either** adult or youth services. However, as Orange County DSS has served as the provider for both programs since 2017, staff received an award letter to continue implementation of these services as well. It was noted that:

“The Division of Workforce Solutions, WIOA State Administrator, and Wake County Government Procurement Management are allowing CAWD to provide this award outside of the RFP process to ensure continued services to Orange County youth until a new RFP is released and a provider is selected thru a competitive process in December 2023.”

Therefore, DSS is also approved to implement the WIOA youth program from July 1, 2023 through June 30, 2024 as well.

Although the exact award amounts are contingent upon the final State allocations, the budgeted amounts are based on this year's actuals (minus On-the-Job Training costs for Adult/Dislocated Workers – which are administered separately by CAWD) and are as follows:

- Youth \$184,353.79
- Adult \$108,732.38
- Dislocated Worker \$ 69,889.36

FINANCIAL IMPACT: These grant dollars for Adult & Dislocated Workers and Youth will allow continuation of WIOA employment and training programs.

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

- **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 that the Board approve and authorize signature of the contracts, contingent upon final review and approval by the County Attorney.

Contract Number: EC00000000010049
 (Please reference this number on your invoices for payment)

CAWD - WOIA

Department: 58 - Capital Area Workforce Development

Vendor: VC0000003108 - COUNTY OF ORANGE

Description of Services: Orange County DSS will serve as the service provider of the NCWorks Career Center of Orange County. The Orange County NCWorks Career Center remains committed to assisting the community and providing access to employment and training services that results in a trained workforce with a competitive employment base. The Center is a comprehensive site that works closely with community partner agencies throughout Orange County as well as surrounding counties to strengthen the workforce. Orange County DSS will ensure seamless and streamlined services for customers by utilizing and training all partners on the Integrated Service Delivery (ISD) model. All participants will be attached to a Career Advisor who will serve as a guide to ensure services are in place to help each participant achieve his/her/their goals.

BOC Date Approved:

Contract Start Date: 7/1/2023 **Contract End Date:** 6/30/2024

Max Amount Payable: \$178,621.74

Funding Source(s):

X Federal State County Grants Other None
 CFDA # 17.257, 17.258

BFY	Acct Template	Object	Description	Amount
9999	58W281	4252	To provide WIOA Adult and DW services in Orange county	\$108,732.38
9999	58W282	4252	To provide WIOA DW services in Orange County	\$69,889.36

Competition:

RFP#: 23-004 **Next Competition:** 2027 **Year Last Competed:** 2023

Person Responsible for Monitoring the Contract Performance Requirements: Thomas Pulickal

**COST REIMBURSEMENT CONTRACT
FOR ONE-STOP OPERATOR AND ADULT/DW SERVICES
UNDER TITLE I OF THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

This Contract is entered into as of the 1st day of July 2023, by and between Wake County grant recipient for Capital Area Workforce Development Consortium under the Workforce Innovation and Opportunity Act, hereinafter referred to as “Capital Area”, and Orange County, hereinafter referred to as the “Service Provider”. Capital Area agrees to pay the Service Provider from Program Year 2023 Title I Workforce Innovation and Opportunity Act (WIOA) funds granted by the North Carolina Division of Workforce Solutions for allowable costs incurred by the Service Provider for One-Stop Operator and Adult/DW services in Wake, Johnston, Chatham, Lee, and Orange Counties. The Service Provider agrees to make available and provide WIOA Career and Training Services for adults and dislocated workers in accordance with the Workforce Innovation and Opportunity Act, Public Law 113-128, the Capital Area Workforce Innovation and Opportunity Act Four-Year Strategic Plan and the State Integrated Service Delivery Model Framework, all as have been or may be later revised. This contract and payment of funds hereunder is subject to the availability of funds under the grant specified above and to approval of the grant funds by the Wake County Board of Commissioners. In the event that Capital Area does not receive Title I WIOA funds granted by the North Carolina Division of Workforce Solutions for all or part of any program year, and/or in the event that the Wake County Board of Commissioners does not approve grant funding for all or part of any program year; then and in that event, Capital Area may terminate, or reduce the amount in, this Contract immediately without penalty or further obligation hereunder by delivering notice in writing to the Service Provider, such notice effective immediately.

1. **Time**. The services of the Service Provider are to commence on or about July 1, 2023 and shall be completed by June 30, 2024.
2. **Services to be Performed**. The Service Provider agrees to provide services as outlined below and as detailed in the Statement of Work incorporated into this contract as Attachment A The delivery of on-going NCWorks services including, but not limited to, oversight of day-to-day operations of the NCWorks Career Centers in Wake, Johnston, Chatham, Lee, and Orange Counties, coordination of the function areas: Talent Engagement, Talent Development and Talent Employment Solutions. The Workforce Innovation and Opportunity Act authorizes career and training services for adults and dislocated workers. Funds provided under this agreement shall be used to contribute to the provision of career and training services through the Capital Area NCWorks Career Centers. The NCWorks System is based on a seamless approach to service delivery, providing access to services under a wide array of employment, training, and education opportunities. The NCWorks System offers a wide range of services from self-service to limited staff

assistance to multiple workforce development programs to meet the needs of a variety of customers – job seekers and local businesses. Employment and training services for individuals and employers shall be universally accessible through the NCWorks System. Employment and training activities for Adult and Dislocated Workers services described in WIOA Section 134 (c)(1) must be made available through the Capital Area NCWorks Career Center System.

Individuals who have met the federal and local eligibility requirements for Career Services and who are unable to obtain or retain employment through Career Services may be eligible for Training Services. The Service Provider staff shall identify, based on assessment and evaluation, adults and dislocated workers who are in need of specific occupational skills training, retraining, or skills upgrade and who possess the requisite skills and abilities to successfully complete training. Selected skill training must be consistent with Capital Area labor market “in demand” occupations. Individual Training Accounts (ITAs) shall be authorized for eligible adults and dislocated workers to cover the costs of tuition, textbooks, fees and supplies, or the amount of the above, not paid by other grants or financial resources. The Service Provider shall coordinate funds for payment of training costs for a participant with NCWorks Career Center System partners and other entities. If WIOA funds are used to pay training costs for a participant, and the participant is subsequently awarded a Pell Grant, WIOA funds paid for tuition must be reimbursed by the training provider.

3. **Management Information System and Accountability.** Accountability is an essential aspect of the administration of the Workforce Innovation and Opportunity Act. WIOA services and outcomes must be tracked and state and federal reporting requirements must be met. The North Carolina Division of Workforce Solutions has implemented an automated Management Information System through Geographic Solutions called Virtual One–Stop (VOS) to provide for the storage and maintenance of data that is necessary to comply with state and federal requirements. The Division of Workforce Solutions uses information in this system to determine each Local Area’s outcomes on the WIOA Primary Indicators of Performance.

An individual participant record is created in VOS for each adult and dislocated worker served under WIOA. The Service Provider shall use the VOS system to track all WIOA participants from initial contact through intake/application, eligibility, certification, registration/enrollment into WIOA activities, case management, exit from WIOA, and post-exit follow-up services. Information entered into VOS by the Service Provider must be accurate, complete, and current in order to ensure that all customer outcomes are recorded and counted towards the Primary Indicators of Performance. Delinquent keying, erroneous data, incomplete activity data, and outcomes not properly recorded will affect the Service Provider’s attainment

of adult and dislocated worker Primary Indicators of Performance. The Service Provider shall ensure that all information/data in VOS is accurate, complete and current.

4. **Certification of Eligibility and Participant Records.** The Service Provider shall ensure that persons registered/enrolled for WIOA Services under this agreement meet the eligibility requirements for WIOA Title I funds. The Service Provider shall ensure that Career and Training services are provided only to WIOA-eligible adults and dislocated workers. Required forms will be provided by Capital Area for use in the application, eligibility verification and enrollment process. Training and technical assistance will be provided by Capital Area on proper use of the VOS automated client intake, tracking, case management, and reporting system for WIOA. The Service Provider will obtain required eligibility documentation and other information or forms needed to set up and complete participant records, and will follow Capital Area WIOA Participant Record Keeping policies and procedures in order to ensure compliance with WIOA data validation requirements.
5. **Service Provider Staff Training and Development.** The Service Provider shall ensure that all WIOA-funded staff and any other employees directly or indirectly involved in the delivery of WIOA services under this contract shall have periodic access to training and professional development necessary to perform their duties effectively. This applies to both regular and temporary WIOA employees, and to experienced, as well as, newly hired staff. The Service Provider shall ensure that all new WIOA employees receive in-service training, close supervision, and oversight needed in order to ensure the quality of their work with WIOA customers, compliance with federal regulations, and adherence to Capital Area guidelines and policies. Such training may include opportunities to attend classes or workshops provided locally and/or regionally by the North Carolina NCWorks Training Center or the North Carolina Division of Workforce Solutions; state, regional or national workforce development conferences; and training or technical assistance sessions conducted by Capital Area staff.

Capital Area shall conduct training sessions throughout the year for the Service Provider. Attendance at the Capital Area training sessions is expected by all NCWorks Career Center staff, as appropriate, unless otherwise indicated. The Service Provider shall be responsible for ensuring that staff who are unable to attend a Capital Area training session receive copies of all information and materials distributed at the session and are thoroughly informed of, and/or trained on the topics covered by Capital Area during each session.

6. **Program Requirements:**
 - Service Provider must adhere to all Capital Area policies, procedures and guidelines.
 - Service Providers are required to utilize Capital Area approved Career Assessment Tools.
 - All marketing materials must be approved by Capital Area **prior to use** and distribution and must include the following language;

- A Capital Area Workforce Development Board funded Initiative
 - Equal Opportunity Employer/Program Auxiliary aids and services available upon request to persons with disabilities
- The Service Providers must include the common one-stop identifier “A proud partner of the American Job Center Network” on all products, programs, activities, services, and related property and materials used in the one-stop system.
 - Service Providers must adhere to and meet WIOA Primary Indicators of Performance and additional Capital Area Performance Measures.
 - Service Providers must adhere to Capital Area’s NCWorks Career Center Integrated Service Delivery Model.
The Service Provider must encourage partners to locate to the NCWorks Career Center and at a minimum ensure services are being provided in the NCWorks Career Center.
7. **Communication Between Capital Area and the Service Provider.** It is the intent of Capital Area to communicate on a regular and on-going basis with the Service Provider staff in order to promote high quality services for customers and to ensure accountability to Capital Area for contract compliance and achievement of WIOA Primary Indicators of Performance and Capital Area Performance Measures for Adults and Dislocated Workers. During the contract term, Capital Area shall use various means to communicate with Service Provider staff for the purposes of information exchange, transmitting new and/or revised procedures, policies, guidelines, etc., and for purposes of requesting programmatic and fiscal information, data, reports, and/or corrective actions as needed from the Service Provider. Capital Area shall notify the Service Provider contract signatory by written letter or memorandum, if and when, Capital Area staff efforts to communicate by other means, including, but not limited to, in person conversations, telephone conversations, e-mail, and scheduled meetings with Provider staff, do not result in a satisfactory or acceptable response from the Service Provider. A copy of the written notice of the Service Provider’s “*Failure to Respond*” will be placed in the Service Provider’s contract file maintained by Capital Area.
8. **Compensation.** Capital Area will pay the Service Provider from Title I Workforce Innovation and Opportunity Act Grant funds for services described above and in Attachment B. Funds awarded under this agreement are available after July 1, 2023, subject to the payment procedures herein. Compensation may be withheld or delayed in the event of failure to timely comply with the payment procedures set forth herein. Allowable costs shall include only those items specified in Attachment B, Service Provider Budget. Payment will not exceed the sum of **One Hundred Seventy-Eight Thousand Six Hundred Twenty-One Dollars and Seventy-Four Cents (\$178,621.74)** per twelve-month period, with no minimum amount due. Any unexpended or surplus funds shall be returned by the Service Provider to Capital Area within 15 days

of the termination date of this Contract. The payment procedure under this Contract shall be in accordance with the following:

- a. Capital Area may provide, subject to approval by Capital Area of the Service Provider's written justification for an advance, an initial advance to the Service Provider for the first contract month. Funds dispersed pursuant to an initial advance and subsequent monthly payments will be made from Grant funds upon receipt of and in the amount stated by a Monthly Financial Report and Request for Funds. The advance will be for costs and expenditures to be incurred in the month following the week in which the request is made. The advance will be paid in an expeditious manner to ensure continuity in the payment of obligations by the Service Provider. The request will reflect estimated costs and expenses by the same budget line items as contained in Attachment B. The monthly request will provide a schedule for the payment of advances based on the Service Provider's projected operating needs.
 - b. Upon arrival of said request, the authorized office of Capital Area will review the request for reasonableness. Upon approval, the request will be forwarded to the Wake County Finance Department for advancing the approved amount by check to the Service Provider in a manner identifying the purpose for which the funds are advanced.
 - c. The Service Provider will furnish Capital Area a Monthly Financial Report by the 15th working day of each month reflecting the expenditure of WIOA funds for the preceding month. The Service Provider will submit a monthly estimate to Capital Area for requested funds for allowable costs.
9. **Accounting.** In order to assure that the funds provided under this Contract are used in accordance with its provisions, the Service Provider shall:
- a. Use such normally accepted fiscal, audit, and accounting procedures as may be necessary to assure proper accounting for payments received and proper disbursement of such payments; and
 - b. Provide Capital Area and authorized representatives of the US Department of Labor, the North Carolina Division of Workforce Solutions, the Capital Area Workforce Development Board, Wake County, and/or their designated representatives, access to the right to examine any books, documents, papers, records, property or equipment pertaining to funds provided or activities undertaken under the provisions of this Contract. Such examinations should provide reasonable notice and receive confirmation of notice prior to the actual visit.
 - c. The Service Provider agrees to maintain, as a minimum, the accounting records listed in Attachment C or their equivalent, as applicable.
10. **Retention of Records.** All records pertinent to this Contract, including financial, statistical, property, participant, applicant, and supporting documentation, shall be retained for a period of three (3) years from date of final payment of this Contract or until all audits are complete and findings on all claims have been

finally resolved. If the Service Provider is not able to retain the necessary WIOA participant and financial records, written notification will be provided to Capital Area containing the reasons therefore. Such records shall then be transmitted to Capital Area for acceptance in an orderly fashion with documents properly labeled and filed and in an acceptable condition for storage.

11. **Disallowed Costs.** The Service Provider agrees to refund to Capital Area any/all expenditures under this Contract which are disallowed in future audits. All funding paybacks must be made using non-federal dollars. This provision survives the Term of the Agreement.
12. **Termination of Agreement for Cause.**
 - a. If, for any cause, the Service Provider shall fail to fulfill in a timely and proper manner his obligations under this Contract, or if the Service Provider shall violate any of the covenants, or provisions of this Contract, Capital Area shall thereupon have the right to terminate this Contract by giving written notice to the Service Provider of such termination and specifying the effective date thereof, at least ten (10) days before the effective date of such termination. In such event, the Service Provider shall be entitled to receive just and equitable reimbursement for costs properly incurred prior to termination, subject to submission of any performance reports.
 - b. If, for any cause, Capital Area shall fail to fulfill in a timely and proper manner its obligations under this Contract, or if Capital Area shall violate any of the covenants, or provisions of this Contract, the Service Provider shall thereupon have the right to terminate this Contract by giving written notice to Capital Area of such termination and specifying the effective date thereof, at least ten (10) days before the effective date of such termination. In such event, the Service Provider shall be entitled to receive just and equitable reimbursement for costs properly incurred prior to termination, subject to submission of any performance reports.
 - c. Notwithstanding the above, and unless otherwise specified herein, the Service Provider shall not be relieved of liability to Capital Area or damages sustained by Capital Area by virtue of any breach of the Contract by the Service Provider, and Capital Area may withhold any payments to the Service Provider for the purpose of setoff until such time as the exact amount of damages due Capital Area from the Service Provider is determined. Additionally, Capital Area shall not be relieved of liability to the Service Provider for damages due the Service Provider.
13. **Termination for Convenience.**
 - a. The performance of work under the Contract may be terminated, in whole, or in part, by Capital Area whenever it is determined that such termination or suspension is in the best interest of Capital Area. Termination of work hereunder shall be effected by delivery to the Service Provider of a Notice of Termination specifying the extent to which performance of work under the Contract is terminated and

the date upon which such termination becomes effective. In no instance shall a termination for convenience be effective in less than ninety (90) days after receipt of notice thereof.

- b. After receipt of the Notice of Termination, the Service Provider shall cancel outstanding commitments covering the procurement or rental of materials, supplies, equipment, and miscellaneous items. In addition, the Service Provider shall exercise all reasonable diligence to accomplish the cancellation or diversion of outstanding commitments covering personal services that extend beyond the date of such termination to the extent that they relate to the performance of any work terminated by the notice. With respect to such canceled commitments, the Service Provider agrees to:
 - i. Settle all outstanding liabilities and all claims arising out of such cancellation of commitments; or ratify all such settlements; and
 - ii. If requested by Capital Area, to Assign to Capital Area in the matter, at the time and to the extent directed by Capital Area, all of the rights, title, and interest of the Service Provider under the orders and subcontracts so terminated. Nothing herein shall be construed to make Capital area responsible for the settlement or payment of any claims or amounts owed by the Service Provider.
- c. The parties may terminate this Contract, in whole or in part, if both parties agree in writing to all termination conditions.

14. **Termination for Breach.** If the Service Provider fails to perform under this Contract or fails to make satisfactory progress so as to endanger overall performance, Capital Area will advise the Service Provider in writing and the Service Provider has ten (10) days from receipt of such notice to correct the condition to Capital Area's satisfaction. If the condition is not corrected within the ten (10) day period, the Service Provider may be determined to be in breach. The Contract may then be terminated by Capital Area through written Notice of Default. The General Provisions in subparagraph (b) of Section 11, above, will then apply.
15. **Modifications.** Capital Area may prepare modifications in the scope of services to be performed hereunder by the Service Provider. Such modifications, including any increase or decrease in the maximum amount of compensation, shall be set forth in writing, executed by an authorized representative of both parties, and incorporated into this Contract. Both parties agree to make any modifications required by changes in state or federal or grant requirements effective during the term of this contract.
16. **Relationship of Parties.** Capital Area and the Service Provider acknowledge and concur that the Service Provider is an independent contractor. Capital Area and the Service Provider acknowledge and concur that it is the Service Provider's responsibility to deliver services to WIOA customers as specified herein. The Service Provider has the specific duty and responsibility for supervision of any employees of the Service Provider. Capital Area and the Service Provider acknowledge and agree that individuals employed in this project activity are employees of the Service Provider and are therefore subject to the rules, regulations, and supervision of the Service Provider. The Service Provider further agrees that the Service Provider is fully

responsible for the payment of any and all taxes arising from the payment of monies under this Agreement. Wake County and/or Capital Area shall not be liable to the Service Provider for any expenses paid or incurred by the Service Provider unless otherwise agreed in writing. The Service Provider shall supply, at his sole expense, all equipment, tools, materials, and supplies required to provide the contracted services unless otherwise agreed in writing. The Service Provider shall comply with all federal, state and local laws regarding business permits, certificates and licenses that may be required to carry out the services to be performed under this Agreement. The Service Provider shall ensure that all personnel engaged in work under this Agreement shall be fully qualified and shall be authorized under state and local law to perform the services under this contract.

17. **Standards of Conduct.** The Service Provider hereby agrees that in implementing this Contract, it will comply with the standards of conduct, hereinafter specified, for maintaining the integrity of the project and avoiding any conflict of interest in its implementation.
- a. General Assurance - Every reasonable course of action will be taken by the Service Provider in order to maintain the integrity of this expenditure of public funds and to avoid any favoritism or questionable or improper conduct. This Contract will be implemented in an impartial manner, free from personal, financial, or political gain. The Service Provider, its executive staff and employees, in implementing this Contract, will avoid situations that give rise to a suggestion that any decision was influenced by prejudice, bias, special interest, or personal gain.
 - b. Conducting Business Involving Relatives. With respect to the duties to be performed under this contract, no relative by blood, adoption, or marriage (for the purpose of this Contract, "relative by blood, adoption, or marriage" shall include: wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, aunt, uncle, niece, nephew, stepparent, and stepchild) of any executive or employee of the Service Provider shall receive favorable treatment for enrollment into services provided by, employment with, or agreement with, the Service Provider. The Service Provider shall also avoid entering into any agreements for services with a relative by blood, adoption, or marriage. When it is in the public interest for the Service Provider to conduct business (only for the purpose of services to be provided) with a relative, the Service Provider shall obtain written approval from Capital Area before entering into an agreement. All correspondence shall be kept on file and available for monitoring and audit reviews.
 - c. Avoidance of Conflict of Economic Interest. An executive, officer, agent, representative, or employee of the Service Provider will not solicit or accept money or any other consideration from a third person or entity for the performance of an act reimbursed in whole or in part by Capital Area. Supplies, materials, equipment, or services purchased with Contract funds will be used solely for purposes allowed under the Contract.

18. Severability; Discretion of Administering Entity; Headings; Counterparts.

- a. In the event that any provision of this Contract shall be considered unenforceable, void, contrary to public policy, or unlawful, it shall be considered severable and shall not affect the remainder of the Contract.
- b. Capital Area shall have the power and discretion to enforce any provision of this Contract and to select from among its remedies under this Contract or at law. The failure of Capital Area and/or the Service Provider to enforce a provision shall not constitute waiver of the provision or of the Contract.
- c. The headings used herein are for the convenience of the parties and shall have no substantive effect on the Contract.
- d. This Contract may be executed in several counterparts, each of which shall be deemed an original, and all such counterparts together shall constitute but one and the same instrument.
- e. This Contract is the entire agreement between the parties and replaces any and all previous agreements, whether written or oral, entered into by and between the parties with respect to the subject matter of this Contract.

19. Assignment.

- a. The Service Provider shall not assign this Contract, or any part thereof, without the written consent of Capital Area. In the event that an Assignment is permitted, the Service Provider shall nonetheless remain primarily liable for the obligations under this Contract.
- b. The Service Provider shall not subcontract this Contract or any part thereof without prior written approval by Capital Area.
- c. In the event the Service Provider violates approval requirements set forth herein by assigning or subcontracting without the consent of Capital Area, such violation shall constitute grounds for termination of the contract. Any such action in violation of Provision 18 a or b shall not be binding on Capital Area.

20. **Property.** The Service Provider will not purchase non-expendable property, that is, property with a useful life of more than one year and a unit price of \$1,000 or more, with funds provided under this Contract without prior written approval of Capital Area. All property, when purchased with funds under this Contract, will become the sole property of Capital Area. Capital Area may transfer or relocate non-expendable property hereunder at its discretion, subject to state and federal law. The Service Provider may not transfer, relocate or alter the use of any property hereunder without the prior written authorization of Capital Area.

21. **Program Income.** The Service Provider will report to Capital Area any profits earned or income generated from funds provided under this agreement. Program income may include interest earned on advances from Capital Area.

22. **Acknowledgment of Funding Source.** The Service Provider shall identify and acknowledge Capital Area Workforce Development Board as the funding source in all oral presentations, written documents, press releases, and/or printed materials created for public information, marketing, recruitment, etc. of WIOA services and activities resulting from this agreement. Said acknowledgment shall use the following wording at minimum, “Funding provided by Capital Area Workforce Development Board.” The Service Provider shall obtain the approval of Capital Area before releasing or using printed or electronic materials including the name Capital Area Workforce Development Board, NCWorks and/or the Wake County logo.

23. **Audits, Inspections and Compliance Monitoring.**

At any time during normal business hours and as often as Capital Area, the NC Division of Workforce Solutions, the US Department of Labor, Wake County or their designated representatives may deem necessary, the Service Provider shall make available to Capital Area for examination, all of its records with respect to all matters covered by this agreement. Capital Area, the NC Division of Workforce Solutions, the US Department of Labor, Wake County and/or their designated representatives shall have the authority to audit, examine and make excerpts or transcripts from records, including all invoices, materials, payrolls, non-confidential employee records, conditions of employment, and/or other data relating to all matters covered by this agreement.

- a. In order to review Service Provider performance related to compliance with the terms and conditions of the Contract, provision of services, and progress toward attainment of project outcomes, Capital Area will conduct on-site monitoring during the contract period. On-site monitoring by Capital Area shall occur at least once per year and will generally include review of the following areas: fiscal, programmatic, center operations, contract compliance and performance, and participant data reporting. Capital Area agrees to provide written summaries of the results of any inspection, audit, monitoring or other process related to Capital Area’s monitoring of the Service Provider’s performance under this Contract.
- b. The Service Provider agrees to comply with all applicable Federal, State and local statutes, laws and regulations including, but not limited to, the Workforce Innovation and Opportunity Act, Public Law 113-128, Workforce Innovation and Opportunity Act Final Rule, when finalized, the Common Rule and 29 CFR Parts 93 and 98, Lobbying, Debarment and Suspension regulations.
- c. The Service Provider agrees that annual audits required under the Uniform Guidance found at 2 CFR, Part 200 – Subpart F will be conducted and that a copy of the audit will be forwarded to Capital Area within ten (10) days after the report is received by the Service Provider.
- d. In the event that such fiscal or a special audit determines that the Service Provider has expended funds which are questioned under the criteria set forth herein, the Service Provider shall be notified and given

the opportunity to justify questioned expenditures prior to Capital Area's final determination to disallow such costs, in accordance with the procedures established under WIOA.

- e. If this Agreement is determined under the definitions in the Uniform Guidance found at 2 CFR Part 200 – Subpart A Section 200.93 be a subrecipient agreement, or is modified at any time during the term of the agreement to become a subrecipient agreement, the Service Provider agrees to:
 - i. Provide Wake County with four (4) copies of the appropriate financial statements in the format required by the Uniform Guidance & NCGS 143-6.205 amended. The statement shall be delivered to Wake County within the earlier of 30 days after completion of the statements or nine months after the end of the statement period.
 - ii. Wake County, as the pass through entity, reserves the right to engage its own independent auditor to conduct an audit and the Service Provider agrees to make available accounting records for the purpose of this audit. The purpose of such an audit will be to monitor the subrecipient's compliance with one or more of the following types of compliance requirements; activities allowed or disallowed, allowable costs/cost principles; participant eligibility; matching, level of effort, earmarking, and reporting, and to charge the subrecipient's award for the cost of such limited scope audit. Additional on-site monitoring by County staff for the purpose of ascertaining subrecipient's compliance with various contract and legal requirements may also be completed as needed.
 - iii. If required, a copy of audits and/or statements shall be forwarded by the Service Provider to the Office of the State Auditor at 2 South Salisbury Street, Raleigh, NC 27601, with a statement sent to Wake County that the Service Provider has complied with this requirement.

