



**Orange County
Board of Commissioners**

Agenda

Virtual Business Meeting

November 5, 2020

7:00 p.m.

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

Due to current public health concerns, the Board of Commissioners is conducting a Virtual Business meeting on November 5, 2020. Members of the Board of Commissioners will be participating in the meeting remotely. As in prior meetings, members of the public will be able to view and listen to the meeting via live streaming video at orangecountync.gov/967/Meeting-Videos and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

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

- Written submittals by email
- Speaking during the virtual meeting

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

Compliance with the “Americans with Disabilities Act” - Interpreter services and/or special sound equipment are available on request. Call the County Clerk’s Office at (919) 245-2130. If you are disabled and need assistance with reasonable accommodations, contact the ADA Coordinator in the County Manager’s Office at (919) 245-2300 or TDD# 919-644-3045.

1. Additions or Changes to the Agenda

PUBLIC CHARGE

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

Arts Moment – No Arts Moment will be available for this meeting.

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 and Adoption of 2021 Reappraisal Schedule of Values
- b. Affordable Housing Advisory Board (AHAB) Funding Recommendations for 2020 Affordable Housing Bond Program
- c. Emergency Housing Assistance Program Update and Request for Supplemental Funding
- d. Approval of a Pandemic Response Payment to Permanent Orange County Employees and Approval of Budget Amendment #3-A
- e. Initiating the Process to Disengage from Cardinal Innovations Healthcare and to Seek Realignment with Alliance Health

7. Reports

- a. Interim Alternative Implementation Approach (IAIA) – Upper Neuse River Basin Association (Falls Lake Rules)

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. Applications for Property Tax Exemption/Exclusion
- e. Appointment of County Review Officer
- f. Fiscal Year 2020-21 Budget Amendment #3

9. County Manager's Report

10. County Attorney's Report

11. *Appointments

12. Information Items

- October 20, 2020 BOCC Meeting Follow-up Actions List
- Tax Collector's Report – Numerical Analysis
- Tax Collector's Report – Measure of Enforced Collections
- Tax Assessor's Report – Releases/Refunds under \$100



13. Closed Session

14. Adjournment

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

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

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

Public Comment Instructions

Public Comment – Written

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

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

When submitting the comment, include the following:

- The date of the meeting
- The agenda item (example: 5-a) you wish to comment on
- Your name, address, email and phone number

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

Public Comment – Verbal

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

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

When submitting the request to speak, include the following:

- The date of the meeting
- The agenda item (example: 5-a) you wish to speak on
- Your name, address, email and phone number
- The phone number must be the number you plan to call in from if participating by phone

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

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



If a member of the public encounters any concerns prior to or during the meeting related to speaking, please contact Greg Wilder at 919-245-2314.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

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

SUBJECT: Approval and Adoption of 2021 Reappraisal Schedule of Values

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Order of Adoption

Under Separate Cover:

2021 Schedule of Values

On file in the Tax Administration Office
and Clerk's Office and online at:

<https://www.orangecountync.gov/878/Revaluation>

INFORMATION CONTACT:

Nancy T. Freeman, Tax Administrator
(919) 245-2735

PURPOSE: To approve and adopt the proposed 2021 Schedule of Values, authorize the Chair to sign the Order of Adoption for the 2021 Schedule of Values, and to direct staff to publish the appropriate advertisements.

BACKGROUND: The proposed 2021 Schedule of Values was presented to the Board at the September 15, 2020 regular meeting. Immediately after, the Tax Administrator advertised in *The Herald-Sun*, *News of Orange* and *News and Observer* notice of the availability of the Schedule of Values for public inspection, and the date of the public hearing on the Schedule of Values. The Board held the public hearing regarding the Schedule of Values on October 6, 2020 regular meeting. These actions were taken in accordance of the North Carolina General Statute (NCGS) 105-317(c)(1) and (2).

In addition, NCGS 105-317(c)(3) states:

"When the board of county commissioners approves the final schedules, standards, and rules, it shall issue an order adopting them. Notice of this order shall be published once a week for four successive weeks in a newspaper having general circulation in the county, with the last publication being not less than seven days before the last day for challenging the validity of the schedules, standards, and rules by appeal to the Property Tax Commission. The notice shall state:

a. That the schedules, standards, and rules to be used in the next scheduled reappraisal of real property in the county have been adopted and are open to examination in the office of the assessor; and

b. That a property owner who asserts that the schedules, standards, and rules are invalid may except to the order and appeal therefrom to the Property Tax Commission within 30 days of the date when the notice of the order adopting the schedules, standards, and rules was first published."

The timeline for the 2021 Reappraisal Schedule of Values adoption process is as follows:

- September 15, 2020: Submission to Orange County Board of Commissioners
- September 16 & 17, 2020: Advertise in newspapers
- October 6, 2020: Public hearing on SOV
- November 5, 2020: Adoption of SOV
- November 6 & 11, 2020: Publish 1st notice of adoption
- November 13 & 18, 2020: Publish 2nd notice of adoption
- November 20 & 25, 2020: Publish 3rd notice of adoption
- November 27 & December 2, 2020: Publish 4th notice of adoption
- December 5, 2020: Last day for taxpayer to appeal the SOV.

FINANCIAL IMPACT: There is no Financial Impact associated with this item.

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

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

RECOMMENDATION(S): The Manager recommends that the Board approve and adopt the 2021 Schedule of Values and authorize the Chair to sign the attached Order of Adoption approving the proposed 2021 Reappraisal Schedule of Values and direct staff to publish in *The Herald-Sun*, *News of Orange* and *News and Observer* the proper advertisements concerning the notice of adoption.

ATTACHMENT 1

ORDER ADOPTING THE SCHEDULES OF RULES,
STANDARDS AND VALUES FOR MARKET VALUE
AND PRESENT-USE VALUE

WHEREAS, pursuant to N.C.G.S. 105-286, all real property in Orange County will be reappraised in accordance with the provisions of N.C.G.S. 105-283 and N.C.G.S. 105-317 as of January 1, 2021; and

WHEREAS, pursuant to the provisions of N.C.G.S. 105-317, the Tax Administrator submitted the proposed Schedules of Rules, Standards and Values for Market Value and Present-Use Value to the Board of County Commissioners on September 15, 2020; and

WHEREAS, notice of submission to the Board of County Commissioners and the date of a required public hearing was advertised in the *News of Orange* on September 16, 2020, and *News and Observer* and *Herald-Sun* and on September 17, 2020; and

WHEREAS, a public hearing on the proposed Schedules of Rules, Standards and Values was held on October 6, 2020;

NOW, THEREFORE, IT IS ORDERED that the submitted Schedules of Rules, Standards and Values to be used in appraising all real property located in Orange County as of January 1, 2021 is hereby adopted. Notice of this order of adoption shall be published once per week for four consecutive weeks in the *News of Orange*, *News and Observer* and *Herald-Sun*. The adopted Schedules of Rules, Standards and Values shall be appealable to the State Property Tax Commission for thirty days, ending December 5, 2020. The adopted Schedules of Rules, Standards and Values is available for public inspection at the Orange County Tax Office, 228 S. Churton Street, Hillsborough, NC and the Clerk to the Board of Commissioners, 300 West Tryon Street, Hillsborough; and electronically on the Orange County website.

So ordered this 5th day of November, 2020.

Penny Rich, Chair
Orange County Board of Commissioners

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

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

SUBJECT: Affordable Housing Advisory Board (AHAB) Funding Recommendations for
2020 Affordable Housing Bond Program

DEPARTMENT: Housing and Community
Development

ATTACHMENT(S):

Attachment 1: 2020 Orange County
Affordable Housing Bond
Program Scorecard
Attachment 2: Summary of Bond
Applications
Attachment 3: AHAB Bond Applications
Scores
Attachment 4: Resolution

INFORMATION CONTACT:

Emila Sutton, Director, Housing and
Community Development, (919) 245-2490

PURPOSE: To consider adoption of a Resolution awarding funds for the 2020 Affordable Housing Bond Program based on the funding recommendations of the Affordable Housing Advisory Board.

BACKGROUND: In the fall of 2016, Orange County voters passed a \$5 million Affordable Housing Bond. Half of the bond funds (\$2.5 million) were awarded in 2017. The 2020 application cycle is for the remaining \$2.5 million of the bond funds.

Eligible projects are new construction and/or rehabilitation for homeownership and/or rental development affordable to low-income households. Projects may be mixed-use and/or mixed-income. No more than 20% of residential units may be set aside for people with disabilities, in compliance with best practices outlined in the State of North Carolina's *Olmstead* settlement agreement. Land banking is not an eligible use.

Eligible applicants for funding are: nonprofit organizations involved in affordable housing and community development (including faith-based organizations), for-profit developers, and joint ventures between eligible nonprofit and for-profit entities.

The application evaluation scorecard (see Attachment 1) considers the following factors for each proposed project: (1) income and vulnerable population targeting, (2) targeting of households currently living and/or working in Orange County, (3) leveraging of other funding sources, (4) building and site design, including environmental sustainability and accessibility features, (5) community design, including neighborhood compatibility and location, (6) community sponsorship, engagement, and support, (7) project feasibility, and (8) developer experience.

The application cycle opened on June 8, 2020 and closed on July 31, 2020. Four applications were submitted, summarized below and in Attachment 2.

Weaver's Grove (Habitat for Humanity): \$817,080

Community Partners: N/A

Funds will be used to assist with infrastructure and site improvement costs for Weavers Grove, Habitat's future development of 100 affordable homes off of Sunrise Road in Chapel Hill. Habitat also plans to sell 136 finished lots to market-rate builders to develop entry-level homeownership opportunities. The project's vision is to create a thriving, mixed-income community of homes that are aesthetically pleasing, architecturally integrated, and energy efficient. This would be the first affordable housing development in this section of Chapel Hill.

Chase Park Apartments Stairwell Rehabilitation (InChuCo): \$165,840

Community Partners: N/A

Funds will be used to make critical repairs to 8 elevated stairwell landings between the upper levels of the 4 residential buildings at Chase Park Apartments, a 45-year old complex home to 40 affordable units. The stairwell landings require immediate attention because of their deteriorated condition. Further, heavy rainfall from Hurricanes Michael and Florence damaged the road and now the creek-side lane is closed. However, HUD will not endorse a loan to repair the only road into and out of the complex until the stairwell landings are replaced. The complex's estimated remaining useful life is estimated to be at least an additional 40 years barring any natural disasters

PEACH Apartments (EmPOWERment, Inc.): \$700,000

Community Partner(s): Pine Knolls Community Center

Funds will be used to construct 8 affordable rental apartments in the Northside Neighborhood Conservation District at the location of the former Pine Knolls Center. This project will produce a mixed-income, multigenerational apartment building that will honor the historical culture of this neighborhood.

2200 Homestead Road (Center for Community Self-Help): \$817,080

Community Partner(s): CASA, Community Home Trust, Habitat for Humanity

Funds will be used to develop infrastructure and site improvements at 2200 Homestead Road to prepare individual parcels for construction of approximately 117 affordable rental and affordable homeownership units. Site development includes demolition of an existing vacant building, site grading and paving, installing water, sewer, and storm water infrastructure, and construction of community amenities, such as greenways, open spaces, sidewalks, outdoor seating, community garden, basketball court, and landscaping throughout the site.

Applicant	Funding Request
Center for Community Self-Help	\$ 1,500,000
EmPOWERment, Inc.	\$ 700,000
Habitat for Humanity of Orange County	\$ 1,500,000
Interchurch Council Housing Corp	\$ 165,840
Total	\$ 3,865,840

The Affordable Housing Advisory Board (AHAB) reviewed the applications for the 2020 Affordable Housing Bond Program on August 18, 2020 and scored the applications using the evaluation scorecard approved by the Commissioners earlier this year (see Attachment 3).

Based on these scores and discussion of the projects, the County Manager proposes the following funding recommendations:

Applicant	Funding Recommendation
Center for Community Self-Help	\$ 817,080
EmPOWERment, Inc.	\$ 700,000
Habitat for Humanity of Orange County	\$ 817,080
Interchurch Council Housing Corp	\$ 165,840
Total	\$ 2,500,000

FINANCIAL IMPACT: There are no financial impacts anticipated with this item.

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 are no Orange County Environmental Responsibility Goal impacts applicable to this item. Before implementation, all proposed projects will undergo review according to applicable planning, zoning, and environmental health authorities.

RECOMMENDATION(S): The Affordable Housing Advisory Board recommends that the Board of County Commissioners adopt a Resolution awarding funds for the 2020 Affordable Housing Bond Program based on the funding recommendations of the Affordable Housing Advisory Board.



Orange County Affordable Housing Bond Program 2020 Scorecard

Threshold Requirements:

- 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? *If serving multiple ranges, score will be prorated.*

Household Income Range	Maximum Points
0 to \leq 30% AMI	25
>30% to \leq 60% AMI	15
> 60% to \leq 80% AMI	10
People with special housing needs ¹	20

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

2. Local Residency (5 points): _____

Will the proposed project provide housing for Orange County residents?

Percent of Current Orange County Residents ² at Sale or Lease-up	Maximum Points
80% to 100%	5
50% to 80%	2
0 to 50%	1

²Defined 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?

Percent Funded by Bonds and Other County Funding	Maximum Points
60% to 80%	3
40% to 59%	6
20% to 39%	9
10% to 19%	15
< 10%	20
Other Criteria	

Project pays property taxes ³	2
Project repays bond funds (principal only) ³	3
Project repays bond funds (principal and interest) ³	10
Project is mixed-income, meaning it serves more than one income category (including market-rate) and minimizes geographic concentration of affordable units	10
Project is mixed-use, meaning it includes non-residential uses that offer access to employment, daily needs, and health and human services	10

³These criteria are not applicable to nonprofit sponsored projects

4. Building and Site Design (20 points): _____

Scoring Criteria	Maximum Points
Project incorporates sustainable design elements, such as smaller building sizes, use of local/recycled building materials, energy efficient features, LED lighting, water conservation fixtures, efficient HVAC systems, etc. (for energy efficient features, the project meets or exceeds the NC Housing Finance Agency's energy efficiency criteria)	5
Project provides handicap accessibility and/or incorporates Universal Design	3
Additional points may be awarded for building and site design based on functionality, maintenance, and dispersal	2
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 additional element that would serve to minimize negative environmental impacts, as Orange County regulations allow	5
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	5

5. Community Design (20 points): _____

Scoring Criteria	Maximum Points
Project contributes to a mix of housing within an existing neighborhood	3
Additional points may be awarded 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)	5
Project is accessible to services such as healthcare, schools, grocery shopping, etc.	4
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.)	5
Project is located in an area of the county traditionally underserved by housing development	3

6. Community Sponsorship/Support (20 points): _____

Scoring Criteria	Maximum Points
Applicant can show evidence that they coordinated with other organizations to complement/support the proposed project	6
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	6
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	4
Applicant has developed, or can demonstrate plans to develop, links with other community activities to provide holistic community services	4

7. Project Feasibility (30 points): _____

Scoring Criteria	Maximum Points
Applicant can demonstrate site control, zoning compliance, and timely and feasible construction schedule	10
Funding (other than County funding) is in place at time of application	10
Applicant's proposal is complete and presents a proposed budget and financial model that is appropriate based on reasonable assumptions	10

8. Developer Experience (42 points): _____

Scoring Criteria	Maximum Points
Applicant has experience carrying out comparable projects to that proposed and has met regulatory compliance for previous projects	10
Applicant has a proposed team with demonstrated development, managerial, and financial management capabilities in prior projects	10
Applicant and team members have a successful record of meeting proposed budgets and timelines	10
Project sponsor is a nonprofit housing provider	12

Total Points: _____ out of 234

2020 AFFORDABLE HOUSING BOND APPLICATION SUMMARY

	Center for Community Self-Help	EmPOWERment	Habitat for Humanity	Interchurch Council Housing Corp
Funding Request	\$1,500,000	\$700,000	\$1,500,000	\$165,840
Project Description	2200 Homestead Road Mixed rental and homeownership development	PEACH Apartments Small-scale rental development	Weaver's Grove Mixed-income, mixed- use homeownership development	Chase Park Stairwell Rehab Rehab stairwell of existing rental development
# Affordable Units	113	8	100	40*
Incomes	0-30% AMI – 45 units 31-60% AMI – 29 units 61-80% AMI – 39 units <i>Market-rate – 4 units</i>	0-30% AMI – 4 units 31-60% AMI – 4 units 61-80% AMI – 0 units	0-30% AMI – 0 units 31-60% AMI – 70 units 61-80% AMI – 30 units <i>Market-rate – 136 units</i>	0-30% AMI – 32 units 31-60% AMI – 8 units 61-80% AMI – 0 units
Project Location	Weaver Dairy Rd and Homestead Rd	Johnson St in Pine Knolls community	Sunrise Ln across from Carol Woods	NC 54 between Merritt Mill Rd and Green Level Rd
% Funded by County	13%	34%	7%	100%

**Unit rehabilitation does not increase affordable housing inventory*

2020 BOND APPLICATION SCORES FROM AFFORDABLE HOUSING ADVISORY BOARD

	Center for Community Self-Help	EmPOWERment	Habitat for Humanity	Interchurch Council Housing Corp
<i>Bond Request</i>	\$1,500,000	\$700,000	\$1,500,000	\$165,840
<i>Total Project Cost</i>	\$21 M	\$2.3 M	\$26 M	\$165,840
1) Incomes and Vulnerable Populations	37.3	40	33.5	43
2) Local residency	5	5	5	5
3) Leveraging	25	9	40	0
4) Building and Site Design	16.3	18.2	16.7	10
5) Community Design	17.5	17.8	17.5	13.5
6) Community Sponsorship	17.5	17.2	18.2	12.3
7) Feasibility	28.8	25.4	29.3	16.3
8) Experience	39.5	42	41.8	40
TOTAL SCORE	186.8	174.6	202	140.5

RES-2020-067

**RESOLUTION AWARDING FUNDS FOR THE 2020
ORANGE COUNTY AFFORDABLE HOUSING BOND PROGRAM**

BE IT RESOLVED, by the Orange County Board of Commissioners, upon recommendation by the Orange County Affordable Housing Advisory Board, approve the following awards for the 2020 Affordable Housing Bond Program:

Center for Community Self-Help

Funds will be allocated to the Center for Community Self-Help as a grant for development of 2200 Homestead Road, a mixed-income rental and homeownership development in Chapel Hill with 113 affordable units and four (4) market-rate units. Affordable units will be leased or sold to households earning less than thirty percent (30%) and up to eighty percent (80%) of the area median income.

(Requested amount: \$1,500,000)

\$817,080

EmPOWERment, Inc.

Funds will be allocated to EmPOWERment, Inc. as a grant for development of PEACH Apartments, a rental development with eight (8) units on Johnson Street in Carrboro. Units will be leased to households earning less than thirty percent (30%) and up to sixty percent (60%) of the area median income.

(Requested amount: \$700,000)

\$700,000

Habitat for Humanity of Orange County

Funds will be allocated to Orange County Habitat for Humanity as a grant for development of Weaver's Grove, a mixed-income, mixed-use homeownership development in Chapel Hill with 100 affordable units and 136 lots to be sold for market-rate development. The 100 affordable homes will be sold to households earning between thirty percent (30%) and eighty percent (80%) of the area median income.

(Requested amount: \$1,500,000)

\$817,080

Interchurch Council Housing Corp

Funds will be allocated to Interchurch Council Housing Corp as a grant for repair of the stairwell at Chase Park Apartments, an affordable rental property in Chapel Hill with 40 affordable units leased to households earning less than thirty percent (30%) and up to sixty percent (60%) of the area median income.

(Requested amount: \$1,500,000)

\$165,840

This is the 5th day of November, 2020.

Penny Rich, Chair
Orange County Board of Commissioners

SEAL

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

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

SUBJECT: Emergency Housing Assistance Program Update and Request for Supplemental Funding

DEPARTMENT: Housing and Community
Development

ATTACHMENT(S):

- Attachment 1: Summary of Emergency Housing Assistance (EHA) Fund
- Attachment 2: OCHCD COVID-19 Response Summary – September
- Attachment 3: EHA Partner Testimonials

INFORMATION CONTACT:

Emila Sutton, Director, Housing and Community Development, (919) 245-2490

PURPOSE: (1) To update the Board of Commissioners on the work of the Housing Department in pandemic response through the Emergency Housing Assistance fund, and (2) to request the transfer of \$100,000 from the Local Rent Supplement Program to the Emergency Housing Assistance program to provide additional funding for ongoing eviction prevention activities that are not eligible costs under other programs.

BACKGROUND: In March 2020, at the onset of the public health crisis caused by COVID-19 and seeing the need for increased housing assistance for those impacted, the Orange County Housing Department and staff from the Towns of Carrboro, Chapel Hill, and Hillsborough began discussions on how to combine our existing eviction prevention and housing stabilization efforts to best serve residents. Staff from all jurisdictions agreed that combining existing efforts into one program, with one application process and singular policies, would improve provision of emergency housing assistance throughout the County. The Emergency Housing Assistance program (or “EHA”) was created as a result, and Orange County began administering eviction prevention and housing stabilization funds on behalf of the Towns as well as the County (see Attachment 1). At the same time, the Department also began managing Coordinated Entry for the community – providing an efficient and evidence-based method of serving those experiencing a housing crisis. The Department renamed and rebranded Coordinated Entry as the “Housing Helpline” so residents more readily understood how assistance could be requested. Both of these programs saw an exponential increase in demand quickly after the pandemic hit, and both programs scaled up quickly in order to meet the increasing demand (see Attachment 2).

One way the program successfully and quickly scaled up to meet the need was by requesting assistance and partnership from local non-profits. Several organizations stepped up to help, to

include El Centro Hispano, Refugee Community Partnership, Community Home Trust, EmPOWERment, and the Community Empowerment Fund, as well as other Orange County Departments such as Family Success Alliance (Health Department), Department on Aging, and Department of Social Services (see Attachment 3).

These rapid collaborative efforts and community partnerships allowed the program to serve people as they presented for assistance through the Housing Helpline and through the partner referral network – and reaching a diverse range of communities to include non-English-speaking households and families with extremely low incomes (see tables below).

Table 1: EHA Funding by Income Bracket of Beneficiary

AMI	30%	50%	60%	80%	Grand Total
Amount	\$1,242,140	\$387,497	\$56,757	\$1,095	\$1,687,490
<i>Percentage</i>	73.61%	22.96%	3.36%	0.06%	100.00%
Client Count	562	171	29	1	748
<i>Percentage</i>	75.13%	22.86%	3.88%	0.13%	100.00%

Table 2: EHA Funding by Race/Ethnicity of Beneficiary

Race/Ethnicity	Unidentified	Asian	Black	Latinx	Middle Eastern	Multiracial	Native American	White	Grand Total
Amount	\$594,230	\$55,420	\$394,514	\$460,215	\$26,458	\$6,088	\$8,249	\$142,317	\$1,687,490
<i>Percentage</i>	35.21%	3.28%	23.38%	27.27%	1.57%	0.36%	0.49%	8.43%	100.00%
Client Count	290	26	160	209	9	3	3	62	748
<i>Percentage</i>	38.77%	3.48%	21.39%	27.94%	1.20%	0.40%	0.40%	8.29%	100.00%

Financing History: EHA was seeded with local Orange County funds for Risk Mitigation and Housing Stabilization activities and Town contributions, and later CARES funding from the Towns and County. Due to the high demand for funds caused by the COVID-19 health crisis, these funds have almost been fully expended. Since the start of the pandemic, \$2.1 million has been invested by the County and Towns. As of October 20, about \$276,000 remains uncommitted, which staff anticipate will last another two and a half weeks, based on the current rate of expenditure and the queue of more than 100 applications awaiting review. As such, the County sought funds from the State in order to continue the work – first through the HOPE program (\$797,133) administered by NCORR and second through an application to the NC Commerce Department for Community Development Block Grant – Coronavirus (CDBG-CV) funds (\$900,000). The HOPE program portion of the work began on October 19, 2020 and will end December 31, 2020 per the funding regulations, and the County hopes to hear about the CDBG-CV application for funding by the end of the year. Both of these funding sources are limited to providing only rent and utility arrears and payments. This means that the other housing stabilization activities that had been provided through other EHA funding sources are not eligible under these new programs. These stabilization activities include security and utility deposits, moving costs, and application fees all of which are important for helping residents secure housing at a time when having a stable home is crucial for staying safe and avoiding COVID exposure. Further, flexible EHA funding is needed for those residents who do not qualify for the HOPE program or CDBG-CV funds, i.e. not having required documentation for federal funds and/or landlord not agreeing to lease addendum required by the HOPE program. There is also need for urgent funds for those facing imminent eviction or who are working with the

Eviction Diversion Program attorney, for those needing reasonable modifications to their homes due to their disability that is necessary to keep them stable in housing, and for homeowners' facing foreclosure as HOPE does not provide funds for mortgage assistance.

The Housing Department has also used flexible EHA funds to increase the utilization of Housing Choice Vouchers. The Department recently sent out more than 100 applications for the Housing Choice Voucher program for residents meeting the homelessness preference in the Orange County Housing Authority's Administrative Plan. While the new Housing Access Coordinator funded by the County and Towns has helped recruit landlords in accepting vouchers, security deposits are needed as well as application fee assistance for these units in order for residents in need of affordable housing to access them – especially those who are the most vulnerable in our community. Since January 2020, 2.5% of EHA funding (about \$42,000) has gone to these activities. Based on these numbers and in anticipation of increased need, as families fall out of housing due to lost income and the expiration of CARES funds and eviction protection at the end of 2020, we anticipate that at least \$60,000 is needed in order to continue providing security and utility deposits, moving costs, and application fees through June 2021. In order to continue providing flexible EHA rent and utility assistance for those who do not qualify for the supplemental State and Federal funds, we anticipate at least \$200,000 additional funding is needed for EHA through June 2021.

Research shows that housing assistance, such as that provided through EHA, reduces hardship and increases economic opportunity for low-income families.¹ There is also research showing that preventing eviction can reduce costs to the health care system, lower costs and reduce the burden on shelter and other emergency housing programs, ease the administrative burden on the courts, reduce job loss, reduce negative educational outcomes, and prevent the decline of communities that occurs when people are displaced.² This combined impact is due to the continuing community-wide effort to prevent evictions and homelessness in Orange County.

Additional local funds allows the Housing Department to continue this work to keep people stable in housing and access new affordable housing through the County's existing Emergency Housing Assistance fund.

FINANCIAL IMPACT: \$100,000 allocated to the Local Rent Subsidy Program will be reallocated to the Emergency Housing Assistance fund to help pay for security deposits, moving costs, and application fees for residents who need access to affordable housing.

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**

¹ Center for Budget and Policy Priorities (2019, December 5). Research Shows Rental Assistance Reduces Hardship and Provides Platform to Expand Opportunity for Low-Income Families.

<https://www.cbpp.org/research/housing/research-shows-rental-assistance-reduces-hardship-and-provides-platform-to-expand>

² Stout Risius Ross. (2018, November). Economic return on investment of providing counsel in Philadelphia eviction cases for low-income tenants. Philadelphia Bar Association.

<https://www.philadelphiabar.org/WebObjects/PBA.woa/Contents/WebServerResources/CMSResources/PhiladelphiaEvictionsReport.pdf>

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 are no Orange County Environmental Responsibility Goal impacts applicable to this item.

RECOMMENDATION(S): The Manager recommends that the Board approve the transfer of \$100,000 from the Local Rent Supplement Program to the Emergency Housing Assistance program to provide additional funding for ongoing eviction prevention activities.



Attachment 1

Emergency Housing Assistance (EHA)

The Emergency Housing Assistance fund was created under the Risk Mitigation and Housing Displacement Fund to help Orange County residents with low incomes secure and maintain stable housing. Assistance is available to households in Orange County that (1) earn no more than 60% of the area median income (AMI), (2) have an urgent need for housing assistance, and (3) do not have adequate savings to cover the cost of their housing need.

The most current income limits for Orange County are:

- 1-person household: \$38,220
- 2-person household: \$43,680
- 3-person household: \$49,140
- 4-person household: \$54,540
- 5-person household: \$58,920
- 6-person household: \$63,084
- 7-person household: \$67,680
- 8-person household: \$72,000

Eligible Costs

Emergency Housing Assistance may pay for security deposits, utility connections and arrears, rental payments and arrears, and, in certain emergency situations and upon OCHCD approval, other urgent housing-related costs (e.g., mortgage payments/arrears, moving costs), especially for hard-to-house individuals and families, such as large families with children, seniors, people with disabilities, veterans, and people with justice system involvement. Emergency Housing Assistance may not duplicate any assistance provided by any other program.

Maximum Assistance

The total amount of assistance provided to any household may not exceed \$6,500. Rent and utility payments may only cover arrears and/or payments for the current month or next upcoming month; assistance will not be granted for months further in the future. For example, if an applicant applies on June 15, assistance may be granted to cover any arrears for past rent owed, rent owed in the current month (June), rent to be owed in the upcoming month (July), but not for rent owed in future months (August or beyond). However, applicants may request assistance again in future months, if needed, up to the \$4,000 maximum.

How to Apply for EHA

Option 1: Online Application Portal

1. Go to our online application portal: <https://portal.neighborlysoftware.com/ORANGECOUNTYNC/Participant/>



2. Create an account, confirm it using the link that will be sent to your email, and sign into your account.
3. Under "Start a New Application", select Emergency Housing Assistance, and create an application. Along with submitting the application, you will be required to provide:
 - a. Documentation verifying total gross household income
 - b. Documentation verifying total household savings/assets/cash
 - c. Copy of the lease or other documentation from the landlord showing the amount of funds needed (as applicable)
 - d. Statement or invoice from utility provider (as applicable)
4. Be sure to click "Complete & Continue" after each section of the application is complete. You can also click "Save" to come back and complete a section later.
5. Submit your application through the portal once all sections are complete.

Option 2: Apply by Email

1. Complete an Emergency Housing Assistance application (which can be downloaded from the "Documents" section) and provide:
 - a. Documentation verifying total gross household income*
 - b. Documentation verifying total household savings/assets/cash*
 - c. Copy of the lease or other documentation from the landlord showing the amount of funds needed (as applicable)
 - d. Statement or invoice from utility provider (as applicable)
2. Submit your application and attachments by email to HousingHelp@orangecountync.gov

* See the EHA Application for a checklist of the acceptable source documentation

Documents

- [EHA Application \(English\)](#)
- [Solicitud para Asistencia de Vivienda de Emergencia \(Espanol\)](#)
- [EHA and Housing Helpline Flyer](#)
- [Folleto del Programa de Asistencia de Vivienda de Emergencia y la Linea de Ayuda de Vivienda \(Espanol\)](#)
- [EHA and Housing Helpline Progress Report](#)
- [Risk Mitigation and Housing Displacement Fund Policies](#)

Questions?

Contact the Housing Helpline at HousingHelp@orangecountync.gov or 919-245-2655

OCHCD COVID-19 Response Summary

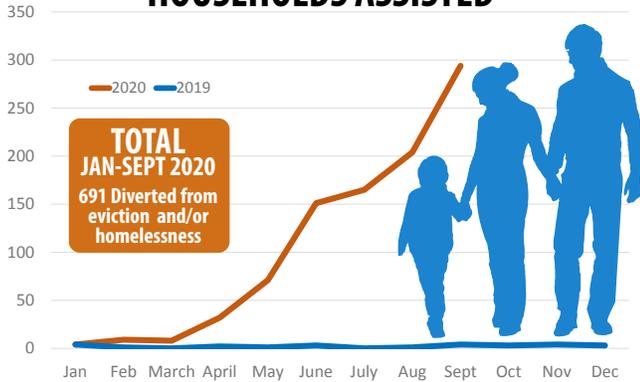
Orange County Housing and Community Development (OCHCD) promotes affordable housing, economic opportunity, and living free from discrimination.



The Board of Commissioners created the **Emergency Housing Assistance (EHA)** fund in 2018. In 2020, the Board of Commissioners significantly supplemented funding for this program and endorsed OCHCD's recommendation to enhance service delivery to:

- **STABILIZE** housing with financial assistance to 691 households, January – September
- **PREVENT** eviction and homelessness
- **STREAMLINE** referrals and eligibility with funding in the Towns of Carrboro, Chapel Hill, and Hillsborough
- **ADMINISTER** funds for the Towns and County, improving access and efficiency

HOUSEHOLDS ASSISTED



*This number reflects new households assisted; 58 households also received repeat assistance. Total number of households assisted in 2019: 26

"I do not think you understand the stress and worry that has been lifted off my shoulders. This will allow me to get back on track so much."

— Orange County Resident assisted by EHA

"I truly hope your organization knows how much of a life saver this help is. Thank you again for everything."

— Orange County Resident assisted by EHA

"Thanks for responding so quickly and you're so thoughtful and kind with your words and helping me feel important still in these times."

— Orange County Resident assisted by EHA

OCHCD partners with the Orange County Partnership to End Homelessness (OCPEH) to run the **Housing Helpline**. Staff on the Helpline assist callers and emailers to:

- **ACCESS** programs and services
- **DIVERT** people from homelessness
- **REFER** to shelter and housing programs
- **PRIORITIZE** people on housing waiting lists

	OCPEH HOUSING HELPLINE		
	# OF PEOPLE	# OF CALLS	# OF EMAILS
APRIL	113	210	5*
MAY	350	617	116
JUNE	391	1,005	194
JULY	365	915	598
AUGUST	507	1,527	1,579
SEPT	626	1,459	905

*Housing Helpline began email access on April 28, 2020

OCHCD administers the Orange County **Housing Choice Voucher (HCV)** program to provide long term housing affordability to people with low incomes, including recent initiatives to:

- **CREATE** new preferences for vulnerable populations
- **ISSUE** 100 HCV applications to include more than 50 people experiencing homelessness, 30 of whom are staying at IFC emergency shelter.
- **SECURE NEW HOUSING** for Orange County residents with vouchers via the Landlord Incentive Program by providing a \$2,000 leasing bonus for affordable units for people with low incomes.

In partnership with the Towns, in August OCHCD hired a Housing Access Coordinator that will

- **RECRUIT** landlords to accept vouchers
- **PROVIDE** a point of contact for landlords in the community
- **UTILIZE** landlord incentives to provide a \$2,000 lease-signing bonus to landlords willing to accept tenants with housing subsidies/vouchers

With support from Orange County Department of Social Services and Federal ESG-CV funds for case manager positions, OCHCD created the **Housing Help Rapid Re-housing** program in March 2020, for people experiencing homelessness to secure and maintain stable housing with a flexible mix of:

- **HOUSING SEARCH** to locate units that match client needs
- **CASE MANAGEMENT** and linkages to programs and services
- **FINANCIAL ASSISTANCE** for housing costs over a few months or more



www.orangecountync.gov/Housing

OCHCD COVID-19 Response Summary

HOUSING THROUGH COLLABORATION

Orange County service providers meet monthly at the HOME Committee meeting to **COORDINATE CARE** and **PRIORITIZE HOUSING** for people experiencing homelessness in Orange County.

This group reviews a by-name list of households and case conferences housing solutions – people can choose to participate on the list using their legal names, using other names, or using a completely anonymous number.

HOME Committee participants include representatives from the Inter-Faith Council for Social Service (IFC), the Community Empowerment Fund (CEF), Orange County Criminal Justice Resource Department, DSS, Chapel Hill Public Housing, Orange County Housing, UNC Healthcare, the Durham VA and other veterans organizations, law enforcement, Cardinal Innovations, and the group is coordinated by the Orange County Partnership to End Homelessness.



OC Homeless System COVID-19 Coordination

At the onset of the health emergency caused by COVID-19, OCEPH began hosting biweekly housing and homelessness stakeholder coordination calls to

- **COORDINATE** the response to COVID-19 for homelessness and housing agencies in Orange County
- Ensure **RESOURCE** delivery for proper health and safety measures
- **SHARE** information among service providers

Group members include health care professionals, service providers who serve people experiencing homelessness including staff from the homeless shelters and permanent housing programs.

MEETINGS MARCH 16-SEPTEMBER 30, 2020

NUMBER OF MEETINGS	AVERAGE NUMBER OF PARTICIPANTS
30	26

OC Homeless System COVID-19 Coordination

Unsheltered Workgroup

This subset of the overall Coordination group meets weekly to:

- **IDENTIFY** unmet need and
- **DIRECT STRATEGIES** related to the COVID-19 outbreak for people living unsheltered in Orange County.

Group members include service providers who serve people experiencing unsheltered homelessness – people living in a place not meant for human habitation.



MEETINGS MARCH 26-SEPTEMBER 30, 2020

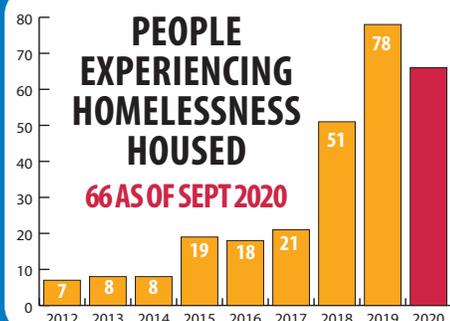
NUMBER OF MEETINGS	AVERAGE NUMBER OF PARTICIPANTS
22	11

66

VULNERABLE HOUSEHOLDS HOUSED JAN-SEPT 2020

264

HOUSED SINCE 2012



OCHCD partners with the Inter-Faith Council for Social Service, the Town of Chapel Hill, Orange County Emergency Services, and OCEPH on **Noncongregate Shelter Conversion** to:

- **PROTECT** people at homeless shelters from COVID-19
- **MOVE** homeless shelter to hotel in May 2020
- **FUND** safety modifications to shelter

The Board of Commissioners created the **Eviction Diversion Program** in June 2020.

OCHCD partners with OC Human Rights & Relations and OC Criminal Justice Resource Department to:

- Provide an attorney to **COUNSEL** and **REPRESENT** people in eviction with court proceedings
- **LINK** tenants to services and Emergency Housing Assistance



Attachment 3

Emergency Housing Assistance Partner & Resident Testimonials

Meagan Clawar, Refugee Community Partnership

The EHA has been so helpful to our families up until this point because many do not have documentation and are not eligible for other supports; each month EHA has been the difference between getting an eviction notice that month or not. Most have not worked since March and their jobs are not coming back anytime soon.

EHA gave families back some sense of minor security each month in a span of over 6 months of insecurity and panic.

EHA is a huge lifesaver and we need it to get more funding! Otherwise we will be shifting gears from keeping families in homes to figuring out what to do once families are evicted... and then the County will have an even more serious problem on its hands!

Mariela Hernandez, Family Success Alliance Family Navigator

I been helping families in the community for a long time and housing assistance was in the pass not so hard if the community member was employed. But saying that we are in not going through a period of time were employment for everyone is really hard to keep end meet. And even harder for the community that are lacking NC government ID or other documents. So when EHA was put in place it was a life changing opportunity for our community. Some of this families have been laid off since March and the also face the sickness of this virus. The EHA program in my cases have kept at least 7 families at the point of being evicted so the capacity of this program keep this families in their home. I have tried sending families to other resources but has for document that some of this community can't provide. So they are stuck not been able to access anything. The EHA was an essential program for our community and the feeling of relief I hear from this community when I tell them that they have been approved. Their voice is trembling of happiness and always ask me to thank all the people behind this program and blessing to all.

Pilar Rocha, El Centro Hispano

In these difficult times where our Latinx community has been disproportionately affected by the pandemic, it is very important and crucial to have organizations and local governments that are willing to devote services and resources to support. But more important is that they recognize the barriers they have to deliver this support and to recognize their assets in the community to create valued and true partnerships. We feel very honored and thankful for the partnership we have with OCHCD. Together we have made a big difference for our families in the Orange County community.

There are many families that have been helped with this program. Many families are dealing with difficulty paying rent and are some months behind. One specific family was threatened to be sent to court if they didn't pay by certain date that was two days ahead. They contacted us and through this partnership we were able to pay on time and the family avoided going to court and probably be evicted from their home



Diiv Sternman, Community Empowerment Fund

The EHA has been one of the most effective and impactful programs CEF has ever partnered with. The sheer number of evictions and housing crises that our members were able to avert during this pandemic because of the EHA is testament to the quality of the program and how much our community needs it. The EHA has been able to work seamlessly with local program partners to be responsive to community members' urgent needs because of the local flexible funding that went into it. That is so important for the peace of mind of the members we serve at CEF! The toxic stress of facing homelessness has huge negative impacts on people (physical and mental health, economic, vocational, relational, etc.) and when we're able to rapidly assure someone that they are safe and will not lose their home, that goes a really long way towards freeing them from the harmful impacts and trauma of that crisis. We can only do that because the EHA gives us the tools to do so. In addition to reducing housing instability, this is another way the EHA is reducing the impacts of trauma and toxic stress in our community!

Lori Woolworth, Community Home Trust

Community Home Trust has had the privilege of partnering with OCHCD to administer the EHA Program. We had the opportunity to help dozens of community members apply for assistance. We heard countless stories about how the EHA Program allowed people to stay in their homes, keep their utilities on, and provided stability in a time when virtual learning and a lack on employment was causing a significant amount of additional stress on families. One specific applicant was a manager at a restaurant who saw her hours cut significantly due to COVID. I helped her gather her documents and submit her application for rent assistance. When her landlord received the check, they refused to accept it because of her past due status. Because of our partnership with OCHCD, I was able to go to the bank and secure a certified check to drop off at the property manager's office to help the applicant avoid eviction.

A few of our homeowners also found themselves facing financial hardship due to COVID-19. We were able to help them apply for assistance with their mortgage and HOA dues to avoid foreclosure. One homeowner recently had a baby, however, due to the virus when the time came for her to return back to work, she no longer had a job to return to. She struggled to stay current on her mortgage and got several months behind on her HOA dues. She was able to apply to the EHA Program and received the assistance she needed to prevent future foreclosure.

I has been an honor to play a small part in helping residents of Orange County remain in their homes. We have received many messages of gratitude and appreciation for the assistance that was provided. One applicant said, "This is a struggle for me and my daughter to keep above water and I wouldn't be able to put a roof over their heads if it weren't for you. You have no idea how many people you are a blessing to and we appreciate you so much! Thank you!"

The County Housing Department staff has been great to work and we appreciate the continued partnership.

Delores Bailey, EmPOWERment Inc.

EmPOWERment Inc.'s housing counselors have helped many families access The Orange County Emergency Assistance Funding. We believe it has literally saved the homes of hundreds of families in Orange County. I will share three examples:

- 1) As a HUD approved Housing Counseling Agency, EmPOWERment's two nationally certified counselor are trained to counsel renters and homeowners all over the State. During this pandemic we received



phone calls from homeowners desperately seeking assistance with their mortgage. Our counselors assisted several Habitat for Humanity- Orange County homeowners file the proper paper work to “stay” foreclosure on their homes.

- 2) A couple called seeking assistance to pay their rent. They were about to be evicted. Her husband was ill, and she had been released from her job. She had sold everything she could to raise money for the upcoming rent payment, but they were behind. What she did not reveal until later was she had lost her job because her husband had tested positive for COVID-19 and she had to be home to take care of he and their child. She was ashamed to tell us that. Ms. Reid was able to help her gather the paperwork to file for the Emergency Housing Assistance Funding and they were able to stay in place.
- 3) The last example was discovered quite by accident. We were doing a “wellness check” on the Minority Business calls EmPOWERment used to facilitate every Monday once COVID started. Originally the calls were about how minority businesses could access PPP/SBA funding. During this call, one of the owners was sharing her condition: she was struggling with her business and was about to lose her apartment because she was \$1,500.00 short on her rent. Once we heard the situation, we connected her again to EI counselors who helped her access the EHA funds, and safe her from eviction!!!!

Chapel Hill Social Worker

Please know all the social workers in this area are so grateful for the work you all are doing. We have never seen a program with such impact.

***Rebecca Buzzard, Housing and Community Services Director, Town of Carrboro,
Loryn Clark, Housing and Community Director, Town of Chapel Hill, and Margaret Hauth, Planning
Director/Assistant Town Manager, Town of Hillsborough***

Before the pandemic, each Orange County jurisdiction had their own rental assistance program, all with different eligibility criteria and varying amounts of available assistance. The regional housing departments worked collaboratively when the pandemic hit to examine the urgent community need for rental assistance and adjust and streamline our programs to better meet that need. Our goal was to simplify the process for our community members so that they would have one set of guidelines and one “place to go” for housing help. We worked hard to agree on the changes to our programs and present them to our boards, commissions, and councils in a timely manner. Without the leadership of the Orange County Housing Department – stepping up to administer the program for all of our residents – we would not have been able to serve as many community members and keep them housed during these unprecedented times. We are so grateful for the close partnership with OCHD!

Tiffany Bullard, Local Reentry Case Manager, Criminal Justice Resource Department

Merriam-Webster dictionary defines *housing* as ‘any shelter, lodging, or dwelling place’ and although a functional and simple definition, for the clients I work with *housing* is something far greater.

Housing is accomplishment, it is pride. Housing is recovery, it is sanctuary. Housing is health, it is peace, it is calm, it is...home.

As the LRC Case Manager, working with returning citizens presents seemingly unsurmountable challenges, particularly for housing. Returning citizens are challenged with the task of obtaining affordable, safe housing



without a financial safety net to support them in doing so. The outcomes of referring clients to the Emergency Housing Assistance Program yielded the critical financial support for our clients to obtain and retain housing for themselves and their families.

The continuation of this program is not just about paying for housing for folks; it is truly about welcoming people *home*.

Keith Patterson, Orange County Local Reentry Council

The Local Reentry Council is tasked with helping formerly incarcerated individual address the barriers faced when reentering society. One of the most pressing issued is housing. Housing not only provides shelter but also the security needed to take someone from survival mode to a place of focus and hope. The LRC receives funding that is limited in amount and designated use. It is through our work with Orange County Housing and Community Development that we have been able to meet the needs of many of our clients. Instead of having to tell a client that, “we cannot help you”, we have been able to turn to a community partner and access resources that decrease the chances of recidivism. It is because of such partnerships that we have been able to function as a community of agencies working to effectively support the community at large. The continued support of the Emergency Housing Assistance will help to strengthen the efforts of multiple agencies providing wrap-a-round services to at-risk populations in Orange County.

Affordable Housing Provider

Katie Palmer, Resident Services Coordinator

Thank so very much for this much-needed update. I am especially appreciative for this resource on behalf of my residents at INCHUCO- Chase Park and Elliott Woods Apartments.

Orange County Resident Testimonials

Three resident testimonials shared by Katie Palmer:

The rental assistance program was a Godsend. It helped me be able to focus on staying healthy for my children and not worry about being put out KJ

God is awesome! Thank you so much for your assistance. ST

THANK YOU SO MUCH! You're an Angel!!! MS

Resident Testimonials from the Orange County Housing Helpline

I do not think you understand the stress and worry that has been lifted off my shoulders. This will allow me to get back on track so much. I truly hope your organization knows how much of a life safer this help is. Thank you again for everything.

I cannot describe how grateful I am for the help and how stunned I am to be in this place and how incredible it has been to work with you guys and experience genuine kindness without judgment regarding my



circumstances – that has impacted my mental wellness in a positive way. I hope that when the tide shifts for me I am able to contribute in a meaningful way back to my community here in Orange County.

I salute you guys, I do not wear a hat but if I did I would take off my hat. No one else is doing this. It is pretty amazing. Thank you it is a blessing and you are a blessing. You are all heroes.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

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

SUBJECT: Approval of a Pandemic Response Payment to Permanent Orange County Employees and Approval of Budget Amendment #3-A

DEPARTMENT: Human Resources and
County Manager's Office

ATTACHMENT(S):

INFORMATION CONTACT:

Brenda Bartholomew, Human Resource
Director (919) 245-2552
Bonnie Hammersley, County Manager
(919) 245-2306

PURPOSE: To recognize the flexibility and perseverance demonstrated by Orange County employees during the COVID-19 pandemic, and approval of Budget Amendment #3-A for the Pandemic Response Payments to permanent County employees.

BACKGROUND: On March 10, 2020, Governor Cooper, by Executive Order 116, declared a state of emergency to prevent the spread of COVID-19. On March 27, 2020, Executive Order 121 imposed a statewide Stay at Home Order, which directed people to stay at home except to visit essential businesses, exercise outdoors or help a family members. The Order also banned gatherings of more than 10 people and directed everyone to physically stay at least 6 feet apart from others.

More Executive Orders followed in connection with the pandemic, which dramatically impacted the manner in which County services were provided and the expectations for how County employees delivered those services.

- Executive Order 135 issued April 23, 2020 extended North Carolina's Stay At Home Order (Executive Order 121) until May 8, 2020.
- Executive Order 141 issued on May 20, 2020 lifted the statewide Stay at Home Order and moved to a Safer At Home recommendation.
- Executive Order 151 issued on July 16, 2020 extended Executive Order 141's Safer At Home Phase 2 measures until at least Aug. 7, 2020.
- Executive Order 155 issued on August 5, 2020 extended Executive Order 141's Safer At Home Phase 2 measures until at least Sept. 11, 2020.
- Executive Order 163 issued on September 1, 2020 revised prohibitions and restrictions that moved the state to Safer at Home Phase 2.5 measures.

- Executive Order 169 issued on September 30, 2020 revised prohibitions and restrictions that moved the state into Phase 3 measures.

During this time, the employees of Orange County have demonstrated creativity, flexibility, and perseverance in the face of uncertainty.

The FY2020-21 Budget included a variety of austerity measures to preserve the County's financial position. One of these measures was the elimination of a traditional across the board wage adjustment and the suspension of financial performance awards connected to annual evaluations.

Given the adjustments that all employees have had to make as a result of the pandemic, the County Manager is recommending a one-time Pandemic Response Payment of \$100 for each month worked from March 1, 2020 through November 1, 2020. Permanent employees who were actively on payroll during this time would receive a one-time payment of \$900. Employees hired during the time of March 1, 2020 through November 1, 2020 will receive \$100 for each month employed, and active part-time permanent employees will receive a pro-rated payment. The payment would occur in the last pay period in November.

The Pandemic Response Payments would be funded through a transfer of reserve funds from the County's health insurance program. This fund currently has a total reserve balance of \$3,985,334 as of the end of FY2019-20. As part of the North Carolina Health Insurance Pool, the recommended reserve balance is \$981,735 or about 1.2 months of expected claims. As a result, the reserve currently holds reserves in excess of the reserve policy of \$3,003,599. Of this amount, \$990,000 would be required to fund the Pandemic Response Payments in FY2020-21.

FINANCIAL IMPACT: Human Resources estimates that the Pandemic Response Payments will total approximately \$990,000. Budget Amendment #3-A provides for the funds to be transferred from the County's Health Insurance Reserve to cover the costs of the payments, resulting in no impact on the General Fund.

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

ENVIRONMENTAL IMPACT: No environmental impact associated with this abstract.

RECOMMENDATION(S): The Manager recommends that the Board

- Authorize a one-time Pandemic Response Payment of \$100 per month to permanent County employees who have been on the payroll between March 1, 2020 and November 1, 2020, prorated for permanent part time employees, and
- Approve Budget Amendment #3-A transferring funds from the County's Health Insurance Reserve to a Pandemic Response Payment account to be distributed to departments' personnel line items according to the amount of payment required in each department.

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

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

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

DEPARTMENT: County Manager's Office

ATTACHMENT(S):

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

INFORMATION CONTACT:

Travis Myren, Deputy County Manager
919-245-2308

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

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

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

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

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

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

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

SOCIAL JUSTICE IMPACT:

- **FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY**

The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.

- **ENSURE ECONOMIC SELF-SUFFICIENCY**

The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

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

SECTION .0700 – COUNTY DISENGAGEMENT FROM A LOCAL MANAGEMENT ENTITY-MANAGED CARE ORGANIZATION

10A NCAC 26C .0701 SCOPE

A county seeking to disengage from a Local Management Entity-Managed Care Organization (LME-MCO) and align with another LME-MCO operating under a Medicaid waiver shall first obtain the approval of the Secretary of the Department of Health and Human Services (DHHS) in accordance with the rules of this Section.

*History Note: Authority G.S. 122C-115;
Eff. February 1, 2017.*

10A NCAC 26C .0702 COUNTY REQUEST TO DISENGAGE FROM A LOCAL MANAGEMENT ENTITY-MANAGED CARE ORGANIZATION

(a) A county seeking to disengage from an LME-MCO shall provide written notice of its intent to disengage from an LME-MCO to the Secretary, the Co-Chairs of the Joint Legislative Oversight Committee on Health and Human Services, and affected counties a minimum of nine months prior to the proposed effective date of disengagement.