24. **Equal Opportunity and Nondiscrimination.** During the performance of this contract, the Contractor agrees as follows:

- a. The contractor will comply fully with the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act (WIOA); including the Nontraditional Employment for Women Act of 1991; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Americans with Disabilities Act of 1990; as amended; the Age of Discrimination Act of 1975, as amended; Title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR Part 38. The United States has the right to seek judicial enforcement of this assurance.
- b. The contractor will not discriminate against any employee or applicant for employment, or program applicant/participant because of race, color, age, religion, sex, disability, national origin or political affiliation or belief. The contractor will take affirmative action to ensure that applicants are employed/selected and that participants and employees are treated during their period of employment/participation without regard to their race, color, age, religion, sex, disability, national origin,

political affiliation or belief. Such action must include, but not limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of the non-discrimination clause.

c. The contractor will, in all solicitations or advertisements for employees or participants placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, age, religion, sex, disability, national origin, political affiliation or belief.

d. The contractor will permit access to any contract-related books, records and accounts by the contracting agency, the State and the US Secretary of Labor for purposes of investigation to ascertain compliance with applicable rules, regulations and orders.

e. In the event of the contractor's non-compliance with the non-discrimination clauses of this contract with any such rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further government contracts and such other sanctions may be imposed and remedies invoked as provided by rules, regulations and orders of the Secretary of Labor, or as otherwise provided by law.

25. **Insurance.** The Service Provider shall obtain, at his sole expense, all insurance required in the following paragraphs and shall not commence work until such insurance is in effect and certification thereof has been received by Wake County's Finance Office. If any required insurance policy expires during the term of this agreement, Provider must provide a certificate of insurance to the Wake County Finance Office as evidence of policy renewal prior to such policy expiration.

Provider's signature on this agreement indicates that Provider agrees to the terms of this insurance section and understands that failure to comply may result in cancellation of this agreement at Wake County's option.

a) Workers' Compensation Insurance, with limits for Coverage A Statutory- for State of North Carolina and Coverage B - Employers Liability \$1,000,000 each accident/disease each employee/disease policy limit.

b) Commercial General Liability - with limits no less than \$1,000,000 per occurrence and \$2,000,000 aggregate, including contractual liability.

c) Commercial Automobile Liability - with limits no less than \$1,000,000 per occurrence for bodily injury and property damage for any vehicle used during performance of contract services, including coverage for owned, hired, and non-owned vehicles. Evidence of commercial automobile coverage is only necessary if vehicles are used in the provision of services under this Agreement and/or brought on a Wake County site.

d) Professional Liability Insurance - applicable to any professional services provided under this Contract with limits of no less than \$1,000,000 per claim and \$2,000,000 aggregate.

If any coverage is on a claims-made basis, the Service Provider agrees to maintain a retroactive date prior to or equal to the effective date of this Agreement and to purchase and maintain Supplemental Extended Reporting Period or 'tail coverage' with a minimum reporting period of not less than three (3) years if the policy expires or is cancelled or non-renewed. If coverage is replaced, the new policy must include full prior acts coverage or a retroactive date to cover the effective dates of this Agreement. The Service Provider shall provide a Certificate of Insurance annually to Wake County indicating any claims made coverage and respective retroactive date. The duty to provide extended coverage as set forth herein survives the effective dates of this Agreement.

All insurance companies must be authorized to do business in North Carolina and have an AM Best rating of "A-/VII" or better; or have reasonable equivalent financial strength to the satisfaction of the County's Finance Office. Proof of rating shall be provided to the county upon request. Insurance with limits no less than those specified above shall be evidenced by a Certificate of Insurance issued by a duly authorized representative of the insurer. In the case of self-insurance, a letter of explanation must be provided to and approved by Wake County Risk Management.

The Service Provider shall be responsible for providing immediate notice of policy cancellation or non-renewal during the term of this Agreement to the Wake County Finance Office and for three years subsequent for any claims made coverage.

If the Service Provider does not meet the insurance requirements specified above, alternate insurance coverage satisfactory to Wake County may be considered. Any requests for consideration of alternate coverage must be presented by Provider PRIOR TO provision of any services associated with this Agreement.

In the event that Provider uses subcontractors to perform any of the services under this Agreement, then and in that event, Provider shall contractually require such subcontractor(s) to meet all of the requirements of this section.

26. **Federal Government Obligation.** It is clearly understood and mutually agreed that the Federal Government is not a party to this Contract and that no legal liability on the part of the Government is inferred or implied under the terms and conditions of this Contract. Any liability, legal action, or disputes as may arise under this Contract are between the parties hereto and will be settled in accordance with the Uniform Commercial Code as adopted by the State of North Carolina or such other manner as provided by State and local law for the settlement of such matters.
27. **Indemnification.** The Service Provider agrees to defend, indemnify, and hold harmless Wake County and Capital Area, from all loss, liability, claims or expense (including reasonable attorney's fees) arising from bodily injury, including death or property damage, to any person or persons caused in whole or in part by

the negligence or misconduct of the Service Provider, or any of Service Provider's agents, employees, volunteers, or contractors, except to the extent same are caused by the negligence or misconduct of Wake County. It is the intent of this section to require the Service Provider to indemnify Wake County or Capital Area to the extent permitted under North Carolina law. Nothing in this provision shall be construed to operate as a waiver of governmental immunity nor to be inconsistent with Wake County's "Resolution Regarding Limited Waiver of Sovereign Immunity" enacted October 6, 2003.

28. **E-Verify Requirements.** To ensure compliance with the E-Verify requirements of the General Statutes of North Carolina, all contractors, including any subcontractors employed by the contract(s), by submitting a bid, proposal or any other response, or by providing any material, equipment, supplies, services, etc, attest and affirm that they are aware and in full compliance with Article 2 of Chapter 64, (NCGS 64-26(a)) relating to the E-Verify requirements.
29. **Iran Divestment.** By signing this agreement, Service Provider certifies that as of the date of execution of this Agreement 1) it does not appear on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 143-6A-4 and published on the State Treasurer's website at www.nctreasurer.com/Iran and 2) it will not utilize any subcontractor that appears on the Final Divestment List in the performance of duties under this Agreement.
30. **ANTI DISCRIMINATION**
 In consideration of signing this Agreement, the Parties hereby agree not to discriminate in any manner on the basis of race, natural hair or hairstyles, ethnicity, creed, color, sex, pregnancy, marital or familial status, sexual orientation, gender identity or expression, national origin or ancestry, National Guard or veteran status, religious belief or non-belief, age, or disability with reference to the subject matter of this Contract. The Parties agree to comply with the provisions and intent of Wake County Ordinance SL 2023-4. This anti-discrimination provision shall be binding on the successors and assigns of the Parties with reference to the subject matter of this Contract.
31. **Federal Funds.**
 If the source of funds for this contract is federal funds, the following federal provisions apply pursuant to 2 C.F.R. § 200.326 and 2 C.F.R. Part 200, Appendix II (as applicable):
 Equal Employment Opportunity (41 C.F.R. Part 60); Davis-Bacon Act (40 U.S.C. 3141-3148); Copeland "Anti-Kickback" Act (40 U.S.C. 3145); Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708); Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387); Debarment and Suspension (Executive Orders 12549 and 12689); Byrd Anti-Lobbying Amendment (31 U.S.C. 1352); Procurement of Recovered Materials (2 C.F.R. § 200.322); and Record Retention Requirements (2 CFR § 200.324)
32. **Option to Extend Term of the Contract.** Capital Area may, but is not required, to extend the term of this contract by written notice to the Service Provider subject to Capital Area's review of the Service Provider's

compliance, level of performance, and outcomes achieved during the initial period of this contract. If Capital Area elects to exercise this option, the Service Provider will be notified 60 days before the contract term ends. The preliminary notice does not commit Capital Area or the Service Provider to an extension. The Service Provider will be required to submit a revised Statement of work and Budget prior to approval of the extension. The total duration of this contract, including the exercise of any options under this section, shall not exceed three years.

33. **Attachments Included in Contract.** The following attachments are part of this Contract:

- A. Statement of Work
- B. Budget
- C. Listing of Required Accounting Records
- D. Payment Procedures
- E. Contract Assurances and Certifications
- F. Capital Area Program Complaint Procedures

In the event of any revision of any of the above attachments, the revision(s) shall become a part of this Contract with approval of both parties to this Contract.

(SIGNATURE ON THE FOLLOWING PAGE)

IN WITNESS WHEREOF, intending to be legally bound hereby, the parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year indicated below.

ORANGE COUNTY

WAKE COUNTY

Travis Myren
Deputy County Manager

Pat E. Sturdivant
Executive Director, Capital Area Workforce
Development Consortium

Date: _____

Date: _____

Wake County Manager or Designee

David Ellis

Date: _____

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Wake County Finance Officer

The person(s) responsible for monitoring the contract performance is Thomas Pulickal.

Department Head Initials

Contract Number: EC0000000010050
 (Please reference this number on your invoices for payment)

CAWD - WOIA

Department: 58 - Capital Area Workforce Development

Vendor: VC0000003108 - COUNTY OF ORANGE

Description of Services: Orange County DSS will serve as the service provider of the NCWorks NextGen center of Orange County. The goal of DSS is to provide effective and comprehensive activities to out-of-school and in-school youth seeking assistance in achieving academic and employment success. These activities will include access to the 14 youth program elements. All participants will be attached to a Career Advisor who will serve as a guide through assessment, program enrollment, goal development and WIOA services.

BOC Date Approved:

Contract Start Date: 7/1/2023 **Contract End Date:** 6/30/2024

Max Amount Payable: \$184,353.79

Funding Source(s):

X Federal State County Grants Other None
 CFDA # 17.259

BFY	Acct Template	Object	Description	Amount
9999	58W283	4252	To provide WIOA Youth services in Orange County	\$184,353.79

Competition:

RFP#: **Next Competition:** NOT APPL **Year Last Competed:** NOT APPL

Person Responsible for Monitoring the Contract Performance Requirements: Thomas Pulickal

**COST REIMBURSEMENT CONTRACT
FOR YOUTH SERVICES
UNDER TITLE I OF THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

This Contract is entered into as of the 1st day of July 2023, by and between, Wake County, grant recipient for the Capital Area Workforce Development Consortium under the Workforce Innovation and Opportunity Act (WIOA) of 2014, hereinafter referred to as “Capital Area”, and Orange County hereinafter referred to as the “Service Provider”.

Capital Area agrees to pay the Service Provider from Program Year 2023 Title I Workforce Innovation and Opportunity Act (WIOA) funds granted by the North Carolina Division of Workforce Solutions for allowable costs incurred by the Service Provider. The Service Provider agrees to make available and/or provide comprehensive, year round services for both in-school and out-of-school youth in accordance with the Workforce Innovation and Opportunity Act, Public Law 113-128 and the Capital Area Workforce Innovation and Opportunity Act Four-Year Strategic Plan, all as have been or may be later revised. This contract and payment of funds hereunder is subject to the availability of funds under the grant specified above. In the event that Capital Area does not receive Title I WIOA funds granted by the North Carolina Division of Workforce Solutions for all or part of any program year, and/or in the event that the Wake County Board of Commissioners does not approve grant funding for all or part of any program year; then and in that event, Capital Area may terminate, or reduce the amount of, this Contract immediately without penalty or further obligation hereunder by delivering notice in writing to the Service Provider, such notice effective immediately.

1. **Time and Performance.** The services of the Service Provider are to commence on or about July 1, 2023 and shall be completed by June 30, 2024.
2. **Services to be Performed.** The Service Provider agrees to provide services as outlined below and as detailed in the Statement of Work incorporated into this contract as Attachment A. WIOA integrates youth development concepts with more traditional workforce development approaches. The Service Provider will focus on enabling Wake and Orange County youth to develop the skills, knowledge and competencies required for today’s complex workplace and a broad array of life skills to enhance personal development and growth. Capital Area’s year-round youth services are designed around Five Components of Service:
 - Education
 - Career Pathways
 - Leadership Development
 - Career Experience

- Partnership

Funds provided under this agreement shall be used to implement a comprehensive youth service delivery system, which includes the fourteen required WIOA youth program elements as described in Section 129(c)(2) of the law. The availability, through WIOA funds and collaboration with other resources, of the fourteen (14) required elements must be assured by the Service Provider in order to assess each youth's individual needs and to tailor services to identified needs. Services shall be provided to both in-school and out-of-school youth. Not less than 75% of the WIOA funds must be spent on out-of-school youth. Not less than 25% of WIOA funds must be spent on Work-Based Learning. All youth served shall be ages 14-24 and shall meet the WIOA youth eligibility requirements specified by Capital Area and WIOA Final Regulations. As part of a year round strategy to improve youths' academic achievement and build connections between work and education, the Service Provider shall partner with the public schools, alternative schools, community colleges, and training providers to extend learning opportunities for both in-school and out-of-school youth. In-school- youth who are assessed to be basic skills deficient shall have at least one basic skill goal as part of their individual service strategy. Instruction options that vary from one-on-one tutoring and computer-based remediation to work-based learning opportunities shall be available to all youth. A variety of workforce development activities shall also be provided to help in-school and out-of-school youth identify personal and vocational interests and to begin to work toward long-term employment goals.

The Service Provider shall ensure that the following requirements are met for all youth who are served under this agreement: eligibility determination, verification and certification, WIOA enrollment, comprehensive assessment, individual service strategy (ISS), comprehensive case management, information and referrals, appropriate WIOA service elements, including not less than 12 months of follow-up services.

3. **Management Information System and Accountability.** Accountability is an essential aspect of the administration of the Workforce Innovation and Opportunity Act. WIOA services and outcomes must be tracked, and state and federal reporting requirements must be met. The North Carolina Division of Workforce Solutions has developed an automated Management Information System through Geographic Solutions called Virtual One-Stop (VOS) to provide for the storage and maintenance of data that is necessary to comply with state and federal requirements. The Division of Workforce Solutions uses information in this system to determine each Local Area's outcomes on the federal WIOA Primary Indicators of Performance.

An individual participant record is created in VOS for each youth served under WIOA. The Service Provider shall use the VOS system to track all WIOA participants from initial contact through intake/application, eligibility, enrollment into WIOA activities, case management, exit from WIOA, and

post-exit follow-up services as appropriate. Information entered into VOS by the Service Provider must be accurate, complete, and current in order to ensure that all customer outcomes are properly recorded and counted towards WIOA Primary Indicators of Performance. Delinquent keying, erroneous data, incomplete activity data, and outcomes not properly recorded will affect the Service Provider's attainment of youth performance. The Service Provider shall ensure that all information/data in VOS is accurate, complete, and current.

4. **Certification of Eligibility and Participant Records.** The Service Provider shall ensure that all youth enrolled in WIOA Services under this agreement meet the eligibility requirements for WIOA Title I Youth Services. The Service Provider shall ensure that WIOA-funded services are provided only to WIOA-eligible youth. Training and technical assistance will be provided by Capital Area for implementation of the VOS automated client intake, tracking, case management, and reporting system for WIOA. The Service Provider will obtain required eligibility documentation and other information or forms needed to set up and complete participant records and will follow Capital Area WIOA Participant Record Keeping policies and procedures in order to ensure compliance with WIOA data validation requirements.
5. **Service Provider Staff Training and Development.** The Service Provider shall ensure that all WIOA-funded staff and any other employees directly or indirectly involved in the delivery of WIOA services under this contract shall have periodic access to training and professional development necessary to perform their duties effectively. This applies to both regular and temporary WIOA employees and to experienced, as well as newly hired, staff. The Service Provider shall ensure that all new WIOA employees receive in-service training, close supervision, and oversight needed in order to ensure the quality of their work with WIOA customers, compliance with federal regulations, and adherence to Capital Area guidelines and policies. Such training may include opportunities to attend classes or workshops provided locally and/or regionally by the North Carolina NCWorks Training Center or the North Carolina Division of Workforce Solutions; state, regional or national workforce development conferences; and training or technical assistance sessions conducted by Capital Area staff.
Capital Area shall conduct WIOA training sessions throughout the year for Service Providers. Attendance at Capital Area training sessions is expected by all Service Provider staff unless otherwise indicated. The Service Provider shall be responsible for ensuring that staff who are unable to attend a Capital Area training session receive copies of all information and materials distributed at the session and are thoroughly informed of, and/or trained on, the topics covered by Capital Area during each session.
6. **Program Requirements.**
 - A minimum caseload of 35 active cases must be maintained during the contract period.
 - Service Providers must adhere to all Capital Area policies, procedures and guidelines.
 - Service Providers are required to utilize Capital Area approved Career Assessment Tools.

- All marketing materials must be approved by Capital Area prior to use and distribution and must include the following language.
 - A Capital Area Workforce Development Board Funded Initiative
 - Equal Opportunity Employer/Program Auxiliary aids and services available upon request to persons with disabilities.
- The Service Providers must include the common one-stop identifier “A proud partner of the American Job Center Network” on all products, programs, activities, services, and related property and materials used in the one-stop system.
- Service Providers are required to use Capital Area WIOA forms.
- Service Providers must adhere to and meet WIOA Primary Indicators of Performance and additional Capital Area Performance Measures.

7. **Communication Between Capital Area and the Service Provider.** It is the intent of Capital Area to communicate on a regular and on-going basis with Service Provider staff to promote high quality services for customers and to ensure accountability to Capital Area for contract compliance and achievement of WIOA Primary Indicators of Performance and Capital Area Performance Measures. During the contract term, Capital Area shall use various means to communicate with Service Provider staff for the purposes of information exchange, transmitting new and/or revised procedures, policies, guidelines, etc., and for purposes of requesting programmatic and fiscal information, data, reports, and/or corrective actions as needed from the Service Provider. Capital Area shall notify the Service Provider contract signatory by written letter or memorandum, if and when, Capital Area staff efforts to communicate by generally accepted business methods, including, but not limited to, in-person conversations, telephone conversations, e-mail, and scheduled meetings with the Service Provider staff, do not result in a satisfactory or acceptable response from the Service Provider. A copy of the written notice of the Service Provider’s “*Failure to Respond*” will be placed in the Service Provider’s contract file maintained by Capital Area.

8. **Compensation.** Capital Area will pay the Service Provider from Title I Workforce Innovation and Opportunity Act Grant funds for services described above and in Attachment A. Funds awarded under this agreement are available after July 1, 2023 subject to the payment procedures herein. Compensation may be withheld or delayed in the event of failure to timely comply with the payment procedures set forth herein. Allowable costs shall include only those items specified in the Service Provider Budget, Attachment B. Payment will not exceed the sum of **One Hundred Eighty-Four Thousand Three Hundred Fifty-Three Dollars and Seventy-Nine Cents (\$184,353.79)** per twelve-month period, with no minimum amount due. Any unexpended or surplus funds shall be returned by the Service Provider to Capital Area within 15 days of the termination date of this Contract. The payment procedure under this Contract shall be in accordance with the following:

- a. Capital Area may provide an initial advance to the Service Provider for the first contract month, subject to approval by Capital Area of the Service Provider's written justification for an advance. Funds dispersed pursuant to the initial advance and subsequent monthly payments will be made from Grant funds upon receipt of and in the amount stated by a Monthly Financial Report and Request for Funds. The advance will be for costs and expenditures to be incurred in the month following the week in which the request is made; the advance will be paid in an expeditious manner to assure continuity in the payment of obligations by the Service Provider. The request will reflect estimated costs and expenses by the same budget line items as contained in Attachment B. The monthly request will provide a schedule for the payment of advances based on the Service Provider's projected operating needs.
 - b. Upon arrival of said request, the authorized office of Capital Area will review the request for reasonableness. Upon approval, the request will be forwarded to Wake County Finance Department for advancing the approved amount by check to the Service Provider in a manner identifying the purpose for which the funds are advanced.
 - c. The Service Provider will furnish Capital Area a Monthly Financial Report by the 15th working day of each month reflecting the expenditure of WIOA funds for the preceding month. The Service Provider will submit a monthly estimate to Capital Area for requested funds for allowable costs.
9. **Accounting.** To assure that the funds provided under this Contract are used in accordance with its provisions, the Service Provider shall:
- a. Use such normally accepted fiscal, audit, and accounting procedures as may be necessary to assure proper accounting for payments received and proper disbursement of such payments; and
 - b. Provide Capital Area and authorized representatives of the US Department of Labor, the North Carolina Division of Workforce Solutions, the Capital Area Workforce Development Board, Wake County, and/or their designated representatives, access to the right to examine any books, documents, papers, records, property or equipment pertaining to funds provided or activities undertaken under the provisions of this Contract. Such examinations should provide reasonable notice and receive confirmation of notice prior to the actual visit.
 - c. The Service Provider agrees to maintain, as a minimum, the accounting records listed in Attachment C or their equivalent, as applicable.
10. **Retention of Records.** All records pertinent to this Contract, including financial, statistical, property and participant, applicant, and supporting documentation, shall be retained for a period of three (3) years from the date of final payment under this Contract or until all audits are complete and findings on all claims have been finally resolved. If the Service Provider is not able to retain the necessary WIOA participant and financial records, written notification will be provided to Capital Area containing the reasons therefore.

Such records shall then be transmitted to Capital Area for acceptance in an orderly fashion with documents properly labeled and filed and in an acceptable condition for storage.

11. **Disallowed Costs.** The Service Provider agrees to refund to Capital Area any/all expenditures under this Contract which are disallowed in future audits. All funding paybacks must be made using non-federal dollars. This provision survives the Term of Agreement.
12. **Termination of Agreement for Cause.**
 - a. If, for any cause, the Service Provider shall fail to fulfill in a timely and proper manner its obligations under this Contract, or if the Service Provider shall violate any of the covenants, or provisions of this Contract, Capital Area shall thereupon have the right to terminate this Contract by giving written notice to the Service Provider of such termination and specifying the effective date thereof, at least ten (10) days before the effective date of such termination. In such event, the Service Provider shall be entitled to receive just and equitable reimbursement for costs properly incurred, prior to termination, subject to submission of any performance reports.
 - b. If, for any cause, Capital Area shall fail to fulfill in a timely and proper manner its obligations under this Contract, or if Capital Area shall violate any of the covenants, or provisions of this Contract, the Service Provider shall thereupon have the right to terminate this Contract by giving written notice to Capital Area of such termination and specifying the effective date thereof, at least ten (10) days before the effective date of such termination. In such event, the Service Provider shall be entitled to receive just and equitable reimbursement for costs properly incurred, prior to termination, subject to submission of any performance reports.
 - c. Notwithstanding the above and unless otherwise specified herein, the Service Provider shall not be relieved of liability to Capital Area for damages sustained by Capital Area by virtue of any breach of the Contract by the Service Provider, and Capital Area may withhold any payments to the Service Provider for the purpose of setoff until such time as the exact amount of damages due Capital Area from the Service Provider is determined. Additionally, Capital Area shall not be relieved of liability to the Service Provider of damages due the Service Provider.
13. **Termination for Convenience.**
 - a. The performance of work under the Contract may be terminated, in whole, or in part, by Capital Area whenever it is determined that such termination or suspension is in the best interest of Capital Area. Termination of work hereunder shall be affected by delivery to the Service Provider of a Notice of Termination specifying the extent to which performance of work under the Contract is terminated and the date upon which such termination becomes effective. In no instance shall a termination for convenience be effective in less than ninety (90) days after receipt of notice thereof.

- b. After receipt of the Notice of Termination, the Service Provider shall cancel outstanding commitments covering the procurement or rental of materials, supplies, equipment, and miscellaneous items. In addition, the Service Provider shall exercise all reasonable diligence to accomplish the cancellation or diversion of outstanding commitments covering personal services that extend beyond the date of such termination to the extent that they relate to the performance of any work terminated by the notice. With respect to such canceled commitments, the Service Provider agrees to:
- (1) Settle all outstanding liabilities and all claims arising out of such cancellation of commitments; or ratify all such settlements; and
 - (2) If requested by Capital Area, to assign to Capital Area in the matter, at the time and to the extent directed by Capital Area, all the rights, title, and interest of the Service Provider under the orders and subcontracts so terminated. Nothing herein shall be construed to make Capital area responsible for the settlement or payment of any claims or amounts owed by WIOA.
- c. The parties may terminate this Contract in whole or in part if both parties agree in writing to all termination conditions.

14. **Termination for Breach.** If the Service Provider fails to perform under this Contract or fails to make satisfactory progress so as to endanger overall performance, Capital Area will advise the Service Provider in writing and the Service Provider has ten (10) days from receipt of such notice to correct the condition to Capital Area's satisfaction. If the condition is not corrected within the ten (10) day period, the Service Provider may be determined to be in breach and the Contract may be terminated by Capital Area through written Notice of Default. The General Provisions in subparagraph (b) of Section 11 will then apply.
15. **Modifications.** Capital Area may prepare modifications in the scope of services to be performed hereunder by the Service Provider. Such modifications, including any increase or decrease in the maximum amount of compensation, shall be set forth in writing, executed by an authorized representative of both parties, and incorporated into this Contract. Both parties agree to make any modifications required by changes in state or federal or grant requirements effective during the term of this Contract.
16. **Relationship of Parties.** Capital Area and the Service Provider acknowledge and concur that the Service Provider is an independent contractor. Capital Area and the Service Provider acknowledge and concur that it is the Service Provider's responsibility to deliver services to WIOA youth as specified herein. The Service Provider has the specific duty and responsibility for supervision of any employees of the Service Provider rests with the Service Provider. Capital Area and the Service Provider acknowledge and agree that individuals employed in this project activity are employees of the Service Provider and are therefore subject to the rules, regulations, and supervision of the Service Provider. The Service Provider further agrees that the Service Provider is fully responsible for the payment of any and all taxes arising from the payment of monies under this Agreement. Wake County and/or Capital Area shall not be liable to the Service Provider

for any expenses paid or incurred by the Service Provider unless otherwise agreed in writing. The Service Provider shall supply, at his sole expense, all equipment, tools, materials, and supplies required to provide the contracted services unless otherwise agreed in writing. The Service Provider shall comply with all federal, state, and local laws regarding business permits, certificates and licenses that may be required to carry out the services to be performed under this contract. The Service Provider shall insure that all personnel engaged in work under this Agreement shall be fully qualified and shall be authorized under state and local law to perform the services under this contract.

17. **Standards of Conduct.** The Service Provider hereby agrees that in implementing this Contract, it will comply with the standards of conduct, hereinafter specified, for maintaining the integrity of the project and avoiding any conflict of interest in its implementation.
- a. General Assurance - Every reasonable course of action will be taken by the Service Provider to maintain the integrity of this expenditure of public funds and to avoid any favoritism or questionable or improper conduct. This Contract will be implemented in an impartial manner, free from personal, improper financial or political gain. The Service Provider, its executive staff, and employees, in implementing this Contract, will avoid situations that give rise to a suggestion that any decision was influenced by prejudice, bias, special interest, or personal gain.
 - b. Conducting Business Involving Relatives. With respect to the duties performed under this contract, no relative by blood, adoption, or marriage (for the purpose of this Contract, “relative by blood, adoption, or marriage” shall include: wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, aunt, uncle, niece, nephew, stepparent, and stepchild) of any executive or employee of the Service Provider shall receive favorable treatment for enrollment into services provided by, or employment with, or contract with, the Service Provider. The Service Provider shall also avoid entering into any agreements for services with a relative by blood, adoption, or marriage. When it is in the public interest for the Service Provider to conduct business (only for the purpose of services to be provided) with a relative, the Service Provider shall obtain written approval from Capital Area before entering into an agreement. All correspondence shall be kept on file and available for monitoring and audit reviews.
 - c. Avoidance of Conflict of Economic Interest. An executive, officer, agent, representative, or employee of the Service Provider will not solicit or accept money or any other consideration from a third person or entity in exchange for the performance of an act reimbursed in whole or in part by Capital Area. Supplies, materials, equipment, or services purchased with Contract funds will be used solely for purposes allowed under the Contract.

18. Severability; Discretion of Administering Entity; Headings; Counterparts.

- a. In the event that any provision of this Contract shall be considered unenforceable, void, contrary to public policy, or unlawful, it shall be considered severable and shall not affect the remainder of the Contract.
- b. Capital Area shall have the power and discretion to enforce any provision of this Contract and to select from among its remedies under this Contract or at law. The failure of Capital Area and/or the Service Provider to enforce a provision shall not constitute waiver of the provision or of the Contract.
- c. The headings used herein are for the convenience of the parties and shall have no substantive effect on the Contract.
- d. This Contract may be executed in several counterparts, each of which shall be deemed an original, and all such counterparts together shall constitute but one and the same instrument.
- e. This Contract is the entire agreement between the parties and replaces any and all previous agreements, whether written or oral, entered into by and between the parties with respect to the subject matter of this Contract.

19. Assignment.

- a. The Service Provider and Capital Area shall not assign this Contract or any part thereof without the written consent of Capital Area. In the event that an Assignment is permitted, the Service Provider shall nonetheless remain primarily liable for the obligation under this contract.
- b. The Service Provider shall not subcontract this contract or any part thereof without the prior written approval of Capital Area.
- c. In the event the Service Provider violates approval requirements set forth herein by assigning or subcontracting without the consent of Capital Area, such violation shall constitute grounds for termination of the contract. Any such action in violation of Provision 18 a or b shall not be binding on Capital Area.

20. **Property.** The Service Provider will not purchase non-expendable property, that is, property with a useful life of more than one year and a unit price of \$1,000 or more, with funds provided under this Contract without prior written approval of Capital Area. All property, when purchased with funds under this Contract, will become the sole property of Capital Area. Capital Area may transfer or relocate non-expendable property hereunder at its discretion, subject to state and federal law. The Service Provider may not transfer, relocate, or alter the use of any property hereunder without the prior written authorization of Capital Area.

21. **Program Income.** The Service Provider will report to Capital Area any profits earned or income generated from funds provided under this agreement. Program income may include interest earned on advances from Capital Area.

22. **Acknowledgment of Funding Source.** The Service Provider shall identify and acknowledge Capital Area Workforce Development Board as the funding source in all oral presentations, written documents, press releases, and/or printed materials created for public information, marketing, recruitment, etc. of WIOA services and activities resulting from this agreement. Said acknowledgment shall use the following wording at minimum, “Funding provided” or “funding in part” (as appropriate) “by Capital Area Workforce Development Board.” The Service Provider shall obtain the approval of Capital Area before releasing or using printed or electronic materials including the name Capital Area Workforce Development Board, NCWorks and/or the Wake County logo.

23. **Audits, Inspections and Compliance Monitoring.**

At any time during normal business hours and as often as Capital Area, the NC Division of Workforce Solutions, the US Department of Labor, Wake County or their designated representatives may deem necessary, the Service Provider shall make available to Capital Area for examination, all of its records with respect to all matters covered by this agreement. Capital Area, the NC Division of Workforce Solutions, the US Department of Labor, Wake County and/or their designated representatives shall have the authority to audit, examine and make excerpts or transcripts from records, including all invoices, materials, payrolls, non-confidential employee records, conditions of employment, and/or other data relating to all matters covered by this Contract.

- a. To review contract performance related to compliance with the terms and conditions of the Contract, provision of services, and progress toward attainment of project outcomes, Capital Area will conduct on-site monitoring during the contract period. On-site monitoring by Capital Area shall occur at least once per year and will generally include review of the following areas: fiscal, programmatic, center operations, if applicable, contract compliance and performance, and participant data reporting. Capital Area agrees to provide written summaries of the results of any inspection, audit, monitoring, or other process relating to Capital Area’s monitoring of the Service Provider’s performance under this contract.
- b. The Service Provider agrees to comply with all applicable Federal, State and local statutes, laws and regulations including, but not limited to, the Workforce Innovation and Opportunity Act, Public Law 113-128, Workforce Innovation and Opportunity Act Final Rules, when finalized, the Common Rule and 29 CFR Parts 93 and 98, Lobbying, Debarment and Suspension regulations.
- c. The Service Provider agrees that annual audits required under the Uniform Guidance found at 2 CFR, Part 200 – Subpart F will be conducted and that a copy of the audit will be forwarded to Capital Area within ten (10) days after the report is received by the Service Provider.
- d. In the event that such fiscal or a special audit determines that the Service Provider has expended funds which are questioned under the criteria set forth herein, the Service Provider shall be notified and given

the opportunity to justify questioned expenditures prior to Capital Area's final determination to disallow such costs, in accordance with the procedures established under WIOA.

- e. If this contract is determined under the definitions in Uniformed Guidance found at 2 CFR 200 – Subpart A Section 200.93 be a subrecipient agreement or is modified at any time during the term of the agreement to become a subrecipient agreement, the Service Provider agrees to:
- i. Provide Wake County with four (4) copies of the appropriate financial statements in the format required by Uniform Guidance & NCGS 143-6.205 amended. The statement shall be delivered to Wake County within the earlier of 30 days after completion of the statements or nine months after the end of the statement period.
 - ii. Wake County, as the pass-through entity, reserves the right to engage its own independent auditor to conduct an audit and the Service Provider agrees to make available accounting records for the purpose of this audit. The purpose of such an audit will be to monitor the subrecipient's compliance with one or more of the following types of compliance requirements: activities allowed or disallowed, allowable costs/cost principles, participant eligibility; in-kind match, level of effort, earmarking, and reporting, and to charge the subrecipient's award for the cost of such limited scope audit. Additional on-site monitoring by County staff for the purpose of ascertaining subrecipient's compliance with various contract and legal requirements may also be completed as needed.
 - iii. If required, a copy of audits and/or statements shall be forwarded by the Service Provider to the Office of the State Auditor at 2 South Salisbury Street, Raleigh, NC 27601, with a statement sent to Wake County that the Service Provider has complied with this requirement.

24. **Equal Opportunity and Nondiscrimination** During the performance of this contract, the Contractor agrees as follows:

- a. The contractor will comply fully with the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act (WIOA); including the Nontraditional Employment for Women Act of 1991; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Americans with Disabilities Act of 1990; as amended; the Age of Discrimination Act of 1975, as amended; Title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR Part 38. The United States has the right to seek judicial enforcement of this assurance.
- b. The contractor will not discriminate against any employee or applicant for employment, or program applicant/participant because of race, color, age, religion, sex, disability, national origin or political affiliation or belief. The contractor will take affirmative action to ensure that applicants are employed/selected and that participants and employees are treated during their period of employment/participation without regard to their race, color, age, religion, sex, disability, national origin,

political affiliation or belief. Such action must include, but not limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of the non-discrimination clause.

c. The contractor will, in all solicitations or advertisements for employees or participants placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, age, religion, sex, disability, national origin, political affiliation or belief.

d. The contractor will permit access to any contract-related books, records and accounts by the contracting agency, the State and the US Secretary of Labor for purposes of investigation to ascertain compliance with applicable rules, regulations and orders.

e. In the event of the contractor's non-compliance with the non-discrimination clauses of this contract with any such rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further government contracts and such other sanctions may be imposed and remedies invoked as provided by rules, regulations and orders of the Secretary of Labor, or as otherwise provided by law.

25. **Insurance.** The Service Provider shall obtain, at his sole expense, all insurance required in the following paragraphs and shall not commence work until such insurance is in effect and certification thereof have been received by Wake County's Finance Office. If any required insurance policy expires during the term of this agreement, Provider must provide a certificate of insurance to the Wake County Finance Office as evidence of policy renewal prior to such policy expiration.

Provider's signature on this agreement indicates that Provider agrees to the terms of this insurance section and understands that failure to comply may result in cancellation of this agreement at Wake County's option.

a) Workers' Compensation Insurance, with limits for Coverage A Statutory- for State of North Carolina and Coverage B - Employers Liability \$1,000,000 each accident/disease each employee/disease policy limit.

b) Commercial General Liability - with limits no less than \$1,000,000 per occurrence and \$2,000,000 aggregate, including contractual liability.

c) Commercial Automobile Liability - with limits no less than \$1,000,000 per occurrence for bodily injury and property damage for any vehicle used during performance of contract services, including coverage for owned, hired, and non-owned vehicles. Evidence of commercial automobile coverage is only necessary if vehicles are used in the provision of services under this Agreement and/or brought on a Wake County site.

d) Professional Liability Insurance - applicable to any professional services provided under this Contract with limits of no less than \$1,000,000 per claim and \$2,000,000 aggregate.

If any coverage is on a claims-made basis, the Service Provider agrees to maintain a retroactive date prior to or equal to the effective date of this Agreement and to purchase and maintain Supplemental Extended Reporting Period or 'tail coverage' with a minimum reporting period of not less than three (3) years if the policy expires or is cancelled or non-renewed. If coverage is replaced, the new policy must include full prior acts coverage or a retroactive date to cover the effective dates of this Agreement. The Service Provider shall provide a Certificate of Insurance annually to Wake County indicating any claims made coverage and respective retroactive date. The duty to provide extended coverage as set forth herein survives the effective dates of this Agreement.

All insurance companies must be authorized to do business in North Carolina and have an AM Best rating of "A-/VII" or better; or have reasonable equivalent financial strength to the satisfaction of the County's Finance Office. Proof of rating shall be provided to the county upon request. Insurance with limits no less than those specified above shall be evidenced by a Certificate of Insurance issued by a duly authorized representative of the insurer. In the case of self-insurance, a letter of explanation must be provided to and approved by Wake County Risk Management.

The Service Provider shall be responsible for providing immediate notice of policy cancellation or non-renewal during the term of this Agreement to the Wake County Finance Office and for three years subsequent for any claims made coverage.

If the Service Provider does not meet the insurance requirements specified above, alternate insurance coverage satisfactory to Wake County may be considered. Any requests for consideration of alternate coverage must be presented by Provider PRIOR TO provision of any services associated with this Agreement.

In the event that Provider uses subcontractors to perform any of the services under this Agreement, then and in that event, Provider shall contractually require such subcontractor(s) to meet all of the requirements of this section.

26. **Federal Government Obligation.** It is clearly understood and mutually agreed that the Federal Government is not a party to this Contract and that no legal liability on the part of the Government is inferred or implied under the terms and conditions of this Contract. Any liabilities, legal action or disputes as may arise under this Contract are between the parties hereto and will be settled in accordance with the Uniform Commercial Code as adopted by the State of North Carolina or such other manner as provided by State and local law for the settlement of such matters.
27. **Indemnification.** The Service Provider agrees to defend, indemnify, and hold harmless Wake County and Capital Area, from all loss, liability, claims or expense (including reasonable attorney's fees) arising from bodily injury, including death or property damage, to any person or persons caused in whole or in part by the negligence or misconduct of the Service Provider, or any of Service Provider's agents, employees,

volunteers, or contractors, except to the extent same are caused by the negligence or misconduct of Wake County.

It is the intent of this section to require the Service Provider to indemnify Wake County or Capital Area to the extent permitted under North Carolina law. Nothing in this provision shall be construed to operate as a waiver of governmental immunity nor to be inconsistent with Wake County's "Resolution Regarding Limited Waiver of Sovereign Immunity" enacted October 6, 2003.

28. **E-Verify Requirements.** To ensure compliance with the E-Verify requirements of the General Statutes of North Carolina, all contractors, including any subcontractors employed by the contract(s), by submitting a bid, proposal or any other response, or by providing any material, equipment, supplies, services, etc., attest and affirm that they are aware and in full compliance with Article 2 of Chapter 64, (NCGS 64-26(a)) relating to the E-Verify requirements.
29. **Iran Divestment and Divestment from Companies Boycotting Israel.** By signing this agreement, Service Provider certifies that as of the date of execution of this Agreement 1) it does not appear on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 143-6A-4 and published on the State Treasurer's website at [www.nctreasurer.com/Iran and 2\)](http://www.nctreasurer.com/Iran%20and%20) it will not utilize any subcontractor that appears on the Final Divestment List in the performance of duties under this Agreement.
30. **Anti-Discrimination**
 In consideration of signing this Agreement, the Parties hereby agree not to discriminate in any manner on the basis of race, natural hair or hairstyles, ethnicity, creed, color, sex, pregnancy, marital or familial status, sexual orientation, gender identity or expression, national origin or ancestry, National Guard or veteran status, religious belief or non-belief, age, or disability with reference to the subject matter of this Contract. The Parties agree to comply with the provisions and intent of Wake County Ordinance SL 2017-4. This anti-discrimination provision shall be binding on the successors and assigns of the Parties with reference to the subject matter of this Contract.
31. **Federal Funds.** If the source of funds for this contract is federal funds, the following federal provisions apply pursuant to 2 C.F.R. § 200.326 and 2 C.F.R. Part 200, Appendix II (as applicable): Equal Employment Opportunity (41 C.F.R. Part 60); Davis-Bacon Act (40 U.S.C. 3141-3148); Copeland "Anti-Kickback" Act (40 U.S.C. 3145); Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708); Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387); Debarment and Suspension (Executive Orders 12549 and 12689); Byrd Anti-Lobbying Amendment (31 U.S.C. 1352); Procurement of Recovered Materials (2 C.F.R. § 200.322); and Record Retention Requirements (2 CFR § 200.324)
32. **Option to Extend Term of the Contract.** Capital Area may, but is not required, to extend the term of this contract by written notice to the Service Provider subject to Capital Area's review of the Service Provider's compliance, level of performance, and outcomes achieved during the initial period of this contract. If Capital Area elects to exercise this option, the Service Provider will be notified 60 days before the contract term ends. The preliminary notice does not commit Capital Area or the Service Provider to an extension. The Service Provider will be required to submit a revised Statement of Work and Budget prior to approval

of the extension. The total duration of this contract, including the exercise of any options under this section, shall not exceed four years.

33. **Attachments Included in Contract.** The following attachments are included herein and are a part of this Contract.

- A. Statement of Work
- B. Budget
- C. Listing of Required Accounting Records
- D. Payment Procedures
- E. Contract Assurances and Certifications
- F. Capital Area Program Complaint Procedures

In the event of any revision of any of the above attachments, the revision(s) shall become a part of this Contract with approval of both parties to this Contract.

(SIGNATURES ON THE FOLLOWING PAGE)

IN WITNESS WHEREOF, intending to be legally bound hereby, the parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year

ORANGE COUNTY

WAKE COUNTY

Travis Myren.
Deputy County Manager

Pat E. Sturdivant
Executive Director, Capital Area Workforce
Development Consortium

Date: _____

Date: _____

Wake County Manager or Designee

David Ellis

Date: _____

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Wake County Finance Officer

The person(s) responsible for monitoring the contract performance is Thomas Pulickal.

Department Head Initials

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Approval of Consortium Agreement with the Capital Area Workforce
Development Board

DEPARTMENT: County Manager's Office

ATTACHMENT(S):
Draft Consortium Agreement

INFORMATION CONTACT:

Travis Myren, 919-245-2802
Nancy Coston, 919-245-2800

PURPOSE: To review and approve the proposed Consortium Agreement and authorize the Chair to sign the agreement when it is approved by Wake County and other Consortium members.

BACKGROUND: At its June 7, 2022 Business meeting, the Board of Commissioners received a presentation from the North Carolina Department of Commerce on realignment of regional workforce development boards.

Historically Orange County has been a member of the Regional Partnership Workforce Board, along with Alamance, Randolph, Montgomery, and Moore counties. The purpose of the Workforce Development Board is to help job seekers with employment, training and support to succeed in the job market while supplying skilled workers for employers. The Board also provides oversight for the regional allocation of Workforce Innovation and Opportunity Act funds. These funds provide services to all populations and have a particular focus on dislocated workers, youth and other job seekers with specific barriers.

The purpose of the proposed realignment of regional boards is to improve alignment of this work with the existing prosperity zones and other economic interests of the counties. At the June 21, 2022 Business meeting, the Board of County Commissioners approved a resolution regarding realignment with the Capital Area Workforce Development Board and authorized staff to coordinate the realignment process. After the proposed plan was approved by the North Carolina Department of Commerce, the revised consortium agreement was developed. This agreement must be approved by all counties impacted, including Wake, Johnston, Chatham, and Lee counties.

FINANCIAL IMPACT: There are no financial impacts related to approving the agreement.

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 approve the Consortium Agreement with the Capital Area Workforce Board, pending County Attorney review, and authorize the Chair to sign the Agreement.

CAPITAL AREA WORKFORCE DEVELOPMENT CONSORTIUM AGREEMENT

ARTICLE I. TITLE AND PURPOSE

The contiguous units of local government listed below agree to establish a consortium to act jointly as a local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 as enacted July 22, 2014. This consortium shall be known as the Capital Area Workforce Development.

ARTICLE II. MEMBERSHIP

The Consortium shall be composed of the following independent and contiguous units of general-purpose local government:

County of Wake
 County of Johnston
 County of Lee
 County of Chatham
 County of Orange

ARTICLE III. CERTIFICATION OF AUTHORITY

1. AUTHORITY UNDER STATE AND LOCAL LAW

The member units of government certify that they possess full legal authority, as provided by state and local law, to enter into this agreement and to fulfill the legal and financial requirements of operating as a local Workforce Development Area under the Workforce Innovation and Opportunity Act for the entire geographic area covered by this agreement.

2. SPECIFIC RESOLUTIONS TO ENTER INTO AGREEMENT

A copy of each duly executed resolution giving the respective counties specific authority to enter into this consortium agreement will be attached to this document and are incorporated herein by reference (optional).

3. DESIGNATION OF CHIEF ELECTED OFFICIALS FROM EACH MEMBER UNIT OF GOVERNMENT

Each member unit of government designates as chief elected official for Workforce Innovation and Opportunity Act purposes, upon whose representations the State, the Workforce Development Board, the administrative entity, and the other member units may rely, the duly elected Chairman of each respective County Board of Commissioners. Such person shall be the signatory of this agreement and shall be authorized to execute such other agreements as are necessary for Workforce Innovation and Opportunity Act purposes.

4. DESIGNATION OF CHIEF ELECTED OFFICIAL FOR LOCAL WORKFORCE DEVELOPMENT AREA

CAPITAL AREA WORKFORCE DEVELOPMENT CONSORTIUM AGREEMENT

The member units provide that the Chairman of the Wake County Board of Commissioners shall be authorized to exercise the functions of the local area chief elected official which are required under the Workforce Innovation and Opportunity Act.

ARTICLE IV. DURATION

This agreement will become effective on July 1, 2023 or the date of the last chief elected official's signature (whichever is the later date) and shall continue in effect until the local Workforce Development Area is re-designated by the Governor of North Carolina or by termination of this Agreement by a member unit of government as provided for in Article XI.

ARTICLE V. ASSURANCES AND CERTIFICATIONS

The member units will comply with the requirements of the Workforce Innovation and Opportunity Act, and regulations promulgated thereunder, all other applicable federal regulations, the statutes of the State of North Carolina, and written directives and instructions relevant to local workforce development area operation from the Governor of North Carolina or his/her designee.

ARTICLE VI. FINANCING

1. It is anticipated that funding necessary to implement this agreement will be derived from federal grant funds received through the Governor.
2. The units of local government acknowledge that they are jointly and severally accountable for liabilities arising out of activities under the Workforce Innovation and Opportunity Act, and all funds received by the local workforce development area pursuant to WIOA. Liability includes, but is not limited to, responsibility for prompt repayment from non-program funds of any disallowed costs by the administrative entity of the local workforce development area, or any of its sub-recipients or contractors, or the Workforce Development Board.
3. Any entity or joint agency created or designated by this local workforce development area, including the Workforce Development Board, and Administrative Entity, shall be considered a public agency for the purposes of the Local Government Budget and Fiscal Control Act.

ARTICLE VII. ESTABLISHMENT OF A WORKFORCE DEVELOPMENT BOARD

The member units of government agree that the Workforce Development Board shall be established in accordance with Section 107 of the Workforce Innovation and Opportunity Act and applicable State of North Carolina laws including G.S. 143B-438.11.

The Chief Elected Official, as noted in Article III. 4., shall appoint members of the Workforce Development Board from among persons nominated in accordance with the Workforce Innovation and Opportunity Act.

CAPITAL AREA WORKFORCE DEVELOPMENT CONSORTIUM AGREEMENT

ARTICLE VIII. APPOINTMENT OF PERSONNEL

Appointment of personnel shall follow the Wake County Government hiring and recruitment process for regular full-time staff.

ARTICLE IX. REAL PROPERTY, EQUIPMENT AND SUPPLIES

The Capital Area Workforce Development Consortium will follow all Workforce Innovation and Opportunity Act requirements governing the title, use and disposition of real property, equipment and supplies purchased with federal funds,

ARTICLE X. AMENDMENTS

The agreement may be amended at any time upon the consent of all the parties as evidenced by resolution of the governing bodies of each member government and as approved by the State.

ARTICLE XI. TERMINATION

The parties to this agreement may request termination at any time upon six months prior written notice, such termination to be effective when the Governor considers local Workforce Development Area re-designations or at the end of the then current grant administration agreement program year.

ATTEST

(Signature) Date
R.S. Lawter, Jr.
Chairman,
Johnston County Board of Commissioners

ATTEST

(Signature) Date
Shinica Thomas
Chairman,
Wake County Board of Commissioners

(Signature) Date

CAPITAL AREA WORKFORCE DEVELOPMENT CONSORTIUM AGREEMENT

	_____ (Signature)	_____ Date
_____ ATTEST	<u>Kirk D. Smith</u> Chairman, Lee County Board of Commissioners	

	_____ (Signature)	_____ Date
_____ ATTEST	<u>Karen Howard</u> Chairman, Chatham County Board of Commissioners	

	_____ (Signature)	_____ Date
_____ ATTEST	<u>Jamezetta Bedford</u> Chair, Orange County Board of Commissioners	

	_____ (Signature)	_____ Date
--	----------------------	---------------

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Orange County Transit Governance

DEPARTMENT: Orange County Transportation Services (OCTS)

ATTACHMENT(S):

1. Comprehensive Participation Agreements
2. Financial Policies & Procedures
3. Work Program Amendment Policy
4. Staff Working Group (SWG) Bylaws & Operating Procedures

INFORMATION CONTACT:

Nishith Trivedi, Transportation Director,
919-245-2007
Adam Howell, AICP, Atkins Global, 704-
665-4423

PURPOSE: To consider adoption of the four elements for each of Durham and Orange County's Transit Plan Implementation Efforts.

BACKGROUND: The Durham and Orange Transit Governance Interlocal Agreements (ILA), executed in Spring of 2023, required the County and regional governing board partners to review and adopt a Policies & Procedures Manual, comprised of four components:

1. **Comprehensive Participation Agreement (CPA)** (Attachment 1): Formally invites the local municipalities in each County to be a party to transit plan implementation efforts. It also formally recognizes the ex-officio (non-voting) members of each County's Staff Working Group (SWG) as 'Implementation Partners' that will require future coordination through specific project agreements when appropriate. While it draws from each County's Transit Governance ILAs to further apply towards municipalities and implementation partners (exclusive of state statute requirements that only apply to ILA Parties), it specifically defines criteria for eligibility to receive future County Transit Tax Revenue Funding.
2. **Financial Policies & Procedures (FPP)** (Attachment 2): Serves the Parties and Partners as a comprehensive manual regarding relevant financial policies and procedures for the purposes of transit plan implementation. This document includes:
 - a. Operating Fund Balance and Liquidity Policy and Guidelines
 - b. Billing, Payment and Reimbursement Policy and Guidelines
 - c. Debt Policy and Guidelines
 - d. Increased Cost of Existing Services (ICES)
 - e. Carryover Policy (originally approved in 2021, incorporated here for continuity)
 - f. Bus Operating Cost Per Hour Policy
 - g. Exhibit – GoTriangle Financial Policies & Procedures (for reference)

3. **Work Program Amendment Policy** (Attachment 3): Serves the Parties and Partners as a comprehensive and clear set of thresholds to define a minor vs. major amendment, and associated protocols as to who would need to approve such amendments during prescribed amendment cycles. It also outlines core roles and responsibilities for the SWG Administrator and GoTriangle regarding the processing, review and submission for consideration of any proposed Work Program Amendments.
4. **SWG Bylaws & Operating Procedures** (Attachment 4): Serves the Parties and Partners as the formal set of bylaws and clear set of operating procedures for how the SWG is to function, elect officers, and foster collaboration throughout each year to achieve annual work program development needs for transit plan implementation.

All local municipalities, both counties, GoTriangle and the Durham-Chapel Hill-Carrboro Metropolitan Organization (DCHC MPO) have been engaging in a series of workshops in 2023. These workshops were facilitated to work through complex details regarding how best to streamline processes, but also equitably operationalize transit plan implementation efforts for all.