(b) A county seeking to disengage from an LME-MCO shall publish its plan for disengagement on its website, and the website of the LME-MCO with which it seeks to align.

(c) The county seeking to disengage from an LME-MCO shall accept public comments on its disengagement plan for a minimum of 60 calendar days. The county shall solicit comments from consumers, advocates, self-advocates, and State and Local Consumer and Family Advisory Committees (CFACs) using locally established communication methods, such as mailings, routine stakeholder meetings, press releases, and social media messages, and shall post the public comments on its website for a minimum of 30 calendar days.

(d) A county seeking to disengage from an LME-MCO and realign with a different LME-MCO operating a Medicaid waiver shall provide written documentation of the following to the Secretary, which shall constitute its written request to disengage:

- (1) Approval of its disengagement plan by its Board of County Commissioners which reflects the date of the approval and that the approval was by majority vote;
- (2) A written plan, approved by its Board of County Commissioners, to ensure continuity of services during the transition which includes written notice to the provider agencies with which the LME-MCO contracts;
- (3) A written plan, approved by its Board of County Commissioners, which provides for distribution of real property, where appropriate, and reflects title to the same;
- (4) Approval of the Area Board, by majority vote, of the LME-MCO with which it is seeking to realign;
- (5) Evidence of written notice to the other counties who are also members of the LME-MCO from which the county is seeking disengagement;
- (6) Evidence of its written notice to the providers impacted by its decision to disengage;
- (7) Evidence of its compliance with the population requirements of G.S. 122C-115(a);
- (8) Evidence of its financial liabilities to the LME-MCO from which it is seeking to disengage within 30 calendar days of the request to disengage; and
- (9) Documentation of its compliance with Paragraphs (a) through (c) of this Rule.

*History Note: Authority G.S. 122C-115;
Eff. February 1, 2017.*

10A NCAC 26C .0703 SECRETARY RESPONSE TO COUNTY REQUESTS TO DISENGAGE FROM A LOCAL MANAGEMENT ENTITY-MANAGED CARE ORGANIZATION

(a) Upon written request by a county seeking to disengage from an LME-MCO, the Secretary may waive the nine month requirement set forth in Rule .0702(a) of this Section upon consideration of the following factors:

- (1) the impact of delay upon consumers currently served in the county seeking to disengage;
- (2) the financial vulnerability of the LME-MCO from which disengagement is sought; and
- (3) any substantiated evidence of criminal activity or malfeasance on the part of the LME-MCO from which disengagement is sought.

(b) The Secretary shall consider the following in deciding whether to approve a county request to disengage from an LME-MCO and realign with a different LME-MCO operating under a Medicaid waiver:

- (1) the impact to and public comments received from consumers, advocates, self-advocates, and State and Local CFACs within the county in response to Rule .0702(c) of this Section;
 - (2) the county's plan for disengagement from one LME-MCO and realignment with a different LME-MCO;
 - (3) the county's plan to ensure continuity of services during the disengagement and realignment phase;
 - (4) whether the county has complied with the requirements of Rule .0702 of this Section;
 - (5) whether the county is contiguous to the catchment area of the LME-MCO with which it is requesting to align;
 - (6) the timing of the request and whether the disengagement will conflict with setting capitation rates;
 - (7) whether the disengagement will impact the financial viability of the LME-MCO from which the county is seeking to disengage;
 - (8) whether the disengagement and realignment will ensure compliance with the population requirements of G.S. 122C-115(a);
 - (9) whether the disengagement and realignment will impact the stability, as a whole, of the State's healthcare system;
 - (10) how the disengagement and realignment will affect the quality, variety, and amount of services for the clients, as defined in G.S. 122C-3, in the subject county; and
 - (11) the operational alignment of the county within the context of the LME-MCO disengagement related to geography, service delivery, and demonstrated provision of whole-person centered care.
- (c) The Secretary shall issue a written decision to approve or deny the request for disengagement and realignment within 90 calendar days of receipt.
- (d) The Secretary may approve the request as submitted or set conditions upon its issuance based upon consideration of the factors set forth in Paragraph (b) this Rule.
- (e) The Secretary shall notify the following of the decision to approve or deny a county request for disengagement and realignment:
- (1) The Board of County Commissioners of the county seeking to disengage;
 - (2) The Boards of County Commissioners of the counties of the LME-MCO with which realignment is requested;
 - (3) The LME-MCO from which disengagement is sought;
 - (4) The LME-MCO with which realignment is requested; and
 - (5) The Co-Chairs of the Joint Legislative Oversight Committee on Health and Human Services.

History Note: Authority G.S. 122C-115;
Eff. February 1, 2017.

PENNY RICH, CHAIR
 RENEE PRICE, VICE CHAIR
 JAMEZETTA BEDFORD
 MARK DOROSIN
 SALLY GREENE
 MARK MARCOPILOS
 EARL MCKEE

Orange County Board of Commissioners
Post Office Box 8181
200 South Cameron Street
Hillsborough, North Carolina 27278



May 3, 2019

TO: Commissioners Beale and Graham
 Co-Chairs of Tailored Plan Region Development Committee

FROM: Orange County Board of Commissioners

RE: Preference for Tailored Plan Region

Thank you for the opportunity to provide input into the Phase II of Medicaid Transformation and the process to recommend the composition of regions for Tailored Plans. The Board of Orange County Commissioners has considered its preference for a Tailored Plan region, and we believe the most effective system would connect Orange County with the other counties in the Research Triangle, namely Durham and Wake Counties.

From a service perspective, Orange County shares a regional transportation system, a regional workforce, and a network of providers with Durham and Wake Counties. Orange County conducted a study of the provider network available to residents with behavioral health needs, and many providers used by Orange County residents are located in Durham County. Other non-profit providers also serve residents from Orange, Durham, and Wake Counties. A good example of that is CASA which operates in Durham, Wake and Orange counties to provide housing for people with mental illness. Their operations and client access would be more efficient if Orange County were grouped with Durham and Wake counties.

In the interest of the residents we serve, the Board of Orange County Commissioners is requesting to become a part of a Tailored Plan region that includes Durham and Wake Counties. Connecting these counties would provide greater access, more varied services, and better public transportation opportunities than any other alignment.

Thank you again for this opportunity to provide input into the Tailored Plan regions. If we can provide any additional information, please contact our County Manager's Office at 919-245-2300.

Best regards,

Penny Rich, Chair
 Orange County Board of Commissioners

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

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

SUBJECT: Interim Alternative Implementation Approach (IAIA) – Upper Neuse River Basin Association (Falls Lake Rules)

DEPARTMENT: DEAPR, County Attorney,
Planning and Inspections
(Engineering)

ATTACHMENT(S):

1 - Executive Summary of the IAIA, Core Principles and Timeline

2 - Falls Lake Watershed Map

3 - Orange County Watershed Maps

4 – Under Separate Cover

UNRBA Background Information is available online at:

http://unrba.org/sites/default/files/URNBA_Fast-Facts-Dec-2018_FINAL_190115_0.pdf

http://unrba.org/sites/default/files/UNRBA_Infographic-Dec-2018_FINAL_190115_0.pdf

INFORMATION CONTACT:

Commissioner Sally Greene 245-2130

Commissioner Jamezetta Bedford 2130

David Stancil, 245-2522

Craig Benedict 245-2592

James Bryan, 245-2319

Wesley Poole, 245-2513

Christopher Sandt, 245-2583

PURPOSE: To consider joining the Upper Neuse River Basin Association's (UNRBA's) planned and coordinated multi-jurisdictional implementation approach to implementing Stage 1 of the Falls Lake Watershed Rules, promulgated by the N.C. Division of Water Resources.

BACKGROUND: Orange County was a founding member of the UNRBA, which was created in the 1990's to coordinate mandatory watershed protection efforts among the jurisdictions of the Falls Lake watershed. Falls Lake (henceforth, "the Lake"), located in Durham and Wake counties, serves as the primary water supply source for Raleigh and many Wake County municipalities. Most of central, eastern and northeastern Orange County is located within the Falls Lake watershed (please see Attachments 2 and 3).

As the Falls Lake Nutrient Management Strategy (henceforth, "the Rules") was adopted in 2011 to address nutrient loading in the Lake (primarily nitrogen and phosphorus), the UNRBA began to work as a coordinating entity among the jurisdictions to address this effort and to pursue a re-examination of the Rules. Implementation of the Rules, which would occur in two stages, has been estimated to cost the combined watershed jurisdictions over \$1.5 billion in total to address. In addition, evaluation of the Rules by water quality consultants has determined that the proposed reductions as originally adopted are not technically feasible and that a new method is needed. (Prior estimates of Orange County's likely costs to address the Rules, if it acted on its own, have ranged as high as \$46 million over a 10-year period.)

As a result, the UNRBA jurisdictions collectively worked to encourage a re-examination of the Rules, with an alternative method of addressing nutrient reductions for the Lake. Rather than trying to implement jurisdictional load reductions on their own - at great cost and questionable results - the UNRBA and its member local governments have spent the last few years working with consultants and in coordination with the NC Division of Water Resources to find a preferred and “doable” alternative approach to meeting the nutrient reduction goals. *Note: Considerable additional detail and information about the Falls Rules, UNRBA findings, types of reduction measures, and the “Path Forward” to identifying an alternative approach, may be found on the UNRBA website at www.UNRBA.org.*

To this end, since 2018 the UNRBA has been developing an alternative option for achieving compliance with Stage I existing development nutrient load reductions that would be required by the Rules. This alternative approach would promote a commitment to additional actions directed at reducing nutrient loading impacts from existing development, using both existing and new and innovative measures, to improve the water conditions in the Lake. Titled the “Interim Alternative Implementation Approach” or IAIA, this program is considered interim because it would apply only during the period between the time this alternative approach is initiated and when the Rules are readopted (expected to occur in 2025 or later). However, it is important to note that it is anticipated that the experience and use of this approach may very well inform and serve as a model for the future readopted Rules to be implemented beyond 2025. A summary of this document (in draft form) may be found as Attachment 1. *The full IAIA document is provided as a link and may be found at <http://www.orangecountync.gov/DocumentCenter/View/13322/DRAFT-IAIA-Program->.*

The IAIA is based on voluntary participation of UNRBA members in the Program, and will allow participating jurisdictions to achieve compliance with the Stage I requirements. Choosing not to participate in the IAIA would result in a jurisdiction having to comply on their own by developing a Stage I local program consistent with the Rules and the Model Program as written. Phase I compliance without the IAIA would require installation of nutrient-removing measures in direct relation to Orange County’s prior nutrient loading. In other words, the County would need to install enough nutrient-reducing ponds or similar SCMs to compensate for the amount of Nitrogen and Phosphorus added to Falls Lake from Orange County between 2006 and 2012.

Participating in the IAIA will allow a jurisdiction, in the interim period, to achieve full Stage I existing development compliance. The IAIA also allows for credit for land conservation. There is currently no credit for land conservation, of which Orange County has achieved considerable success, except through the IAIA (until such time as the rules may be revised to include this measure). Under a local-only program outside of the IAIA, the nutrient reduction would need to be accomplished with traditional Stormwater Control Measures (SCMs - ponds, permeable pavement, green roofs, etc) or other structural controls.

As noted, the NC Division of Water Quality has been advising on the IAIA and has indicated support for this alternative approach to date.

At this time, the UNRBA has completed work on the IAIA and is asking all member jurisdictions to tentatively commit to participating in this effort beginning in FY 2021-22, before authorizing staff and consultants to complete the actions that would be needed to formally implement the program. Staff from DEAPR, Planning and the County Attorney’s office have been involved in the development of the IAIA from the outset, and recommend participation in the program as a

more cost-effective, collaborative and technically-efficient way to address the nutrient loading issues that will be needed for Falls Lake.

Commissioner Greene serves as the County's member on the UNRBA Board of Directors, with Commissioner Bedford as alternate. At the November 18 UNRBA Board meeting, each delegate will be asked to participate in an initial vote to indicate intent to participate in the program beginning in FY 2021-22. (Formal approval and action would come in 2021).

FINANCIAL IMPACT: The IAIA program is based on the organization's cost-share basis, which reflects a combination of water usage from the Lake and the amount of watershed area in the jurisdiction. The annual commitment for funding participation in the IAIA for Orange County is \$161,943 per year, anticipated to continue through FY 2024-25. This is based on the participation of 12 jurisdictions that have indicated to date an interest in participating at the staff level.

This contrasts to the projected cost of Orange County's requirement to develop its own individual program for Rules implementation, expected to be in the millions of dollars each year, depending on the actual jurisdictional loading rate. Phase I compliance without the IAIA would require installation of nutrient removing measures in direct relation to Orange County's prior nutrient loading. In other words, the County would need to install enough nutrient-reducing ponds or similar SCMs to compensate for the amount of Nitrogen and Phosphorus added to the Lake from Orange County between 2006 and 2012. Some estimates have projected the total cost of this individual program to be approximately \$46 million for Orange County.

Based on the development of the IAIA over the last few years, the current Capital Investment Plan or CIP (and the proposed FY 2020-25 CIP) includes a Falls Lake Nutrient Management Strategy item that allocates \$175,000 per year during the years of the IAIA implementation. This funding would begin in FY 2021-22. In addition, some of the work and funds of the Lands Legacy program in the Falls Lake watershed will also count toward the funding commitment.

This model approach, if successful, may be used in the future phase of the Rules, resulting in considerable cost savings to the County and all jurisdictions.

SOCIAL JUSTICE IMPACT: Participation in this proposed program would address the Social Justice Goal of "Establish Sustainable and Equitable Land Use and Environmental Policies," as it will provide a means to addressing require State-mandated watershed nutrient management rules through cost-sharing among the jurisdictions - that will result in a significantly-reduced cost to County taxpayers and residents, while also utilizing a more efficient and innovative ecological approach to address this water quality concern.

ENVIRONMENTAL IMPACT: Participation in the proposed program would address the goal of "Resultant Impact on Natural Resources and Air Quality," by providing a proactive and more technically-achievable means to reducing nutrient loading in Falls Lake, thereby improving the lake's water quality (and in the streams in the upper watershed within Orange County).

RECOMMENDATION(S): The Manager recommends that the Board authorize Commissioner Greene to indicate Orange County's intent to participate in the IAIA at the November 18, 2020 UNRBA Board meeting, with formal approval and action to be forthcoming in 2021.

Upper Neuse River Basin Association (UNRBA)

Stage I Existing Development

Interim Alternative Implementation Approach (IAIA)

Executive Summary

What is the Falls Lake Nutrient Management Strategy and how does it relate to the IAIA?

The Falls Lake Nutrient Management Strategy (the Strategy) was passed by the State in 2011 (NCAC.2B.0275) as a plan to reduce nutrient loading to Falls Lake. The Strategy includes two stages of nutrient reductions (Stage I and Stage II), and it is estimated to cost over \$1.5 billion. Parts of the Strategy are not technically feasible. The UNRBA's re-examination of the Strategy is directed at developing a replacement that is reasonable and manageable. While the IAIA addresses the Existing Development (ED) Rules associated with Stage I, it also serves as a "pilot" to inform the development of a revised strategy for Stage II.

How is the IAIA different than the Falls Lake Nutrient Management Strategy when it comes to requirements for Existing Development?

The Falls Lake Nutrient Management Strategy requires each jurisdiction to individually work with the Division of Water Resources (DWR) to establish their Stage I nutrient-load reduction requirements. These reductions are equivalent to the increase in nutrient loading resulting from development that occurred between 2006 and 2012. Reaching agreement on estimating these requirements has made it difficult to finalize and develop a plan to address them. After the Stage I load reduction requirements are established (sometimes referred to as jurisdictional loads), each local government is required to develop and implement a plan that documents what practices will be installed and the nutrient pounds per year that each practice will reduce. Only practices that have NC-approved nutrient reduction credits can be used under this "pounds counting" approach. Many of the practices are expensive and do not yield substantial credit in terms of pounds credited.

The IAIA is a manageable, collaborative, voluntary approach where the jurisdictions in the Falls Lake Watershed commit to reasonable investments in projects and activities aimed at reducing nutrient loading. The focus of this alternative is engagement in beneficial activities throughout the watershed. Because this alternative does not require counting nutrient pounds, activities that are known to be beneficial, but that do not have State-approved nutrient credits, are eligible under the IAIA. One example is land conservation which is beneficial to water quality

but difficult to assign a numeric credit. The IAIA is expected to be more cost-effective than that described in the current Strategy.

An important aspect of the IAIA is to promote additional actions directed at reducing nutrient loading impacts from ED and to promote general improvement in the eutrophication conditions in Falls Lake (Lake). The IAIA is considered interim because it would apply only during the period between the time the IAIA is initiated and when the Falls Lake Rules are readopted (expected in 2025 or later). Participation in the IAIA will allow a jurisdiction, in the interim period, to achieve full Stage I ED compliance with the current Strategy. However, it is anticipated that this approach may be a model to be used for future implementation efforts.

What are the goals of the IAIA?

The members of the Upper Neuse River Basin Association (UNRBA) have established the following goals for the IAIA:

- Continue to improve water quality in Falls Lake and its watershed until the re-examination of Stage II is completed and a new strategy is adopted
- Engage each jurisdiction in a collaborative, watershed-focused approach
- Provide flexibility to the IAIA participants in terms of cost-effectiveness, types of projects, where to implement projects, and who to partner with
- Shift the focus from counting pounds to implementing projects

What will it cost each participant? What will it cost Orange County?

Funding of Stage I IAIA eligible activities and projects are based on minimum investment levels for each participating jurisdiction as determined cooperatively by the participating jurisdictions. Table 1 shows how a \$1.5 million investment could be assigned to the IAIA participants if all current UNRBA member jurisdictions with an ED requirement participate. Orange County’s Stage 1 participation commitment is currently expected to be \$161,943.

Table 1. Local Government Financial Commitment Fiscal Year Levels for Members that Choose to Participate in the Stage I ED IAIA

Member	Annual Funding Level	Member	Annual Funding Level
Town of Butner	\$23,393	Town of Hillsborough	\$34,221
City of Creedmoor	\$16,926	Orange County	\$161,943
City of Durham	\$337,587	Person County	\$114,394
Durham County	\$133,300	City of Raleigh	\$466,081
Franklin County	\$19,058	Wake County	\$88,968
Granville County	\$100,453	Town of Wake Forest	\$13,692

IAIA funding commitments will follow the established budgeting fiscal year (July 1 to the following June 30). *Note: Orange County, anticipating this cost, has included in the adopted Capital Investment Plan funding for these efforts as Falls Lake Nutrient Management Efforts.* Funding commitments would allow roll over from year to year if a participant made a large upfront commitment or earmarked funds for a planned future Capital Improvement Project. If a jurisdiction already has financial resources going toward IAIA eligible projects, these funds will “count” toward meeting the identified commitment level. The identified investment commitments also represent minimum levels. With an established 5-year timeframe for commitment, allocation of financial resources beyond the annual minimum levels would be tracked and credited to the jurisdiction’s entire obligation.

What activities will be eligible under the IAIA?

The key guiding principle for inclusion of activities and projects in the IAIA is how a project benefits water quality and quantity in the watershed and the Lake. Cost effectiveness in terms of water quality improvement will be a factor in making selection of projects and activities by each participating member. However, opportunity and other factors will be considered as well. Expenses associated with site screening and selection, planning, land acquisition, design, permitting, demolition and removal (e.g., impervious surfaces); construction, operation, and maintenance for the following types of projects are eligible to be counted against the commitment amount. Project funding level in excess of the commitment amount can be carried forward to the next or future years of this interim program (and certainly will be identified for credit in the future revised strategy).

The following list identifies the activities/projects eligible for use under the IAIA:

- All State-approved practices with established nutrient credits including stormwater control measures (SCMs) including retrofits
- Green infrastructure and other best management practices (BMPs) that include water quality and quantity improvements
- Stream and riparian buffer restoration and enhancement
- Programmatic measures beyond baseline program activities (i.e., levels in 2006) for years after the start of the IAIA program
 - Fertilizer application education of businesses and homeowners
 - Onsite wastewater treatment system inspection programs, maintenance tracking, repair, replacement, and pump-out programs, education of owners regarding proper maintenance, and training of professionals who inspect and repair onsite systems
 - Pet waste pickup education, waste management stations, and enforcement

- Infrastructure improvements including
 - Repair and replacement of leaky infrastructure
 - Reduction of sanitary sewer overflows
 - Extension of sewer lines to areas using onsite systems (targeting areas with known failure issues) or package plants
- Illicit discharge detection and elimination
- Land conservation in high priority areas (as determined through an appropriate evaluation resource, i.e., land conservation programs that identify water quality aspects of available preservation sites)
- Floodplain restoration and reconnection
- Greenways and parks with water quality and quantity benefits (as documented through the development plans)
- Projects and activities that focus on flooding that have an associated water quality benefit
- Operation and maintenance costs associated with preserving long-term functionality of practices implemented under the IAIA

Additional activities/projects beyond those listed above are allowed under the IAIA pending approval by DEQ/DWR. The assessment of additional activities/projects will be based on the general principles and provisions contained in the IAIA which are aimed at meeting the general criteria of water quality improvement or protection in the watershed and the Lake.

What are the ways that jurisdictions can demonstrate participation in the IAIA?

There are four options for funding projects that would count under the IAIA:

- Self-funded (single jurisdiction)
- Interlocal agreement (two or more jurisdictions)
- Funding existing local organizations (like County Health Departments, School Districts, Soil and Water Conservation Districts, existing utilities, etc.)
- Contributing to a “pool” of funds to be managed by the UNRBA in consultation with the jurisdictions contributing to the pool

Regardless of the type of funding arrangement used to demonstrate participation and compliance under the IAIA, participants will be required to report their efforts to DWR, in accordance with IAIA guidelines.

Is participation in the IAIA a requirement? What happens if Orange County does not participate in the IAIA?

Participation in the IAIA is not a requirement, but if a jurisdiction chooses not to participate, it will be on its own to comply with the requirements under the current Strategy. Stage I compliance without the IAIA would require installation of nutrient removing measures (i.e. SCMs and other methods) in direct relation to Orange County's prior nutrient loading.

Stage I compliance under the IAIA would be based upon expenditures at an agreed upon amount, which is currently expected to be \$161,943 for Orange County. If Orange County chooses not to participate in the IAIA, Orange County would need to meet Stage I compliance via the self-funded installation of enough nutrient-reducing ponds or similar SCMs to compensate for the amount of Nitrogen and Phosphorus added to Falls Lake (from Orange County) between 2006 and 2012. Orange County staff has previously calculated the required nutrient reduction amount to be approximately 5,900 lbs of Nitrogen and 450 lbs of Phosphorus – with estimated compensatory costs ranging between \$49,792 and \$46,057,600.

An important difference is that the IAIA will explicitly allow credit for land conservation efforts, of which Orange County has and plans considerable commitment. At present, there is no credit for land conservation under the adopted Rules, although the State is reassessing this as a measure. If the IAIA was not chosen, as things currently stand the entire allotment of nutrients would need to be reduced with traditional SCMs (ponds, permeable pavement, green roofs, etc). However, with the IAIA compliance is accomplished through the financial commitment of \$161,943 to include expenditures on land conservation, which may emanate from multiple funding sources.

In conclusion, Orange County staff believes that strength and voice is much greater in numbers, and that taking on the Stage I compliance task by ourselves may be a difficult and potentially much more costly approach. Staff believes that continuing our partnership with the UNRBA and participating in the IAIA will allow Orange County to meet Stage I compliance requirements in an organized and financially efficient manner, while also better positioning Orange County for future (pending) Stage II compliance requirements.