The remaining background information below is context that informs the purpose and need for the overall Durham-Orange Transit Governance Study.

In the early 2010's, Orange County approved a county-wide transit plan, which included a joint recommendation for the development of the Durham-Orange Light Rail Transit (DO LRT) project. In 2013, an interlocal agreement (ILA) was developed and approved by the County Board of Commissioners, DCHC-MPO Board and GoTriangle Board of Trustees. Upon the discontinuation of the DO LRT project, it was realized that a new governance framework was necessary to guide the implementation of future county transit plans.

Overall project goals include:

- Creation of a clear, operationally efficient governance structure that ensures that Orange County priorities are funded and implemented with the County transit taxes and fees.
- Formation of new levels of accountability, which includes development of an equitable set of processes, seeking to gain further community trust.
- These needs were defined through five overall elements to be incorporated into a new governance framework: Representative, Equitable, Collaborative, Transparent & Accessible.

From these elements, everyone helped to further weigh in on just how much change was necessary to be made on primary elements of the existing framework. The feedback provided leadership and guidance to develop draft alternatives for consideration in a new governance framework. Staff from all three parties to the existing governance framework attended a joint workshop in early March 2022. The workshop focused on critical elements that inform the foundation of a new ILA could offer to all parties. Discussion focused on multiple alternatives of critical elements that comprise the following four areas: Membership, Voting Structures, Financial Planning, and Program & Plan Development. Throughout the summer and fall of 2022, several multi-agency staff meetings were held to work through some of the finer details of the ILA. The result is the final Transit Governance Interlocal Agreement for each County, recently adopted earlier this year.

Adoption Process and Next Steps:

Across each County, a framework has been drafted to guide appropriate documents to their approving bodies by the end of Fiscal Year 2022-23 (June 30, 2023):

- Durham County, Orange County, DCHC MPO and GoTriangle, per the Transit Governance ILAs, will all need to review and approve the Comprehensive Participation Agreements, Financial Policies & Procedures, Work Program Amendment Policies, SWG Bylaws & Operating Procedures.

Local jurisdictions in Orange County took the following actions:

Carrboro – May 23, 2023

Approved unanimously

Chapel Hill – May 24, 2023

Approved unanimously

Hillsborough – May 30, 2023

Approved unanimously

Mebane – June 5, 2023

Approved unanimously

FINANCIAL IMPACT: Orange County receives quarterly reimbursements from Go Triangle for all Orange County specific projects in the Orange County multi-year transit vision plan and as approved in the annual work programs. Orange County does not receive any funds where local jurisdictions or regional agency are the project sponsor (e.g. Hillsborough, Chapel Hill, Carrboro, Mebane, and GoTriangle).

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.

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impact is applicable to this item:

- **CLEAN OR AVOIDED TRANSPORTATION**
Implement programs that monitor and improve local and regional air quality by: 1) promoting public transportation options; 2) decreasing dependence on single-occupancy vehicles, and 3) otherwise minimizing the need for travel.

RECOMMENDATION(S): The Manager recommends that the Board adopt the four elements listed above for each of Durham and Orange County's Transit Plan Implementation Efforts (Attachments 1 – 4) and authorize the Chair to sign Attachment 1.

**ORANGE COUNTY TRANSIT COMPREHENSIVE PARTICIPATION AGREEMENT
("PARTICIPATION AGREEMENT")**

Between

TRANSIT GOVERNANCE INTERLOCAL AGREEMENT (ILA) PARTIES:

**RESEARCH TRIANGLE REGIONAL PUBLIC TRANSPORTATION AUTHORITY
("GoTriangle"), DURHAM-CHAPEL HILL-CARRBORO METROPOLITAN
PLANNING ORGANIZATION ("DCHC MPO"), and COUNTY OF ORANGE ("Orange
County")**

And

**The TOWN OF CHAPEL HILL, TOWN OF CARBORRO, TOWN OF
HILLSBOROUGH, and CITY OF MEBANE**

(All parties collectively referred to herein as "Parties")

And Parties will further coordinate with

IMPLEMENTATION PARTNERS:

**TRIANGLE J COUNCIL OF GOVERNMENTS ("TJCOG"), and UNIVERSITY OF
NORTH CAROLINA, CHAPEL HILL ("UNC Chapel Hill")**

**As current and/or future partners through specific project agreements that shall
incorporate the terms of this document**

WITNESSETH:

WHEREAS, the Parties to this Agreement and the Implementation Partners, have or may have specific roles in public transit implementation and public transit infrastructure support in Orange County, they have determined it is in their best interest and that of their constituents to coordinate future public transit planning, funding, expansion and construction; and

WHEREAS, in conjunction with the Orange County Transit Multi-Year Vision Plan, the Governance ILA Parties adopted the Orange County Transit Governance Interlocal Agreement ("Governance ILA") that creates a governance structure for the implementation of the Orange County Transit Multi-Year Vision Plan by and through the Orange County Transit Annual Work Program; and

WHEREAS, the Governance ILA establishes the Staff Working Group ("SWG"), comprised of staff representatives from the Governance ILA Parties and the Implementation Partners, and charged the SWG with coordinating and recommending the planning and implementation aspects of the Orange County Transit Annual Work Program; and

WHEREAS, the Parties, and the Implementation Partners intend to implement an inclusive and cooperative process to continuously develop and improve the Orange County Transit Multi-Year Vision Plan. They will further develop a public involvement plan to guide the Parties' and SWG's coordinated efforts for engagement aligned with federal, state and local policies and guidelines; and

WHEREAS the Parties and Partners collectively make recommendations, develop and review the Orange County Transit Annual Work Program; and

WHEREAS the Parties have a formal role in approving the Orange County Transit Annual Work Program through structured representation on the Orange County Board of Commissioners, DCHC MPO Board, and GoTriangle Board of Trustees as the ILA defines their oversight and jurisdiction regarding the Orange County Transit Annual Work Program development and implementation; and

WHEREAS, this Participation Agreement serves as the Comprehensive Participation Agreement as formally defined in Section 2.040 in the Governance ILA to establish standards that will govern the Parties' and Partners' eligibility for inclusion of sponsored Implementation Elements in the Orange County Transit Annual Work Program and receipt of any funding allocation from Orange County Transit Tax Revenue and other Dedicated Local Transit Funding Sources; evidence of the Parties' acceptance of the most up-to-date Orange County Transit Annual Work Program (now and in the future) and the associated annual update process; and confirm the Parties' roles in carrying out Staff Working Group (SWG) responsibilities; and

WHEREAS, local Governmental Parties are authorized to enter into this Participation Agreement pursuant to, inter alia, N.C.G.S. 160A-20.1; 160A-312; 160A-313; 160A-610; 153A-275; 153A-276; and 153A-449; and

NOW THEREFORE, in consideration of the above recitals and the mutual covenants herein contained, the Parties hereto agree as follows:

ARTICLE 1

PURPOSE, SCOPE & LIMITATION OF AUTHORITY, RESPONSIBILITIES, TERM & EFFECTIVE DATE

1.01 **Purpose.** The Parties hereby recognize that the Orange County Transit Multi-Year Vision Plan, as implemented by the Orange County Transit Annual Work Program, will be the guidance document for Orange County public transit investment with Local Government Public Transportation Sales Tax Act revenue and other Locally Dedicated Transit Funding Sources, as identified in the Orange County Transit Multi-Year Vision Plan. This Agreement

establishes standards for all Parties and Partners who desire to receive project funding from Dedicated Local Transit Funding Sources identified in the Orange County Transit Multi-Year Vision Plan. This Participation Agreement also confirms the Parties' respective roles for future planning, design, funding, and implementation of the Orange County Transit Multi-Year Vision Plan via their roles and responsibilities within the Staff Working Group (SWG).

1.02 Scope & Limitation of Authority. This Participation Agreement is limited to the purposes enumerated herein. No Party has the right to expand, abridge, limit or constrain the authority or actions of Orange County, GoTriangle, or the DCHC MPO or the SWG created by the Governance ILA with respect to the administration of the Orange County Transit Multi-Year Vision Plan, except as specifically agreed to herein. Nothing herein grants funding for any Implementation Element (defined herein in Article II) to any Party. Further, any Party receiving Dedicated Local Transit Funding Source revenue for an Implementation Element is wholly responsible for the completion of that element as set forth by future project or other specific agreements between such individual Parties. The Parties hereby recognize that the official governance and oversight for the Orange County Transit Multi-Year Vision Plan according to the terms of the Governance ILA and this Participation Agreement remains entirely with Orange County's Board of Commissioners, DCHC MPO's Policy Board, and the GoTriangle Board of Trustees.

1.03 Responsibilities of the Governance ILA Parties. The Governance ILA Parties have the responsibilities and duties set out in the Governance ILA.

1.04 Responsibilities of the Participant Parties and Implementation Partners. The Participant Parties shall:

- (a) Provide staff to serve on the SWG if designated as an SWG member in the Governance ILA; and
- (b) Negotiate and enter into Global/Capital Funding Agreement(s) and/or Global/Operating Agreement(s) for any project (using the Work Program Project Code as a unique identifier).
- (c) Receive dedicated Local Transit Funding Sources identified in the Orange County Multi-Year Transit Vision Plan for Implementation Elements identified within the Orange County Transit Annual Work Program in accordance with the agreements negotiated in (b).

1.05 Term & Effective Date. This Participation Agreement becomes effective upon approval and execution by the Parties ("Effective Date"). The Term of this Participation Agreement shall be from the Effective Date through a period of seventeen (17) years unless otherwise amended by the prior express written agreement of the Parties.

ARTICLE 2 DEFINITIONS

2.01 "CAPITAL FUNDING AGREEMENT:" An agreement between agencies to provide a specified amount of funding for an Implementation Element. Any such agreement will include details of the capital improvements to be provided and detail expectations on Orange County Transit Annual Work Program resource funding, responsibilities, schedule, reporting and performance and shall adhere to any and all standards outlined in specific project worksheets through the Orange County Transit Annual Work Program.

2.02 "CAPITAL PROJECTS ORDINANCE:" The annual financial ordinance for the Orange Transit major capital fund pursuant to N.C.G.S. Chapter 159, tied to the multi-year Capital Improvement Plan, the Annual Capital Budget, and planned capital project funding agreements that implement needed capital projects.

2.03 "COMPONENT UNIT or SEPARATE COMPONENT UNIT:" A unit of local government within the Tax District that has administrative responsibility for the budget adoption, operation or, management of specified transit services and associated supporting implementation elements. The component unit is required to report Orange County Transit Plan Revenues, including Dedicated Local Transit Funding Sources, expenditures and fund balance in columns separate from the component's financial data in its annual audited statements.

2.04 "GOVERNANCE INTERLOCAL AGREEMENT" or "GOVERNANCE ILA:" The Transit Governance Interlocal Agreement dated March 8, 2023 between Research Triangle Regional Public Transportation Authority ("GoTriangle"), Durham-Chapel Hill-Carrboro Metropolitan Planning Organization ("DCHC MPO"), and Orange County for implementing public transit services and projects in the fiscally constrained Orange County Transit Multi-Year Vision Plan. This Governance ILA is included as Exhibit A to this Agreement.

2.05 "IMPLEMENTATION ELEMENT:" A discrete project, operation, or study or a discrete logical grouping of projects, operations, or studies tracked separately by the Orange County Transit Annual Work Program.

2.06 "IMPLEMENTATION PARTNERS:" The listed signatories to this agreement who are non-voting members of the Orange County SWG. These implementation partners have roles supporting implementing elements of the Orange County Transit Annual Work Program. These partners fulfill their roles and responsibilities as outlined in specific project agreements to deliver approved implementation elements in the Orange County Transit Annual Work Program along with the Dedicated Local Transit Funding Sources approved in these project specific agreements.

2.07 "MAJOR FUND:" A fund as defined by the Governmental Accounting Standards Board ("GASB"), is reported in a separate column in the basic fund financial statements and is subject to a separate audit opinion in the independent auditor's report. The Tax District shall

report at a minimum Major Fund for the Orange County Transit Annual Work Program Operating Funds and a Major Fund for the Orange County Transit Annual Transit Work Program Capital Funds.

2.08 "MULTI-YEAR CAPITAL IMPROVEMENT PLAN" ("CIP"): A multi-year document that identifies projected capital projects by year, project sponsors responsible for undertaking these projects, the financial costs, and anticipated funding sources, and projected operating costs associated with those projects. The CIP shall be coordinated with the Metropolitan Transportation Plan, the Transportation Improvement Program, and the annual program of projects developed and maintained by the DCHC MPO which is the designated recipient of federal formula transit grants. The plan shall be consistent with submittal deadlines for the Transportation Improvement Program and the horizon years of the Metropolitan Transportation Plan.

2.09 "MULTI-YEAR SERVICE IMPLEMENTATION PLAN:" A document or documents that detail how transit services, including expansion and reduction, are to be operated and maintained over a specific number of years. The plan(s) shall detail timing and schedule, justifications for implementation decisions, and public involvement steps. Different transit operators may have different plans for implementation, but the different plans must be coordinated with respect to anticipated funding, public outreach, and the extent to which the different operator's plans connect services between them.

2.10 "OPERATING AGREEMENT:" An agreement or operating plan between one or more Parties or Implementation Partners, the Tax District and others as needed to provide an Implementation Element. The agreement shall state the details of the service to be provided and detail expectations on funding, responsibilities, schedule, and performance and shall adhere to any and all standards outlined in specific project worksheets through the Orange County Transit Annual Work Program.

2.13 "OPERATING BUDGET ORDINANCE" The annual financial budget ordinance for the Orange Transit major operating fund pursuant to N.C.G.S. Chapter 159. The ordinance includes the funds for the operations of implementation elements identified in the Orange County Transit Annual Work Program, allocations for reserves, and transfers to other major funds identified by the Component Unit (ex. Orange Transit). The Operating Budget Ordinance must include the Component Unit's general administrative expenses designated separately from a Project's Operating Funds.

2.14 "SPECIAL DISTRICT" or "TAX DISTRICT:" Any tax district administered by GoTriangle pursuant to authorizing resolutions and N.C.G.S. 105-508 *et seq.* or N.C.G.S. 105-561 *et seq.* to which Orange County is a member, now or in the future.

2.15 "STAFF WORKING GROUP" or "SWG:" The committee as created by the Governance ILA. The SWG is jointly charged by all parties to this Agreement, including the Implementation Partners, to coordinate and develop the Orange County Transit Annual Work

Program, the Orange County Transit Multi-Year Vision Plan, and serve in an advisory role to the Orange County Board of Commissioners, DCHC MPO Board, and GoTriangle Board of Trustees in their review consideration, and approval of these two documents.

2.16 **SUBCOMPONENT UNIT:** The subcomponent unit is required to report its financial information as aggregated at the COMPONENT UNIT level and not separately stated. Durham County Transit Plan Revenues, including Dedicated Local Transit Funding Sources, expenditures and fund balance in columns separate from the component's financial data in its annual audited statements.

2.17 **"DEDICATED LOCAL TRANSIT FUNDING SOURCES:"** All revenues derived from transit funding sources designated for use in the Orange County Transit Multi-Year Vision Plan. These shall include but are not limited to items defined through the Governance ILA in Section 2.012.

2.18 **"TRANSIT PLAN" or "MULTI-YEAR VISION PLAN:"** The comprehensive multi-year vision plan for transit operating and capital needs over a period of time of at least the next 4 years through coordination with the DCHC MPO Metropolitan Transportation Plan adoption process and shall also be prepared by the SWG for approval by appropriate governing boards, which shall include all the separate components, as further defined in the Governance ILA in Section 2.038.

2.19 **"ORANGE COUNTY TRANSIT ANNUAL WORK PROGRAM" or "WORK PROGRAM:"** shall mean the comprehensive annual program for transit capital and operations annually presented by the SWG which shall include the separate components further defined in the Governance ILA in Section 2.011.

2.20 **"GLOBAL AGREEMENT:"** An Operating or Capital Funding agreement that encompasses a discrete logical grouping of capital projects, transit operations, or studies.

ARTICLE 3 STAFF WORKING GROUP

3.01 **Scope & Authorization.** The Governance ILA establishes and enables the Staff Working Group. The Parties confirm their commitment to serve on the SWG and to carry out their SWG membership responsibilities by executing this participation agreement.

3.02 **Membership.** SWG Membership includes voting & non-voting categories

- a) Voting members: two (2) staff persons appointed by each of the Governance ILA Parties; two (2) staff persons appointed by the Town of Chapel Hill; one (1) staff person appointed by the Town of Carrboro, Town of Hillsborough, and City of Mebane
- b) Non-Voting members: Each of the Implementation Parties must appoint one (1) staff person

- c) Each member may designate one (1) alternate empowered to fully participate in the SWG in the absence of the appointed staff person.

3.03 **Bylaws.** The SWG must enact bylaws. The SWG bylaws will govern quorum and voting standards, SWG operations and responsibilities, and, scheduling of efforts to develop the Orange County Transit Annual Work Program and the Orange County Transit Multi-Year Vision Plan.

3.04 **SWG Responsibility for the annual Orange County Transit Annual Work Program.** Subject to the Governance ILA, the SWG shall develop annual recommendations for the review and approval of the governing bodies. This work program approval process is documented in Article VII of the Governance ILA. Recommendations shall be developed for each of the following Orange County Transit Annual Work Program components:

- (a) Annual Work Program, including all the separate elements defined in Section 2.011 of the Governance ILA
- (b) Multi-Year Service Implementation & Capital Improvement Plans
- (c) Templates containing minimum standards for project and financial reports
- (d) Designation of project sponsors (agencies responsible for each respective capital and operating project), including agencies responsible for each Implementation Element;
- (e) A strategy for each Implementation Element which includes a scope, schedule, project boundaries, an estimated budget, specifies the sponsoring agency/jurisdiction, purpose and goals and (*defines the standard for individual project/Implementation Element worksheets*)
- (f) An articulated strategy for incorporating or accounting for public outreach, involvement, and communication with all components in the annual work program.
- (g) Facilitation to transcribe project worksheets (composition outlined in 3.04(e) above) into Global/Project Agreements.

The SWG shall reference the fiscal year 2024 Work Program Development process, which is to be recognized as the baseline for future work program development cycles and corresponding global/project agreement needs, as long as this Agreement and Governance ILA serve as the governing documents for county transit plan implementation efforts.

3.05 **SWG Responsibility for Engagement with Elected Officials.** The SWG shall schedule touchpoints on an annual basis with appropriate bodies of elected officials who either serve as a governing board through the Governance ILA or are responsible for a project(s) through the Orange County Transit Annual Work Program. These touchpoints shall be scheduled to allow for elected officials to:

- (a) Provide feedback on the draft Annual Work Program
- (b) Receive as information, and provide feedback as necessary, regarding progress reports developed on a quarterly basis.

3.06 Non-Delegation. The SWG cannot delegate its responsibility to review and present the documents and products defined in Section 3.04.

3.07 Right to Inspect. All Parties to this Participation Agreement, or their authorized representative(s), shall have the right to inspect, examine, and make copies of project work products as they deem necessary for the operation and day-to day business of the SWG or as specifically requested by formal action of any one of the parties' governing bodies. The SWG shall maintain all its records in a manner which facilitates review by the Parties and Implementation Partners.

ARTICLE IV ELIGIBILITY FOR ORANGE COUNTY TRANSIT TAX REVENUE FUNDING

4.01 Requirements for Inclusion in the Orange County Transit Annual Work Program. Only Parties in good standing to this Participation Agreement, Implementation Partners recognized through the Staff Working Group, or other partners as deemed critical, may request inclusion of an Implementation Element in the Orange County Transit Annual Work Program. The Parties agree that the terms and conditions of this agreement are pre-requisites to requesting and receiving Orange County Transit Tax Revenues funding allocations.

4.02 Implementation. An Operating or Capital Project Funding Agreement shall be required to support each implementation element submitted by each project sponsor identified in the Orange County Transit Annual Work Program except as specified in Section 4.03. Parties to this Comprehensive Participation Agreement shall endeavor to develop global-level agreements with appropriate timeframes for each project sponsor seeking to implement operating or capital projects. These agreements must be prepared prior to distributing funds and starting the Project(s). All Operating or Capital Project Funding Agreements shall have at least two signatories from appropriate parties and shall also adhere to the requirements further defined in Section 7.07 of the Governance ILA. Signatory authorizations to any Global/Project Agreements shall be determined by the minimum financial threshold by any party to such agreement.

4.03 Grace Period for Legacy Projects. Active project supported by Orange County Transit Plan Revenues or other Dedicated Local Transit Funding Sources at the time of execution of this Agreement and projects in the adopted Fiscal Year 2024 Work Program shall be eligible for continued funding through the end of Fiscal Year 2024 (Grace Period). If a global/operating or global/capital project funding agreement that conforms to the conditions in this Agreement is not in place prior to the start of Fiscal Year 2025, the project shall no longer be eligible for ongoing/additional funding until such Agreement is in place.

4.04 Capital/Operating Agreement Development. Each Capital Funding Agreement and Operating Agreement entered into by any of the Parties or the Partners must contain all components defined in this Participation Agreement. If any Implementation Agreement involves federal or state funding must in addition contain those elements required to maintain eligibility for such funds.

4.05 Capital Improvement Program (CIP) Review. Each year's work program development process shall include a review of the CIP to determine which, if any, projects no longer meet the needs of the overall transit plan. Goal for this would be to remove such project(s) and reallocate funding as necessary to other areas of need.

4.06 Good Faith Effort. For any Party to this Agreement, or any involved Implementation Partner, that is unable to deliver a project as included in the Annual Work Program due to issues outside their control, Parties to a specific Project Agreement will work with the Staff Working Group through good faith to determine appropriate action to help resolve issues and facilitate delivery of said project. Parties shall reference supporting Orange County Transit Financial Policies and Procedures to guide the resolution process.

ARTICLE V SUPPLANTATION/SUPPLEMENTATION

5.01 As of the Effective Date of this Participation Agreement, N.C.G.S. § 105-508.2 and N.C.G.S. § 105-564 require that Special District net tax proceeds must supplement and not supplant existing public transportation systems' funds or other resources as defined in Section 2.012 of the Governance ILA. The Parties acknowledge that the only funds subject to these requirements as of the execution of this Participation Agreement are:

- (a) Local Government Sales and Use Taxes for Public Transportation (N.C.G.S. 105-506:514) which is levied at its maximum allowable rate of one-half (1/2%) percent (*non-supplantation cited in N.C.G.S. 105-507.3.b*);
- (b) Regional Transit Authority Registration Tax (N.C.G.S. 105-560:569) which is levied at its maximum amount of \$8.00 per year with \$3.00 of each \$8.00 collected allocated locally to Orange County (*non-supplantation cited in N.C.G.S. 105-564*).

5.02 All Parties may pursue additional state and federal funding sources, which are not controlled locally, when appropriate for implementation of eligible projects. The use of existing funds or other resources, including state and federal funds, must be documented and made publicly available as a condition of receiving Orange County Transit Tax Revenue or other Locally Dedicated Transit Funding Sources. To the extent permitted by law, any audits required as a condition of receiving the identified funding sources shall be available for public inspection as well.

5.03 The most recently audited and reported local fiscal year prior to the January 15, 2012 of the one half (1/2%) percent Public Transportation Sales Tax Act local option sales and use tax as defined by N.C.G.S. 105-508 is the baseline for comparing all Parties' annual budgets for the Agreement.

5.04 Nothing herein shall be construed to modify, abridge, or deny the authority or discretion of any Party to independently develop, administer, or control transportation projects pursuant to enumerated authority or funding sources separate from the authority and funding sources outlined in this Participation Agreement.

5.05 All Parties shall work together in good faith to determine if the Participation Agreement's intent and purpose can be accomplished by executing necessary Amendments if statutory language in or judicial interpretation of N.C.G.S 105-508.2 or N.C.G.S 105-564 changes after Participation Agreement, execution.

ARTICLE VI AMENDMENT, TERMINATION AND NOTICE

6.01 **Amendment.** This Participation Agreement may be amended to add or remove Parties or to change content. After the Effective Date of this Participation Agreement, any Eligible Participant Party or Governance ILA Party may become a Party to this Participation Agreement upon execution of the Participation Agreement by an authorized designee of that Party's governing board (or equivalent). If any Party proposes to amend Participation Agreement content, then the proposed amendment and the reasons for the proposed amendment must be communicated in writing to the SWG. All the Parties that have executed the Participation Agreement must adopt the amendment. The Parties will conduct a review of the Agreement at least every four (4) years to consider any desired updates through the Agreement through the Amendment process. If any Party desires to amend the Agreement outside the four (4) year review cycle, then the proposed amendment and the reasons for the proposed amendment shall be communicated in writing to the other Parties. If the Parties agree to the proposed amendment, then the amendment shall be affected by entering a written amendment to the Agreement. An amendment that does not change the substantive or financial commitments of the Agreement may be executed by the Durham County Manager, the DCHC-MPO Executive Director, and the GoTriangle Chief Executive Officer. Any other amendment to the terms of this Agreement to be effective must be in the form of a written instrument properly authorized and executed by the governing boards of each Party to this Agreement.

6.02 **Termination upon a year's notice.** Any Party may terminate its obligations to this Participation Agreement by giving written notice of intent to terminate to the other Parties at least one (1) year prior to the effective termination date. A withdrawing Party must fulfill all obligations and duties of their Implementation Agreements unless such Agreements are terminated in accordance with their provisions. Any Party terminating participation is ineligible for future Orange County Transit Tax Revenue Funding or other Locally Dedicated Transit Funding Sources for any Implementation Element until and unless the Party re-enters into the Participation Agreement.

6.03 **Cooperation Provisions.** In the event of a termination, the terminating Party must fulfill existing and unperformed obligations until the effective termination date. The Participation Agreement remains in effect for the remaining Parties. The non-withdrawing Parties, beginning at the time notice of termination is received, shall work together in good faith to determine if the Participation Agreement's intent and purpose can be accomplished by executing necessary amendments and/or adding necessary Parties to perform the executory obligations of the withdrawing Party.