Key Core Principles* of an Interim Alternative Implementation Approach (IAIA) Under the Existing Development Falls Lake Rule for Supporting the Development of An Interlocal Agreement and/or Modification of UNRBA Bylaws to Establish the Administrative Structure for the IAIA

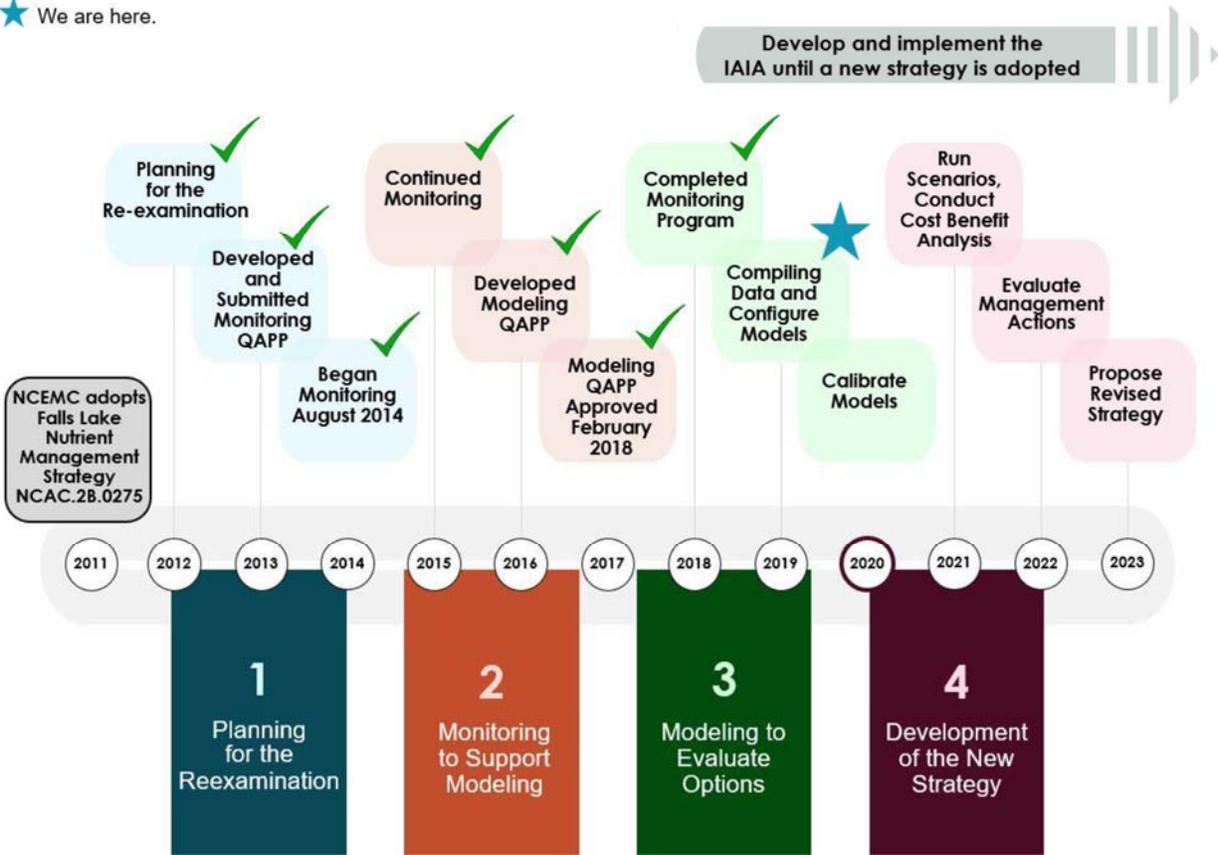
- The IAIA is a group or joint compliance effort, but compliance under Stage I Existing Development (Stage I ED) is assessed individually for each participating jurisdiction
 - Participants must be members of the UNRBA, but UNRBA members are not required to participate
 - Only formal participants in the IAIA can vote on IAIA-related decisions
 - Each jurisdiction must document and track investments and eligibility of expenditures
 - Point source credits belong to the jurisdiction that owns the utility that created them, unless the credits are sold or leased to another jurisdiction by the generating jurisdiction.
 - A jurisdiction's adherence to the provisions of the IAIA represents compliance with the Stage I ED Rule.
- Participation is based on agreement to make a 5-year investment commitment, specified by jurisdiction, for projects determined to be eligible for credit in reduction of existing development loading as described in the IAIA Program Document.
 - A 5-year timeframe for commitment is established to minimize overall administrative burden for the program
 - Commitments are assigned annually based on the UNRBA's dues formula utilizing a \$100,000 per year commitment from Granville County for the initial IAIA commitment. IAIA participants may revise the annual commitments in the future.
 - Total program commitment is the sum of each participating jurisdiction's commitment. Jurisdictions are responsible for their assigned annual commitment, and if financial resources are made in excess of the annual commitment, the excess will be credited against the jurisdiction's entire 5-year commitment.
 - Each jurisdiction can choose from several options to expend funds (e.g., individual projects, joint projects, funding eligible projects through organizations like local soil and water districts, school systems and county health departments)
 - Jurisdictions can change which funding options they utilize from year to year.
 - Investment-based credits generated from multi-jurisdictions projects shall be credited to the jurisdictions in proportion to contribution levels and accounting for long-term operation and maintenance costs, unless the project contract provides otherwise for allocation of credits.
 - Each jurisdiction has the option to withdraw at the end of any fiscal year included in the 5-year commitment period with the understanding that rejoining the IAIA is not allowed.
- Commitments can either be directed individually at the local level or as part of a joint project
 - Individual jurisdictions decide how their funds are spent to accomplish projects eligible under the IAIA Program Document
 - Each jurisdiction may specify how its funds are spent, and the IAIA Program Document is not prescriptive, but rather is flexible
 - The cost of maintenance of a project to retain its eligibility as a credit in future years shall be the responsibility of the jurisdiction in which the project is located unless otherwise described in a project contract
- If a participant drops out during a year,
 - The jurisdiction must notify the other participating jurisdictions and DWR before the end of the current fiscal year
 - The withdrawing jurisdiction must contact DEQ-DWR to notify the Department-Division of its decision to withdraw from the IAIA

- The jurisdiction must complete its full commitment through the fiscal year of its withdrawal with no implementation lag under the individual local program
- The withdrawing jurisdiction will be required to develop, under the Model Program and direction of DWR, a local program for individual compliance under the Rule and submit it for approval by DWR and the Environmental Management Commission.
 - The group as a whole is not out of compliance if a member drops out.
 - The ongoing participation in joint projects that are multi-year agreements may have to continue with their participation, subject to the agreement reached for the joint project, even if the participant withdraws from the IAIA.
- The total investment level will change in the following fiscal year by the amount of the commitment assigned to the leaving jurisdiction being removed from the total (the initial commitment level of the remaining participants will not change in future years due to a participant's withdrawal).
- The IAIA agreement, or project-specific contract, will address the implications of a participant withdrawing and how that may impact any particular project commitment that was directed to be completed in future years
- When a project is located in a jurisdiction that withdraws from the IAIA, the contract with other jurisdictions will establish how the jurisdictions will assign the credits from the project in future years or have redress for loss of the credits from the project in future years.

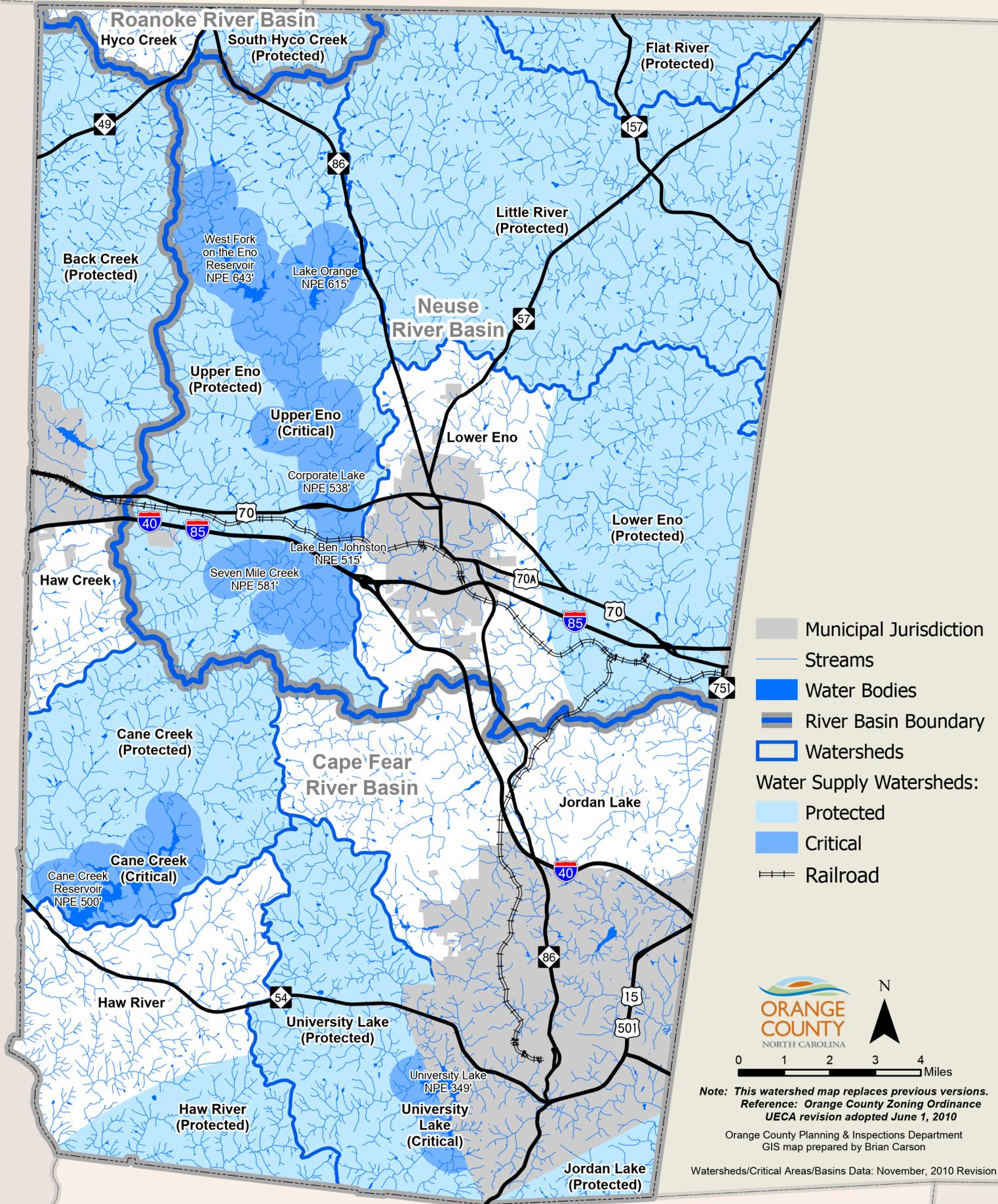
* This summary represents key core IAIA principles as reflected and described in greater detail within the IAIA Program Document.

Timeline for the IAIA and Stage II Re-examination

★ We are here.



Watersheds



**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

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

SUBJECT: Minutes

DEPARTMENT: Board of County Commissioners

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

INFORMATION CONTACT:
Greg Wilder, Interim Clerk to the Board,
919-245-2130

PURPOSE: To correct and/or approve the draft minutes as submitted by the Interim 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.

September 24, 2020
October 6, 2020
October 8, 2020

Virtual Joint Meeting with BOCC-Boards of Education
Virtual Business Meeting
Virtual 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
2
3 **DRAFT**

4 **MINUTES**
5 **ORANGE COUNTY BOARD OF COMMISSIONERS**
6 **CHAPEL HILL-CARRBORO CITY SCHOOLS BOARD OF EDUCATION**
7 **ORANGE COUNTY SCHOOLS BOARD OF EDUCATION**
8 **VIRTUAL MEETING**
9 **SEPTEMBER 24, 2020**
10 **7:00 p.m.**

11
12 **BOCC / Board of Education Virtual Joint Meeting**

13
14 The Orange County Board of Commissioners met for a virtual joint meeting with the Chapel Hill-
15 Carrboro City Schools Board of Education and Orange County Schools Board of Education on
16 Thursday, September 24, 2020 at 7:00 p.m.

17
18 Due to current public health concerns, the Board of Commissioners conducted a Virtual
19 Joint Meeting on September 24, 2020 utilizing Zoom. Members of the Board of
20 Commissioners and Boards of Education participated in the meeting remotely. As in
21 prior meetings, members of the public were able to view and listen to the meeting via live
22 streaming video at orangecountync.gov/967/Meeting-Videos and on Orange County
23 Gov-TV on channels 1301 or 97.6 (Spectrum Cable).
24

25 **COUNTY COMMISSIONERS PRESENT:** Chair Penny Rich, Vice Chair Renee Price, and
26 Commissioners Jamezetta Bedford, Mark Dorosin, Sally Greene, Mark Marcoplos, Earl McKee

27 **COUNTY COMMISSIONERS ABSENT: NONE**

28 **COUNTY ATTORNEYS PRESENT: NONE**

29 **CHAPEL HILL-CARRBORO BOARD OF EDUCATION PRESENT:** Chair Mary Ann Wolf, Vice
30 Chair Amy Fowler, and Board of Education Members Joal Broun, Rani Dasi, Deon Temne,
31 Ashton Powell, Jillian LaSerna

32 **CHAPEL HILL-CARRBORO BOARD OF EDUCATION ABSENT: NONE**

33 **ORANGE COUNTY BOARD OF EDUCATION PRESENT:** Chair Hillary MacKenzie, Vice Chair
34 Brenda Stephens, and Board of Education Members Will Atherton, Carrie Doyle, Bonnie
35 Hauser, Jennifer More, Sarah Smylie

36 **ORANGE COUNTY BOARD OF EDUCATION ABSENT: NONE**

37 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley; Deputy County Manager
38 Travis Myren; Interim Clerk to the Board Greg Wilder; and Assistant Deputy Clerk II Allen
39 Coleman (All other staff members will be identified appropriately below)

40 **CHAPEL HILL-CARRBORO SCHOOLS (CHCCS) STAFF PRESENT:** Interim Superintendent
41 Dr. Jim Causby, Assistant Superintendent Support Services Patrick Abele; Jessica O' Donovan,
42 Assistant Superintendent Instructional Services Division; Charlos Spanks, Senior Executive
43 Director, Student Services; Erica Newkirk, Senior Executive Director, Human Resources;
44 Jonathan Scott, Interim Chief Financial Officer; Lee Williams, Executive Director, Equity and
45 Inclusion; Jeff Nash, Public Information Officer; Misti Williams, Senior Executive Director for
46 Leadership and Strategy

47 **ORANGE COUNTY SCHOOLS (OCS) STAFF PRESENT:** Superintendent Dr. Monique Felder;
48 Deputy Superintendent Dr. Kathleen Dawson; Melany Stowe; Public Information and
49 Community Engagement Officer; Sharita Cobb, Director of Student Services; Dr. Dannie

1 Williams, Chief Operations Officer; Dr. Dena Keeling, Chief Equity Officer; Sara Pitts, Director of
2 Environmental Health and Safety; and Rhonda Rath, CFO.

3
4 Chair Rich called the meeting to order at 7:01 p.m., and asked for a Roll Call.

5
6 **Welcome and Opening Remarks**

7 Chair Rich thanked the schools and staff for offering a sound basic education to students
8 in Orange County. She said decisions made today will affect tomorrow, and there is no way to
9 please everyone. She said the New York Times said 12 million children in America are without
10 technology services to continue educational opportunities. She said broadband has been an
11 issue on which the County has been working for several years, and is an example of top down
12 policy that is not effective. She said the County will aid Orange County Schools (OCS) in
13 purchasing 1000 additional hotspots.

14 Chair Rich said both districts have created learning centers for students who do not have
15 technology services or family at home to help in the learning process.

16 Mary Ann Wolfe expressed appreciation for the opportunity to collaborate. She said
17 Schools are the hub of the community, which has never been more clear than in this time. She
18 said equity has never been more important, and it goes beyond the issue of broadband. She
19 said wonderful work has been done through the Food for Students program, for food insecurity,
20 as well as supporting students academically, socially and emotionally. She said she is an
21 eternal optimist, and believes this pandemic will end. She said once it does there will be new
22 challenges.

23 Mary Ann Wolfe expressed gratitude for the life of Euzelle Smith, former educator and
24 namesake of Smith Middle School, who passed away recently. She said she was great
25 reminder of this community's values.

26
27 *Jennifer Moore and Commissioner Marcoplos joined the meeting at 7:13 p.m.*

28
29 Hillary MacKenzie thanked the Board of County Commissioners (BOCC) for the
30 opportunity to meet collaboratively to best meet the needs of students and families. She said
31 the community is facing unprecedented needs due to the pandemic, but is also making great
32 strides, as the nation is reckoning with deep issues of racism.

33
34 **1. COVID Updates**

- 35 a. School reopening
36 b. Supervised Learning Lab update
37 c. Technology challenges – internet accessibility and costs
38 d. Scientific Analyzing Board
39 e. Food insecurities – Food distribution update
40 f. Homelessness
41 g. School Nurses

42
43 Dr. Monique Felder said the safety of students and staff is the top priority in OCS. She
44 said the goal is to have a safe return to in person learning. She said the OCS Board of
45 Education established a COVID-19 metrics taskforce. She said the taskforce is comprised of a
46 broad spectrum of people, and the purpose of the taskforce is to monitor trends and follow
47 metrics. She said the School Board will be monitoring whether to return to in person instruction.

1 She said currently the district is in a plan C, but plan B would be a hybrid model with both
2 remote and in person instruction. She said there will always be a fully virtual option, and if OCS
3 does move to plan B, there would be strict adherence to all social distancing protocol.

4 Melany Stowe said the needs of parents and students continue to drive OCS. She said
5 virtual schooling is particularly daunting to those who face various inequities, and supervised
6 learning labs are the new necessary adaptation of OCS. She said Orange County Schools has
7 facilitated a supervised learning lab for a month in partnership with the YMCA, and a second
8 learning lab started this week in partnership with Pleasant Green United Methodist Church. She
9 said equity is a district priority, and the district sought to insure that the learning labs are
10 accessible to all. She said there are 3 different payment options, including a reasonable rate of
11 \$10/week thanks to an anonymous donor. She said the second lab has given priority to
12 students that are homeless or in foster care. She said OCS is using the before and after school
13 fund balance to provide this service at no cost, including transportation. She said there is an
14 upcoming service that will be offered in an actual school.

15 Melany Stowe said technology is an ongoing need, and OCS has opened two Internet
16 hubs, which are located at schools near the greatest areas of need. She said families can sign
17 up, and come into the buildings so that there is access to bathrooms, as well appropriate air
18 temperatures. She said sitting in a car parked to access Internet service is not necessarily
19 equitable, and thus OCS has responded accordingly. She said staff will continue to work
20 towards plan B, and the needs will continue until all students can be back in school full time.

21 Dr. Kathleen Dawson said access to bathrooms, HVAC, and safety is basic human
22 rights. She expressed thanks to the BOCC for its support and willingness to fund the additional
23 hotspots. She said Orange County Schools purchased 500 hotspots in the spring, have
24 purchased 400 this fall, and have 600 more on order to meet the needs of their families. She
25 said a question was raised about where the need was coming from and why. She said the
26 quality of service was lacking, and families are trying to do what they can, but families have
27 multiple users on the bandwidth trying to work and learn. She said there are areas in the
28 community where even a hotspot will not help. She said 40% of OCS families qualify for free
29 and reduced lunch, and it is unrealistic to think these families can transport children to the
30 schools for Internet access. She said a lot of families rely on the district's services. She said
31 the district has purchased flash drives to download learning materials in order to support the
32 needs of their students. She said OCS has worked on making secondary school parking lots
33 Wi-Fi hotspots, and is working on doing the same for elementary school parking lots. She said
34 OCS is also seeking to purchase teacher devices, as many were incompatible for remote
35 learning. She said an expected delivery date for Chrome books was unknown. She said OCS is
36 renting devices to insure all children have access, which costs over \$90,000 and webcams for
37 teacher laptops were over \$35,000. She said once the district is able to transition to plan B,
38 there will still be remote learning students, and teachers will have to take on that dual
39 instruction, which will require setup technology. She said the costs are enormous, and Covid
40 has required all of this in such a rapid manner. She said OCS has spent over \$954,000 since
41 Covid hit, which does not include the previously scheduled laptop refresh. She said the biggest
42 long term issue is Internet access for all.

43 Dr. Monique Felder introduced the scientific analyzing boards (ABC science
44 collaborative), which is a partnership between OCS, CHCCS, Duke and UNC. She said the
45 purpose of these boards is pair schools, medical and scientific professionals to help to keep
46 students and staff safe. She said there are weekly COVID-19 webinars and webinar topics

1 including masks, exceptional children, flu, and ventilation. She said the ABC collaborative is
2 helping Orange County Schools with developing detailed plans.

3 Sherita Cobb said OCS has been working diligently on food insecurities, and as of
4 September 22, Orange County Schools had given out 204,892 breakfast and lunch
5 combinations, and 35,441 supplemental food boxes to OCS students. She said 13 different
6 sites have been used since March to be able to give out those food items. She said the district
7 continues the backpack buddies, which provides food support for weekend meals. She said
8 OCS has ~120 homeless (McKinney-Vento) students. She said these students are supported
9 with food boxes and other food/housing programs. She said OCS is very thankful to have
10 school nurses in every school. She said the nurses are working on contact tracing, preparing
11 isolation rooms, training and support, protocol and procedures for getting children back into
12 school. She said OCS is proposing to create a School Safety Task Force, which would focus on
13 several issues including school resource officers (SRO). She said SROs have been in OCS
14 since 1992, and the District works with the Orange County Sheriff's office on many issues,
15 including a variety of training. She said OCS and the Sheriff are looking at the memorandum of
16 understanding to insure that this partnership is the most effective that it can be.

17 Commissioner McKee thanked County staff for finding funding for additional hotspots,
18 and said there was a backlog in OCS, and a small need in CHCCS. He said he petitioned the
19 County to pick up the cost of this need, and asked if the County would form a task force to look
20 into this issue. He said there are families with no service, and hotspots will not help. He said
21 600 hotspots are still needed, and asked if more hotspots will be needed.

22 Dr. Monique Felder said the district is finding the needs continue to mount, as many
23 family circumstances are changing, as well as staff requesting hotspots. She said many
24 families need multiple hotspots, as one is not enough to support a family.

25 Commissioner Dorosin thanked OCS for a great presentation. He said each district will
26 make its own decision around School Resource Officers. He asked if the taskforce could be
27 comprised of interlocking membership, so that three groups are not working in silos on the same
28 issue. He said he would like to see where there are differences and similarities, and begin to
29 reconcile issues.

30 Dr. Monique Felder said OCS could consider looking at that proposal. She said there
31 are areas of overlap, as well as unique areas for each district.

32 Chair Rich said the Commissioners have been working on broadband for years. She
33 said the lack of success is not due to a lack of priority, but rather the state legislature is the hold
34 up. She said until broadband is a utility, and available to every single person who wants it, the
35 BOCC's hands are tied. She said this issue is not new and the Commissioners understand the
36 disparities. She said it has proved hard to make progress over the past four years.

37 Commissioner Price said she appreciated the work with homeless students, and asked if
38 the situation is getting worse.

39 Dr. Monique Felder said she will defer to Sherita Cobb to answer, but the district is
40 finding that families are coming together to live in the same dwelling.

41 Sherita Cobb said the district has lost a few students, but several homeless students
42 have doubled up with friends and families to try and remain in the area.

43 Commissioner Price asked if OCS is currently working with the Eviction Diversion
44 program in the County.

45 Sherita Cobb said yes, the district's social workers utilize that program.

46 Commissioner McKee echoed Chair Rich's comments as far as broadband. He said he
47 is tired of waiting and expecting the same results. He said the petition that was brought forward

1 has a \$30 million dollar price tag. He said this is not a short-term solution. He said he was not
2 aware of data caps on school service plans, and he asked if carriers are putting throttling in
3 place.

4 Dr. Kathleen Dawson said OCS's plan with Verizon is for unlimited data, and no
5 throttling.

6 Commissioner McKee applauded the District's ability to open learning centers. He
7 asked if the District has considered opening school libraries.

8 Dr. Monique Felder said OCS opened school cafeterias.

9 Commissioner McKee asked if an update could be given on both districts' unallocated
10 fund balance.

11 Chair Rich said to wait until the budget portion of the meeting for this question.

12 Commissioner McKee agreed with Commissioner Dorosin that the conversations
13 regarding SROs should involve both districts, and asked if OCS is interested in defunding this
14 program, which has historically been quite successful in OCS.

15 Hillary MacKenzie said the focus of the taskforce was not a specific goal. She said OCS
16 is taking this moment to assess this program, including the lived experiences of students and
17 faculty. She said Sheriff Blackwood is in agreement with this assessment.

18 Commissioner McKee asked if defunding SROs has been considered.

19 Hillary MacKenzie said not that she was aware.

20 Commissioner McKee said he lives in northern Orange County, and knows many, many
21 residents there are very supportive of SROs in the schools.

22 Commissioner Bedford asked if OCS has access to testing, and if the district is relying
23 on temperature testing or parent reporting to keep track of children.

24 Melany Stowe said the District is working with the Orange County Health Department
25 and other stakeholders. She said all NCDHHS guidelines are being followed, including signage
26 and assessment forms. She said a student cannot participate in any way if they have
27 symptoms of any kind, or have been exposed to someone with symptoms of any kind.

28 Bonnie Hauser said she appreciates the County's efforts regarding Internet access. She
29 said there are over 5,000 families who do not have access to broadband, and the hotspots
30 program has made a huge difference. She said more students could be reached with more
31 tower infrastructure.

32 Chair Rich introduced Dr. Jim Causby.

33 Dr. Jim Causby said both districts are two of the best. He said CHCCS is currently
34 committed to virtual learning for the first semester; however, this is periodically reviewed. He
35 said he was surprised at the Governor allowing K-5 schools to move back to in-person learning.
36 He said he received many emails about not returning to in-person learning, and only 2 in favor
37 of it. He said CHCCS is monitoring the metrics to follow the CDC's guidelines and advice from
38 ABC science collaborative.

39 Dr. Jim Causby said, at this time, he would not recommend plan A, and plan B would
40 take some work to be ready. He said the virtual plan is not perfect, but the Chapel Hill Carrboro
41 City Schools has much to be proud of. He said the youngest students are having the hardest
42 time with virtual learning, as well as those students requiring adaptive curriculums. He said
43 families with young children are a priority for the district, as well as finding childcare. He said
44 the CHCCS Board will look at this issue again in early October.

45 Dr. Jim Causby said CHCCS has two scholastic learning centers in partnership with the
46 YMCA, and CHCCS has tried to keep students out of the school buildings. He said there are
47 about 100 students involved, with a 1:10 staff to student ratio. He said temperatures are

1 checked, and so far there have been no outbreaks. He said meals and transportation are
2 provided for each center. He said a third center will be opening, with CHCCS Board approval,
3 on October 1st at the University United Methodist Church, which can take about 50 students. He
4 said students that are involved in these programs have an average state test score of 2.5 or
5 lower.

6 Dr. Jim Causby said staff has serious concerns around safety when considering
7 returning to school. He said the district is trying to educate staff, and holding science
8 collaborative webinars. He said CHCCS is opening smaller programs to help staff see that
9 things can happen safely if precautions are in place, including the road drivers education
10 program. He said CHCCS is also ready to open up for athletics.

11 Dr. Jim Causby said the SNAC committee met this week, and has exciting ideas. He
12 said Dr. Felder gave a wonderful explanation of the Science Collaborative, and the collaborative
13 has more than 50 members. He said CHCCS jumped on child nutrition issues a long time
14 before he re-joined the district, but he wanted to brag on that concern. He said the District
15 jumped on grants, and 600,000 meals have been distributed to students and families, providing
16 breakfast, lunch, and food for weekends.

17 Charlos Banks said 2019-2020 data has 78 CHCCS students experiencing homeless
18 with the majority coming from the elementary level; 74% are African American; 10% are
19 Caucasian; and less than 10% Latino and Asian. She said social workers are keeping track of
20 these students and connecting them to resources and help.

21 Charlos Banks said Dr. Causby and the Public School Foundation made a call to the
22 community and raised \$100,000 to help students and families secure housing, and being safe
23 while practicing remote learning. She said CHCCS received a McKinney-Ventos 3-year grant of
24 \$15,000 per year. She said due to the school closure, the district could not follow through with
25 traditional plans, but is working on other options.

26 Charlos Banks said CHCCS has 21 fulltime school nurses who have been at the
27 forefront during this health pandemic. She said regular health items, such as immunizations
28 and health screenings, still need to be maintained. She said nurses are still working with
29 students to manage chronic conditions, doing wellness checks at the learning labs, and
30 partnering with the Health Department on all manner of things.