6.04 **Notice.** Any written or electronic notice required by this Participation Agreement shall be delivered to the Parties at the following addresses, with a copy where designated for each party, which copy shall not in and of itself constitute notice:

For DCHC MPO:

Durham Chapel Hill Carrboro Metropolitan Planning Organization
Executive Director
101 City Hall Plaza
Durham, NC 27701

For GoTriangle:

GoTriangle General
President/CEO
PO BOX 13787
Research Triangle Park, NC 27709

with a copy to:

GoTriangle General Counsel
PO Box 13787
Research Triangle Park, NC 27709

For the Town of Hillsborough:

Town of Hillsborough
Attn: Town Manager
PO Box 429
Hillsborough, NC 27278

with a copy to:

Town of Hillsborough
Attn: Town Attorney
PO Box 429
Hillsborough, NC 27278

For the Town of Carrboro:

Town of Carrboro
Attn: Town Manager
301 W Main Street
Carrboro, NC 27510

with a copy to:

Town of Carrboro
Attn: Town Attorney
301 W Main Street
Carrboro, NC 27510

For the Town of Chapel Hill:

Town of Chapel Hill
Attn: Town Manager
405 Martin Luther King Jr Blvd
Chapel Hill, NC 27514

with a copy to:

Town of Chapel Hill
Attn: Town Attorney
405 Martin Luther King Jr Blvd
Chapel Hill, NC 27514

For the City of Mebane:

City of Mebane
Attn: City Manager
106 East Washington Street
Mebane, NC 27302

with a copy to:

City of Mebane
Attn: City Attorney
106 East Washington Street
Mebane, NC 27302

For Orange County:

Orange County
Attn: County Manager
300 West Tryon Street
PO Box 8181
Hillsborough, NC 27278

with a copy to:

Orange County Attorney
300 West Tryon Street
PO Box 8181
Hillsborough, NC 27278

ARTICLE VII MISCELLANEOUS PROVISIONS

7.01 Representations and Warranties. The Parties each represent, covenant, and warrant for the other's benefit as follows:

- (a) Each Party has all necessary authority to enter into this Participation Agreement and to conduct the processes created by this Participation Agreement. This Participation Agreement has been executed by each Party's governing body. This Participation Agreement is a valid and binding obligation of each Party.
- (b) To the knowledge of each Party, the execution and delivery of this Participation Agreement, the fulfillment of or compliance with its terms and conditions, and/or completing transactions conducted within this Participation Agreement results in a breach of the terms, conditions and provisions of any agreement or instrument to which a Party is now a party or by that it is bound or constitutes a default.
- (c) To the knowledge of each Party, there is no litigation or other court, or administrative proceeding pending or threatened affecting the Party's rights to execute or deliver this Participation Agreement or to comply with its obligations under this Participation Agreement.
- (d) Neither such Party's execution and delivery of this Participation Agreement, nor its compliance with its obligations under this Participation Agreement, requires the approval of any regulatory body or any other entity the approval of which has not been obtained.
- (e) The Parties agree to work together in good faith and with all due diligence to provide for and carry out the purpose of this Participation Agreement.

7.02 Agreement Related Dispute Resolution. It is the desire and intent of the Parties to resolve any disputes in a collaborative manner and to avoid, if possible, the expense and delay of litigation. In the event that any Party cannot resolve an issue with another Party under this Agreement, the affected party shall engage in the following process:

- (a) Any Party may give written notice to another Party or Parties of any dispute not resolved in the ordinary course of business. Within ten (10) business days after delivery of the written notice by regular or electronic mail, the receiving Party(ies) shall submit a written response to the disputing Party and designate in the notice a representative who will represent that Party in the negotiation to resolve the dispute. If a third-party mediator is necessary, the Party providing initial written notice will indicate as such in the notice and seek confirmation/approval by the receiving parties in written response. It shall be the responsibility of the Party giving notice to cover any costs related to any third-party mediator once confirmed/approved by the receiving parties.
- (b) Within ten (10) business days of receiving the response, the appointees of the disputing and receiving Parties shall meet at a mutually acceptable time and place, and thereafter, as often as necessary to resolve the dispute.

- (c) All reasonable requests for information made by one Party to the other shall be honored in a timely fashion to permit constructive discussion.
- (d) The duty to engage in dispute resolution is a material part of this Agreement enforceable by equitable relief.
- (e) Upon failure to resolve a dispute through the steps outlined in this Agreement, any Party may engage in other dispute resolutions processes agreed upon by the Parties or pursue any legal or equitable remedies available.

7.03 Waivers of Non-Compliance with Participation Agreement.

- (a) No provision of this Participation Agreement may be waived once the grace period as defined in Section 4.03, as applied to Legacy Projects, has concluded.
- (b) Any waiver of a provision or provisions of this document must be formally executed in accordance with section 7.07 of this Participation Agreement.
- (c) The failure of any Party to require timely compliance with this agreement or another agreement executed based upon this agreement shall not affect the right of the other Party to enforce the provisions of the agreement.
- (d) No waiver or acquiescence by a Party to any breach of any provision of an agreement is to be taken as authorization or a waiver to commit any subsequent breach of that provision or any other provision.

7.04 Governing Law. The parties intend that this Participation Agreement be governed by the law of the State of North Carolina. Proper venue for any action shall solely be Orange County.

7.05 Assignment. No Party may sell or assign any interest in or obligation under this Participation Agreement without the prior express written consent of the other Parties.

7.06 Independence of the Parties. Nothing herein shall be construed to modify, abridge, or deny the authority or discretion of any Party to independently develop, administer, or control Implementation Elements pursuant to enumerated authority or funding sources separate from those outlined in this Participation Agreement.

7.07 Execution in Counterparts/Electronic Version of Participation Agreement. This Participation Agreement may be executed via the use of counterparts. Any Party may convert the fully executed Participation Agreement to an electronic record pursuant to a North Carolina Department of Natural and Cultural Resources approved procedure and process for record retention purposes. Such electronic record of the Participation Agreement shall be deemed for all purposes to be an executed Participation Agreement.

7.08 No Waiver of Sovereign Immunity. Nothing in this Participation Agreement shall be construed to mandate purchase of insurance by Orange County pursuant to N.C.G.S. 153A-435 or purchase of insurance by any municipality pursuant to N.C.G.S. 160A-485; or to in any other

way waive any Party's defense of sovereign or governmental immunity from any cause of action alleged or brought against any Party for any reason if otherwise available as a matter of law.

7.09 No Waiver of Qualified Immunity. No officer, agent or employee of any Party shall be subject to any personal liability by reason of the execution of this Participation Agreement or any other documents related to associated transactions. Such officers, agents, or employees execute this Participation Agreement in their official capacities only and not in their individual capacities. This section shall not relieve any such officer, agent, or employee from the performance of any official duty provided by law.

7.10 Verification of Work Authorization; Iran Divestment Act. All Parties, and any permitted subcontractors, must comply with Article 2, Chapter 64, of the North Carolina General Statutes. The Parties hereby certify that they, and all permitted subcontractors, if any, are not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58.

7.11 Third-Party Beneficiaries. There are no third-party beneficiaries to this Participation Agreement.

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was _____ by the Orange County Board of Commissioners by a vote of _____ on _____, 2023.

ATTEST:

ORANGE COUNTY, NORTH CAROLINA

BY: _____

BY: _____

TITLE: _____

TITLE: Chairperson, Board of County Commissioners

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was _____ by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Board by a vote of _____ on _____, 2023.

ATTEST:

**DURHAM-CHAPEL HILL-CARRBORO
METROPOLITAN PLANNING ORGANIZATION**

BY: _____

BY: _____

TITLE: _____

TITLE: Chairperson, Durham-Chapel Hill-Carrboro
Metropolitan Planning Organization Board

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was _____ by the GoTriangle Board of Trustees by a vote of _____ on _____, 2023.

ATTEST:

**RESEARCH TRIANGLE REGIONAL PUBLIC
TRANSPORTATION AUTHORITY D/B/A
GOTRIANGLE**

BY: _____

BY: _____

TITLE: _____

TITLE: Chairperson, Board of Trustees

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was _____ by the Town of Chapel Hill Town Council by a vote of _____ on _____, 2023.

ATTEST: **TOWN OF CHAPEL HILL, NORTH CAROLINA**
BY: _____ BY: _____
TITLE: _____ TITLE: Chairperson, Town Council

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was _____ by the Town of Carrboro Town Council by a vote of _____ on _____, 2023.

ATTEST: **TOWN OF CARRBORO, NORTH CAROLINA**
BY: _____ BY: _____
TITLE: _____ TITLE: Chairperson, Town Council

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was _____ by the Town of Hillsborough Board of Commissioners by a vote of _____ on _____, 2023.

ATTEST: **TOWN OF HILLSBOROUGH, NORTH CAROLINA**
BY: _____ BY: _____
TITLE: _____ TITLE: Chairperson, Board of Commissioners

The Comprehensive Participation Agreement between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, Research Triangle Regional Public Transportation Authority, Town of Chapel Hill, Town of Carrboro, Town of Hillsborough, and City of Mebane was _____ by the City of Mebane Town Council by a vote of _____ on _____, 2023.

ATTEST: **CITY OF MEBANE, NORTH CAROLINA**
BY: _____ BY: _____
TITLE: _____ TITLE: Chairperson, City Council

Triangle Tax District

Orange County – Transit

Financial Policies and Guidelines

Contents

Orange Operating Fund Balance and Liquidity Policy and Guidelines..... 2

 Fund Balance and Liquidity Policy:..... 2

 Procedures: 2

 Orange Capital Fund Balance Policy and Guidelines..... 2

 Procedures: 3

Orange County Transit Billing, Payment and Reimbursement Policy and Guidelines..... 4

 Guidelines: 4

Debt Policy and Guidelines 6

 Debt Policy: 6

 Debt Guidelines:..... 6

Increased Cost of Existing Services (ICES) 9

Carryover Policy..... 11

 Capital 11

 Operating 11

Bus Operating Cost Per Hour Policy..... 12

Exhibit A: GoTriangle Financial Policies & Procedures (for reference)..... 13

Orange Operating Fund Balance and Liquidity Policy and Guidelines

Purpose: As administrator of the Triangle Tax District, GoTriangle will maintain sound financial practices including minimum fund balance and liquidity requirements.

Fund Balance and Liquidity Policy:

It is the policy of the Triangle Tax District to maintain both minimum fund balance and cash reserve requirements. Based on the funding sources and responsible fiscal management, the Orange Operating Fund will maintain a fund balance to be used as a resource for expected and unexpected, but agreed upon, financial demands and to demonstrate strong liquidity to credit rating agencies as well as federal and state governments. This information will be used to support applications for additional funding towards Orange County Transit projects, including applications for the issuance of debt, and request federal and state grant resources.

A minimum of 90 days unrestricted cash must be maintained in the Orange Operating Fund

Cash is defined as 'on-deposit' in the bank account.

The policy should be administered under the following requirements:

All restricted, committed, assigned and unassigned fund balance, as defined in Governmental Account Standards Board (GASB) Statement 54, may be used in the calculation of the minimum fund balance requirement.

Funds may only be spent in accordance with the external guidelines and enabling legislation as defined in Article II of the Orange County Transit Governance ILA.

Idle funds as defined in N.C.G.S. 159-30 will be invested in accordance with applicable North Carolina General Statutes and GoTriangle's investment guidelines.

Procedures:

The Orange County Transit Financial Model for the Orange Operating Fund will include projections of fund balance and annual expenditures. Annual reporting will be provided by GoTriangle to the SWG, Orange County Board of Commissioners, DCHC MPO Policy Board and GoTriangle Board of Trustees, which will allow a review of budget compared to actuals for the Orange Operating Fund. Additionally, this annual review will ensure that sufficient fund balance will be available at year end to meet the adopted reserve requirement as defined above. The Orange County Transit Annual Work Program will include funds allocated, if needed, to maintain the Orange Operating Fund balance to meet financial policy guidelines. To demonstrate progress and compliance with this policy, GoTriangle will include a calculation of this liquidity measure within the statistical section of its Annual Comprehensive Financial Report ("ACFR").

Orange Capital Fund Balance Policy and Guidelines

Purpose: As administrator of the Triangle Tax District, GoTriangle will maintain sound financial practices including minimum fund balance requirements.

Capital Fund Balance Policy: It is the policy of the Triangle Tax District to maintain a minimum capital fund balance. Based on the nature of the funding sources and responsible fiscal management, the

Orange Capital Fund will maintain a fund balance to act as a resource for capital project funding shortfalls.

The target fund balance for the Orange Capital Fund will be five percent (5%) of a 10-year rolling horizon timeframe to further inform the Orange County Transit Multi-Year Vision Plan's Capital Improvement Plan (CIP).

The policy should be administered under the following requirements:

The five percent (5%) fund balance will be separate and apart from project contingency budgeted as a part of individual projects appropriated in the Orange Capital Fund.

Idle funds as defined by N.C.G.S. 159-30 will be invested in accordance with applicable North Carolina General Statutes and GoTriangle's investment guidelines.

Procedures:

Projections of the fund balance as a percentage of the Orange County Transit Annual Work Program's CIP will be maintained, demonstrating future compliance with this policy. To demonstrate progress and compliance with this policy, GoTriangle will include a calculation within the statistical section of its ACFR.

DRAFT

Orange County Transit Billing, Payment and Reimbursement Policy and Guidelines

Purpose: As administrator of the Triangle Tax District, GoTriangle will be responsible for the billing, payment and reimbursement of funds that support approved expenditures as part of the Orange County Transit Multi-Year Vision Plan.

Policy: It is the policy of the Orange Operating Fund and the Orange Capital Fund and participating local governments and other entities to maintain strong billing, payment and reimbursement practices.

Guidelines:

Transit expenditures by the participating local governments and other entities are to be budgeted annually and recommended by the SWG and adopted by the Orange County Board of Commissioners and GoTriangle Board of Trustees.

The adopted budget ordinances for the Orange Operating Fund, the Orange Capital Fund, and the operating/capital funding agreements with the participating partners are the controlling documents for billing, payments, and reimbursement.

Dollars appropriated in the Orange Capital Fund are appropriated pursuant to Section 13.2 of N.C.G.S. Chapter 159 and therefore do not lapse at the end of the year and are available for reimbursement requests for the duration of the respective project unless subsequently amended by Board action or project closeout.

Reimbursement payments made for expenditures in conjunction with appropriations from the Orange Operating Fund and the Orange Capital Fund will be made to the participating local governments and other participants after GoTriangle Finance Department has received a request for reimbursement using the pre-established Orange County Transit template and associated required documentation. GoTriangle's reimbursement requests will be paid following review by the Staff Working Group Administrator. All other reimbursement requests will be reviewed by GoTriangle. Upon approval, GoTriangle will send payment to all parties.

Payments will be made in accordance with the North Carolina Local Government Budget and Fiscal Control Act.

Submissions for reimbursement may be done as often as is efficient and effective for the local participating entity; however, disbursements from GoTriangle are recommended to be completed quarterly but will be no more frequent than on a monthly basis.

Advance payments and/or establishment of a working capital fund for specific circumstances may be considered by GoTriangle.

The request for reimbursement and supporting documentation should be submitted either in writing or by electronic means as specified in the terms of the operating and capital agreements.

Reimbursement requests will include a statement signed by the requesting agency's Finance Officer or designee, stating funds were spent in accordance with the Orange County Transit's Annual Work Program and associated laws, rules and regulations, and the request for funds includes items due and payable.

Projects that involve federal funding agreements may require additional documentation and review that will be incorporated in project agreements.

DRAFT

Debt Policy and Guidelines

Purpose: As administrator of the Triangle Tax District, GoTriangle may issue debt to support approved capital projects in the Orange County Transit Multi-Year Vision Plan. It is the goal of the SWG that debt issuances will strive to obtain favorable ratings available for transit financing. The debt policy outlines the requirements and criteria set forth to achieve this goal and to advance the Orange County Transit Multi-Year Vision Plan.

Debt Policy:

It is expected that debt will periodically be issued by GoTriangle in support of the Orange County Transit Multi-Year Vision Plan under the following requirements:

Any debt to be issued will be reviewed and recommended by the SWG, approved by the Orange County Board of Commissioners, and approved and authorized by the GoTriangle Special Tax Board (pursuant to N.C.G.S. 160A-167).

Per North Carolina Law, debt issuances will be approved by the Local Government Commission.

Debt service payments will be made in accordance with the North Carolina Local Government Budget and Fiscal Control Act.

Any proposed debt issuance will be evaluated using prospective revenue expenditure amounts, as modeled in the Orange County Transit Financial Model, which is mutually agreed to by the SWG. The Orange Transit Financial Model assumptions will be agreed to annually by the SWG through coordination efforts defined in the Governance ILA.

Debt Guidelines:

Debt issuances that are incorporated as part of the financial model will be modeled using the following guidelines:

It is the goal that all rated debt issued on behalf of approved capital projects in the Orange County Transit Multi-Year Vision Plan will obtain a rating no lower than A1 (Moody's) or A+ (S&P/Fitch) and preferable in a double-A category.

Actions recommended by the SWG, or adopted by the Orange County Board of Commissioners and GoTriangle Board of Trustees shall not diminish the financial health of Orange Operating and/or Orange Capital Funds.

Debt will be issued to ensure sufficient flexibility to meet future obligations outlined in the Orange County Transit Multi-Year Vision Plan and to take advantage of opportunities based on market conditions.

The gross debt service coverage ratio will not go below 2 times (2X) gross revenue to annual debt service, excluding short-term principal payments.

Gross revenue is defined as Orange County Locally Dedicated Transit Funding Sources as stated in Section 2 of the Orange County Transit Governance ILA, plus additional farebox revenue attributed to services funded by Orange County Locally Dedicated Transit Funding Sources plus any federal funds received.

The debt service coverage (i.e., the ability to pay debt service after operations) will not go below 1.25 times (1.25X) annual debt service excluding principal payments on short-term debt.

Debt service coverage is defined as Orange County Locally Dedicated Transit Funding Sources, plus additional fare box revenue attributed to services funded by Orange County Locally Dedicated Transit Funding sources plus and federal funds received, less the sum of expenses for tax district administration, and transit operations.

Upon the full funding of reserves, any cash that maintains the Orange Transit plan in accordance with above mentioned rules may be used as cash funding for capital projects to provide additional sources of funding for capital projects to minimize debt levels.

Future bonds issued will conform and adhere to

Additional bonds test contained in bond documents, and

Debt service coverage ratios of the Orange Operating Funds and Orange Capital Funds Debt Policies

A Debt Service Reserve Fund (“DSRF”) will be established for debt issuances where the DSRF creates a lower cost of funds and does not exceed the minimum amount permitted under federal tax law.

Investment of bond proceeds will be in accordance with all applicable North Carolina statutes and federal tax law.

Debt will be structured in a manner consistent with the useful life of related projects, not to exceed a final maturity of 35 years. Principal amortization will be level debt service or faster, except for deferrals of principal in connection with construction period financing or short-term financing related to future receipt of federal and/or state funds.

Debt issued in support of the Orange County Transit Multi-Year Vision Plan will be authorized under N.C.G.S. 160A-20. Alternative debt instruments may be evaluated and utilized subject to recommendation by the SWG and approved by the Orange County Board of Commissioners and GoTriangle Board of Trustees.

The combined liquidity position of the Orange Capital and Operating Funds shall be a minimum of 180 days unrestricted cash to meet the needs of the Orange County Transit Multi-Year Vision Plan.

If a project sponsor seeks repayment for debt issued outside of the Orange County Transit Multi-Year Vision Plan it will be paid after all debt service and operating expenses of the plan have been paid and will subordinate to as debt issued by Tax District Administration. Debt payments reimbursed to the project sponsor will be identified as a yearly capital project and included in all Capital Improvement programs (CIP) upon initial approval.

Select SWG members of SWG subcommittee members (if/when applicable) will participate in the following:

RFP and/or selection process of:

Financial Advisor; Investment Consultant for GoTriangle (as necessary)

Underwriter(s); Bond Counsel; and any other necessary roles related to GoTriangle debt financing in support of the Orange County Transit Multi-Year Vision Plan

Providing assistance as needed for guidance associated with debt issuances to include interactions with rating agencies.

DRAFT

Increased Cost of Existing Services (ICES)

UPDATE Spring 2023 – Parties and Implementation Partners will refer to legacy language from prior Transit Governance ILA to define how operators can seek funding to support increased cost of services. This language is shown below.

The Orange County Transit Multi-Year Vision Plan (Plan) provides that all funding for bus services will be appropriated based on the supporting financial plan/model to Chapel Hill Transit (CHT), GoTriangle, and Orange Public Transit (OPT). The use of these bus service funds shall be limited to the support of new bus services above and beyond the existing transit system services in place at the time of the adoption of the local option ½ cent sales tax in November of 2012. However, CHT and OPT may use a portion of the bus service funds provided in the Plan to pay for the increased cost of existing services during the duration of this Agreement in the manner described below.

The “CHT Share” shall be a percentage derived by dividing the CHT local expenditures for bus services each year by the total of local expenditures for bus services by both CHT and OPT in that year. The “OPT Share” shall be a percentage derived by dividing the OPT local expenditures for bus services each year by the total of local expenditures for bus services by both CHT and OPT in that year. The respective CHT and OPT local expenditures for bus services in any year shall be based initially upon the audited financial statements for the fiscal year ending June 30, 2011. Local bus services expenditures shall include assigned overhead without any consideration of federal or state financial assistance. The determination of the CHT Share and OPT Share will be made each year thereafter based upon the most recent audited annual local expenditures for bus service by both.

CHT may use a portion of the bus services funds provided in the Plan up to a maximum amount that equals the CHT Share percentage of the prior year total receipts from the Orange County local vehicle registration fee of \$7.00 permitted by Article 52 of NCGS 105. OPT may use a portion of the bus services funds provided in the Plan up to a maximum amount that equals the OPT Share percentage of the prior year total receipts from the Orange County local vehicle registration fee of \$7.00 permitted by Article 62 of NCGS 105.

The suggested scenario/formula below is drafted for future consideration by parties and implementation partners upon the next deliberation of the Multi-Year Transit Vision Plan.

Purpose: Transit operators in Orange County are able to use one Locally Dedicated Transit Funding Source (the County Vehicle Registration Tax, pursuant to N.C.G.S. 105-570, which is levied at \$7.00 per year) to supplement projected increased costs of existing, or baseline, services that were in operation prior to the passage of the County’s ½ cent sales tax dedicated to public transportation investment.

ICES Policy: An equitable formula is to be used in determining annual allocations of available funds from the projects County Vehicle Registration Tax for each fiscal year to all operators providing services within Orange County (Chapel Hill Transit, Orange Public Transit & GoTriangle).

Variables include:

- Total Revenue Service Hours for Fixed Route Bus Services, per provider, at the end of FY2013
- Total Expenditures for Fixed Route Bus Services, per provider, at the end of FY2013
- Average annual historical cost escalation rate, per provider, from FY2013 to current fiscal year

- Mutually agreed upon cost escalation rate for upcoming fiscal year

Step one: Calculate ratio of Fixed Route Bus Revenue Service Hours operated by each agency in Orange County at the end of FY2013.

NOTE: GoTriangle will need to account for estimated number of hours of revenue service and associated costs operated ONLY within Orange County at end of FY2013.

Step two: Apply the ratio of each operator's revenue service hours to the upcoming fiscal year's County Vehicle Registration Tax projected amount. These three individual ratios will be applied in Step five.

Step three: calculate the estimated increased cost of services from FY2013 by escalating Total Expenditures for Fixed Route Bus Services, per provider, at the end of FY2013 (see NOTE for GoTriangle above) using the average annual historical cost escalation rate, per provider, from FY2013 to current fiscal year.

Step four: Through agency coordination, a mutually agreed upon escalation rate will be used to calculate the upcoming fiscal year's projected costs for the continuation of baseline services from FY2013.

Step five: Apply the ratios realized in Step two to each operator's projected costs calculated in Step four. This will indicate level of funding needed to support those FY2013 baseline services and associated increased cost of those services in the upcoming fiscal year.

IF the sum of ICES calculated for the upcoming fiscal year for each agency in step five is greater than the available amount of funding projected to be available from the County Vehicle Registration Tax funding source, then each agency and its governing jurisdiction are responsible for funding for the balance from other local funding sources not already dedicated to supporting local public transportation investments.

If the sum of ICES calculated for the upcoming fiscal year for each agency in step five is less than the available amount of funding projected to be available from the County Vehicle Registration Tax funding source, then the SWG will advise the Tax District and associated governing bodies on appropriate allocation into reserves.

Carryover Policy

Capital

- Orange County Tax District will work towards development and maintaining a capital reserve fund
- Capital project allocations as defined by the transit plan will be reserved and can be drawn on throughout the life of the project as per annual work plan programming
- Capital reserve fund dollars appropriated within the annual programming are available for reimbursement requests for the duration of each project unless subsequently amended by Board action or until project closeout.
 - Upon project closeout, any leftover funds (surplus) will be released and made available for future capital projects upon recommendation from the Orange County Staff Working Group.

Operating

- Dollars appropriated in the operating fund will lapse at the end of the year as of June 30
- Any unutilized operating funds will be returned to the operating fund balance for future programming

Bus Operating Cost Per Hour Policy

Transit agencies will be reimbursed for the following cost categories:

- Operations
- Fuel
- Maintenance
- Supervision of operators, safety, and maintenance staff

No overhead may be charged to the Tax District as part of bus service operations including service planning, financial management, management of contracts with operators or interlocal agreements, capital purchases, leasing of facilities, non-operations facility maintenance, etc. Those costs may be requested and paid for through other Transit Plan projects subject to approval of the Transit Plan and Annual Work Program.

The approval of the annual work program will include an estimated cost per hour for each agency. This cost per hour should be consistent with the transit agency's overall cost per hour paid through other funding sources. As such, the Transit Plan and local funding growth rates should be consistent when controlling for any new or expanded services. If any agency requests an increase that exceeds 2.5% compared to the previous year's Work Plan, transit agencies will be encouraged to submit a second quarter amendment that will include documentation to the Staff Working Group to verify their budgets meet this policy and be included as part of the recommendation of the amendment request. If the increase is recommended by the Staff Working Group, the revised cost per hour will be the starting point plus 2.5% increase for the following years cost per hour.

Reimbursements will be made based on the estimated cost per hour for quarters 1, 2, and 3. Quarter 4 will include a reconciliation based on the actual annual cost per hour. Transit agencies are expected to complete the Durham Transit Reimbursement year-end reconciliation template that is included in the reimbursement template. The cost per hour that is listed in the reconciliation template should be consistent with other funding source cost per hours across the transit agency's network.

GoTriangle will use a consistent cost per hour across all three County Transit Plans (i.e., Durham, Orange & Wake Counties).

Exhibit A: GoTriangle Financial Policies & Procedures (for reference)
[INSERT GOTRIANGLE FINANCIAL POLICIES & PROCEDURES DOCUMENT AS EXHIBIT A]

DRAFT

Orange County Transit Work Program Amendment Policy

Following the adoption of the Orange County Transit Annual Work Program, project sponsors and Orange County Transit lead agency staff may need to make changes to the scope or budget for approved Orange County Transit Annual Work Program implementation elements; to add or remove implementation elements from an applicable Work Program; or to make changes to other components of Orange County Transit Annual Work Programs, such as the controlling components of project funding agreements that tie to Orange County Transit Annual Work Program implementation elements (i.e., agreement periods of performance or reporting requirements), financial model assumptions that support the applicable Work Program, or scopes of work or funding amounts for future programmed implementation elements. Project sponsors may also need or desire for the operating funds allocated in an annual Work Program to be encumbered and carried over to a subsequent Work Program budget. The policies and procedures for making these changes are outlined below.

Amendment Requests: Requests should be submitted to the SWG Administrator using an Orange County Transit Annual Work Program Amendment Request Form in accordance with the published annual amendment schedule.

Amendment Types:

1. The following Work Program amendment scenarios shall be classified as **Minor Amendments:**
 - a. An amendment that requires a transfer between budget ordinance appropriations but requires less than a 20% change to a project appropriation for projects equal to or less than \$250,000;
 - b. Changes to any adopted financial assumptions supporting the applicable Work Program that does not have a significant impact on the overall revenue or expenditure forecast, which is defined to be no more than a one percent (1%) over the life of the plan;
 - c. Changes in reporting requirements for performance on implementation elements authorized in the applicable Work Program;
 - d. Changes in funding amounts less than \$250,000 for implementation elements programmed in future fiscal years;
 - e. Any other change that does not meet any of the criteria of a Minor Amendment is a Major Amendment.

2. The following Work Program amendment scenarios shall be classified as **Major Amendments:**
 - a. A project requested to be added to the Work Program.
 - b. A project requested to be removed from the Work Program.
 - c. Changes to any adopted financial assumptions supporting the applicable Work Program that does have a significant impact on the overall revenue or expenditure forecast, which is defined

- to be more than a one percent (1%) over the life of the plan;
- d. Changes in scope for implementation elements programmed in current and future fiscal years;
 - e. Any amendment that requires a transfer of funds between capital or operating funding categories.
 - f. Any change that requires a change in budgeted reserves or fund balance.
3. Scenario where no amendment is required:
- a. Transfers within the same budget ordinance (i.e., within a capital or operating funding category) appropriation and insignificant scope changes are permitted without amendment. Changes of this type shall be disclosed as part of the established quarterly reporting process.

Any changes to project funding allocations, and all requested Work Program amendments, shall comply with the adopted Triangle Tax District - Orange County Transit Financial Policies and Procedures.

Multiple Amendments to Single Project:

If more than one amendment is requested for a single project in the adopted Operating Budget over the course of a fiscal year, its classification as a Minor versus Major amendment will be based on the cumulative change caused by all applicable amendments over the course of that fiscal year.

If more than one amendment is requested for a single project in the adopted Capital Budget over the life of the project, regardless of fiscal year, its classification as a Minor versus Major amendment will be based on the cumulative change caused by all applicable amendments over the life of the project.

Removal of Work Program Projects:

If a project sponsor determines that a project or implementation element included in the operating or capital budgets of an annual Work Program will not commence in the subject fiscal year or will not continue from a previous fiscal year, as budgeted, the project sponsor shall request that the project be removed from the annual Work Program.

If the project will commence in the subject fiscal year or continue from a previous fiscal year, as budgeted, but will not make use of Triangle Tax District – Orange Operating Fund or Orange Capital Fund revenues, the project sponsor is encouraged to notify Tax District staff of the change but is not required to request removal of the project from the annual Work Program unless it is determined by Tax District staff that the originally budgeted funding for the project is necessary to fund another Work Program amendment.

If a project sponsor determines that a project or implementation element included in the operating or capital budgets of an annual Work Program will not make use of the full amount of funds originally budgeted, the project sponsor is encouraged to submit an amendment request reducing the originally budgeted amount to a more realistic amount.

Annual Work Program Amendment Schedule:

The Staff Working Group (SWG) Administrator, with input from the Orange SWG and additional GoTriangle staff, will develop an annual Work Program Amendment Schedule that sets amendment request submission deadlines and public review periods for the upcoming fiscal year. There are three amendment cycles detailed on the schedule: 2nd, 3rd and 4th quarter of the fiscal year.

The schedule will generally be consistent with DCHC MPO's Transportation Improvement Program (TIP) amendment schedule in the event that Orange County Transit project amendments require TIP action. The SWG may take exception outside the typical amendment cycle, through coordination with the MPO, where there is a need to maintain eligibility for federal or state funding.

Appendix: Roles and Responsibilities

Role of the SWG Administrator and Orange County Transit Lead Agencies

Per the Transit Governance ILA (2023), two of the three ILA parties have responsibilities as it relates to Work Program Amendment facilitation. They are Orange County, and GoTriangle. They execute the work required to ensure that Orange County Transit processes and SWG assigned tasks are completed in accordance with applicable laws, regulations, policies, and other guidance. Both agencies play a role in processing Work Program amendment requests and updating the Orange County Transit Annual Work Program Amendment Policy.

The SWG Administrator will:

- Develop the annual Work Program Amendment Schedule.
- Update the Work Program amendment request form as needed.
- Manage the Orange County Transit Annual Work Program Amendment Policy update process
- Collect and review amendment request forms for completeness and/or technical issues
- Work closely with project sponsors to address questions and resolve technical issues pertaining to amendment requests.
- Compile an initial amendment list that includes known information for each submitted request and will update the list as new or additional information becomes available.
 - The list shall clearly be grouped by amendment requests pertaining to operating projects/implementation elements versus those pertaining to capital projects/implementation elements and shall indicate whether the requests are Minor or Major.
- Prepare and present Work Program amendment request information, including GoTriangle financial slides, for review and consideration of the SWG, the Orange County Board of Commissioners, and GoTriangle Board of Trustees at appropriate decision-making points.
- Open a public-review period for quarterly amendment requests.
 - A review period of no less than 21days for Major amendments. If a mix of Major and Minor requests are submitted, the 21-day requirement applies to all requests.
- Work with County and GoTriangle engagement staff to develop public notice content and materials and then post on the GoForward/SWG website, share with SWG partners and otherwise support the engagement effort.
- Include an engagement summary report with the recommended amendment list for Orange County and GoTriangle governing board consideration.
- Forward all approved amendments and a list of actions that need to be taken to GoTriangle's Tax District for processing.
- Track authorized amendments and by September each year, update the Orange County Transit Annual Work Program database (if/when applicable), publish updated annual Work Program documents on the GoForward/SWG websites.

GoTriangle staff will:

- Review submitted amendment requests to assess financial impacts of proposed changes.
- Model financial scenario options, when needed, and present them to the SWG for review and discussion.
- Work with SWG Administrator/County staff to finalize financial dispositions for review and consideration.

- Produce slides detailing the financial impacts of requested amendments, submit them to the SWG Administrator to be incorporated into a master presentation file, and present the information for review and consideration of the SWG.
- Work with the SWG Administrator, County and GoTriangle to develop public notice content and materials and then post on the GoForward, County and GoTriangle web pages, share with Orange County Transit stakeholders and the community.
- Collect online analytics and performance data, public comments or questions, and other relevant information from the engagement period and provide it to the SWG Administrator for inclusion in the engagement summary report.
- Work with the SWG Administrator to make any needed adjustments to the financial components of the amendment list and slides prior to presentation to the governing boards.
- Process all approved Work Program amendment requests which may include changes to budget ordinance(s), changes to project agreements or other administrative actions.
- Ensure that links to the annual Orange County Transit Annual Work Program documents on the GoForward, County and GoTriangle websites are working and directed at the updated Work Program document(s) in September each year.

SWG Review and Recommendation:

SWG Administrator will consult with the SWG Chair regarding inclusion of Work Program amendment request items on SWG meeting agendas. Time allocated for each SWG presentation is set by the Chair and published on each agenda. SWG Administrator will provide the amendment request item description to be published on the agenda, will submit a master presentation file for discussion during the meeting, and will provide the most current amendment list, associated amendment request forms for SWG review and discussion.

The SWG can choose to re-categorize an amendment from Minor to Major, can recommend an adjustment, attach contingencies, or otherwise recommend a modification to an amendment request, and will make a recommendation to the Orange County Board of Commissioners and GoTriangle Board of Trustees for approval or disapproval of Work Program amendment requests.

SWG Administrator shall document the recommendation of the SWG including specific details and concerns that led to a recommended modification or disapproval of an amendment request.

Governing Board Review and Adoption:

The Orange County Board of Commissioners and the GoTriangle Board of Trustees shall review the amendment list, disposition(s) and SWG recommendation and consider authorizing the Orange County Transit Annual Work Program amendment requests. No amendments are authorized prior to board actions approving them. SWG Administrator will coordinate with Orange County and GoTriangle staff to ensure timely placement of Work Program amendment recommendations on agency agendas.

Adjustments to Roles and Responsibilities

Changes to the roles and responsibilities described within this appendix are classified as an administrative modification that can be implemented without requiring an amendment to the Orange County Transit Annual Work Program Amendment Policy, but must be agreed upon by the impacted agency, or other body which may require a process to formalize.

BYLAWS AND OPERATING PROCEDURES

ORANGE STAFF WORKING GROUP

ARTICLE I – NAME

The name of this organization shall be the Orange Staff Working Group, hereinafter referred to as the “Orange SWG”.

ARTICLE II – PURPOSE

Article III of the Transit Governance Interlocal Agreement (Governance ILA) for the implementation of the Orange County Transit Multi-Year Vision Plan established the Orange SWG for the following purposes:

- To coordinate the ongoing planning and implementation aspects of the Orange County Transit Multi-Year Vision Plan as defined in the “Transit Governance Interlocal Agreement Between Research Triangle Public Transportation Authority, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, and Orange County,” hereinafter referred to as the “ILA,” fully executed by the three parties on XX, 2023.
- To serve in a structured advisory role to the Orange County Board of Commissioners, the Research Triangle Public Transportation Authority (GoTriangle) Board of Trustees and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) Board in their decision-making responsibilities outlined in the ILA related to the implementation and ongoing maintenance of and updates to the Orange County Transit Multi-Year Vision Plan (Multi-Year Vision Plan).
- To review the Multi-Year Vision Plan at least every four years and recommend changes to the managers and governing boards of Orange County, GoTriangle, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO).
- To prepare and make recommendations to the Orange County Board of Commissioners and GoTriangle’s Board of Trustees for the Annual Transit Work Program.
- To prepare and communicate mid-year and annual progress reports on implementation of the Orange County Transit Multi-Year Vision Plan.
- To evaluate whether a material change, as further defined in supporting Financial Policies & Procedures, to the Plan is necessitated, and if so, to recommend a course of action to the managers of Orange County, GoTriangle, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO).

ARTICLE III - RESPONSIBILITIES

As specified in the ILA, the responsibilities of the SWG shall include:

- Identification of one or more party(ies) to the ILA to serve as lead agency(ies) for each of its responsibilities enumerated in Section 3.03 of the ILA
- Developing or delegating to one or more agencies the development of the detailed elements of a multi-year service implementation plan, as defined in the ILA
- Developing or delegating to one or more agencies the development of templates containing minimum standards for project status and financial reports for the Orange County Transit Major Funds
- Receiving, reviewing and providing feedback on Q1, Enhanced Q2 Report, Q3 and annual financial plan and project status reports relating to the Orange County Transit Work Program
- Designating or delegating to one or more agencies the designation of agencies responsible for each respective implementation element, as defined in the ILA
- Developing or delegating to one or more agencies the development of a strategy or incorporating or accounting for public outreach, involvement and communication the Orange County Transit Work Program.
- Developing or delegating to one or more agencies the development of an articulated strategy for each implementation element, as defined in the ILA, or agreement, which shall include scope, geography, purpose and goals, processes for allowing amendments, and processes for addressing Significant Concerns, as defined in the ILA
- Developing an ongoing schedule for completion of work products for which it is responsible for producing.

ARTICLE IV – MEMBERS

Section 1 – Number and Qualifications:

As specified in the Governance ILA dated XX, 2023., a technical committee called the Staff Working Group (SWG) is to be formed to facilitate implementation of the Orange County Transit Multi-Year Vision Plan. . ,It is within the authority of the SWG’s initial membership to expand the committee’s permanent voting and non-voting membership to include additional members deemed necessary to fully execute the responsibilities of the SWG outlined in the ILA. Expansion of permanent voting membership shall be considered an amendment subject to the provisions of Article VI of these Bylaws. Each member agency’s representative(s) shall be appointed by action of the designated authority of each member. The Orange SWG shall include as voting members:

Primary ILA Signatories:

- | | |
|------------------------------------|---------------------|
| A. Orange County | (2 representatives) |
| B. Durham-Chapel Hill-Carrboro MPO | (2 representatives) |
| C. GoTriangle | (2 representatives) |

Additional Parties to SWG:

- | | |
|-------------------------|---------------------|
| D. Town of Chapel Hill | (2 representatives) |
| E. Town of Carrboro | (1 representative) |
| F. Town of Hillsborough | (1 representative) |
| G. City of Mebane | (1 representative) |

TOTAL 11 representatives

Representatives and alternates shall be designated by the chief executive officer, or her/his designee, of each member agency. Designations shall be made in writing and submitted to the staff person appointed to provide administrative support to the Orange SWG (hereinafter, “SWG Administrator”). The SWG Administrator may not be appointed to the SWG as a representative of the member-agency for which they work.

In addition to voting members, the following agencies shall have one (1) non-voting representative participate in meetings:

- a. Triangle J Council of Governments
- b. University of North Carolina, Chapel Hill

Non-voting members of the SWG shall be authorized to attend regular and special meetings of the SWG and may participate in discussions and deliberations on items coming before the SWG for its consideration. An expansion of non-voting membership shall be considered an amendment to these Bylaws subject to Article VI and may be executed by a simple majority vote of SWG members. The SWG Administrator shall maintain an updated list of all designated representatives from both voting and non-voting members at all times.

Section 2 – Terms of Representation

There shall be no limitation on the length of time a voting member may serve on the SWG subject to the authorization to do so by the respective agency’s designated authority.

Section 3 – Alternates

Each member agency’s designated authority may appoint an alternate to its primary representative(s) provided each alternate also meets the same qualifications of membership. The alternate member may serve as a full voting member during any meeting at which that agency’s representative (s) is/are not in attendance. Alternates must also be appointed by action of the designated authority of each member in the same manner as regular voting members. Proxy and absentee voting are not permitted. The agency responsible for administering the SWG shall maintain an updated list of all designated alternate representatives from both voting and non-voting

members at all times.

ARTICLE V – OFFICERS

Section 1 – Officers Defined:

The Orange SWG shall, upon majority vote of its present and eligible voting members, appoint one voting member to act as Chair and one voting member to act as Vice-Chair. Chair and Vice Chair cannot be from the same jurisdiction for any consecutive term.

Section 2 – Elections:

The Chair and Vice Chair shall be elected annually at the first regularly scheduled meeting of the fiscal year. The newly elected Chair and Vice-Chair shall take office immediately upon being elected.

Section 3 – Terms of Office:

The term of office shall be one year. The Chair is limited to two consecutive terms. Each officer shall hold office until his/her successor has been duly elected or until his/her earlier death, resignation, disqualification, incapacity to serve, or removal from the SWG by his/her chief executive officer.

Section 4 – Duties of Officers:

The Chair shall call and preside over meetings and appoint subcommittees. For meetings held jointly between the Orange and Durham Staff Working Groups, the responsibility for calling and presiding over the meetings shall alternate between the two groups each year. The Chair shall coordinate with the SWG Administrator in the development of meeting logistics, meeting agendas, and summary meeting notes of the SWG's proceedings. The SWG Administrator shall maintain a current copy of these Operating Procedures as an addendum to the Interlocal Implementation Agreement, to be distributed to the public upon request.

In absence of the Chair, the Vice-Chair shall preside and complete all other duties of the Chair.

ARTICLE VI – MEETINGS

Section 1 – Clerk of the Committee

The SWG Administrator shall serve as the clerk of the SWG and an impartial member of the SWG. They shall provide or otherwise delegate routine administrative services for the SWG, as needed, and will be responsible for taking summary minutes of the SWG's proceedings and also documenting all associated actions at each meeting. The SWG Administrator shall maintain a current copy of these Bylaws, to be distributed to the Orange County Board of Commissioners, DCHC MPO Board, and the GoTriangle Board of Trustees as required by the ILA and to the public, upon request. When a vote is called by any voting member of the SWG, the SWG

Administrator shall facilitate that vote as the impartial person administering the group. This allows the Chair and/or Vice Chair to cast votes in their appropriate role.

Section 2 – Regular Meetings:

At the first regular meeting of each fiscal year (July 1 – June 30), in addition to electing a Chair and Vice Chair, the SWG shall adopt a regular meeting schedule. Meetings may be held jointly with the Durham County Staff Working Group. Meeting notices and agendas are to be distributed in sufficient time for them to have been received by each Orange SWG member no later than three business days prior to the meeting. Regular meetings may be canceled by the Chair should there be insufficient business on the Orange SWG's tentative agenda. SWG meetings shall adhere to North Carolina Public Meetings Laws (as referenced in N.C.G.S. 143-318.9:18)

Section 3 – Special Meetings:

Special meetings may be called by the Chair or at the request of the majority of the eligible voting members. At least seven (7) days' notice shall be given.

Section 4 – Quorums:

A quorum shall be when 7 of 11 SWG voting members appointed by the Parties to these Bylaws are present for a SWG meeting.

Section 5 – Attendance:

Each member shall be expected to attend each regular meeting and each special meeting provided at least seven (7) days' notice is provided. Attendance and voting through virtual access or phone call is allowable. A voting member may have an alternate to serve in her/his absence provided that: (1) the SWG Administrator is notified prior to the meeting who the voting member is; and (2) the alternate has been previously approved by the chief executive officer of the agency represented. This notification shall authorize the alternate to act as a present and eligible voting member in the member's absence. Meetings are open to attendance by the public.

Section 6 – Agenda:

The agenda is a list of considerations for discussion at a meeting. Items on the agenda originate as a carryover from previous Orange SWG meetings or are placed on the agenda prior to its distribution by any voting or non-voting member of the Orange SWG. Additional items may be placed on the regular agenda following discussion of the last item on the regular agenda, if a majority concurrence of present and eligible voting members is received. Items may be placed on the agenda by citizens with majority concurrence of the eligible voting members.

Section 7 – Voting Procedures:

The Orange SWG will strive to reach consensus on recommendations. However, the Chair or any member may call for a vote on any issue, provided the motion to vote is seconded and the issue is within the purposes set forth in Article II and on the agenda as outlined in Section 6 of this article. During joint meetings of the Orange and Durham Staff Working Groups, votes shall be held separately by each county SWG. Each voting member of the Orange SWG shall have one vote. Voting members who are participating virtually or by phone are permitted to vote. A majority vote of the members (or their authorized alternates) present and eligible to vote shall be sufficient for approval of matters coming before the Orange SWG. The Chair is permitted to vote, however, non-

voting members and unauthorized alternates are not permitted to vote. In the absence of any direction from these Operating Procedures, Robert's Rules of Order shall govern voting procedures.

ARTICLE VI – AMENDMENTS TO OPERATING PROCEDURES

Amendments to these Operating Procedures of the Orange SWG shall require the affirmative vote of all Orange SWG's eligible voting members, provided that written notice of the proposed amendment has been received by each member at least seven (7) days prior to the meeting at which the amendment is to be considered and provided that such amendment does not conflict with the letter or fundamental intent of the Transit Governance Interlocal Agreement governing this document. In the event of any conflict, the Transit Governance Interlocal Agreement shall carry precedence over these Operating Procedures.

Approved by the Orange Staff Working Group on _____

Approved by the Orange County Board of Commissioners on _____

Approved by the GoTriangle Board of Trustees on _____

Approved by the DCHC MPO Policy Board on _____

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Boards and Commissions – Appointments

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):
No attachments

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To approve the Boards and Commissions appointments as reviewed and discussed during June 1, 2023 Work Session.

BACKGROUND: The following appointments are for Board approval:

- **Agricultural Preservation Board**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Vaughn Compton	Cedar Grove Voluntary Agricultural District	First Full Term (Reappointment)	06/30/2026
Kim Woods	Caldwell Voluntary Agricultural District	Second Full Term	06/30/2026
Dr. Jane Saiers	New Hope/Hillsborough Voluntary Agricultural District	Third Full Term	06/30/2025

- **Alcoholic Beverage Control Board**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Mike Zito	At-Large	Second Full Term	06/30/2026
Melvin Green	At-Large	First Full Term (reappointment)	06/30/2026

Chair Designation:

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Patrick Burns	Chair	Full Term	06/30/2024

- **Animal Services Advisory Board**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Dr. Lee Pickett	Veterinarian from Board of Health	Second Full Term	06/30/2026
Dawn Roberts	Non-Municipality	Second Full Term	06/30/2026
Judy Miller	Animal Welfare/Advocacy	First Full Term (Reappointment)	06/30/2026
Kimberly Rider	Owner/Manager Retail Pet Services	First Full Term (Reappointment)	06/30/2026
Lynne DuBose	Non-Municipality	Partial Term	06/30/2024
Tracey Little	Town of Hillsborough	Partial Term	06/30/2024

- **Animal Services Hearing Panel Pool**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Cathy Munnier	At-Large Unincorporated County	One-year extension	03/31/2024
Allan Polak	Animal Services Advisory Board Member	First Full Term (reappointment)	03/31/2025
Lynne DuBose	At-Large Unincorporated	Partial Term	03/31/2025
Dawn Roberts	Animal Services Advisory Board Member	First Full Term	03/31/2026
Michael Delafield	Town of Chapel Hill	Partial Term	03/31/2025

- **Arts Commission**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Jenny Schultz-Thomas	At-Large	Partial Term	03/31/2024
Sadie Allen	UNC Student Representative	One year term	06/30/2024

- **Board of Social Services**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Jane Garrett	Citizen (BOCC Appointee)	Second Full Term	06/30/2026

- **Chapel Hill Orange County Visitors Bureau Advisory Board**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Jon Hartman-Brown	Economic Development Staff-Town of Carrboro	Second Full Term	06/30/2026
Jenny Shultz-Thomas	Arts Commission	Partial Term	12/31/2023

- **Economic Development Advisory Board**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Sharon Hill	Entrepreneur	One-year extension	06/30/2024

- **Hillsborough Board of Adjustment**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Raul Herrera	Hillsborough ETJ	Second Full Term	06/30/2026

- **Historic Preservation Commission**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Thomas Loter	At-Large	One Year Extension	06/30/2024

- **Human Relations Commission**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Jenn Sykes	At-Large	First Full Term (Reappointment)	06/30/2026
Josh Ravitch	At-Large	First Full Term (Reappointment)	06/30/2026
Mark Goldner	Town of Carrboro	First Full Term	06/30/2025

- **Mebane Planning Board**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Keith Hoover	Mebane ETJ	Second Full Term	06/30/2027

- **Nursing Home Community Advisory Committee**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Stephanie Boswell	At-Large	Second Full Term	06/30/2026

- **Orange County Housing Authority Board**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Timothy Miles	At-Large	First Full Term	06/30/2027

- **Orange County Planning Board**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Marilyn Carter	At-Large	First Full Term	03/31/2026

- **Orange Water and Sewer Authority Board of Directors**

NAME	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Kim Piracci	County Resident	First Full Term	06/30/2026

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

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 June 1, 2023 Work Session.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Designation of Three Properties as Orange County Historic Landmarks

DEPARTMENT: Environment, Agriculture, Parks
and Recreation (DEAPR)

ATTACHMENT(S):

- 1) Proposed Ordinance Designating Harvey's Chapel AME Church as an Orange County Historic Landmark
- 2) Proposed Ordinance Designating the Eno Quaker Burying Ground as an Orange County Historic Landmark
- 3) Proposed Ordinance Designating the David Faucette House as an Orange County Historic Landmark

INFORMATION CONTACT:

Peter Sandbeck, 245-2517

PURPOSE: To consider and adopt ordinances to designate three properties as Orange County Historic Landmarks: Harvey's Chapel AME Church, the Old Eno Quaker Burying Ground, and the David Faucette House.

BACKGROUND: The adoption of the attached ordinances is the final step in the process for designating these three historic properties as Orange County Historic Landmarks, as outlined in the County's Historic Preservation Ordinance. The BOCC held a required joint public hearing with the Historic Preservation Commission (HPC) on May 16, 2023 to obtain public input/comment about the proposed designations. The attached ordinances have been approved by the HPC and the County Attorney and are ready for consideration and adoption by the BOCC.

FINANCIAL IMPACT: Upon adoption of these ordinances, the owners will be eligible to apply for a 50-percent property tax deferral as per state law and the County's Historic Preservation Ordinance. Only one of the properties, the David Faucette House, is privately owned. Therefore the owners of that property will be entitled to apply to Tax Administration for this deferral, which will reduce the tax bill for that property from \$3,699 to approximately \$1,835.

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 adopt and authorize the Chair to sign the attached ordinances to designate the Harvey's Chapel AME Church, the Old Eno Quaker Burying Ground and the David Faucette House as Orange County Historic Landmarks, and thank the owners for their ongoing efforts to preserve these important historic properties.