31 Dr. Jim Causby said the CHCCS Board of Education was wise to budget and order
32 Chrome books and iPads for students very early on. He said many systems across the State
33 are waiting on technology. He said Wake County Schools is waiting on 18,000 pieces of
34 equipment. He said CHCCS has issued 12,000 devices, 1,400 hotspots and an additional 270
35 hotspots for staff. He said CHCCS does not have the same connectivity issues as OCS, but
36 there are some tricky spots. He said CHCCS has a contract with T-Mobile, with no data caps or
37 throttling. He said some areas do not have T-Mobile service, and AT&T has provided hotspots.
38 He said if virtual learning continues into the next year, CHCCS would need to rethink its
39 structure. He said technology staff is supporting far more devices than normal, and have
40 become the tech support for all families in the district. He said at some point in time the Board
41 would have to update the technology department.

42 Dr. Jim Causby said SROs have been received both positively and negatively. He said
43 the CHCCS Board has charged him with creating a taskforce to look at the issue, which should
44 begin meeting by the middle of October. He said the taskforce will look at data, expenditures,
45 student/staff experience, etc. He said the taskforce will meet as many times as necessary, and
46 is not charged with reaching any particular goal. He said CHCCS collaborates with OCS in

1 many things, but noted that the two districts are very different, and he would recommend
2 maintaining two separate task forces that will share information with each other.

3 Chair Rich said during School Collaboration meetings staff discussed having a County
4 Commissioner on that taskforce.

5 Dr. Jim Causby asked if the BOCC would let him know of any pertinent stakeholders that
6 should be included in the task force.

7 Mary Ann Wolf thanked the CHCCS BOE for its work, and thanked the Commissioners
8 for approving the capital lease for technology back in May. She said this made a huge
9 difference.

10 Chair Rich said the Commissioners did the same thing for Orange County Schools.

11 Commissioner McKee said he appreciated CHCCS being proactive with technology and
12 connectivity issues. He said he knows connectivity is better in Chapel Hill and Carrboro, but his
13 petition for funding to address the needs is not intended to be exclusive to OCS. He said if
14 CHCCS has needs, he asked that they be expressed to the County Manager.

15 Dr. Jim Causby said County staff has reached out, and CHCCS will certainly take funds,
16 but did not want to do so when they were not needed.

17 Chair Rich expressed thanks to both districts.

18
19
20 Slide #1



21
22
23
24 **Joint Boards of Education and BOCC**

25 **Keep Learning, Stay Safe**
empower • inspire • engage



26
27
28
29
30
31 Slide #2

32
33 **COVID UPDATES**

- 34 ● School Reopening In-Person
- 35 ● Supervised Learning Lab Update
- 36 ● Technology Challenges – Internet Accessibility and Costs
- 37 ● The ABC Science Collaborative
- 38 ● Food Insecurities – Food Distribution Update
- 39 ● Students Experiencing Homelessness
- 40 ● SEL/Mental Health Supports
- 41 ● School Health Nurses

42 Slide #3

43
44 **COVID UPDATES**

45 **School Reopening In-person**

- Currently on Plan C Remote Learning Through First Semester
- Constantly Monitoring State and Local Statistics
- Staffing Concerns Exist

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

Slide #4

COVID UPDATES

Supervised Learning Lab Update

- Two Scholastic Support Centers opened in partnership with the YMCA and Town of Chapel Hill to provide child care and support with remote learning
 - Hargraves Center
 - Chapel Hill Community Center
- 95 K-5 students currently enrolled
- Dates and Times of Operation:
 - September 1, 2020 - January 15, 2021
 - Monday - Friday, 7:45 a.m. - 5:30 p.m.
- Breakfast, lunch and a snack provided to all students daily
- Bus transportation provided to all students who need it

Slide #5

COVID UPDATES

Technology Challenges / Internet Accessibility and Costs

- All students grades PK-12 have a digital device and access to an Internet hotspot
 - PK-Grade 1 -iPads
 - Grade 2 -Chromebooks (new purchase)
 - Grade 3-5 -Chromebooks (from surplus)
 - Grades 6-12 Chromebooks (updated 1:1 purchase)

Slide #6

COVID UPDATES

Technology Statistics:

of Chromebooks/lpads issued:12,000

of Student Internet hotspots: 1,400

of Staff Internet hotspots:170

If Plan C or extended remote learning continues beyond 2021, we would need to upgrade PK-Grade 1 and Grade 3-5 devices.

Slide #7

COVID UPDATES

Technology Challenges

- Areas exist where no wireless signal is available; carrier issues (T-mobile) or other issues connecting students and devices
- Providing remote support for over 13,000 devices (students and staff) is difficult with current staffing levels and COVID precautions

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

Slide #8

COVID UPDATES

ABC Science Collaborative

- [Website](#) established
- COVID-19 & the Classroom webinars:
 - COVID-19 and Masks
 - Air, Surfaces & Safeguarding Your Surroundings
 - Accommodations for Those with Special Needs



8

Slide #9

COVID UPDATES

Food for Students (FFS) Distribution Update

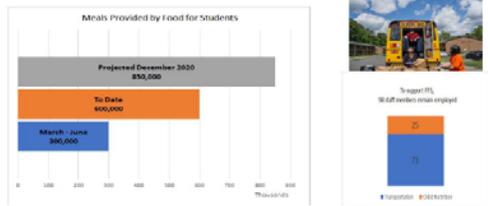
- Since March, CHCCS has been dedicated to providing meals for our students.
- Food for Students developed from Food for the Summer, a program in partnership with the Town of Chapel Hill.
- With the support of the FFS team, community volunteers and donors, and faith leaders and their congregations, not one meal delivery has been missed.
- Food for Students continues to grow, and will begin providing meal door-to-door drop offs to families unable to access one of the 37 delivery sites.
- Families, social workers and community members can access FFS information at FoodforStudents.info



9

Slide #10

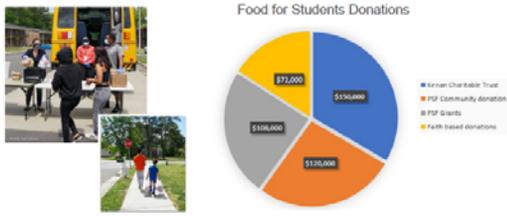
COVID UPDATES



10

Slide #11

COVID UPDATES



11

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

Slide #12

COVID UPDATES

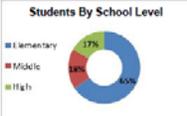
FFS Enrichment & Growth

- In conjunction with school social workers, families unable to access feeding sites will be identified and offered door-to-door drop offs.
- Students in the adaptive curriculum program will begin a pilot program designed to keep them engaged in cooking and career training.
- Partnership with local business and restaurants will provide opportunities for fundraisers and family engagement.
- Daily and weekend meals will be provided to all students at the YMCA Scholastic Support Centers.
- FFS team will continue to explore innovative meals and enrichment opportunities to keep students excited about school meals.



Slide #13

Students Experiencing Homelessness



School Level	Percentage
Elementary	37%
Middle	40%
High	23%

- 78 students reported with the majority represented at the elementary level
- 74% of the students reported are African-American, 10% Caucasian, Asian and Latino groups represent less than 10%

Services provided:

- Monitoring student academic performance, attendance and student needs to identify supports
- Transportation provided as needed
- CHCCS recently awarded McKinney-Vento Subgrant, \$15,000 per year for three years to collaborate with Homestart, providing academic support

Slide #14

School Health Nurses

Services provided:

- Immunization and health assessment tracking
- Collaboration with student services staff to support SEL and mental health needs
- Maintaining contact with students and families to ensure access to care for chronic health conditions
- Assisting with school level temperature screenings and attestation forms
- Collaborating with Orange County Health Department to conduct community contact tracing (COVID-19)
- Providing ongoing training - health promotion classes, PPE consultation, CPR, and first aid



CHCCS has 21 full time nurses.

Slide #15

SEL/Mental Health Support

We recognize that the "new normal" requires "new tools."

- Provide intentional **SEL supports** during the instructional day - **check-ins, engaging strategies and optimistic closures**
- Build staff and adult high-quality professional development - **building equity-centered classrooms**
- Continue **community partnerships** to provide access to resources
- Expand **co-located mental health** to include staff supports/EAP
- Implement **districtwide SEL needs assessment**
- Offer **explicit opportunities for self-care**

2. School Resource Officers – task forces – covered above as part of #1

Slide #17

SCHOOL RESOURCE OFFICERS

- SRO Task Force
 - Contracts expired June 30, 2020
 - No use of SROs at this time
 - Still determining members of Task Force
 - Considering a student survey

3. Budget

- CARES spending
- 2016 Bond Project

Jonathan Scott covered the following information:

Slide #18

CARES ACT

Federal Grant Fund CARES Act Allotments

Allotted Program Report Code (ARC)	Description	Total Allotment
ARC 165 CARES ACT	Technology equipment to support virtual instruction and operating PPE, supplies, and equipment for crisis response	\$ 864,806
ARC 165 SEER Student Health Support	To provide funding for employing or contracting with specialized instructional support personnel to provide physical and mental health support services for students	215,300
ARC 170 SEER Supplemental Instructional Service	To provide funding for supplemental instructional services for support the academic needs of at-risk students, students in poverty and students with disabilities through additional in-school instructional support.	113,183
		\$ 1,193,289

Slide #19

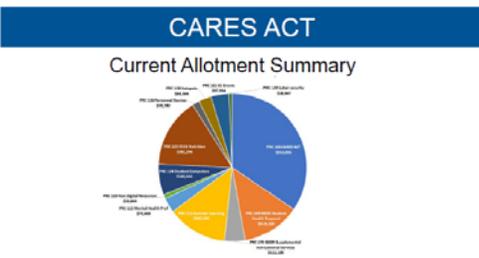
CARES ACT

State Public School Fund CARES Act Allotments

Allotted Program Report Code (ARC)	Description	Total Allotment
ARC 165 CARES ACT	Technology equipment to support virtual instruction and operating PPE, supplies, and equipment for crisis response	\$ 864,806
ARC 165 SEER Student Health Support	To provide funding for employing or contracting with specialized instructional support personnel to provide physical and mental health support services for students	215,300
ARC 170 SEER Supplemental Instructional Service	To provide funding for supplemental instructional services for support the academic needs of at-risk students, students in poverty and students with disabilities through additional in-school instructional support.	113,183
		\$ 1,193,289

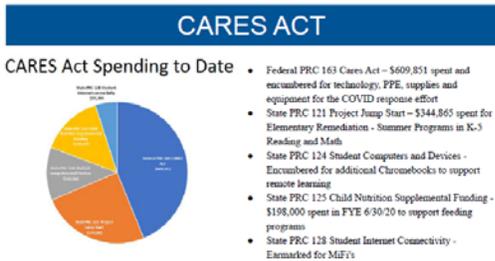


Slide #20



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

Slide #21



Commissioner Bedford asked if the School districts have been able to keep everyone employed, or if layoffs are happening. She also asked if Project Jumpstart was held virtually, or in person.

Dr. Jim Causby said CHCCS has not laid anyone off.

Jessica O'Donovan said Summer Jumpstart was entirely virtual in July. She said staff served students in groups of 5 or less, and sometimes individually.

Dr. Monique Felder said Orange County Schools has fortunately not had to layoff any staff.

Patrick Abele reviewed the following information:

Slide #23

CAPITAL & BOND UPDATE			
Summary	Total Project Cost Lincoln Center + Chapel Hill High School	Bond Funds: \$72,108,000	Total Capital Expense: \$ 75,715,546
		Lincoln Center	\$ 1,550,000
		Chapel Hill High	\$ 74,165,546
	Chapel Hill High project included additional cost for the CTE building and contingency	Chapel Hill High Overage	\$ 1,210,123

Slide #24

- CHAPEL HILL HIGH SCHOOL UPDATE**
- Building A and Building D (new buildings) -Final stages; awaiting occupancy permits
 - Building E (CTE) -Ongoing; expected 10/15
 - Building B, C (existing)-Ongoing renovations
 - Demolition Old Building A (main bldg) -Ongoing w/scheduled demo removal by 11/15
 - Student Parking Lot (new) -Scheduled by December 31st
 - Substantial completion: January 15th

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

Slide #25

CHAPEL HILL HIGH SCHOOL UPDATE

[Click this link for the comprehensive building and site construction update from August 2020.](#)

Patrick Abele said CHCCS will schedule a walk-through for the Commissioners to see the high school renovations.

Slide #26

PHILLIPS MIDDLE SCHOOL UPDATE

- 2019-2020 Drainage Project-Completed
- 2020-2021 Asbestos Floor Project Phase III-Complete
- 2020-2021 Gym Air Handler/HVAC-Ongoing (solicitation of bids phase)

Slide #27

PHILLIPS MIDDLE SCHOOL UPDATE

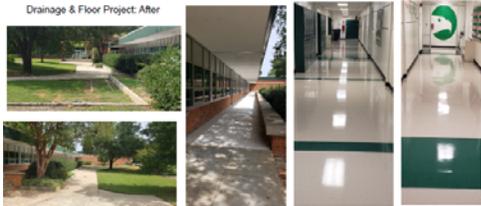
Drainage Issues: Before



Slide #28

PHILLIPS MIDDLE SCHOOL UPDATE

Drainage & Floor Project: After



Commissioner Marcoplos thanked CHCCS for the Philips Middle School update, and asked when this work began.

Patrick Abele said temporary repairs began in late fall 2019, and the majority of the work was done over the summer of this year.

Commissioner Marcoplos asked if all the work was done outside the building.

Patrick Abele said some work was done in the hallways (flooring, lockers, etc.). He said there is some additional wall damage repairs to complete.

1 Commissioner Marcoplos asked if the work had been completed in the summer 2019,
 2 when funds were allocated, would it have prevented further damage.

3 Patrick Abele said any time water damage can be prevented is best. He said CHCCS
 4 did not know about funding until July 1, and thus bids for projects cannot be received until that
 5 time, which does not allow a timeline for work to be completed in the summer that funds are
 6 allocated. He said the first step was to assess the need, which was done as soon as funds were
 7 appropriated.

8 Commissioner Marcoplos said he does not understand why the District had to wait until
 9 the County had appropriated funds, when the District has such a healthy fund balance that can
 10 be tapped into, and knowing the County would back the district up at a later time.

11 Patrick Abele said he cannot answer that question. He said the project was identified,
 12 assessed and remediation started in 2019, and he cannot attest to years past, as he was not in
 13 the District.

14 Commissioner Marcoplos said this issue identifies the need for transparency between
 15 the schools and the County. He said there should be a joint taskforce to look at school facility
 16 maintenance issues to keep everyone informed and on task. He said these are very important
 17 issues.

18 Commissioner McKee asked if the unallocated fund balance for both districts could be
 19 identified. He said it seems these balances have been growing since Covid.

20 Jonathan Scott said the CHCCS made a very concerted effort to pull down unnecessary
 21 spending. He said the CHCCS audit is not complete, but in June 2019 CHCC had roughly 11%
 22 undesignated, unreserved balance. He said he anticipates this will go to 12.5%. He said it
 23 would have been more, but CHCCS has to appropriate a good amount of funds this year.

24 Chair Rich asked if Orange County Schools wanted to present.

25 Rhonda Rath reviewed the following information:
 26

27 **2020-2021 CARES Funds Received**

28 1 STATE PUBLIC SCHOOL FUND – Cares Act

Fiscal Year	LEA	PRC	Description	Grant Year	Position	Month	YTD Allotment
2020-21	680	121	CRF Summer Learning Program		0	0	361,260.00
2020-21	680	122	CRF School Health Support		0	0	47,259.00
2020-21	680	123	CRF Nondigital Resources		0	0	14,273.00
2020-21	680	124	CRF Student Computers and Devices		0	0	115,873.00
2020-21	680	125	CRF School Nutrition		0	0	201,815.00
2020-21	680	126	CRF Personnel Computers and Devices		0	0	23,787.00
2020-21	680	128	CRF Home and Community WiFi				41,478.00
2020-21	680	132	CRF Exceptional Children				77,068.00
2020-21	680	135	CRF Cybersecurity		0	0	12,664.00
							895,477.00

30
 31 **FEDERAL PROGRAMS**

Fiscal Year	LEA	PRC	PRC Description	Grant Year	Current Allotment Revision #061			Total Revised Allotment		
					Position	Month	Amount	Position	Month	YTD Allotment
2019-20	680	163	CARES ACT 2020	2020	0	0	0	0	0	942,810.00

30
 31
 32

1
2 **2020-2021 CARES Funds Anticipated**
3

Description	Anticipated Allotment
GEER – Specialized Instructional Support Personnel for COVID-19 response	\$204,104
GEER – Supplemental Instructional Services	\$77,209
Total Anticipated Funding	\$281,313
Grand Total CARES Act Relief Funds	\$2,119,600

4
5 **COVID-19 EXPENDITURES**
6

Funded	Unfunded/Expended	Unfunded/Potential
\$115,873 – Student Devices	\$135,889 – School Nutrition	\$54,180 – Supervised Learning Labs
\$23,787 – Personnel Devices	\$4,300 – Flash Drives	\$100,000 – docking stations
\$41,478 – 400 hotspot devices	\$70,950 – 400 docking stations	\$90,000 – 600 additional hotspot devices
\$12,664 – Cybersecurity	\$90,300 – chromebook rental	\$81,000 – 600 additional hotspot service
\$361,260 – Summer Learning	\$35,475 – webcams	\$85,000 – 660 teacher monitors
\$77,209 – Instructional Support	\$106,900 – 900 hotspot service	\$350,000 – K iPad devices
\$251,363 – Health Support	\$27,280 – Zoom lrg meetings	\$200,000 – Outside structures
\$14,273 – Nondigital Resources	\$22,000 – Adobe Licenses	\$960,180 – subtotal
\$201,815 – School Nutrition	\$400,000 – Edmentum	
\$77,068 – Exceptional Children	\$893,094 – Total Expended	\$????? – Building Ventilation
\$254,700 – Curriculum Customization		\$????? – Additional staff for internet hubs/cleaning
\$600,000 – PPE and Sanitation		
\$38,110 – Private Schools Fair Share		
\$50,000 – Social/Emotional Support		
\$2,119,600 – Total Funds Available		

7
8 **COVID-19 EXPENDITURES**
9

Funded	Status
\$115,873 – Student Devices	Encumbered student devices. Awaiting delivery
\$23,787 – Personnel Devices	Encumbered personnel devices. Awaiting delivery.
\$41,478 – 400 hotspot devices	400 hotspots received and distributed
\$12,664 – Cybersecurity	Plans in development for maximum utilization (professional development)
\$361,260 – Summer Learning	\$170K expended for summer services to 300 students. \$45K tutor support.
\$77,209 – Instructional Support	Plans in development for supplemental instructional support to at-risk students, students in poverty, and students with disabilities
\$251,363 – Health Support	Contract in negotiation for Social Emotional support
\$14,273 – Nondigital Resources	Workbooks encumbered for 2,150 elementary students
\$201,815 – School Nutrition	227,240 meals prepared and delivered since March
\$77,068 – Exceptional Children	Supplies/materials; adaptive equipment; learning kits
\$254,700 – Curriculum Customization	\$254K expended for curriculum blue prints
\$600,000 – PPE and Sanitation	\$64K expended to date; remaining being encumbered as supplies can be located
\$38,110 – Private School Fair Share	
\$50,000 – Social/Emotional Support	Contract in negotiation for Social Emotional support
\$2,119,600 – Total Funds Available	40% committed and/or expended at August 31, 2020

10
11
12 Rhonda Rath said 40% of funding received by OCS expires in December. She said the
13 federal funds are more flexible. She said the OCS audit was ensuing, and the unassigned fund
14 balance will probably be \$3.7 million.

1 Commissioner McKee said he is concerned for the social and emotional impacts on the
 2 students, especially exceptional children. He encouraged the schools to use their unassigned
 3 fund balances to address these needs.

4 Dr. Jim Causby said Commissioner McKee is preaching what he believes. He said there
 5 is no question that children will be at least half a year behind. He said students cannot be
 6 overloaded right now, but expanded summer offerings will be crucial.

7 Dr. Monique Felder agreed. She said this situation presents many challenges, especially
 8 to those who were at risk prior to the pandemic. She said some OCS students are receiving
 9 additional support, and more options are being pursued to increase this. She said some
 10 students really need in person instruction.

11 Commissioner McKee said the County is a backstop, and encouraged the schools to not
 12 sit on allocated funds, while needs are present. He said some students are going to be lost
 13 completely.

14 Chair Rich said the districts are doing an excellent job.

15 Dr. Dannie Williams said the bond funds have afforded a complete office renovation of
 16 Efland Cheeks Elementary School; safe vestibule entry points for remaining schools that lacked
 17 them, allowing one way in and one way out; roofing and asbestos removal; installation of
 18 security systems; mechanical renovations and designs for two schools; the Cedar Ridge
 19 Classroom addition; and some summer projects that are nearing completion.
 20

The photograph shows a printed document titled "Orange County Schools 2016 Bond Projects". It contains a financial summary table with the following columns: Project, Original Budget, Revised Budget, Actual, Balance Remaining, and Bond Funds. The table lists various projects such as Roofing Projects, Property Acquisition, Cedar Ridge High School Addition, School Safety/Security, Mechanical Systems, Classroom/Building Improvements, Preliminary Planning Funds, and Total 2016 Bond Funds. The Grand Total is listed as \$47,892,000.

21
 22

The photograph shows a printed document titled "Orange County Schools 2016 Bond Issuance Projects Update". It contains a table with the following columns: Project, Project Status, Financial Completion Date of All Projects, Amount Approved, Actual Date of August 31, 2023, and Available. The table lists various projects such as Roofing Projects, Property Acquisition, Cedar Ridge High School Addition, School Safety/Security, Mechanical Systems, Classroom/Building Improvements, Preliminary Planning Funds, Total Bonds Issued to Date, Bonds Yet to Be Issued, and Grand Total of 2016 Bonds. The Grand Total is listed as \$47,892,000.

23
 24
 25
 26
 27

4. Equity

Slide #22

EQUITY

“Not everything that is faced can be changed. But nothing can be changed until it is faced.”- James Baldwin

- The reopening school subcommittees utilized the Racial Equity Impact Assessment (REIA, Race Forward) to ensure decisions were equitable
- Students were invited to participate in the reopening subcommittees to provide equity of voice
- Equity specialists will provide staff and faculty professional development focused on:
 - Trajectory to Identity, Community, Equity and Social Justice
 - 27 Equitable Classroom Practices
 - How to Talk About Race
 - Intersectionality as a Compass
 - My Protest is my Pedagogy
- Continued collaboration with Student Services in providing professional development - *Building Equity Centered Classrooms*

22

Dr. Monique Felder said she has worked a number of places, and the equity work here is so impressive and important for student learning. She said equity is the thread that runs through the District’s work.

Dr. Dena Keeling said equity is a district priority, and everything the District does is through an equity lens. She said before she was hired, the Board approved some joint funding, and the district secured two 2-day trainings for district leadership, school counselors, career advisors, and select teachers. She said these staff members went on to make up school based equity teams in each school. She said the District cabinet and all school principals go through monthly equity training, which has moved to an online platform due to Covid. She said the district is working with Intercultural Development Research Association (IDRA) through a grant at the NC Department of Education. She said IDRA analyzes data for OCS and creates trainings accordingly.

Dr. Dena Keeling said every school based equity team has a lead, and she met with this team for the first time last night. She said this work is important and she is having staff do a lot of self-reflection. She said the equity taskforce is recruiting new members, including community members, teachers, students and parents. She said this task force will make recommendations to the Superintendent about issues related to equity. She said all current policies will be reviewed.

Dr. Dena Keeling said she recently started affinity groups for staff, especially African American staff. She said Orange High School has an excellent student led equity team, and an African American history course offering has come out of that group. She said she listens carefully to these students. She said she is a department of one, and it is a big lift to build this effort in Orange County Schools. She said another challenge is the racial climate, and it is hard to hear from students about feeling harmed and unsafe. She said it would be helpful if there was a community wide focus on these issues.

Commissioner Greene said she is very interested in the students input about wanting more diverse course offerings, and wanted to make sure Dr. Keeling knows about DPI resources in these areas.

Jim Causby introduced Lee Williams who is the Chief Equity Officer. He said Dr. Lee Williams was leaving at the end of the month and headed back to Guilford County Schools as a middle school principal.

1 Lee Williams said Dr. Keeling covered most of the information, and CHCCS staff has
2 gone through similar training opportunities as OCS. He said when thinking about reopening,
3 every decision is made with a racial equity lens in mind. He said equity specialists are working
4 through dismantling and removing barriers. He said CHCCS currently has four equity
5 specialists: two in elementary, one in middle, and one in high school.

6 Mary Ann Wolf said it is refreshing to hear these updates, and thanked all staff for its
7 energy and work.

8 Hillary MacKenzie agreed, and expressed gratitude for the collaboration. She thanked
9 the BOCC for its help with the hotspots.

10 Commissioner Dorosin said six months ago there was a lot of discussion with CHCCS
11 around contracts, and an investigation that may be happening. He asked if there was a final
12 report that could be forwarded to the BOCC.

13 Mary Ann Wolf said the final report was just completed, and will be reviewed by the
14 CHCCS Board on October 8th, 2020.

15 Dr. Jim Causby said the report will be posted thereafter.

16 Commissioner Marcoplos said he was encouraged to hear that curriculums could be so
17 nimble to add more diverse classes. He said he would encourage the schools to add a course
18 on local government, as many people know nothing about local government.

19 Chair Rich said she would love to see women's studies courses added.

20 Commissioner Greene said there are ready-made courses on local government at
21 Carolina's Public Humanities.

22 Commissioner McKee said he is very pleased to hear the construction updates.

23 Chair Rich encouraged everyone to continue wearing masks, and follow safety
24 guidelines. She said the Governor has encouraged schools to open, but schools should not feel
25 pressured to do so.

26
27 Meeting adjourned at 9:29 p.m.
28
29
30

Penny Rich, Chair

31
32
33 Allen Coleman
34 Assistant Deputy Clerk II

35
36 Submitted for approval by Gregory A. Wilder, Interim Clerk to the Board.

1
2
3 **DRAFT**

4 **MINUTES**
5 **ORANGE COUNTY**
6 **BOARD OF COMMISSIONERS**
7 **VIRTUAL BUSINESS MEETING**
8 **OCTOBER 6, 2020**
9 **7:00 p.m.**

10
11 The Orange County Board of Commissioners met for a Virtual Business Meeting on Tuesday,
12 October 6, 2020 at 7:00 p.m.