Attachment 1

**AN ORDINANCE OF THE ORANGE COUNTY
BOARD OF COUNTY COMMISSIONERS
DESIGNATING THE PROPERTY KNOWN AS THE
HARVEY’S CHAPEL AME CHURCH (PIN: 9853837051) AND
THE ORIGINAL CHURCH SITE AND CEMETERY (PIN 9853593781)
IN ORANGE COUNTY, NORTH CAROLINA
AS A HISTORIC LANDMARK**

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended (Historic Districts and Landmarks) of the General Statutes of North Carolina and an Ordinance Creating the Historic Preservation Commission of Orange County (the “Historic Preservation Ordinance”) have been met; and

WHEREAS, the members of the Orange County Board of County Commissioners have taken into full consideration all statements and information presented by the Orange County Historic Preservation Commission at a joint public hearing held on the 16th day of May, 2023, on the question of designating the property known as the Harvey’s Chapel AME Church and its original site and cemetery as a historic landmark; and

WHEREAS, the property known as the Harvey’s Chapel AME Church and its original site and cemetery, located in Cheeks Township in the County of Orange and more particularly described in Attachments A and B, attached hereto, are significant for the history of its congregation as well as for its importance as the most intact surviving example of a small frame carpenter-Gothic-style Black church in Orange County; and

WHEREAS, Harvey’s Chapel AME Church was founded in the late 19th century by a group of African-American families descended from formerly enslaved workers who gathered to worship together in the woods overlooking Crabtree Creek as a “brush arbor” community; and

WHEREAS, the Harvey’s Chapel AME congregation built their first church in 1892 on the site of their brush arbor and created a cemetery for members and their families; and

WHEREAS, the 1940s Harvey’s Chapel AME congregation moved their church to its present site on Dimmock’s Mill Road due to poor road maintenance; and

WHEREAS, in 1940 the congregation of Harvey's Chapel AME Church built a new church that is now the most intact surviving example of a small frame carpenter-Gothic-style Black church in Orange County; and

WHEREAS, based on the additional information further detailed in the landmark designation report for the Harvey's Chapel AME Church and its original site and cemetery, all of which is incorporated herein by reference, the Orange County Historic Preservation Commission has demonstrated that the properties known as the Harvey's Chapel AME Church and its original site and cemetery possess special significance in terms of their historic, architectural and/or cultural significance and has recommended that the property be designated as a historic landmark as outlined in Article IV of the Orange County Historic Preservation Ordinance; and

WHEREAS, the State Historic Preservation Office, an agency of the Office of Archives and History of the North Carolina Department of Natural and Cultural Resources, has reviewed and commented on the findings of the Orange County Historic Preservation Commission for the designation of the Harvey's Chapel AME Church and its original site and cemetery as a historic landmark, as required by Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina and the Orange County Historic Preservation Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Orange County, North Carolina that:

Section 1. The properties known as the Harvey's Chapel AME Church and its original site and cemetery, located in Hillsborough Township, Orange County, North Carolina jurisdictional area under PIN numbers 9853837051 and 9853593781, more particularly described in Attachments A and B, are hereby designated as a historic landmark.

Section 2. This landmark shall be subject to Chapter 160D, Article 9 of the General Statutes of North Carolina and the Orange County Historic Preservation Ordinance, and any amendments as may be made to either set of regulations.

Section 3. The owner(s) and occupant(s) of the property known as the Harvey's Chapel AME Church and its original site and cemetery be given notice of this ordinance as required by applicable law, and that copies of this ordinance be filed and indexed in the office of the County Clerk, Orange County Register of Deeds, Orange County Tax Supervisor and Orange County Department of Environment, Agriculture, Parks and Recreation, as required by the applicable law.

Section 4. In accordance with Chapter 160D, Article 9 of the General Statutes of North Carolina and the Orange County Historic Preservation Ordinance, the exterior and site features of all historic landmarks are always under the purview of the Historic Preservation Commission's Certificate of Appropriateness provisions. In the case of Harvey's Chapel AME Church and its original site and cemetery, the site features include the historic 1940s church and associated grounds and cemetery, as well as the original church site and cemetery, including: the historic gravestones; the foundations of the original church; and the surrounding wooded

landscape. The HPC shall determine Certificates of Appropriateness for the Harvey's Chapel AME Church and its original site and cemetery based on the HPC's approved design standards, with reference to the designation ordinance, the application materials and the designation report.

Section 5: In accordance with Section 44-75 of the Orange County Historic Preservation Ordinance, there shall be certain delays in demolition. Consistent with that requirement, nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with this ordinance.

Section 7. Any part of this ordinance determined by a court of competent jurisdiction to be in violation of any law or constitutional provision shall be deemed severable and shall not affect the validity of the remainder.

Section 8. This ordinance shall become effective immediately upon its adoption.

NOW THEREFORE BE IT RESOLVED that the members of the Orange County Board of County Commissioners do hereby officially designate the Harvey's Chapel AME Church and its original site and cemetery as an Orange County Historic Landmark.

This the 20th day of June, 2023.

Jamezetta Bedford, Chair
Orange County Board of Commissioners

Attest

Laura Jensen, Clerk to the Board

Attachment A

Harvey's Chapel AME Church
proposed landmark parcel for
present church and cemetery
on Dimmock's Mill Road
PIN: 9853837051



DIMMOCKS MILL RD

Attachment B
Harvey's Chapel AME Church
proposed landmark parcel for
original church and cemetery
PIN: 9853593781



Attachment 2

**AN ORDINANCE OF THE ORANGE COUNTY
BOARD OF COUNTY COMMISSIONERS
DESIGNATING THE PROPERTY KNOWN AS THE
ENO QUAKER BURYING GROUND (PIN: 9876100265)
IN ORANGE COUNTY, NORTH CAROLINA
AS A HISTORIC LANDMARK**

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended (Historic Districts and Landmarks) of the General Statutes of North Carolina and an Ordinance Creating the Historic Preservation Commission of Orange County (the “Historic Preservation Ordinance”) have been met; and

WHEREAS, the members of the Orange County Board of County Commissioners have taken into full consideration all statements and information presented by the Orange County Historic Preservation Commission at a joint public hearing held on the 16th day of May, 2023, on the question of designating the property known as the Eno Quaker Burying Ground as a historic landmark; and

WHEREAS, the property known as the Eno Quaker Burying Ground, located in Hillsborough Township in the County of Orange and more particularly described in Attachment A attached hereto, is significant as one of the very few rural cemeteries in Orange County dating from the eighteenth century and as the most intact tangible reminder of the numerous Quakers who settled in the county in the area north of Hillsborough; and

WHEREAS, the Quakers who settled in Orange County founded the Eno Friends Meeting in 1754 and in 1759 established their meeting house, school and the Eno Quaker Burying Ground at this site; and

WHEREAS, the Eno Quaker Burying Ground contains a significant collection of locally-carved gravestones surrounded by an rare surviving 18th century stone wall; and

WHEREAS, based on the additional information further detailed in the landmark designation report for the Eno Quaker Burying Ground, all of which is incorporated herein by reference, the Orange County Historic Preservation Commission has demonstrated that the property known as the Eno Quaker Burying Ground possesses special significance in terms of its historic, architectural and/or cultural significance and has recommended that the property be

designated as a historic landmark as outlined in Article IV of the Orange County Historic Preservation Ordinance; and

WHEREAS, the State Historic Preservation Office, an agency of the Office of Archives and History of the North Carolina Department of Natural and Cultural Resources, has reviewed and commented on the findings of the Orange County Historic Preservation Commission for the designation of the Eno Quaker Burying Ground as a historic landmark, as required by Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina and the Orange County Historic Preservation Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Orange County, North Carolina that:

Section 1. The property known as the Eno Quaker Burying Ground, located in Hillsborough Township, Orange County, North Carolina jurisdictional area under PIN number 9876100265 and more particularly described in Attachment A is hereby designated a historic landmark.

Section 2. This landmark shall be subject to Chapter 160D, Article 9 of the General Statutes of North Carolina and the Orange County Historic Preservation Ordinance, and any amendments as may be made to either set of regulations.

Section 3. The owner(s) and occupant(s) of the property known as the Eno Quaker Burying Ground be given notice of this ordinance as required by applicable law, and that copies of this ordinance be filed and indexed in the office of the County Clerk, Orange County Register of Deeds, Orange County Tax Supervisor and Orange County Department of Environment, Agriculture, Parks and Recreation, as required by the applicable law.

Section 4. In accordance with Chapter 160D, Article 9 of the General Statutes of North Carolina and the Orange County Historic Preservation Ordinance, the exterior and site features of all historic landmarks are always under the purview of the Historic Preservation Commission's Certificate of Appropriateness provisions. In the case of Eno Quaker Burying Ground, the site features include the historic gravestones, the surrounding stone wall and the landscape contained within the boundaries of the wall. The HPC shall determine Certificates of Appropriateness for the Eno Quaker Burying Ground based on the HPC's approved design standards, with reference to the designation ordinance, the application materials and the designation report.

Section 5: In accordance with Section 44-75 of the Orange County Historic Preservation Ordinance, there shall be certain delays in demolition. Consistent with that requirement, nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe

condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with this ordinance.

Section 7. Any part of this ordinance determined by a court of competent jurisdiction to be in violation of any law or constitutional provision shall be deemed severable and shall not affect the validity of the remainder.

Section 8. This ordinance shall become effective immediately upon its adoption.

NOW THEREFORE BE IT RESOLVED that the members of the Orange County Board of County Commissioners do hereby officially designate the Eno Quaker Burying Ground as an Orange County Historic Landmark.

This the 20th day of June, 2023.

Jamezetta Bedford, Chair
Orange County Board of Commissioners

Attest

Laura Jensen, Clerk to the Board



Attachment A
Eno Quaker Burying Ground
proposed landmark parcel
boundary PIN: 9876100265

Attachment 3

**AN ORDINANCE OF THE ORANGE COUNTY
BOARD OF COUNTY COMMISSIONERS
DESIGNATING THE PROPERTY KNOWN AS THE
DAVID FAUCETTE HOUSE (PIN: 9856431462)
IN ORANGE COUNTY, NORTH CAROLINA
AS A HISTORIC LANDMARK**

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended (Historic Districts and Landmarks) of the General Statutes of North Carolina and an Ordinance Creating the Historic Preservation Commission of Orange County (the “Historic Preservation Ordinance”) have been met; and

WHEREAS, the members of the Orange County Board of County Commissioners have taken into full consideration all statements and information presented by the Orange County Historic Preservation Commission at a joint public hearing held on the 16th day of May, 2023, on the question of designating the property known as the David Faucette House as a historic landmark; and

WHEREAS, the property known as the David Faucette House, located in Cheeks Township in the County of Orange and more particularly described in Attachment A attached hereto, is significant as one of the County’s best preserved early 19th century farmhouses; and

WHEREAS, the original house constructed c. 1830 retains a high degree of architectural integrity, with most of its original historic exterior and interior features still preserved, along with a significant and picturesque site along the Eno River, all in an intact rural setting; and

WHEREAS, the David Faucette House is significant as a rare surviving example of an early 19th century two-story farmhouse of the late Federal style in the Eno River valley; and

WHEREAS, based on the additional information further detailed in the landmark designation report and in the National Register Nomination for the David Faucette House, all of which is incorporated herein by reference, the Orange County Historic Preservation Commission has demonstrated that the property known as the David Faucette House possesses special significance in terms of its historic, architectural and/or cultural significance and has recommended that the property be designated as an historic landmark as outlined in Article IV of the Orange County Historic Preservation Ordinance; and

WHEREAS, the State Historic Preservation Office, an agency of the Office of Archives and History of the North Carolina Department of Natural and Cultural Resources, has reviewed and commented on the findings of the Orange County Historic Preservation Commission for the designation of the David Faucette House as a historic landmark, as required by Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina and the Orange County Historic Preservation Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Orange County, North Carolina that:

Section 1. The property known as the David Faucette House, located in Cheeks Township, Orange County, North Carolina jurisdictional area (including the exterior and the approximately 5 acres of land listed under PIN number 9856431462 and more particularly described in Attachment A) is hereby designated a historic landmark.

Section 2. This landmark shall be subject to Chapter 160D, Article 9 of the General Statutes of North Carolina and the Orange County Historic Preservation Ordinance, and any amendments as may be made to either set of regulations.

Section 3. The owner(s) and occupant(s) of the property known as the David Faucette House be given notice of this ordinance as required by applicable law, and that copies of this ordinance be filed and indexed in the office of the County Clerk, Orange County Register of Deeds, Orange County Tax Supervisor and Orange County Department of Environment, Agriculture, Parks and Recreation, as required by the applicable law.

Section 4. In accordance with Chapter 160D, Article 9 of the General Statutes of North Carolina and the Orange County Historic Preservation Ordinance, the exterior and site features of all historic landmarks are always under the purview of the Historic Preservation Commission's Certificate of Appropriateness provisions. In the case of David Faucette House, the site features include: the historic landscape consisting of the front, side and rear lawns that give the house its rural setting, and three outbuildings: the garden house, office and rental house, as shown on Attachment B. The HPC shall determine Certificates of Appropriateness for the David Faucette House based on the HPC's approved design standards, with reference to the designation ordinance, the application materials and the designation report.

Section 5: In accordance with Section 44-75 of the Orange County Historic Preservation Ordinance, there shall be certain delays in demolition. Consistent with that requirement, nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict with this ordinance.

Section 7. Any part of this ordinance determined by a court of competent jurisdiction to be in violation of any law or constitutional provision shall be deemed severable and shall not affect the validity of the remainder.

Section 8. This ordinance shall become effective immediately upon its adoption.

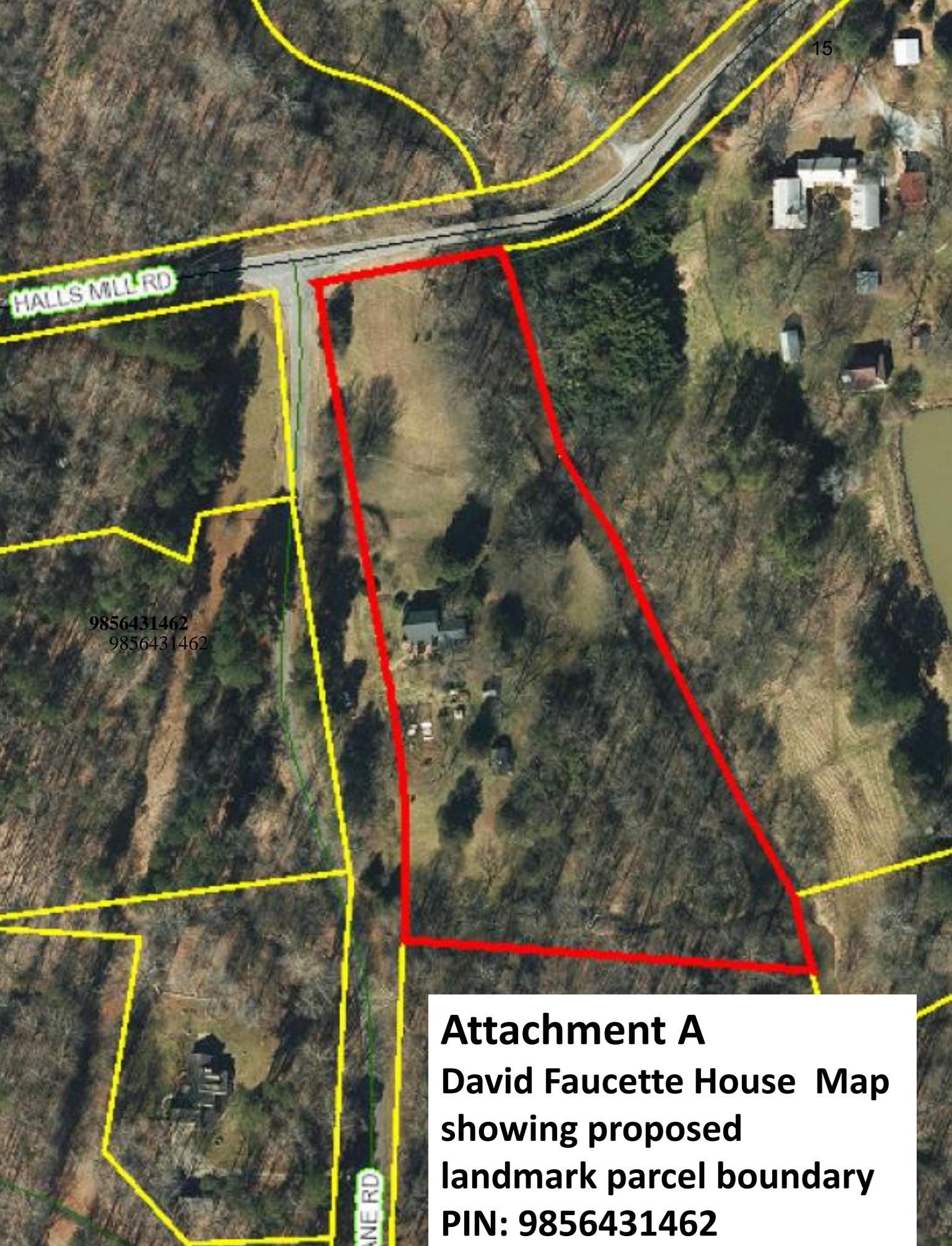
NOW THEREFORE BE IT RESOLVED that the members of the Orange County Board of County Commissioners do hereby officially designate the David Faucette House as an Orange County Historic Landmark.

This the 20th day of June, 2023.

Jamezetta Bedford, Chair
Orange County Board of Commissioners

Attest

Laura Jensen, Clerk to the Board



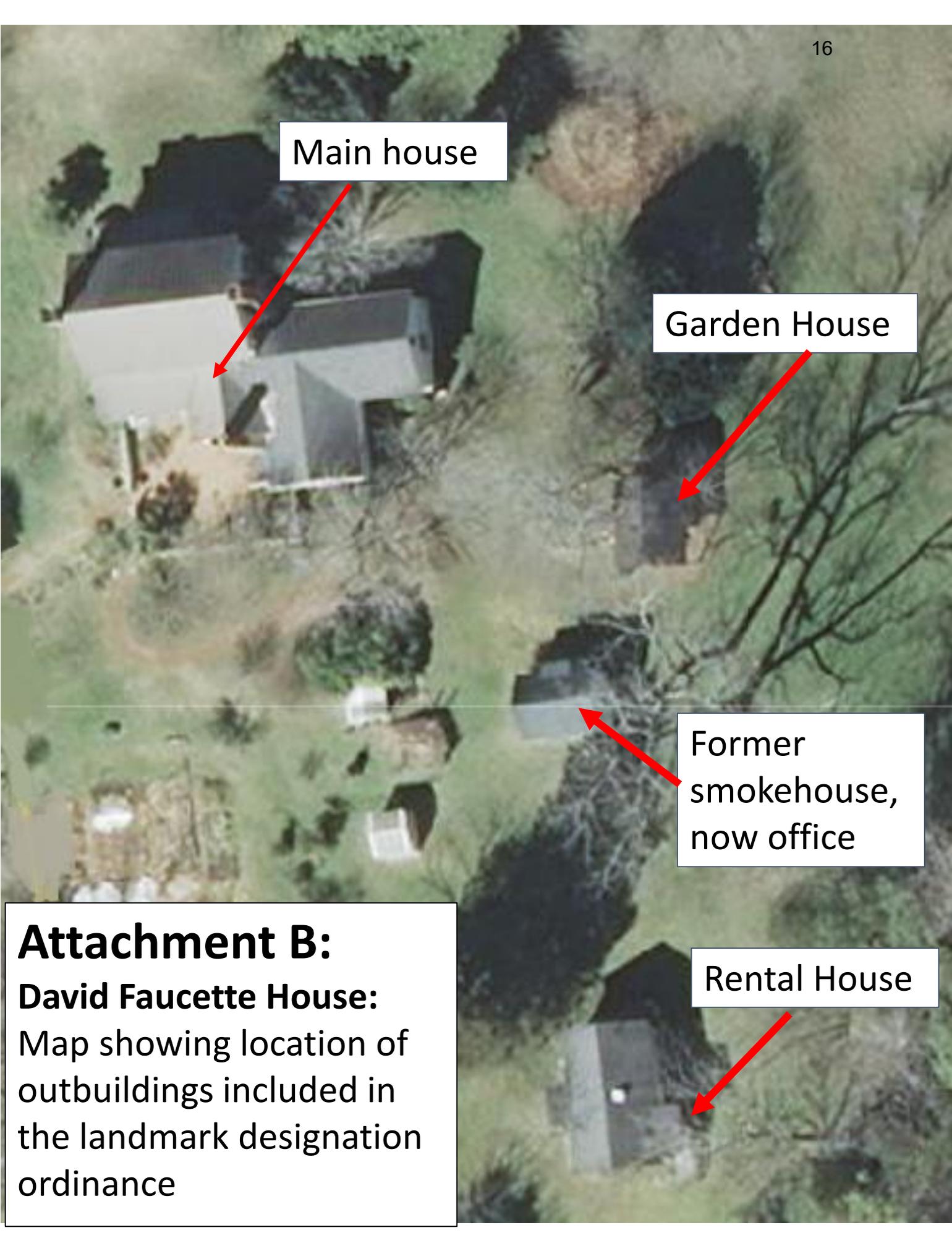
15

HALLS MILL RD

9856431462
9856431462

LANE RD

Attachment A
David Faucette House Map
showing proposed
landmark parcel boundary
PIN: 9856431462



Main house

Garden House

Former
smokehouse,
now office

Rental House

Attachment B:
David Faucette House:
Map showing location of
outbuildings included in
the landmark designation
ordinance

ORD-2023-030

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: June 20, 2023

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

SUBJECT: Fiscal Year 2022-23 Budget Amendment #11

DEPARTMENT: County Manager's Office

ATTACHMENT(S):

Attachment 1. Year-to-Date Budget
Summary

INFORMATION CONTACT:

Kirk Vaughn, (919) 245-2153

PURPOSE: To approve budget, grant, and capital project ordinance amendments for Fiscal Year 2022-23.

BACKGROUND:

Housing Department

1. Due to the department issuing additional Housing Choice Vouchers, the Housing Choice Voucher Fund is expected to significantly exceed budget. Funding for vouchers is provided as pass-through funding by the Department of Housing and Urban Development (HUD). This amendment authorizes \$1,600,000 in additional voucher funding offset by anticipated HUD revenue.
2. In July 2021, the County sold \$2,500,000 in General Obligation Bonds (GO Bonds) for approved affordable housing projects from the 2016 referendum. In the sale, the County received \$362,579 in additional GO Bond premiums. These premiums are restricted to fund additional affordable housing projects. \$202,579 of these premiums were authorized to be contributed towards the Affordable Housing Bond project in June 2022. This amendment authorizes the remaining \$160,000 to be contributed towards the Affordable Housing Bond project in the County Capital Fund, amending the following capital project ordinance:

Affordable Housing Bond Project (\$160,000) - Project # 30003

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Bond Proceeds	\$6,256,383	\$160,000	\$6,416,383
Grant Revenue	\$15,000	\$0	\$15,000
Transfer from General Fund	\$510,000	\$0	\$510,000
Alternative Financing	\$1,400,000	\$0	\$1,400,000
Total Project Funding	\$8,181,383	\$160,000	\$8,341,383

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Affordable Housing Project Expenditures	\$8,181,383	\$160,000	\$8,341,383
Total Costs	\$8,181,383	\$160,000	\$8,341,383

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: 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.

Miscellaneous

3. As in prior years, this year-end amendment transfers approved amounts from the salary and benefits reserve line items (such as for \$4,297,900 for attrition and \$425,569 for merit adjustment) in the Non-Departmental budget to individual departmental appropriations in order to properly fund salary and benefit amounts within departments.
4. The County pays monthly fees for document retention and storage in the Orange-Person-Chatham (OPC) Retiree Health Fund, outside of the General Fund. This amendment increases the authorization in the fund by \$8,000, due to increases in storage costs.
5. In Budget Amendment #5-A, the County authorized the creation of the Debt Service Fund with an initial seeding of \$6,000,000. The initial intent was to begin paying Debt Service in that fund starting in FY 2023-24. After consulting with the Finance & Administrative Services Department and the auditors, the County recommends moving all FY 2022-23 related debt service expenses into the Debt Service Fund as well. This increases the authorization in the Debt Service Fund by \$38,077,170, funded by a transfer of General Fund revenue towards that fund.
6. In 2014, the North Carolina General Assembly enacted legislation that requires that the last employer of a member who retires with an average final compensation of \$100,000 or higher is required to make an additional employer contribution to fund the increased cost to the State Retirement Services Division. In FY 2022-23, the County has experienced retirements under this scenario that require \$200,000 in additional funding. The County will recognize additional Interest Income revenue to absorb this expense.
7. The Human Resources Department is anticipating that health insurance costs for FY 2022-23 will exceed budget by \$175,000. This amount will be covered using existing fund balance in the Health & Dental Insurance Fund, outside the General Fund.

8. The Economic Development Department requested and was granted approval by the North Carolina Department of Agriculture to transfer existing loans and the available funds in the Crop Loan Fund over to Piedmont Food Processing Center (PFPC) for the Center to continue operation of the Crop Loan program. Since PFPC has constant communication with the businesses that receive the funds through this program, and the program is exclusively for PFPC tenants, the Center will be better positioned to monitor the businesses utilizing the funds.

The Crop Loan Fund was established in 2016 using \$32,500 in grant funding received from the NC Department of Agriculture - Agriculture Development and Farmland Preservation (ADFP) Grant Program, and a match of \$32,500 received from Weaver Street Market. The purpose of the program was to establish a revolving loan fund that would enable farmers, producers, and agribusinesses to maintain viable operations throughout the growing season. The program initially made five loans, and two have been paid off and three are delinquent.

This amendment recognizes \$23,000 in loan repayments received and authorizes the transfer of the current cash balance of the Crop Loan Fund and loans to the Piedmont Food Processing Center, with the intent to close the Crop Loan Fund.

CROP Loan Fund (\$23,000)

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
CROP Loan Revenues	\$65,000	\$23,000	\$88,000
Total Project Funding	\$65,000	\$23,000	\$88,000

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
CROP Loan Expenditures	\$65,000	\$23,000	\$88,000
Total Costs	\$65,000	\$23,000	\$88,000

9. The No Fault Well Repair Fund has received an additional \$40,304 in revenue from the Orange Water & Sewer Authority (OWASA). This amendment recognizes this revenue in the No Fault Well Repair Fund, outside of the General Fund, and appropriates this amount for well repair and treatment. This amends the following ordinance:

No Fault Well Repair Fund (\$40,304)

Revenues for this fund:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
OWASA	\$275,000	\$40,304	\$315,304
American Stone	\$87,500	\$0	\$87,500
Interest on Investments	\$20,000	\$0	\$20,000
Total Funding	\$382,500	\$40,304	\$422,804

Appropriated for this fund:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Fund Expenditures	\$382,500	\$40,304	\$422,804
Total Costs	\$382,500	\$40,304	\$422,804

SOCIAL JUSTICE IMPACT: There are no Orange County Social Justice Goals associated with this item.