13
14 **COUNTY COMMISSIONERS PRESENT:** Chair Penny Rich, Vice Chair Renee Price, and
15 Commissioners Jamezetta Bedford, Mark Dorosin, Sally Greene, Mark Marcoplos, and Earl
16 McKee

17 **COUNTY COMMISSIONERS ABSENT:**

18 **COUNTY ATTORNEYS PRESENT:** John Roberts

19 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy County Manager
20 Travis Myren, Interim Clerk to the Board Greg Wilder, and Assistant Deputy Clerk Allen
21 Coleman (All other staff members will be identified appropriately below)

22
23 Chair Rich called the meeting to order at 7:00 p.m., and asked Commissioners to accept
24 a roll call.

25 The Board agreed by consensus.

26
27 Due to current public health concerns, the Board of Commissioners conducted a Virtual
28 Business Meeting on October 6, 2020. Members of the Board of Commissioners participated in
29 the meeting remotely. As in prior meetings, members of the public were able to view and listen
30 to the meeting via live streaming video at orangecountync.gov/967/Meeting-Videos and on
31 Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

32
33 In this new virtual process, there are two methods for public comment.

- 34 • Written submittals by email
- 35 • Speaking during the virtual meeting

36
37 **Detailed public comment instructions for each method are provided at the bottom of this**
38 **agenda. (Pre-registration is required.)**

39
40 **1. Additions or Changes to the Agenda**
41 **NONE**

42
43 Chair Rich acknowledged the public charge.

44
45 **Arts Moment** – No Arts Moment was available for this meeting.

46
47
48 **2. Public Comments**

49
50 **a. Matters not on the Printed Agenda**

1 Jared Cates said he lives in Efland, and is concerned about the potential rezoning of the
 2 Buc-ees development for a very large gas station. He said there are many residents who are
 3 opposed to this development due to traffic, pollution, and quality of life. He said this project is
 4 profoundly unsuited to the site.

5
 6 The following comments were submitted via email to the Board of County
 7 Commissioners (BOCC):

8
 9 Dear Orange County Board of County Commissioners,

10
 11 For the past 20+ years we have lived on what we call our Efland Estate. For us, we have a large
 12 tract of land (5 acres) and an elaborate home (3 bedrooms, 2 baths). We also have numerous
 13 bird species and various reptiles and amphibians, all of which we monitor as we participate in
 14 citizen science projects and educational events and activities. In our modest home on a piece of
 15 land limited because it does not perk (thank goodness), we have constructed two decades,
 16 times two, of love and concern for this land. A Buc-ees is not what we had in mind when we
 17 moved here and it is certainly not a development that we can support. Three short miles from
 18 our home, it will impact not only our lifestyle but the very lives of the plants and animals whose
 19 acreage we share. We strongly oppose this development in Efland and hope that the Orange
 20 County Board of County Commissioners agrees.

21
 22 Your Constituents,

23 Catherine E. Matthews cmatthews@uncg.edu, 919 593-0440

24 Timothy B. Spruill, tbspru@aol.com, 919 518-5489

25
 26 *Commissioner McKee and Commissioner Dorosin joined the meeting at 7:02 p.m.*

27
 28 **b. Matters on the Printed Agenda**

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

31
 32 **3. Announcements, Petitions and Comments by Board Members**

33
 34 Commissioner Bedford said she had no comments.

35 Commissioner Greene said she is wearing purple in recognition of domestic violence
 36 awareness month. She brought attention to Racist Roots.org, which focuses on the racist
 37 history of the death penalty.

38 Commissioner Price said it is possible that the 2020 Census is still open, and it appears
 39 that residents have until the end of the month. She encouraged all who had not yet completed
 40 the census to please do so.

41 Commissioner Marcoplos said there are rumors of so called "poll watchers" to bother
 42 people at the polls. He asked if the local board of elections and law enforcement have a plan to
 43 address this possibility at Orange County sites, and petitioned staff to follow up. He asked if a
 44 report from the summer's policing and racial justice listening session is available.

45 Commissioner Dorosin said the national election protection hotline is available for voters
 46 who have any questions at 1-866-OUR-VOTE. He said this is a national non-partisan voter
 47 helpline. He referred to Commissioner Marcoplos' comments, and said it is important not to
 48 assign police officers to voter locations. He said if there is a need to respond, law enforcement
 49 can do so, but should not be a presence otherwise, as it can lead to voter
 50 suppression/intimidation.

51 Commissioner McKee had no comments.

1 Commissioner Rich said she sent a resolution for the Board's review, which she will put
2 forward at the 10/20/2020 meeting, asking North Carolina to no longer support the Hyde
3 Amendment. She said October is breast concern awareness month. She said the Health
4 Department still encourages women to get mammograms done, despite COVID, as it can be
5 done safely.

6 Chair Rich said there was a Partners meeting today (formerly the MAC meeting), and
7 these meetings will take place monthly. She said COVID numbers were up from 1.8% to 2%
8 this week, and UNC was at 4.6% last week and now 5%. She said about 3,100 people are
9 being tested a week, and contact traces are working hard. She said hospitals are not
10 overwhelmed, but flu shots are critical, and she encouraged everyone to get flu shots.

11 Chair Rich said emergency services is spotting Hurricane Delta, with 120 miles per hour
12 winds.

13 Chair Rich said the BOCC wants to extend sincere condolences to Chad Dorill's family
14 (Appalachian State (ASU) Student who died last week of COVID). She said ASU established a
15 hotline, and UNC has one as well.

16 Chair Rich said traditionally at this meeting the Board of County Commissioners (BOCC)
17 chooses a Commissioners' Planning Retreat Committee. She said the BOCC can postpone the
18 retreat until the spring, or not hold it at all. She asked if the BOCC wants to move forward on
19 this retreat.

20 Commissioner Price said she would be willing to serve on the committee and discuss
21 details as time moves forward.

22 Chair Rich said the only logistical issue is making sure the BOCC has time to vote on a
23 calendar change, if necessary.

24 Commissioner McKee said he would serve on this committee. He said he would like to
25 wait until the second meeting in November, and make a decision then.

26 Chair Rich said traditionally the retreat is one day, and 7 hours via Zoom would not be
27 ideal. She said retreats are more beneficial in person.

28 Commissioner Greene said she is interested in having a retreat, and would be happy
29 with several Zoom sessions. She said Triangle J has done this. She said a retreat would allow
30 the BOCC to revisit its goals from last year. She petitioned to hear back from Ashley Heger
31 about last year's goal of tackling hunger.

32 Chair Rich said Commissioner Price, Dorosin, and McKee would serve on the retreat
33 planning committee.

34 All three commissioners agreed to serve.

35 Chair Rich said the committee could talk with the Clerk's office, and report back to the
36 Board at a later date.

37 38 39 **4. Proclamations/ Resolutions/ Special Presentations**

40 41 **a. Domestic Violence Awareness Month Proclamation**

42
43 The Board considered voting to approve a proclamation recognizing October 2020 as
44 Domestic Violence Awareness Month in Orange County.

45
46 **BACKGROUND:** Domestic Violence is a pattern of control in an intimate relationship where one
47 person uses coercion and violence to gain power and control over a partner.

48
49 In 1989, the U.S. Congress first passed Public Law 101-112 designating October of that year as
50 National Domestic Violence Awareness Month, and has adopted similar legislation each year
51 thereafter. The goal has been to educate and make the public aware of domestic violence

1 issues, support the victims of domestic violence, and to connect advocates across the nation
2 who are working to end domestic violence.

3
4 The Board of Commissioners is asked to proclaim October 2020 as "Domestic Violence
5 Awareness Month" in Orange County to support victims of domestic violence, to educate
6 residents, and support those working to end domestic violence.

7
8 Chair Rich introduced Valerie Sauer, Director of Community Education at the Compass
9 Center in Chapel Hill, who read the resolution.

10
11 **ORANGE COUNTY BOARD OF COMMISSIONERS**
12 **PROCLAMATION**
13 **DOMESTIC VIOLENCE AWARENESS MONTH 2020**

14
15 **WHEREAS**, domestic violence is a pattern of coercion and control in an intimate partner
16 relationship where one person uses violence to gain power and control over their partner; and

17
18 **WHEREAS**, domestic violence includes not only physical, but also mental abuse, emotional
19 abuse, financial abuse, isolation and sexual abuse; and

20
21 **WHEREAS**, individuals of all backgrounds, regardless of race, age, gender identity, or sexual
22 orientation can experience abuse by an intimate partner; and

23
24 **WHEREAS**, according to the National Coalition Against Domestic Violence, on average nearly
25 20 people per minute are physically abused by an intimate partner in the United States. During
26 one year, this equates to more than 10 million women and men; and

27
28 **WHEREAS**, on a typical day there are 20,000 phone calls placed to domestic violence hotlines
29 nationwide according to the National Coalition Against Domestic Violence; and

30
31 **WHEREAS**, in North Carolina, according to the North Carolina Coalition Against Domestic
32 Violence, at least 57 individuals were murdered as a result of domestic violence in 2019; and

33
34 **WHEREAS**, Compass Center for Women and Families, the state-designated domestic violence
35 service provider for Orange County, served over 1,400 survivors of domestic violence through
36 their 24-hour hotline, support groups, court advocacy, crisis counseling, Latinx services, and
37 other services last year; and

38
39 **WHEREAS**, Compass Center has launched Safe Homes, New Lives - an innovative and
40 compassionate new housing strategy that empowers victims of domestic violence, provides
41 safety for them and their children, and keeps them in their community by providing scattered
42 housing across Orange County to shelter victims and their families for up to 3 months; and

43
44 **WHEREAS**, prevention strategies involve collaborations by multiple partners to promote social
45 norms, policies, and laws that support gender equity and foster intimate partnerships based on
46 mutual respect, equality, and trust;

47
48 Now, therefore, the Orange County Board of County Commissioners, do hereby proclaim this
49 time to be:

50
51 **"Domestic Violence Awareness Month 2020"**

1
2 and encourage the residents of Orange County to observe this time in ways appropriate to its
3 importance and significance.

4
5 Proclaimed this the 6th day of October 2020.

6
7 _____
8 Penny Rich, Chair
9 Orange County Board of Commissioners

10 A motion was made by Commissioner Dorosin, seconded by Commissioner Price to
11 approve the Proclamation designating October 2020 as Domestic Violence Awareness Month in
12 Orange County, and authorize the Board Chair to sign the Proclamation.

13
14 Commissioner Price said this petition did not go through the traditional agenda review
15 process, but she said the topic is important to the BOCC, and she hopes all will support it.

16 Chair Rich asked if the word "citizens" can be amended to "residents" to include
17 everyone.

18 Valerie Sauer said this change is acceptable.

19 Commissioner Dorosin and Commissioner Price accepted the amendment.
20

21 **Roll call ensued**

22
23 **VOTE: UNANIMOUS**

24
25 **5. Public Hearings**

26
27 **a. Public Hearing on the 2021 Reappraisal Proposed Schedules of Rules, Standards
28 and Values**

29
30 The Board held a public hearing on the 2021 Reappraisal Proposed Schedules of Rules,
31 Standards and Values.

32
33 **BACKGROUND:** As required by North Carolina General Statutes (NCGS) 105-317, the
34 proposed Schedules of Values (SOV) to be used in conducting the 2021 reappraisal were
35 submitted to the Board of County Commissioners on September 15, 2020. At that time, a public
36 hearing was set for October 6, 2020, and notice was advertised in the News of Orange, Chapel
37 Hill News and Durham Herald on September 16, 2020. The proposed Schedules have been
38 available for public inspection in the Orange County Tax Office, Orange County Clerk to the
39 Board's Office, and on the Orange County Tax Office website (available at
40 <https://www.orangecountync.gov/878/Revaluation>) since September 15, 2020.

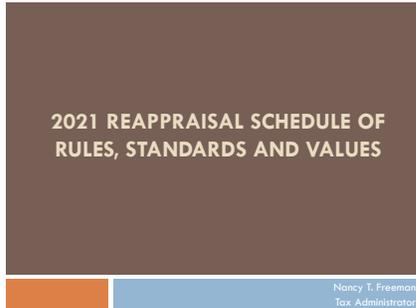
41
42 The public hearing is the second step in a three- step process to adopt the Schedules that will
43 be used in conducting the 2021 reappraisal. The Board will be asked to adopt the Schedules at
44 its November 5, 2020 regular meeting. Following adoption, the Schedules will be appealable to
45 the State Property Tax Commission for thirty (30) days.

46 The timeline for the 2021 Reappraisal Schedule of Values adoption process is as follows:

- 47 • September 15, 2020: Submission to Orange County Board of Commissioners
- 48 • September 16, 2020: Advertise in newspapers
- 49 • October 6, 2020: Public hearing on SOV
- 50 • November 5, 2020: Adoption of SOV

- 1 • November 6, 2020: Publish 1st notice of adoption
- 2 • November 13, 2020: Publish 2nd notice of adoption
- 3 • November 20, 2020: Publish 3rd notice of adoption
- 4 • November 27, 2020: Publish 4th notice of adoption
- 5 • December 5, 2020: Last day for taxpayer to appeal the SOV

6
7 Nancy Freeman, Tax Administrator, made the following PowerPoint presentation:
8



9
10

What is a Reappraisal?

- The process of updating real property tax assessments for market value and present-use value
- Appraisal of all properties in Orange County as of a single date
- Primary goal is to equalize tax base
- Effective date for Orange County's upcoming reappraisal is January 1, 2021

11

Where We Have Been

- Field reviews began mid-2019
- Launched two interactive websites in July 2019 to assist owners review their property values
 - Property Record Card
 - Comper
- Data Validation Form mailed February 2020
 - 41,600 mailed
 - Received approximately 4,300 responses
- Revaluation Video available on our website
- Revaluation Insert with 2020 Bills

12
13
14

Where We Are

- Majority of land pricing has been completed
- Mostly complete with verifying individual property characteristics and data
 - Per data provided by property owners on Data Validation Forms
- Beginning "Neighborhood Reviews"
 - Current sales reports for statistics, edits as necessary
 - Before and after report for quality control
- Commercial properties are being appraised by outside commercial appraisal company

15

Where We Are Going

- Schedules of Values submission September 15, 2020 and corresponding adoption timeline
- Final revaluation presentation January 2021
 - Unique challenges of this revaluation
- Notices of new value mailed mid March 2021
- Deadline for informal appeals April 30, 2021
- Board of Equalization and Review to convene May 3, 2021

1
2

Where We Are Going Continued

- Post-revaluation customer service, reporting
 - Extended informal appeals process
 - Collaborative approach to appeals
 - Pooling resources with other counties performing 2021 revaluation

3

The Schedules of Values (SOV)

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

4
5
6

What is the Schedules of Values?

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

7
8

The Adoption Process

- September 15, 2020: Submission of Schedules of Values to Board of County Commissioners
- September 16, 2020: Advertising notice published in News of Orange, Chapel Hill News & Durham Herald
- October 6, 2020: Public hearing
- November 5, 2020: Adoption of Schedules
- November 6, 2020: 1st advertising notice
- November 13, 2020: 2nd advertising notice
- November 20, 2020: 3rd advertising notice
- November 27, 2020: 4th advertising notice
- December 5, 2020: Last day for taxpayer appeal

1
2
3
4

For More Information

- Contact the Orange County Tax Office:
 - 919-245-2100
 - reval@orangecountync.gov
- Visit the revaluation section of our website
 - <http://www.orangecountync.gov/tax/>

5
6
7
8
9

A motion was made by Commissioner Bedford, seconded by Commissioner McKee to open the public hearing.

Roll call ensued

VOTE: UNANIMOUS

**PUBLIC COMMENT:
NONE**

A motion was made by Commissioner Price, seconded by Commissioner McKee to close the public hearing.

Roll call ensued

VOTE: UNANIMOUS

John Roberts reminded the BOCC that there must be a 24-hour written comment period after a virtual public hearing, and comments can be sent to reval@orangecountync.gov or ocbocc@orangecountync.gov

Chair Rich asked if a formal vote is needed.

John Roberts said no, that it just needs to be announced.

Commissioner Price said she received emails regarding a revaluation during a pandemic, and asked staff to explain that there will be little to no financial harm by doing this is 2021.

Nancy Freeman said yes.

32
33

1 **b. Second Public Hearing on CDBG-CV Grant Application for Emergency Housing**
 2 **Assistance**

3
 4 The Board held a public hearing on the draft application from Orange County for
 5 Community Development Block Grant – Coronavirus (CDBG-CV) funds from the NC
 6 Department of Commerce. In addition, the Board considered:

- 7 • Authorizing the County to submit an application for CDBG funds
 8 • Authorizing the Chair to sign a resolution approving Orange County to apply for CDBG-
 9 CV funds.

10
 11 **BACKGROUND:** On August 25, 2020, Governor Roy Cooper announced the availability of \$28
 12 million from federal Community Development Block Grant – Coronavirus (CDBG-CV) funding to
 13 be disbursed to support rental and utility payments and prevent evictions for those with a
 14 demonstrated need (see Attachment 1). The funding will be distributed to eligible community
 15 agencies around the state that will work directly with North Carolinians on an application and
 16 disbursement process.

17
 18 Orange County intends to apply for the CDBG-CV funds to be used with the County's existing
 19 Emergency Housing Assistance fund, which provides financial assistance to help Orange
 20 County residents with low incomes secure and maintain stable housing (see Attachment 2).
 21 Assistance is available to households in Orange County that earn no more than 60% of the area
 22 median income, have an urgent need for housing assistance, and do not have adequate
 23 savings to cover the cost of their housing need.

24
 25 Before submitting an application, Orange County must hold two (2) public hearings to obtain
 26 citizens' comments. The first public hearing was held at the beginning of the application
 27 process. The second public hearing – the hearing being held today – must be held after
 28 the application is drafted but prior to its submission. The draft application is available in
 29 Attachment 4, and online at <http://orangecountync.gov/DocumentCenter/View/12902/>.

30
 31 The Board of Commissioners must also authorize the County to submit an application for
 32 CDBG-CV funds through a resolution (see Attachment 3). All public comments received during
 33 the public hearing today, the prior public hearing, and throughout the entire public comment
 34 period will be considered and incorporated into the County's final application.

35
 36 Erika Brandt, Housing and Community Development Program Manager, made the
 37 following PowerPoint presentation:



Board of Commissioners
October 6, 2020

OVERVIEW

- NC CDBG-CV
- Emergency Housing Assistance (EHA)
- Public Comments

1

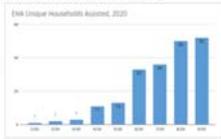
NC CDBG-CV

- The NC Department of Commerce announced on August 25th that federal CDBG-CV funds would be made available for local governments, with priority on rent, utility, and mortgage assistance programs
- Orange County Department of Housing and Community Development intends to apply for the maximum amount of funds (\$900,000) to feed into the existing Emergency Housing Assistance program
- Applications for NC CDBG-CV funds opened September 1st, but in order to apply, localities must first hold two (2) public hearings
- The first public hearing was held September 15th and this is the second

2
3

EMERGENCY HOUSING ASSISTANCE

- EHA was originally created by the BOCC in 2018 as part of the pilot Risk Mitigation and Housing Displacement Fund
- Provide emergency financial assistance for housing-related costs to help low-income households secure and/or maintain stable housing
- Eligible expenses include rent/utility payments and arrears, security deposits, etc.
- Since March, EHA has drastically scaled up and streamlined in response to COVID-19



4
5
6

EMERGENCY HOUSING ASSISTANCE



7
8

PUBLIC COMMENTS

- Comments will be heard now, or may be submitted in writing or by telephone to:

Erika Brandt, Housing and Community Development Manager
(919) 245-4331
ebrandt@orangecountyc.gov
- All comments will receive a written response and will be incorporated into the application for NC CDBG-CV

9
10
11
12
13

1 RES-2020-058

2
3 **RESOLUTION APPROVING THE ORANGE COUNTY APPLICATION FOR COMMUNITY**
4 **DEVELOPMENT BLOCK GRANT FUNDING**
5 **FOR THE EMERGENCY HOUSING ASSISTANCE FUND**
6

7 WHEREAS, the Orange County Emergency Housing Assistance fund, formerly called the
8 Housing Stabilization Fund, was established by the Orange County Board of Commissioners in
9 2018 as part of the Risk Mitigation and Housing Displacement Fund in order to provide
10 emergency financial assistance to low-income residents of the County to help secure and
11 maintain stable housing; and,
12

13 WHEREAS, the Orange County Board of Commissioners has previously indicated its desire to
14 increase funding to the Emergency Housing Assistance fund in order to stabilize County
15 residents and the local housing market in the wake of the COVID-19 pandemic; and,
16

17 WHEREAS, the Commissioners have held two public hearings concerning the proposed
18 application for Community Development Block Grant funding to benefit the County’s Emergency
19 Housing Assistance fund; and,
20

21 WHEREAS, the Commissioners wish the County to pursue a formal application for Community
22 Development Block Grant funding to benefit the Emergency Housing Assistance fund; and have
23 invested monies in the amount of eight hundred eighty thousand dollars (\$880,000) from the
24 County’s Coronavirus Relief Fund allocation into the project as committed to in the application.
25

26 WHEREAS, the Commissioners certify that the County will meet all federal regulatory and
27 statutory requirements of the State of North Carolina Community Development Block Grant
28 Program,
29

30 NOW, THEREFORE BE IT RESOLVED, by the Orange County Board of Commissioners that
31 Orange County is authorized to submit a formal application on behalf of Orange County to the
32 North Carolina Department of Commerce for approval of a Community Development Block
33 Grant to benefit the Emergency Housing Assistance fund.
34
35

36 Adopted this the 6th day of October, 2020 in Orange County, North Carolina.
37

38
39 _____
40 Penny Rich, Chair
41 Orange County Board of Commissioners

42 ATTEST:

43 _____
44 Clerk to the Board
45

46
47 A motion was made by Commissioner Greene, seconded by Commissioner McKee to
48 open the public hearing.
49

50 **Roll call ensued**
51

1 **VOTE: UNANIMOUS**

2
3 **PUBLIC COMMENT:**
4 **NONE**

5
6 Commissioner Dorosin asked if any thought has been given to those who do not have
7 access to the Internet in order to apply. He asked if these funds are being publicized. He asked
8 if the reduction in evictions is due to a moratorium on evictions, as opposed to actual progress.

9 Erika Brandt said those without Internet access can apply through the County's
10 coordinated entry system, which is being done by phone via the housing helpline. She said
11 hard copies are available at housing offices, with drop boxes available to return. She said
12 COVID has made this process trickier. She said the Department is also working with many
13 community partners to get the word out and help people complete applications.

14 Commissioner Dorosin said that is encouraging, and he suggested using churches as
15 another network to reach people. He asked if Orange Water and Sewer Authority (OWASA)
16 had been contacted as a possible partner.

17 Erika Brandt said OWASA, Hillsborough Water System and Duke Energy are partners,
18 but reaching out to churches is a great idea. She said the moratorium is a legitimate factor in
19 the reduction of evictions, and staff is looking into further analysis.

20 Chair Rich said housing staff has also been in contact with Delores Bailey at
21 EmPOWERment, who is being very helpful in getting the word out.

22
23 A motion was made by Commissioner Bedford, seconded by Commissioner Dorosin to
24 close the public hearing.

25
26 **Roll call ensued**

27
28 **VOTE: UNANIMOUS**

29
30 John Roberts said written comments can be submitted for 24 hours to
31 ocbocc@orangecountync.gov.

32
33 A motion was made by Commissioner Bedford, seconded by Commissioner Price to:

- 34
35
- 36 • Authorize the Department of Housing and Community Development to submit an
 - 37 application for CDBG-CV funds on behalf of the County
 - 38 • Authorize the Chair to sign the resolution approving Orange County to apply for CDBG
 - 39 funds

40 **Roll call ensued**

41
42 **VOTE: UNANIMOUS**

43
44 Chair Rich said if a public comment comes in during the written public comment period,
45 the Board would revisit this vote.

46
47
48 **6. Regular Agenda**

49
50 The public comment period for items: 6-a, 6-b, 6-c, closed at 9:00 a.m. on September
51 24, 2020, and the BOCC will not accept any additional comment for these items.

1
2 **a. Proposed Amendments to the Town of Hillsborough/Orange County Central**
3 **Orange Coordinated Area (COCA) Land Use Plan and to the Orange County**
4 **Comprehensive Plan Future Land Use Map (FLUM)**
5

6 The Board considered voting to approve a resolution on a County-initiated request amending
7 the Town of Hillsborough/Orange County Central Orange Coordinated Area (COCA) Land Use
8 Plan, and the Orange County Comprehensive Plan Future Land Use Map (FLUM).
9

10 Tom Altieri, Comprehensive Planning Supervisor, said the order of the planning items
11 this evening is typical, especially when considering changes to land use plans and zoning in the
12 same geographies, in whole or part. He said this maintains consistency. He said the two
13 rezoning items do include such a statement of consistency. He said this practice was reversed
14 at September meetings, to allow the public the opportunity to speak. He said the public hearing
15 on RTLP was spread across two meetings to accommodate public comment. He said the land
16 use amendments this evening are not for RTLP, but rather an extension of a process started in
17 2017. He said the Planning Board, staff, and County Manager recommend approval of RTLP,
18 but approving the land use plans does not guarantee the approval of RTLP. He said if the
19 BOCC chooses not to approve the land use plans, it should do so because it no longer supports
20 the existing plan, rather than being opposed to RTLP. He reviewed the following information:
21

22 **BACKGROUND:** Orange County and the Town of Hillsborough have been discussing potential
23 expansion of the Hillsborough Economic Development area for several years as the County
24 continued work towards investing in a sewer “trunk line”, south of Interstate 40 and west of Old
25 Highway 86, in accordance with its Capital Improvement Plan developed in 2012. With an eye
26 towards maximizing the use of the sewer line, there is interest in designating additional lands
27 that could be served via a “gravity sewer line” for non-residential purposes. In addition, Orange
28 County evaluates the amount of land available for economic development, and due to lands
29 being developed as the UNC Hospital and Durham Technical Community College over the last
30 few years, the limited supply in this area was considered for expansion.
31

32 At its June 6, 2017 meeting, the BOCC approved amendments to the Water and Sewer
33 Management, Planning, and Boundary Agreement (WASMPBA) to expand the Hillsborough
34 Primary Service Area. All parties have since approved the WASMPBA amendment, with the
35 Town of Hillsborough Board as the last party to approve it in October 2017. Because of
36 language included in the approval resolutions, the WASMPBA amendment is to become
37 effective when the joint land use plan is amended to reflect the expanded Urban Service Area
38 and assigned a future land use classification. Some of these background details, including
39 notice to the Board when the land use plan amendments would be forthcoming, were included
40 as an Information Item on the Board’s June 16, 2020 agenda. The link to that Information Item
41 is: <http://server3.co.orange.nc.us:8088/WebLink/0/doc/62679/Page1.aspx>
42

43 In accordance with the provisions of Section 2.3 *Comprehensive Plan Amendments* of the
44 Unified Development Ordinance, the Planning Director has initiated amendments to the Central
45 Orange Coordinated Area (COCA) Land Use Plan and to the Orange County Comprehensive
46 Plan Future Land Use Map (FLUM) in the vicinity of the southern portion of the Hillsborough
47 Area Economic Development District. The amendments related to COCA affect 17 parcels (in
48 whole or part) encompassing 84 acres. The amendments related to the FLUM affect 20 parcels
49 (in whole or part) encompassing 89 acres. The COCA proposed land use category is Suburban
50 Office and the FLUM proposed category is Economic Development. These related amendments

1 are being proposed to prescribe the land uses that will be allowed in the expanded area for
 2 Economic Development.

- 3
 4 1. The *Town of Hillsborough/Orange County Central Orange Coordinated Area (COCA)*
 5 *Land Use Plan* is a joint land use document that defines the locations of future land
 6 use categories to help achieve a desired and coordinated pattern of development
 7 over time. The COCA Land Use Plan includes several urban-style land use
 8 categories that are more specific than those provided in the County's
 9 Comprehensive Plan, which covers a much larger geographic area. Implementation
 10 of the COCA Land Use Plan is achieved through consistency with the County's
 11 Comprehensive Plan Future Land Use Map, application of County zoning, and a
 12 coordinated approach to rezoning. The amendment proposes a "Suburban Office
 13 Complex" land use in the expansion area which would designate the area for office
 14 and employment, businesses in a campus setting, and limited supporting services.
 15 The proposed amendment also reflects the expansion of the Town's Urban Service
 16 Boundary consistent with the WASMPBA to provide water and sewer service to the
 17 area. As part of a joint land use plan, this amendment requires approval by the Town
 18 of Hillsborough and Orange County. The Town of Hillsborough has already taken
 19 action and unanimously approved the amendment as follows.

20
 21 Town of Hillsborough Approval Process:

22 March 15, 2018 – Town Public Hearing and Planning Board recommendation

23 March 26, 2018 – Hillsborough Town Board adopted

- 24
 25 2. The *Orange County Comprehensive Plan Future Land Use Map (FLUM)* defines the
 26 location of future land use categories, consistent with any joint land use plans, and is
 27 designed to accommodate a particular combination of general land uses. The FLUM
 28 helps achieve a desired pattern of development over time and is implemented primarily
 29 through zoning. The proposed amendment to this plan would change the expansion area
 30 from a Rural Residential land use to an Economic Development Transition Activity Node,
 31 which would designate the area for light industrial, distribution, office, service/retail uses,
 32 and flex space (typically one-story buildings designed, constructed, and marketed as
 33 suitable for use as offices but able to accommodate other uses such as a warehouse,
 34 showroom, manufacturing assembly, or similar operations).

35
 36 The County has not initiated any rezoning at this time. Currently, the area is zoned Rural
 37 Residential (R-1). However, approximately 12-acres of a developer initiated and
 38 proposed Research Triangle Logistics Park (RTLTP) are located in the amendment area
 39 discussed herein. Any rezoning that comes forward in the future will require a
 40 subsequent item on a public hearing and finding that it is consistent with the plans.

41
 42 Planning Board Recommendation: The Orange County Planning Board, at its August 5,
 43 2020 regular meeting, voted 6-4 to recommend approval of the proposed amendments.
 44 Clarification of the motion voted upon was deemed necessary and the Planning Board
 45 considered a clarified motion at its special meeting on August 19, 2020 when the board
 46 voted 6-4 to recommend approval of the amendments. Agenda materials from these
 47 meetings can be viewed at: <http://orangecountync.gov/AgendaCenter/Planning-Board-26>

48
 49 Public Hearing: A public hearing was opened on September 15, 2020 and continued
 50 without public comment to September 22, 2020 so that all members of the public signed
 51 up to speak on the RTLTP proposal, a separate item on the agenda, would have

1 adequate opportunity to speak and be heard by the Board. At the September 22 hearing,
2 four (4) people spoke on this item.

3
4 Materials from the September 15 and 22 meetings are available at:
5 <https://www.orangecountync.gov/1707/BOCC-Agendas>.

6
7 Video from the September 22, 2020 meeting and public hearing on this item can be
8 accessed at: <https://www.orangecountync.gov/967/Meeting-Videos>.

9
10 In accordance with Session Law 2020-3 Section 4.31(a), regarding remote meetings
11 during declared emergencies, written comments were allowed to be sent for 24-hours
12 after the public hearing was closed. Comments sent to ocbocc@orangecountync.gov
13 are viewable at: <https://groups.google.com/g/ocbocc?pli=1>. The public comment period
14 closed at 9:00AM on September 24, 2020. The BOCC will not accept any further public
15 comment.

16
17 A RTLP Frequently Asked Questions document, which includes a section on Land Use
18 and Zoning, was prepared in response to public comments and is available via the
19 following link: [https://www.orangecountync.gov/DocumentCenter/View/12732/Final-
20 Research-Triangle-Logistics-Park-FAQ?bidId=](https://www.orangecountync.gov/DocumentCenter/View/12732/Final-Research-Triangle-Logistics-Park-FAQ?bidId=)

21
22 Planning Director’s Recommendation: The Planning Director recommends approval of
23 the Resolution contained in Attachment 1, indicating consistency with the County’s land
24 use and economic development goals. Text shown in the Resolution in “Track Changes”
25 format is new text that was not included in the version received by the Planning Board
26 and provides greater detail of the County’s efforts, over time, to prepare additional area
27 for Economic Development purposes. Attachment 2 is a Memo from the County
28 Planning and Inspections Director that includes a Justification Outline for the proposed
29 plan amendments.

30
31
32 RES-2020-053

33 **A RESOLUTION AMENDING THE**
34 **TOWN OF HILLSBOROUGH/ORANGE COUNTY CENTRAL ORANGE COORDINATED**
35 **AREA LAND USE PLAN**
36 **ORANGE COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP**

37
38 WHEREAS, Orange County has initiated amendments to the:

- 39
- 40 • Town of Hillsborough/Orange County Central Orange Coordinated Area Land Use
41 Plan,
 - 42 • Orange County Comprehensive Plan Future Land Use Map, as established in Section
43 1.7 of the Orange County Unified Development Ordinance (UDO), and

44
45 WHEREAS, the proposed amendment to the Town of Hillsborough/Orange County Central
46 Orange Coordinated Area Land Use Plan consists of the following:

- 47
- 48 • Extend the Town’s Urban Service Boundary for public water and sewer consistent with
previously approved Water and Sewer Management, Planning, and Boundary Agreement
amendment by all parties, and

- 1 • Add the Suburban Office Complex Future Land Use Classification to all or portions of 17
2 parcels, totaling 84 acres, located on both sides of Old Highway 86, south of Interstate 40,
3 and
4

5 WHEREAS, the proposed amendment to the Orange County Comprehensive Plan Future
6 Land Use Map consists of the following:

- 7 • Amend all or portions of 20 parcels, totaling 89 acres, located on both sides of Old Highway
8 86, south of Interstate 40 from Rural Residential to Economic Development Transition.
9 Additionally, 1.64 acres of road right-of-way is included, and
10 • One overlay land use classification applies in this geographic area (Resource Protection
11 Area). No modifications are being proposed to the boundary, and
12

13 WHEREAS, the following parcels are affected by the Orange County Comprehensive Plan
14 Future Land Use Map amendment proposal:
15

Parcel Identification Number (PIN)	Entire or Partial Parcel to be Changed?	Owner on Record	Acreage Proposed to be Changed
9862998894	Partial	LANDMARK MANAGEMENT PARTNERS LLC	11.69
9872087570	Partial	CHARLENE W HAMLETT	0.03
9872095945	Partial	LARRY B LEE	1.64
9872098324	Partial	THEODORE L BRYANT and BEVERLY N BRYANT	7.45
9872183072	Partial	JOE L JERNIGAN	0.02
9872187626	Partial	THEODORE L BRYANT and BEVERLY N BRYANT	7.98
9872188329	Partial	JOE L JERNIGAN and VICKIE R JERNIGAN	1.87
9872191961	Entire	JEANINE L DUKE and JAMES N POULOS	1.18
9872193459	Entire	THEODORE L BRYANT and BEVERLY N BRYANT	10.23
9872196844	Entire	MICHAEL WILLIAM SUDYK	3.26
9872198336	Entire	THEODORE L BRYANT and BEVERLY N BRYANT	10.44
9872286360	Partial	REA LANDCOM INC	0.04
9872286779	Partial	THEODORE L BRYANT and BEVERLY A BRYANT	0.59
9872292222	Entire	THEODORE L BRYANT and BEVERLY N BRYANT	10.18
9872298289	Partial	THEODORE L BRYANT and BEVERLY N BRYANT	7.99
9873007189	Entire	JOHN JR BOXTER and SHANNON MARTIN	1.06
9873008345	Entire	JOSEPH S SHORE and SARAH C SHORE	2.71
9873104230	Entire	MICHAEL W SUDYK and GEORGE W SUDYK	4.45
9873104310	Partial	BEATRICE S BROOKS	0.72
9873108103	Entire	MICHAEL WILLIAM SUDYK	3.51

1 WHEREAS, the approved Article 46 ¼-Cent County Sales and Use Tax, effective in April 2012,
 2 allocates 50% of the funds to Orange County Economic Development District initiatives including
 3 infrastructure improvements in the Hillsborough EDD area, and
 4

5 WHEREAS, Orange County and the Town of Hillsborough have been discussing potential
 6 expansion of the Hillsborough Economic Development area for several years as the County continued
 7 work towards investing in a sewer “trunk line”, in accordance with its Capital Improvement Plan
 8 developed in 2012, and
 9

10 WHEREAS, the proposals have been found to be internally consistent with the 2030
 11 Orange County Comprehensive Plan or part thereof including, but not limited to, the following:
 12

13 **Objective ED-1.5:**

14 Identify barriers to development of desirable businesses and local businesses, and
 15 mitigate these barriers.
 16

17 **Objective ED-2.1:**

18 Encourage compact and higher density development in areas served by water and sewer.
 19 (See also Land Use Objective LU-1.1 and Water and Wastewater Objective WW-5.)
 20

21 **Objective ED-2.5:**

22 Identify lands suitable to accommodate the expansion and growth of commercial and
 23 industrial uses in the County.
 24

25 **Objective ED-2.7:**

26 Select industrial sites in Economic Development Areas based on present and planned
 27 supporting systems, such as public water and sewer, access to adequate highway, rail, or
 28 public transportation infrastructures, and minimize detrimental environmental or negative
 29 social outcomes. (See also Water and Wastewater Objective WW-15.)
 30

31 **Land Use Goal 1:** Fiscally and environmentally responsible, sustainable growth,
 32 consistent with the provision of adequate services and facilities and a high quality of life.
 33

34 **Objective LU-1.1:**

35 Coordinate the location of higher intensity / high density residential and non-residential
 36 development with existing or planned locations of public transportation, commercial and
 37 community services, and adequate supporting infrastructure (i.e., water and sewer, high-
 38 speed internet access, streets, and sidewalks), while avoiding areas with protected natural
 39 and cultural resources. This could be achieved by increasing allowable densities and
 40 creating new mixed-use zoning districts where adequate public services are available.
 41 (See also Economic Development Objectives ED-2.1, ED-2.3, ED-2.10, and Water and
 42 Wastewater Objective WW-2.)
 43

44 **Land Use Goal 4:** Land development regulations, guidelines, techniques and/or
 45 incentives that promote the integrated achievement of all Comprehensive Plan goals,
 46 and
 47

48 WHEREAS, the requirements of Sections 2.3 of the Unified Development Ordinance
 49 (UDO) has been deemed complete, and
 50

1 NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Orange
2 County that the Town of Hillsborough/Orange County Central Orange Coordinated Area Land
3 Use Plan and Orange County Comprehensive Plan Future Land Use Map are hereby amended
4 as depicted on the attached maps.
5

6 Upon motion of Commissioner _____, seconded by Commissioner
7 _____, the foregoing ordinance was adopted this _____ day of
8 _____, 2020.

9 I, Greg Wilder, Interim Clerk to the Board of Commissioners for Orange County, DO
10 HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said
11 Board at a meeting held on _____, 2020 as relates in any way to the
12 adoption of the foregoing and that said proceedings are recorded in the minutes of the said
13 Board.

14 WITNESS my hand and the seal of said County, this _____ day of _____,
15 2020.

16 SEAL

17 _____
18 **Interim Clerk to the Board of Commissioners**
19

20 Commissioner Price referred to the suburban style land use, and asked if this will affect
21 the height of buildings.

22 Tom Altieri said no, and height limitations are addressed in the County's Unified
23 Development Ordinance (UDO).

24 Commissioner Price said she is still concerned that staff is saying this has nothing to do
25 with RTLP, as it clearly does in her mind. She said she is most concerned about the 12 acres
26 being used as industrial/suburban office, etc.

27 Tom Altieri said the recommendation is for the suburban office category, which is
28 applicable to the COCA, and in regards to the County's FLUM, the recommendation is
29 economic development transition. He said the two plans work together to inform any rezoning
30 that would occur in the area.

31 Commissioner Dorosin said these maps really illustrate a critical problem with many
32 County maps. He said parcels are divided in different zonings and uses, and it is important to
33 look at the boundaries of these areas and clean them up. He said every time one of these
34 issues come up, it adds a complicating wrinkle that parcels have multiple designations on them.
35 He said it is not fair to landowners, and it undermines the long range planning process.

36 Commissioner McKee asked if Tom Altieri could restate his comments about agenda
37 items "b" and "c".

38 Tom Altieri said this set of land use amendments was originated in 2017, and this
39 evening will conclude this process. He said if the BOCC chooses not to approve the land use
40 amendments, it should do so not based on RTLP, but rather because it believes the area is not
41 suitable for public water and sewer services. He said if the BOCC does approve these land use
42 amendments, it could still make the decision to deny approval of RTLP.

1 Commissioner McKee said this process has been going on for 3 years, which is long
2 before RTLP came into view.

3 Commissioner Greene said Commissioner McKee beat her to the point, and these are
4 very clearly separate items.

5 Chair Rich said the Town of Hillsborough approved this plan in March 2018.
6

7 A motion was made by Commissioner McKee, seconded by Commissioner Marcoplos to
8 approve the resolution amending the COCA Land Use Plan and the Orange County
9 Comprehensive Plan FLUM.
10

11 **Roll call ensued**

12
13 **VOTE: UNANMIOUS**

14
15 **b. Zoning Atlas Amendment – Parcels off Old NC Highway 86 (District 2 of Settlers
16 Point MPD-CZ)**
17

18 The Board considered voting to approve the Statement of Consistency and the
19 Ordinance Amending the Zoning Atlas.
20

21 Michael Harvey, Current Planning Supervisor, reviewed the following:
22

23 **BACKGROUND:** A public hearing was opened on September 15, 2020 and continued without
24 public comment to September 22, 2020 so that all members of the public signed up to speak on
25 the RTLP proposal, a separate item on the agenda, would have adequate opportunity to speak
26 and be heard by the Board. No one spoke on this item at the September 22 meeting.
27

28 Materials from the public hearing are available at:

29 <http://server3.co.orange.nc.us:8088/weblink/0/doc/49647/Page1.aspx>.
30

31 Video from the September 22, 2020 meeting can be accessed at:

32 <https://www.orangecountync.gov/967/Meeting-Videos>.
33

34 In accordance with Session Law 2020-3 Section 4.31(a), regarding remote meetings during
35 declared emergencies, written comments were allowed to be sent for 24-hours after the public
36 hearing was closed.
37

38 Interested parties were told to submit comments via e-mail, or in writing to the Planning
39 Department office at 131 West Margaret Lane in downtown Hillsborough, by 9:00 a.m.
40 September 24, 2020.
41

42 No written comments were received at the Planning Department office by the deadline. All
43 comments sent to ocbocc@orangecountync.gov on this proposal are viewable at:

44 <https://groups.google.com/g/ocbocc>.
45

46 As staff indicated during the public hearing, a developer has proposed a new MPD-CZ district
47 involving 2 parcels associated with the previously approved MPD-CZ (Settlers Point). Staff has
48 determined the remaining 8 parcels will have difficulty complying with the MPD-CZ development
49 standards as approved in 2018 with the elimination of these 2 parcels. In order to ensure these
50 8 parcels have development potential, staff recommends they be rezoned as follows:
51

1 1. Rezone parcels (PINs: 9873-11-4636, 9873-11-7506, 9873-11-5415, 9873-11-9450,
2 9873-11-7247, and 9873-10-7937), labeled as number(s) 3, 4, 5, 6, 7 and 8 on the map
3 above:

4 **FROM:** Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point
5 and Major Transportation Corridor (MTC) Overlay District.

6 **TO:** Economic Development Hillsborough Limited Office (EDH-2) and Major
7 Transportation Corridor (MTC) Overlay District.

8 2. Rezone parcel (PIN 9873-10-4310), labeled as number 10 on the map above:

9 **FROM:** Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point,
10 Major Transportation Corridor (MTC) Overlay District, Rural Residential (R-1).

11 **TO:** Economic Development Hillsborough Limited Office (EDH-2), Major
12 Transportation Corridor (MTC) Overlay District, Rural Residential (R-1).

13 3. Rezone parcel (PIN 9873-20-2388), labeled as number 9 on the map above:

14 **FROM:** Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point
15 and Major Transportation Corridor (MTC) Overlay District.

16 **TO:** Economic Development Hillsborough Office/Retail (EDH-4) and Major
17 Transportation Corridor (MTC) Overlay District.

18 Staff's proposal will return these 8 properties back to their original zoning designation in place
19 prior to the approval of the MPD-CZ.

20
21 Planning Board Recommendation: At its August 5, 2020 regular meeting, the Planning Board
22 voted unanimously to recommend **approval** of the Statement of Consistency (Attachment 3)
23 and the proposed Zoning Atlas Amendment (Attachment 4) as proposed by staff.

24
25 Excerpts of the minutes from this meeting, as well as the Board's signed statement of
26 consistency, are included in <https://www.co.orange.nc.us/AgendaCenter/Planning-Board-26>.
27 Attachment 2. Agenda materials from the meeting can be viewed at:

28
29 Planning Director's Recommendation: As required under Section 2.8.5 of the Unified
30 Development Ordinance (UDO) the Planning Director shall: '*... cause an analysis to be made of*
31 *the application and, based upon that analysis, prepare a recommendation for consideration*'.
32 The Director has determined the proposed atlas amendments are necessary to ensure each
33 parcel has development option(s) and that rezoning said parcels back to their original zoning
34 designation is consistent with the goals and policies of the adopted Comprehensive Plan. As a
35 result, the Director recommends **approval** of the Statement of Consistency, indicating the
36 amendments are reasonable and in the public interest, contained in Attachment 3 and the
37 proposed zoning atlas amendment ordinance contained in Attachment 4.

38
39
40
41
42
43
44
45
46

Attachment 3

**STATEMENT OF CONSISTENCY
OF A PROPOSED UNIFIED DEVELOPMENT ORDINANCE MAP AMENDMENT
WITH THE ADOPTED ORANGE COUNTY 2030 COMPREHENSIVE PLAN**

A Planning Director initiated amendment to the Zoning Atlas to rezone 8 parcels as follows:

Lot Number	Parcel Identification Number (PIN)	Township	Owner of Record	Current Zoning District	Proposed Zoning District
1	9873-11-4636	Hillsborough	Michael Dodson	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
2	9873-11-7506	Hillsborough	Michael Dodson	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
3	9873-11-5415	Hillsborough	Michael Dodson	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
4	9873-11-9450	Hillsborough	Paul Dodson	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
5	9873-11-7247	Hillsborough	Cathy Fuquay Cynthia Bessoir	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
6	9873-10-7937	Hillsborough	Steven and Jesse Kaufman	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
7	9873-10-4310	Hillsborough	Beatrice Brooks	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District Rural Residential (R-1)	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District. Rural Residential (R-1)
8	9873-20-2388	Hillsborough	Robert and Lucille Ayers ETAL	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Office/Retail (EDH-4) Major Transportation Corridor (MTC) Overlay District.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51

The BOCC finds:

- a. The requirements of Section 2.8 of the UDO have been deemed complete; and,
- b. Pursuant to Sections 1.1.5, and 1.1.7 of the UDO and to Section 153A-341 of the North Carolina General Statutes, the Board finds sufficient documentation within the record denoting that the amendment **is consistent** with the adopted 2030 Comprehensive Plan.

- 1. The amendment is consistent with applicable plans because it supports the following 2030 Comprehensive Plan goals and objectives:

Objective ED-1.5:

Identify barriers to development of desirable businesses and local businesses, and mitigate these barriers.

The atlas amendment is consistent with this goal and objective as it eliminates the need for the parcels to comply with development criteria associated with a previously approved Master Plan Development Conditional Zoning (MPD-CZ) district. This district, commonly referred to as Settlers Point, is being modified. These 8 parcels will have difficulty meeting established development conditions/standards due to the proposed modification. By rezoning these parcels, the County will be providing opportunities for each lot to be developed consistent with applicable County land use standards as embodied within the UDO.

- c. The amendment is reasonable and in the public interest because it:

- 1. Modifies existing non-residential zoning designations in an effort to provide each property owner with an opportunity/path forward for the reasonable development of their property.

The Board of County Commissioners hereby adopts this Statement of Consistency and findings expressed herein.

Penny Rich, Chair

Date

Ordinance #: ORD-2020-021

**AN ORDINANCE AMENDING
THE ORANGE COUNTY ZONING ATLAS**

WHEREAS, Orange County has initiated amendments to the Orange County Zoning Atlas, as established in Section 1.2 of the Orange County Unified Development Ordinance (UDO), and

WHEREAS, the proposed rezoning consists of the following:

Lot Number	Parcel Identification Number (PIN)	Township	Owner of Record	Current Zoning District	Proposed Zoning District
1	9873-11-4636	Hillsborough	Michael Dodson	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
2	9873-11-7506	Hillsborough	Michael Dodson	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
3	9873-11-5415	Hillsborough	Michael Dodson	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
4	9873-11-9450	Hillsborough	Paul Dodson	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
5	9873-11-7247	Hillsborough	Cathy Fuquay Cynthia Bessoir	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
6	9873-10-7937	Hillsborough	Steven and Jesse Kaufman	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District.
7	9873-10-4310	Hillsborough	Beatrice Brooks	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District Rural Residential (R-1)	Economic Development Hillsborough Limited Office (EDH-2) Major Transportation Corridor (MTC) Overlay District. Rural Residential (R-1)

8	9873-20-2388	Hillsborough	Robert and Lucille Ayers ETAL	Master Plan Development Conditional Zoning (MPD-CZ) Settlers Point; Major Transportation Corridor (MTC) Overlay District	Economic Development Hillsborough Office/Retail (EDH-4) Major Transportation Corridor (MTC) Overlay District.
---	--------------	--------------	-------------------------------------	--	---

WHEREAS, the proposal has been found to be consistent with the 2030 Orange County Comprehensive Plan, and

WHEREAS, the requirements of Section 2.8 of the UDO have been deemed complete, and

WHEREAS, the Board has found the proposed zoning atlas amendment to be reasonably necessary to promote the public health, safety, and general welfare.

BE IT ORDAINED by the Board of Commissioners of Orange County that the Orange County Zoning Atlas is hereby amended to rezone the areas described above and depicted on the attached maps.

BE IT FURTHER ORDAINED THAT this ordinance be placed in the book of published ordinances and that this ordinance is effective upon its adoption.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing ordinance was adopted this _____ day of _____, 2020.

I, Greg Wilder, Interim Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on _____, 2020 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2020.

SEAL

Interim Clerk to the Board of Commissioners

Commissioner McKee asked if one motion could be made to approve both the statement of consistency and the ordinance amending the zoning atlas.

John Roberts said he would prefer the motions be separate.

Commissioner Dorosin referred to the map on page 40 (electronic version), and said there is a strip of land between number 5 and 6, and another cut out between 6 and 7, and asked if those two parcels are part of the EDH2.

Michael Harvey said those two parcels are zoned EDH2

A motion was made by Commissioner Greene, seconded by Commissioner Marcoplos to approve the Statement of Consistency.

1
2 **Roll call ensued.**

3
4 **VOTE: UNANMIOUS**

5
6 A motion was made by Commissioner McKee, seconded by Commissioner Bedford to
7 approve the Ordinance Amending the Zoning Atlas.

8
9 **Roll call ensued**

10
11 **VOTE: UNANMIOUS**

12
13 **c. Zoning Atlas Amendment – Master Plan Development Conditional Zoning District**
14 **(MPD-CZ) for the Research Triangle Logistics Park (RTLTP)**

15
16 Michael Harvey reviewed the following information:

17
18 **PURPOSE:** To continue review and discussion on an applicant initiated Zoning Atlas
19 Amendments for 3 parcels west of Old NC Highway 86/south of Interstate 40 to Master Plan
20 Development Conditional Zoning (MPD-CZ) district.

21
22 Specifically, the Board will be finalizing on an application submitted by Terra Equity Incorporated
23 to rezone parcels within PIN numbers 9863-71-8857, 9863-91-6573, and 9862-99-8894:

24 **FROM:** MPD-CZ (Settlers Point), Major Transportation Corridor (MTC) Overlay
25 District, Rural Residential (R-1), and Rural Buffer (RB).

26 **TO:** MPD-CZ (Research Triangle Logistics Park), Major Transportation Corridor
27 (MTC) Overlay District, Rural Buffer (RB).

28 **NOTE:** As indicated at the public hearing, approximately 26,000 sq.ft. of
29 property (PIN 9862-99-8894) shall remain zoned RB and will remain in
30 open space.

31
32 As a general reminder the public comment period for this item closed at 9:00 a.m. on
33 September 24, 2020. The BOCC will not be accepting any further public comment on this item.

34
35 As the Board is aware, staff has recommended the imposition of several conditions designed to
36 address the impacts of the project as well as address some of the concerns expressed by the
37 general public. These conditions must mutually be agreed to by the applicant. At the writing of
38 this abstract, staff and the applicant are still working to finalize various conditions.