Emergency Services

10. The Emergency Recovery Fund was set up to separate Federal Emergency Management Administration (FEMA) eligible expenses originally during the Covid-19 Pandemic. The County has identified \$600,000 in additional FEMA eligible expenses and management costs. These expenses will be fully reimbursed by FEMA with the state providing matching funds. In addition to the Covid-19 eligible activity, the County has agreements with Chapel Hill Carrboro City Schools and Orange County Schools for emergency shelter contracts. In these contracts, the schools can charge the County for up to \$200,000 for usage of school-bought supplies during these sheltering events. This budgets \$400,000 for these types of expenses in advance of any future emergency sheltering event, which are FEMA eligible during presidential disaster declaration orders. In total, this increases the Emergency Recovery Fund by \$1,000,000, outside of the General Fund, and amends the following project ordinances:

Emergency Recovery Fund (\$1,000,000) - Fund 49

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Grant Revenue	\$3,750,000	\$1,000,000	\$4,750,000
Total Project Funding	\$3,750,000	\$1,000,000	\$4,750,000

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
COVID Response - FEMA	\$3,750,000	\$600,000	\$4,350,000
Future Emergency Sheltering Event - FEMA	\$0	\$400,000	\$400,000
Total Costs	\$3,750,000	\$1,000,000	\$4,750,000

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: 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.

Local Assistance and Tribal Consistency Funds

- As a part of the American Rescue Plan Act (ARPA), the federal government provided additional funds to provide assistance to counties and tribal areas through the Local Assistance and Tribal Consistency (LATC) funds. Orange County is eligible for and has received \$50,000 through this program. Eligible LATC fund uses include a broad array of public services including health, educational, housing, and public safety services, capital needs and technology infrastructure that are one-time in nature. These funds will be deposited in the Coronavirus State and Local Fiscal Recovery Fund (CSLFR Fund), and will create the following project ordinance:

Local Assistance and Tribal Consistency Funds (\$50,000)

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Grant Revenue	\$0	\$50,000	\$50,000
Total Project Funding	\$0	\$50,000	\$50,000

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Grant Expenses	\$0	\$50,000	\$50,000
Total Costs	\$0	\$50,000	\$50,000

SOCIAL JUSTICE IMPACT: There are no Orange County Social Justice Goals applicable to this item.

Department on Aging

- The Master Aging Plan Multi-year Grant project received \$33,688 in donations. The Master Aging Plan (MAP) is a five-year plan that provides comprehensive and coordinated delivery of community services and supports that foster lifelong community engagement and well-being to older adults in Orange County. The donated funds, which are individual contributions toward MAP initiatives, include cost share contributions from families benefiting from the Home Helpers Guide projects. The expenditures include costs associated with the creation and maintenance of the In Home Helps Guide, which is a listing of people that provide respite help to families in the community. This budget amendment provides for the receipt of these funds in the Multi-year Grant Fund, outside of the General Fund, and amends the following Master Aging Plan Project Ordinance:

Master Aging Plan (\$33,688) - Project # 71099

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Donations	\$815,178	\$33,688	\$848,866
Total Project Funding	\$815,178	\$33,688	\$848,866

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Master Aging Plan Expenditures	\$815,178	\$33,688	\$848,866
Total Costs	\$815,178	\$33,688	\$848,866

13. The Department on Aging has received \$100 in additional revenue for the Operation Fan Heat Relief Program from Dominion Resources, Duke Energy Carolinas, and Duke Energy Progress through the Area Agencies on Aging (AAA) to purchase fans for Orange County adults 60 years old and over. This budget amendment provides for the receipt of these donated funds in the following Department on Aging Grant Project Ordinance, outside of the General Fund:

Operation Fan Grant (\$100) - Project # 71154

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Operation Fan Grant	\$2,772	\$100	\$2,872
Total Project Funding	\$2,772	\$100	\$2,872

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Operation Fan Expenditures	\$2,772	\$100	\$2,872
Total Costs	\$2,772	\$100	\$2,872

14. The Department on Aging has received additional revenue for the Seniors' Health Insurance Information Program (SHIIP), totaling \$16,970, to be used for staffing and program supplies related to the Volunteer Connect 55+ Senior Health Insurance Information Program. This budget amendment provides for the receipt of these donated funds in the following Department on Aging Grant Project Ordinance, outside of the General Fund:

SHIIP Funds (\$16,970) - Project # 71151

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
SHIIP Fund Grant	\$11,863	\$16,970	\$28,833
Total Project Funding	\$11,863	\$16,970	\$28,833

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
SHIIP Fund Expenditures	\$11,863	\$16,970	\$28,833
Total Costs	\$11,863	\$16,970	\$28,833

15. The Department on Aging has received additional revenue for the Medicare Improvement for Patients and Providers Act (MIPPA), totaling \$17,572 to be used for staffing and program supplies related to the Volunteer Connect 55+ Senior Health Insurance Information Program. This budget amendment provides for the receipt of these donated funds in the following Department on Aging Grant Project Ordinance, outside of the General Fund:

MIPPA Funds (\$17,572) - Project # 71152

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
MIPPA Fund Grant	\$11,792	\$17,572	\$29,364
Total Project Funding	\$11,792	\$17,572	\$29,364

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
MIPPA Fund Expenditures	\$11,792	\$17,572	\$29,364
Total Costs	\$11,792	\$17,572	\$29,364

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

- **GOAL: CREATE A SAFE COMMUNITY**

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

Health Department

16. The Orange County Health Department has received \$1,506,984 in Maximization funds from the North Carolina Department of Health and Human Services, Division of Health Benefits, related to the Fiscal Year 2021 and 2022 Medicaid Cost Settlement reports and the Medicaid Transformation Quarterly Directed Payments. Local Health Departments submit an annual Medicaid Cost Settlement report to North Carolina Department of Health

and Human Services to reconcile the state portion of the amount of Medicaid reimbursement owed to each Health Department for the cost of providing medical and dental services to Medicaid recipients. Medicaid Cost Settlement payments, as one time payments, are budgeted toward capital improvements like renovations of parts of Health Department facilities that serve Medicaid eligible patients. \$426,632 of these funds will be appropriated in a transfer to the General Fund and were included in the Fiscal Year 2022-2023 Approved Budget in anticipation of this allocation. The remainder of these funds, \$1,080,352, will be appropriated to the Medicaid Maximization account in the Capital Fund, outside the General Fund, for the purpose of future renovations of facilities that support Medicaid eligible patients. This amends the following Medicaid Maximization Capital Project Ordinance:

Medicaid Maximization Capital Project (\$1,506,984) - Project #30012

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Medicaid Maximization Funds	\$12,853,987	\$1,506,984	\$14,360,971
Total Project Funding	\$12,853,987	\$1,506,984	\$14,360,971

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Medicaid Maximization Expenditures	\$12,853,987	\$1,506,984	\$14,360,971
Total Costs	\$12,853,987	\$1,506,984	\$14,360,971

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

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**

The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

Department of Social Services

17. The Department of Social Services has additional revenue totaling \$218,739 in multi-year DSS Client Services Fund. This revenue includes: Adoption Enhancement, Foster Care Donations, General Assistance Donations and Interest on Investment, and will be used for various expenses for adoption, foster care and general assistance. These funds will be appropriated outside of the General Fund in the DSS Client Services Fund.
18. The Department of Social Services has earned interest in the amount of \$9,547 from the Heusner Trust Fund. The Heusner Trust Fund is for children in Foster Care who attend college or university. The funds can be used for tuition, to purchase books and other school-related materials. These funds will be moved to the DSS Client Services Fund and used for the same purpose so that the Heusner Trust Fund can be closed. This increases the authorization in the Heusner Trust Fund and the DSS Client Services Fund by \$9,547. Items 17 and 18 collectively will amend the DSS Client Fund Project Ordinance as follows:

DSS Client Fund (\$228,286) - Fund 39

Revenues for this fund:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Grant Revenue	\$1,645,484	\$189,518	\$1,835,002
Community Giving Donations	\$6,506	\$0	\$6,506
Transfer from Other Funds	\$160,131	\$9,547	\$169,678
Interest on Investments	\$0	\$29,221	\$29,221
Total Funding	\$1,812,121	\$228,286	\$2,040,407

Appropriated for this fund:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Fund Expenditures	\$1,812,121	\$228,286	\$2,040,407
Total Costs	\$1,812,121	\$228,286	\$2,040,407

SOCIAL JUSTICE IMPACT: There are no Orange County Social Justice Goals associated with this item.

School Districts

19. The Special District Tax Fund collects additional property tax dedicated for the Chapel Hill-Carrboro City School District. This fund is anticipated to receive \$600,000 in additional property tax revenue above the original budget. This increases the authorization in the Fund to recognize that additional revenue.
20. During the sale of the 2022 General Obligation Bonds for School Projects, the County received \$1,048,947 in excess bond proceeds above the \$14,540,000 bond sale. These funds will be provided as additional capital funds to both school districts. The funds will be split between the school districts at the same percentage as the 2016 Bond Referendum, and will provide \$630,312 to Chapel Hill-Carrboro City Schools and \$418,635 to Orange County Schools. After conferring with school district staff, the funds will be used to close out the Chapel Hill High School renovation, and fund the Smith Middle School Roof Replacement and the Efland Cheeks Elementary Mechanical Systems Replacement. This amends the following projects in the School Capital Fund, outside the General Fund:

Chapel Hill High School (\$160,000) - Project # 53001

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Bond Proceeds	\$71,285,332	\$182,600	\$71,467,932
Sales Tax Reimbursement	\$592,333	\$0	\$592,333
Transfer from General Fund	\$8,992	\$0	\$8,992
Alternative Financing	\$1,724,900	\$0	\$1,724,900
Total Project Funding	\$73,611,557	\$182,600	\$73,794,157

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Project Expenditures	\$73,611,557	\$182,600	\$73,794,157
Total Costs	\$73,611,557	\$182,600	\$73,794,157

Roofing Projects - CHCCS (\$447,712) - Project # 54012

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Bond Proceeds	\$0	\$447,712	\$447,712
Qualified School Capital Bonds	\$4,630,000	\$0	\$4,630,000
Transfer from General Fund	\$1,520,053	\$0	\$1,520,053
Alternative Financing	\$691,676	\$0	\$691,676
Total Project Funding	\$6,841,729	\$447,712	\$7,289,441

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Project Expenditures	\$6,841,729	\$447,712	\$7,289,441
Total Costs	\$6,841,729	\$447,712	\$7,289,441

Mechanical Systems 2016 Bonds - OCS (\$418,635) - Project # 51038

Revenues for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Bond Proceeds	\$22,173,971	\$418,635	\$22,592,606
2/3rds Net Debt Bonds	\$50,000	\$0	\$50,000
Transfer from General Fund	\$1,118,185	\$0	\$1,118,185
Lottery Proceeds	\$75,218	\$0	\$75,218
Total Project Funding	\$23,417,374	\$418,635	\$23,836,009

Appropriated for this project:

	Current FY 2022-23	FY 2022-23 Amendment	FY 2022-23 Revised
Project Expenditures	\$23,417,374	\$418,635	\$23,836,009
Total Costs	\$23,417,374	\$418,635	\$23,836,009

21. At the May 2, 2023 Board of County Commissioners' Business meeting, the County authorized the draw of Lottery proceeds to fund capital projects for both school districts. This amendment recognizes the increase of \$1,402,354 to the General Fund in receiving these state funds. The County uses these funds to pay down school related debt, and provides additional pay-as-you-go funding for current capital projects.

SOCIAL JUSTICE IMPACT: There are no Orange County Social Justice Goals applicable to this item.

County Manager's Office

22. The Arts Commission has received a Grants for the Arts Projects Award of \$25,000 through the National Endowment for the Arts to be used toward the Uproar Festival of Public Art featuring temporary art installations during the summer of 2023. These funds will be authorized in the Article 46 Fund outside of the General Fund.

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.

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts associated with these items other than as noted otherwise above.

FINANCIAL IMPACT: Financial impacts are included in the background information above. This budget amendment provides for the receipt of these additional funds in FY 2022-23 and increases the General Fund by \$1,602,354, the CSLFR Fund by \$50,000, the Multi-Year Grants Fund by \$68,330, the Housing Choice Voucher Fund by \$1,600,000, the School Capital Fund by \$1,048,947, the County Capital Fund by \$1,666,984, the Debt Service Fund by \$38,077,170, the Article 46 Sales Tax Fund by \$25,000, the Chapel Hill-Carrboro City Schools District Tax Fund by \$600,000, the OPC Retiree Health Fund \$8,000, the No Fault Well Repair Fund by \$40,304, the DSS Client Services Fund by \$228,286, the Emergency Recovery Fund by \$1,000,000, the Health and Dental Fund \$175,000, the Crop Loan Fund by \$23,000 and the Heusner Trust Fund by \$9,457.

RECOMMENDATION(S): The Manager recommends the Board approve the budget, grant, and capital project ordinance amendments for Fiscal Year 2022-23.

DRAFT

INFORMATION ITEM

Date Prepared: 06/07/23

Date Revised: 00/00/23

BOCC Meeting Follow-up Actions

Meeting Date	Commissioner/ Sponsor	Description	Target Date	Department	Department Director Assigned	Status	Date Completed
6/6/2023	Portie-Ascott	Provide the Board with a project timeline related to the Performance Agreement with Terra Equity, Inc. and infrastructure improvements	6/2023	County Manager	Bonnie Hammersley	Project timeline to be provided	

INFORMATION ITEM**ORANGE COUNTY
DEPARTMENT OF ENVIRONMENT, AGRICULTURE,
PARKS AND RECREATION****MEMORANDUM**

To: David Stancil, DEAPR Director
From: Christian Hirni, Land Conservation Manager
Date: June 7, 2023
Subject: NC Mountains to Sea Trail Progress Report

As an update on activity along the Mountains to Sea Trail (MST) corridor, I have been working with our trail partner organizations and interested landowners and can report the following activity to further the MST project. To protect landowner confidentiality, properties are not referred to by name:

Occoneechee Mountain to Seven Mile Creek Natural Area (Phase I)

- Staff and the Eno River Association have entered into final negotiations with the landowners for a conservation/trail easement that will make the connection from Occoneechee Mountain State Natural Area to Dimmocks Mill Road. Both State and City of Raleigh grants have been awarded to provide funds for the project. County staff is assisting ERA in acquiring and drafting all closing documents for presentation in open session and subsequent State review. Staff also continues discussions with State and private nonprofit partners to confirm the final route and connection through State Parks to be included in a trail easement.
- The previously approved conservation and trail easement from the Draper-Savage Foundation (Moorefields), adjacent to Seven Mile Creek Natural Area, is under final state legal review and awaiting closing, after a delay due to property ownership changes. The closing attorney has been hired, and all closing documents and easements have been provided to the State for approval which is anticipated at any time. The closing is estimated for late summer 2023.
- Negotiations continue with another landowner for a possible fee-simple acquisition that would be the final piece needed to connect Seven Mile Creek Natural Area to the east. Action to secure grant funding for the acquisition of this property has occurred.

Cane Creek Reservoir Area (Phase II)

- Staff continues to work with OWASA staff and the Friends of the MST (FMST) to determine the optimal trail route through OWASA Cane Creek Reservoir lands (permitted by OWASA in 2018 with conditions). A meeting was held with OWASA to this purpose, and bimonthly updates between staff and OWASA staff continue to occur. Staff is working to finalize an Emergency Access and Management Plan for this proposed section of trail with Emergency Services, the Sheriff's Office, and other first response agencies. Once these plans are in draft stage, work will begin to finalize the Memorandum of Understanding (MOU) between OWASA and Orange County for the trail. This is anticipated to occur in late 2023.

*Environment, Agriculture, Parks and Recreation
PO Box 8181 / 306-A Revere Road
Hillsborough, NC 27278
(919) 245-2510*

- Previously-approved landowner-donated trail easements with the Shy and Johnson families continue to move toward closing. (Note – both landowners requested modifications to their approved easement language and/or new survey work, which has delayed both closings.) One of the requested trail easement modifications is now complete, and the County is preparing to hire a closing attorney for final title work, with closing expected this summer. We are saddened to report that both families have suffered a loss in recent months, and respecting the losses both families are dealing with put the final activities on hold temporarily.
- As mentioned in the last update, staff continues discussions with a third landowner on Cane Creek Reservoir. This owner is interested in granting a trail easement (included in their deed of purchase) on land recently acquired adjacent to the reservoir and along the trail route. At landowner request, discussions will continue in the next few months after the landowner has completed construction of their home.

Buckhorn Road to Seven Mile Creek Natural Area (Phase III)

- *NOTE: This segment of the trail is slated in the CIP for FY 2027-28 and beyond. No activity other than conversations with Friends of the Mountains to Sea Trail (FMST) and occasional landowners.*
- Discussion with FMST staff about potential interim connections along road routes (or a future alternate spur route) continues. There is conversation in the early stages with one landowner and FMST along a likely interim road route.

Eno River State Park (ERSP) to Durham County (Other Lead Entities)

Note: State Parks, the Eno River Association and the FMST are coordinating in this segment from Hillsborough Riverwalk eastward to Durham County. Orange County is assisting as needed and requested.

- Orange County previously agreed to help FMST with funding assistance from existing sources for a bridge crossing project on Cates Creek from Hillsborough Riverwalk to Eno River State Park. The project has been completed by FMST, and the requested County funds are conveyed.
- The FMST and State Parks worked to secure a pedestrian walkway on the proposed new NCDOT bridge over the Eno River at Pleasant Green Road. The new bridge is expected to be completed around 2025 (before recent DOT budget issues) with a sidewalk. This will provide access to nearly four additional miles of trail through Eno River State Park.
- FMST, State and County staff successfully petitioned the NCDOT to ensure the trail path be included underneath the newly rebuilt Hwy 70 Bridge north of Hillsborough, and the work was concluded in December of 2022!
- FMST and ERA is following up with landowners to connect two portions of ERSP.

Next Steps:

- Complete easements and acquisitions with interested landowners in Cane Creek and Occoneechee Mountain / Seven Mile Creek Natural Area locations. Complete recent landowner-initiated revisions.
- Continue discussion of specific trail location and construction details with OWASA staff. Begin drafting, with Emergency Services and Sheriff's Office, an Emergency Access and Management Plan for the Cane Creek Reservoir sections.

- The FMST is planning to post road routes to allow hiking connections between existing and proposed trail segments on their website.

In closing, it is important to note that negotiations of all trail easements and trail land segments involve a sometimes-lengthy series of discussions with landowners, their attorneys, and the County's environmental and legal staff and management. The County must perform due diligence in any negotiation for acquisitions using public funds. As such, there are occasions where conversations and information gathering is underway and necessary but not always visible to all interested parties, until the time for official action (as per State statutes).

Please let me know if we may provide additional information.

INFORMATION ITEM



PLANNING *and* INSPECTIONS

Cy Stober, AICP, Director | cstober@orangecountync.gov | 131 W. Margaret Lane, Hillsborough, NC 27278 | 919.245.2575

MEMORANDUM

DATE: June 5, 2023
TO: Orange County Board of County Commissioners
Bonnie Hammersley, Orange County Manager
Travis Myren, Orange County Deputy Manager
CC: Cy Stober, Planning & Inspections Director
FROM: Tom Altieri, Senior Planner
RE: Comprehensive Land Use Plan – Consultant Contract Amendment

The purpose of this Information Item is to notify the Board of a forthcoming Comprehensive Land Use Plan (CLUP) contract amendment to include additional meetings between the BOCC and consultant, Clarion Associates, LLC.

At its May 16, 2023 meeting, the BOCC received a presentation from staff and discussed aspects of the consultant's deliverables prior to approving the contract. In response to comments received, Planning staff has begun discussions with Clarion's Project Manager to identify the best times during the planning process to incorporate the additional meetings. More specifically, these meetings will be scheduled as work sessions to be held separately from the Board's regularly scheduled meetings and timed to coincide with the outreach windows offered through the existing contract.

The CLUP project kick-off will take place during the third week of July and will begin with stakeholder interviews to include members of the BOCC and Planning Board, among others. Planning staff and Consultant will work towards placing the contract amendment on the September 5, 2023 BOCC agenda for consideration on consent.

Please feel free to contact Tom Altieri, Orange County Senior Planner, with any questions at taltieri@orangegecountync.gov or 919-245-2579.

Thank you.

**MEMORANDUM**

DATE: June 20, 2023
TO: Orange County Board of County Commissioners
Bonnie Hammersley, Orange County Manager
Travis Myren, Orange County Deputy Manager
FROM: Todd McGee, Community Relations Director
RE: Orange County/Lumos Broadband Project

Orange County and Lumos Fiber (formerly known as NorthState) entered into a public-private partnership in April 2022 to bring ultra-high-speed fiber internet service to approximately 28,000 homes and businesses in Orange County, including nearly 6,400 locations that previously had little or no internet service. The project, one of the largest fiber infrastructure public-private partnerships in N.C.'s history, is made possible by significant investments from Lumos and Orange County.

Orange County is using \$10 million in funding from the American Rescue Plan Act to provide fiber service to 6,370 addresses in unserved and underserved areas. Lumos' own investment expands the project and will result in access to best-in-class fiber technology and a competitive choice for fiber service for the additional 21,000 Orange County homes and businesses.

As part of its partnership with Orange County, Lumos will also provide fiber internet service to approximately two dozen county-owned anchor institutions, including fire stations, EMS and community centers.

Lumos' product offering in Orange County will offer speeds up to 2000 Mbps x 2000 Mbps — equating to 154x faster uploads and 12x faster downloads than traditional cable. Residents in the expansion areas will receive communications by mail before construction begins and again when the service is available to order.

Under the terms of the agreement, Lumos will offer a low-cost service with a minimum speed of 100 Mbps symmetrical for no more than \$30 per month, prior to any federal or state subsidies available, until at least two years from the date construction is completed. Consistent with the terms of the American Rescue Plan Act, Lumos must also participate in the Federal Communications Commission's Affordable Connectivity Program as long as it is available.

The project is scheduled to be completed in six phases. Lumos has released detailed maps showing the first five phases. These are available on the county website and included in this memorandum.

The first phase of the project was scheduled to be finished by June 30. Due to unforeseen circumstances with permitting and construction, Lumos has made the following schedule adjustment. Approximately 320 addresses in Phase 1 are expected

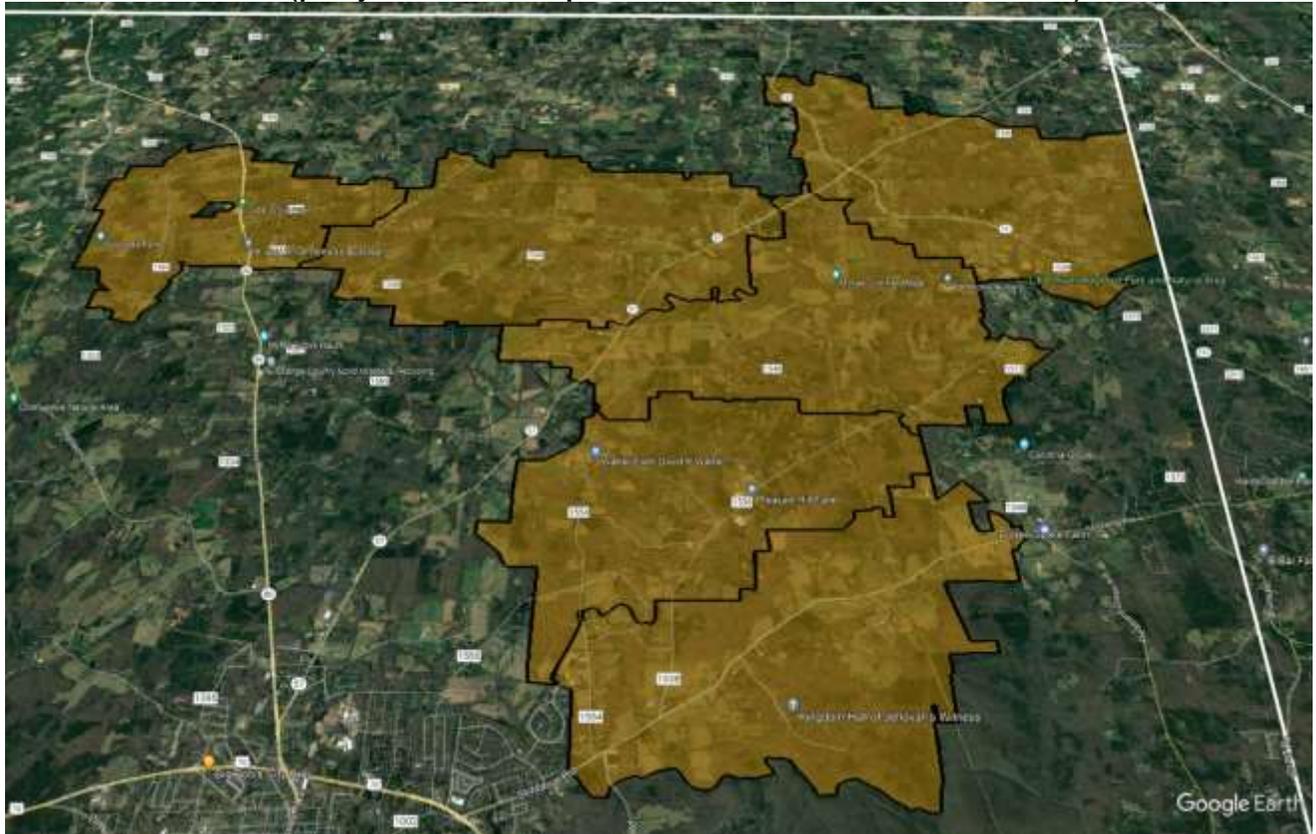
to be completed by July 31 with the remaining Phase 1 addresses to be completed during the third quarter of 2023. Lumos expects to have fiber built to approximately 3,200 of the unserved homes in the Orange County contract by the end of the year, putting future phases on, or ahead, of schedule. The entire project is expected to be complete by Dec. 31, 2024.

Orange County provides current information about the status of the project on its website at <https://www.orangecountync.gov/2924/LumosARPA-Broadband-Project>.

Phase 1 (projected completion date: Sept. 30, 2023)



Phase 2 (projected completion date: Dec. 31, 2023)



Phase 3 (projected completion date: Dec. 31, 2023)



Phase 4 (projected completion date: March 31, 2024)