39
40 **BACKGROUND:** Review of this item began at the BOCC's September 15, 2020 BOCC regular
41 meeting and concluded with the closure of the public hearing on September 22, 2020. Agenda
42 materials from the public hearing can be accessed at:

43 <http://server3.co.orange.nc.us:8088/WebLink/Browse.aspx?startid=61357&row=1&dbid=0>.

44
45 Video from the September 15 and 22, 2020 meetings can be accessed at:

46 <https://www.orangecountync.gov/967/Meeting-Videos>.

47
48 Approximately 100 people spoke on this item over the course of the two public hearing dates. In
49 accordance with Session Law 2020-3 Section 4.31(a), regarding remote meetings during
50 declared emergencies, written comments were allowed to be sent for 24-hours after the public
51 hearing was closed. Interested parties were told to submit comments via e-mail, or in writing to

1 the Planning Department office at 131 West Margaret Lane in downtown Hillsborough, by 9:00
2 a.m. September 24, 2020.

3
4 No written comments were received at the Planning Department office by the deadline. All
5 comments sent to ocbocc@orangecountync.gov on this proposal are viewable at:
6 <https://groups.google.com/g/ocbocc>.

7
8 Proposal: The applicant is proposing to rezone the 3 identified parcels to a new MPD-CZ district
9 allowing for the development of a new master planned project, referred to as the Research
10 Triangle Logistics Park (RTLTP) summarized as follows:

- 11
- 12
- 13 1. Construction of approximately 2,400,000 sq.ft. of building area supporting non-
14 residential development and preserve 41 acres (25%) of land as open space.
- 15 2. Permitted land uses within the new MPD-CZ district would include: a. Health
16 technology,
17 b. Information sciences and engineering,
18 c. Advanced and light manufacturing,
19 d. Scientific research and laboratories,
20 e. Logistics/supply operations,
21 f. Warehousing and supply chain fulfillment services.

22
23 The applicant has also provided a list of land uses that would be strictly
24 prohibited within the new district;

- 25 3. Vehicular access would be through Service Road, running parallel with Interstate 40,
26 and Davis Road;
- 27 4. Buildings would observe a 6 story height limit consistent with County regulations.
28 Accessory structures (i.e. water tower, telecommunication tower, etc.) may be higher.
- 29 5. The applicant is proposing imposition of development and design standards (i.e.
30 architectural design, signage, internal and external setback limits, height limits,
31 landscaping/buffer standards, outdoor lighting standards, erosion control/stormwater,
32 etc.) governing overall development of the project if the MPD-CZ district is approved by
33 the County.

34
35 During the public hearing several concern(s) were expressed over the project, summarized as
36 follows:

- 37
- 38
- 39 a. Proposed development is too intensive for the 161 acres of land (i.e. over 2,400,00
40 sq.ft. of building area cannot be accommodated on the 3 parcels);
- 41 b. Proposed land uses are not in harmony with surrounding property;
- 42 c. The applicant has not provided sufficient details on proposed land uses. Local
43 residents have expressed concern(s) they will not have a voice is recommending denial
44 of specific tenants;
- 45 d. Action on the application will result in illegal spot zoning subjecting the County to a
46 court challenge. Specifically the parcel along Davis Road is within the Rural Residential
47 land use category, as defined in the County's Comprehensive Plan, and was never
48 intended to support high intensity economic development projects;
- 49 e. The request is inconsistent with various goals and policies of the adopted 2020
50 Comprehensive Plan including but not limited to:

- 1 i. Allow for intensive non-residential development in an area of the county
 2 designated as a rural and/or protected area,
 3 ii. Will not result in adequate protection of the natural environment,
 4 iii. Will not be in harmony with surrounding land uses.
 5

6 f. Will negatively impact rural neighborhoods in and around Davis Road due to the
 7 proposed driveway allowing vehicular access to and from the development. The
 8 driveway will generate too much traffic on the road creating a public safety hazard.
 9 Further, commercial vehicles will make use of existing, rural roadways (i.e. Old NC
 10 Highway 86, New Hope Church Road, Orange Grove Road);

11 g. The project does not provide enough protection for existing environmental features
 12 (i.e. streams, floodplains, and identified hardwood forests), will have a negative impact
 13 on Cates Creek, and will impair the health of the Eno River;

14 h. Development will negatively impact and displace local wildlife;

15 i. Insufficient safeguards are proposed addressing stormwater runoff and impacts on
 16 adjacent property owners;

17 j. Development of buildings with a maximum height limit of 60 feet will dominate the local
 18 landscape;

19 k. Truck traffic will create health hazards for residents due to increases in diesel
 20 exhaust/fumes. Further, noise created by these trucks will negatively impact local
 21 residents and will constitute violation(s) of applicable noise regulations;

22 l. The applicant has been inconsistent in the number of jobs the project will generate;

23 m. The submitted traffic impact analysis is contradictory with the application narrative.
 24

25 As previous indicated, there are numerous recommended conditions designed to address the
 26 anticipated impacts of the project.
 27

28 Planning Board Recommendation: The Planning Board reviewed this item on August 5 and 19,
 29 2020. The Board voted 6 to 4 to recommend **approval** of the Statement of Consistency
 30 (Attachment 2) and the proposed Zoning Atlas Amendment (Attachment 3) as proposed by staff.
 31 Those voting against the project cited the following concerns:

32 a. The Board wanted the applicant to provide the specific tenants (i.e. names,
 33 operational characteristics, etc.) within the project for 'review and approval' prior to
 34 action being taken on the zoning atlas amendment request;

35 b. Board members expressed concern over anticipated traffic impacts on Davis Road;

36 c. The project was deemed to be too intensive for the area.
 37

38 Excerpts of the minutes from these meetings, as well as the Board's signed statement of
 39 consistency, are included in Attachment 1. Agenda materials from the meetings can be viewed
 40 at: <https://www.co.orange.nc.us/AgendaCenter/Planning-Board-26>.
 41
 42

43 Planning Director's Recommendation: The Planning Director recommends **approval** of the:

- 44 1. Statement of Consistency indicating the zoning atlas amendment(s) are reasonable
 45 and in the public interest as contained in Attachment 2.
 46

47 STAFF COMMENT: This presumes the land use designation of the 12 acre
 48 parcel (PIN 9862-99-8894) is changed from Rural Residential to Economic
 49 Development Transition Activity Node as detailed herein. If the aforementioned
 50 FLUM is not approved, the staff recommendation will have to be revised.

- 1 2. Ordinance amending the Zoning Atlas, as well as imposing development conditions, for
2 the identified parcels as contained in Attachment 3.

3
4 Effect of Denial or Withdrawal: In the event the rezoning application is denied or withdrawn, it
5 should be noted that Section 2.2.8 of the UDO states that no application for the same or similar
6 amendment, affecting the same property or portion thereof, may be submitted for a period of
7 one year. The one year period begins on the date of denial or withdrawal.

8
9 **RECOMMENDATION**: In the absence of the applicant formally accepting recommended
10 conditions, the Manager recommended the Board continue to review/discuss the project and
11 review imposition of additional conditions.

12
13 If the applicant accepts the imposition of recommended conditions, in writing, by the October 6,
14 2020 meeting the BOCC can approve the Statement of Consistency (Attachment 2), and the
15 Ordinance Amending the Zoning Atlas (Attachment 3).

16
17 Commissioner Price asked if the Town of Hillsborough plans to annex this site.

18 Michael Harvey said there is no plan to annex this property based on the approval of this
19 plan. He said if the site goes over the daily water allotment, then the Town may require
20 annexation as a condition of any additional water and sewer.

21 Commissioner Price asked if the fire department has enough equipment to handle
22 buildings that are over five stories high.

23 Michael Harvey said yes, and the buildings will have to have sprinkler systems
24 throughout, in accordance with state building code.

25 Commissioner Price asked if these buildings will place a greater burden on the fire
26 department.

27 Michael Harvey said this question was asked, and the answer was that it will not have an
28 impact on fire provision and service.

29 Commissioner McKee referred to page 52, section b-1, second paragraph, and said the
30 language is confusing.

31 Michael Harvey said the height limit is 60 feet for the project at large, and those
32 structures fronting Davis Road shall not exceed 40 feet in height. He said there was a repetition
33 of words by mistake, which he corrected.

34 Commissioner Price said she is concerned about the language of "fronting on Davis
35 Road," and asked what will happen if the front of the building is on an inside road.

36 Michael Harvey said if a building has frontage on Davis Road, even if the front entrance
37 is on an internal street, the height will not be able to exceed 40 feet. He said this language is
38 from the Applicant, and it may be best to speak with them on this matter.

39 Commissioner Price said the County could insure this condition.

40 Commissioner Greene asked Michael Harvey if he could read the second paragraph
41 under "b" the way it is meant to be written.

42 Michael Harvey said the statement should read "no structure shall be erected fronting
43 Davis Road which exceeds 40 ft. in height, above the highest elevation of the adjoining portion
44 of Davis Road, as measured to the roof deck of the building."

45 Commissioner Greene asked if "the highest elevation of the adjoining portion of Davis
46 Road" could be clarified.

47 Michael Harvey said the Applicant is trying to articulate the fact that parts of Davis Road
48 have higher elevation than the property. He said the goal is trying to avoid an arbitrary 40-foot
49 height limit when the land itself goes up and down.

50 Commissioner Greene said now she is even more confused. She said at first reading
51 she was worried the measurement would be from the highest portion of Davis Road, which

1 could be at a higher grade level than the property, and lead to buildings being higher than 40
2 feet. She said she would prefer it to read that buildings cannot exceed 40 feet starting at grade
3 level wherever the building is built.

4 Michael Harvey said it would be best to ask this question of the Applicant. He said he
5 reads the language as a way for the Applicant to address the fact that portions of Davis Road
6 are at a higher elevation than the property. He said the Applicant will take the measurement
7 from the highest portion of the adjoining Davis Road property to the roof deck of the building.

8 Commissioner Greene said so the building could exceed 40 feet.

9 Michael Harvey said yes, but it would not exceed 40 from under the guise of measuring
10 at Davis Road. He said if the property is 10 feet lower, then the building could be 50 feet, but
11 fronting Davis Road, there will be no buildings higher than 40 feet.

12 Commissioner Greene said this is a conversation she would like to have with the
13 Developer.

14 Commissioner Marcoplos said the Board should have a conversation with the
15 Developer. He said the overall development should be 40 feet high, as opposed to use a
16 geographical feature near by to raise the height of the buildings. He said there could be a
17 central measuring point that is used for the 40-foot height limit.

18 Commissioner McKee said he appreciated Commissioner Greene's comments and
19 remarks about asking the developer. He said he sees this wording as a way to achieve a 50 or
20 60-foot façade on Davis Road.

21 Commissioner Price referred to the setbacks, and asked if follow up discussion needs to
22 be had with the Developer.

23 Michael Harvey said yes.

24 Commissioner Price said the County has put in setbacks to protect green space, and
25 asked if there is reasoning behind the developer reducing the setbacks.

26 Michael Harvey said it would be best to talk to the Applicant.

27 Commissioner Dorosin referred to page 54, point IV-d, and asked if staff could clarify its
28 purpose.

29 Michael Harvey said the rationale for the extension is to allow for additional service on
30 adjoining parcels, and potentially develop a true service road going west. He said it is part of
31 County's efforts to spread connectivity.

32 Commissioner Price referred to page 55, item n, and said there was so much discussion
33 about Davis Road, but the Applicant seems to want to keep Davis Road as a part of the plan.

34 Michael Harvey said the Applicant has put in conditions to mitigate concerns about Davis
35 Road, but he suggests the Board discuss this further with the Applicant. He said the Applicant
36 believes the concerns can be addressed with a Davis Road driveway.

37 Commissioner Greene referred to page 55, item p, and said she thought once the road
38 was saturated with the trucks there would be two left turn lanes, but rather it seems a second
39 access onto 86 would be needed. She asked if there is a plan in place, should the second
40 access not be possible. She asked if development would not be able to expand.

41 Michael Harvey said the intent of the condition is to show that the Applicant has worked
42 with all involved to preserve a left turn from the service road onto 86. He said the time may
43 come that the left turn may become untenable, and if so, the Applicant would have to find an
44 alternative access point to allow traffic to turn left onto old 86.

45 Commissioner Greene said she still does not see what happens if the second access
46 point cannot be secured.

47 Michael Harvey said if the second access point cannot be secured, then the
48 development that necessitated it in the first place would not be allowed to proceed.

49 Commissioner Marcoplos said there is no language about traffic stopping while pursuing
50 the second access point.

1 Michael Harvey said site plans would have to be approved, and staff would not approve
2 a project that failed to allow traffic to go left. He said it is conceivable that the Applicant will
3 proceed with improvements that would make these issues moot.

4 Commissioner Marcoplos said this is all somewhat hypothetical, and development would
5 not proceed if it was unsafe.

6 Michael Harvey said yes. He said an updated TIA may make this a moot point.

7 Commissioner Marcoplos said it begs the question of why not find a safer access point
8 now.

9 Michael Harvey said the Applicant has looked at various options, and have found no
10 alternate access point. He said if the project is approved, that may motivate landowners to sell.

11 Commissioner Bedford said if the Applicant will still proceed with a light at Davis and Old
12 86 if the left turn out of the access road is approved.

13 Michael Harvey said yes.

14 Commissioner Greene referred to page 58, item xi, and asked if the wording
15 "substantially" could be explained.

16 Michael Harvey said that is a question for the Applicant.

17 Chair Rich referred to page 58, item xiv, and asked if the percentage of these buildings
18 that will be operated 24/7 is known. She said motion detector lights are not necessary if
19 buildings are closed.

20 Michael Harvey said the application does not get into that level of detail, but there are no
21 regulatory standards establishing hours of operation.

22 Commissioner Bedford referred to page 60, and asked if regulations require trees be
23 native, non-invasive species.

24 Michael Harvey said yes, current regulations require drought resistant, native, non-
25 invasive species. He said the Applicant will have to abide by those standards.

26 Commissioner Marcoplos referred to page 67, item VIII-a, and asked if there is anything
27 else in the UDO that provides protection.

28 Michael Harvey said there are stream buffers in place, and the Applicant will not install
29 anything within 30 feet of the buffer, which is more restrictive than code currently requires.

30 Michael Harvey concluded his comments, and suggested the Board of County
31 Commissioners (BOCC) hear from the Applicant.

32 Commissioner Marcoplos suggested going through the zoning atlas amendment page by
33 page with the Applicant.

34 Michael Birch said the first question raised was about building heights. He said based
35 on the comments received by the BOCC tonight, the buildings will have a maximum of 40 feet of
36 height from the finished floor to the roof deck, and those measurements are not in relationship
37 to Davis Road.

38 Commissioner Greene thanked the Applicant for this concession, but said she has
39 additional concerns. She said 40 feet is too tall for a transitional area. She said she was told
40 last time that those parcels labeled suburban on the map are meant to be transitional areas.
41 She said 40 foot tall buildings may be appropriate in suburban Charlotte, but they are not in
42 suburban Hillsborough. She said she would like to see provision around buildings that it be
43 stepped back, so that it has character.

44 Michael Birch said the Applicant does have a 100-foot wide vegetative buffer along both
45 property lines, as well as Davis Road. He said 40 feet is close to a residential home with three
46 stories, or a suburban apartment building exceeds 40 feet. He said the building will be well
47 screened, especially from Davis Road.

48 Commissioner Greene asked if a 40-foot building is a typical number of stories.

49 Michael Birch said an industrial building would be one story at 40 feet, so there is not a
50 natural area for a set back.

51 Commissioner Greene asked if offices would be a part of the building.

1 Michael Birch said offices are on the same main floor.

2 Commissioner Price asked if there is a plan in place for buildings that have a front door
3 on an internal street.

4 Michael Birch said the intent of the wording is for the buildings that are closest to Davis
5 Road, not so much that the building's front faces Davis Road.

6 Commissioner Price said she is concerned about the height of the building, depending
7 on how the land is graded.

8 Michael Birch said the Applicant had the same concern, and attempted to mitigate this
9 with language about heights near Davis Road. He said the building will be sitting in a hole
10 relative to Davis Road.

11 Commissioner Price asked if this will be a warehouse or a suburban office building.

12 Michael Birch said he does not anticipate this being a multistory office building.

13 Commissioner Price asked if the facility would be more of a warehouse

14 Michael Birch said there are architectural examples in the Applicant's materials. He said
15 it will not look like a typical warehouse, nor will it look like a standard, storied office building.

16 Commissioner McKee asked if the Applicant could explain how it arrived at the particular
17 language related to the height section, as he finds it to be a way to get past the 40-foot height
18 requirement.

19 Michael Birch said the wording was developed based on the Applicant's interpretation of
20 the Board's comments. He said the Applicant worked with staff to focus on the views that will
21 be seen from Davis Road. He said the Applicant capped the height at 40 feet at Davis Road,
22 because buildings behind it will not be visible, as the land is lower there.

23 Commissioner McKee said he brought up the concern of seeing a 60-foot structure from
24 Davis Road. He asked if the Applicant is purporting that one will see the top 40 feet of the
25 building from Davis Road, but not the bottom 20 feet as the elevation is lower.

26 Michael Birch said there is 100 feet from the right of way of Davis Road that is vegetated
27 into the site. He said this will largely screen the building. He said the Applicant may have
28 misunderstood, and is now proposing that the cap be 40 feet, and not be relative to Davis Road.

29 Commissioner McKee said this convoluted language was off putting. He said the
30 accommodation was made by changing the language to 40 feet, and would have been simpler
31 to just make this change in the first place. He said a 100 foot buffer is not as effective as one
32 may hope.

33 Michael Birch said the Applicant was not trying to be tricky, and was seeking to focus on
34 the view from Davis Road.

35 Commissioner McKee asked if the Developer has an opinion on a 30-foot height cap on
36 Davis Road.

37 Michael Birch said a 30-foot building is functionally incompatible with the demands of the
38 market place for these types of uses.

39 Michael Harvey said he can type in modifications as they come up, or staff can simply
40 take direction. He said he needs specifics on which to work with the Applicant.

41 Chair Rich asked for an example of an existing 40-foot building locally.

42 Michael Harvey said the UNC hospital in Hillsborough is about 60 feet. He said the
43 Applicant is willing to amend the language to say buildings on Davis Road will have a max
44 height of 40 feet from floor to rooftop.

45 Michael Birch said the proposed language is 40 feet from finished floor to roof deck.

46 Commissioner Marcoplos said he is glad for the clarification about the height
47 requirement, and feels this is in line with the Board's wishes.

48 Commissioner Greene asked if there is an appreciable difference between the roof deck
49 and rooftop.

50 Michael Birch said with a flat roof there is the roof deck and then a parapet that is a few
51 feet higher.

1 Commissioner Greene said this extra height might screen HVAC equipment, for
2 example.

3 Michael Birch said that is correct, anything that is on the roof may be screened.

4 Commissioner Greene said the whole building would be more than 40 feet.

5 Michael Birch said from an appearance perspective yes. He said the Durham Tech
6 building is about 40 feet.

7 Commissioner McKee referred to the roof deck and the parapet shielding things on top
8 of the roof, and said the height from the roof deck will be more than just a few extra feet.

9 Michael Birch said there are several different ways to screen these features, including
10 specialized screenings closer to the units. He said building heights are not typically measured
11 to the height of a parapet.

12 Commissioner McKee said it is thus impossible to know how tall this building will appear
13 from a visual perspective.

14 Michael Birch said that is not the Applicant's intent. He said the Applicant would be
15 willing to impose a maximum parapet height, if desired.

16 Commissioner Dorosin asked if the plan for this evening is for the BOCC to negotiate the
17 parts of this agreement, and the BOCC vote on the item at the end. He said he would like to
18 focus on items within the proposal that Commissioners are unable to accept, and see if there is
19 potential for further compromise. He asked if the BOCC must vote on this item tonight, or can it
20 see a written version of the changes and vote at a later time.

21 John Roberts the BOCC can vote on approval or denial tonight. He said if the BOCC
22 imposes conditions with which the Applicant does not agree, the BOCC must give the Applicant
23 time to consider the conditions, and vote at a later date.

24 Chair Rich said she wants to know if there are items within the conditions that the BOCC
25 cannot accept, and focus the discussion on these topics.

26 Commissioner Dorosin said the building height discussion is important, but precise
27 decisions need to be made, and feedback given.

28 Commissioner Greene asked is Commissioner Dorosin is asking for a straw vote on
29 each issue.

30 Commissioner Dorosin said not a straw vote, but if the Applicant proposes a condition
31 either accept, propose an alternative, and move on.

32 Commissioner Greene agreed, and said not all issues need intimate discussion. She
33 said the building height and truck traffic are big issues, but the entire proposal is a package as a
34 whole, and she would vote no as the proposal currently stands. She said she would like it to
35 come back later.

36 Commissioner Dorosin asked if Commissioner Greene could define later.

37 Commissioner Greene said she would like to go through each of the big issues: building
38 height, traffic, buffers, etc.

39 Michael Harvey said staff is looking to get direction so that it can work with the Applicant.
40 He said he needs some suggested conditions, and universal consensus is not necessary. He
41 said specifics are necessary, so that he can work with the Applicant to get the BOCC what it
42 wants.

43 Commissioner Bedford said the BOCC can tackle the more urgent conditions, but it is
44 important to go through every page so that the BOCC can vote yes or no.

45 Commissioner McKee said he appreciates the comments, and he has specific numbers
46 and conditions that he will, or will not, agree to, on about 10 different items.

47 Commissioner McKee proposed that the building height on Davis Road be 40 feet, from
48 the top of the building pad to the highest structural component on the front façade.

49 Commissioner Marcoplos said if the building is 100 feet off the road with varying
50 topography, he said 40 feet with a 4-6 foot parapet will not make a difference. He said the

1 parapet will make the building more visually appealing, and it is not that big a deal. He said he
2 supports 40-45 feet, including the parapet.

3 Commissioner Price said she is concerned about the scale of the building. She said she
4 wants it to blend in with the surrounding landscape and road scape. She said she wants the
5 conversation to move forward, and she is totally against a service road coming to Davis Road.

6 Chair Rich said she agrees with Commissioner Marcoplos, and thinks the parapet is
7 important. She said if an opaque buffer can be put in place it would be good.

8 Commissioner McKee said a 40-foot limit does not mean that solar arrays and HVAC
9 equipment should be seen, but rather the parapet is included in the 40 feet.

10 Michael Harvey said he would look at these two suggestions with the Applicant.

11 Chair Rich said to move onto the discussion of Davis Road.

12 Commissioner Dorosin summarized the current proposal.

13 Michael Birch said he would like to explain what the Applicant anticipates for this part of
14 the plan. He introduced his colleague Frank Csapo.

15 Frank Csapo said there is a misconception on what is being proposed. He said great
16 concerns were raised at the public meeting about access to Davis Road, and in response, the
17 Applicant met with staff to issue a revised TIA, in which all the traffic is routed through the
18 service road to old 86. He said NCDOT approved this change. He said the approval received
19 by NCDOT is based on the trip generation report. He said no alternate access points will be
20 needed. He said the Applicant preserved a left out, and right in traffic pattern. He said access
21 to Davis Rd can be restricted to emergency vehicles only, if the BOCC so desires.

22 Chair Rich said the written condition in front of her does not line up with what was just
23 said.

24 Frank Csapo said the Applicant thought the BOCC was amenable to small vans and light
25 traffic on Davis Road. He said if this is not accurate, the BOCC can prohibit those types of
26 vehicles on Davis Road as well.

27 Commissioner McKee clarified that the Developer will accept a condition that states
28 there will be no access to Davis Road, except for emergency vehicles.

29 Frank Csapo said that is correct.

30 Commissioner McKee asked if that would remove item n, o, and p from page 55.

31 Frank Csapo said yes.

32 Commissioner McKee asked if there is a reason these items were included in the first
33 place.

34 Frank Csapo said it was his understanding that the BOCC was open to car and light van
35 traffic on Davis Road. He said if this was a misunderstanding he apologizes, and the BOCC
36 can limit all traffic on Davis Road if it so chooses.

37 Commissioner Dorosin said the Developer has agreed to eliminate the access to Davis
38 Road, and that is a positive step, which addresses many concerns. He said to instruct staff to
39 make that change, and if it is important to leave in emergency vehicles in writing, then do so.

40 Commissioner McKee agreed.

41 Frank Csapo agreed.

42 Commissioner Price asked if a road will still be cut.

43 Frank Csapo said yes, but it will be access controlled. He said the Developer can work
44 with Emergency Services on what is favorable.

45 Commissioner Bedford asked if there is a reason the BOCC has not known about the
46 NCDOT approval prior to tonight.

47 Frank Csapo said the supplemental TIA was submitted to NCDOT about 10 days ago.
48 He said congestion management issued a recommendation for approval of a fully functional
49 signal intersection at service road and old 86. He said based on that recommendation, the
50 developer was issued an approval of the redesign of this intersection on Friday afternoon.

51 Commissioner Bedford asked if item p on page 55 will be deleted.

1 Frank Csapo said yes.

2 Commissioner Bedford asked if Craig Benedict, Planning Director, could explain why the
3 BOCC did not receive communication about the changes from NCDOT.

4 Craig Benedict said NCDOT gave its response late last week, but the agenda was out
5 already. He said item p says the amount of trips generated can be serviced by the suggested
6 improvements, and if this was ever exceeded then a midblock point would be needed, and p
7 was included to address this.

8 Commissioner Bedford said it sounds like the Planning Department wants to keep item
9 p, and she is unclear how to define when conditions would be exceeded.

10 Frank Csapo said the traffic generation study that was approved contemplated a build up
11 to 2.4 million square feet, and said this information could be included as a trigger point for
12 further review.

13 Michael Harvey said that language is already in the document.

14 Commissioner Bedford asked if staff would think through this wording, and see if any
15 changes are needed. She said overall this is good news, but she does not understand why she
16 is only just hearing it.

17 Chair Rich said one reason is that information needs to be shared publicly.

18 Commissioner Greene said items m, n, o, and p are no longer necessary. She thanked
19 the Applicant for taking all traffic off of Davis Road.

20 Commissioner McKee also expressed thanks for the efforts made to take traffic off of
21 Davis Road. He asked if a fully signalized intersection will allow for right and left turns
22 immediately.

23 Frank Csapo said yes.

24 Commissioner McKee said developing a fully signalized intersection will require right of
25 way that does not currently exist. He asked if the Developer had conversations with NCDOT
26 about how to obtain this access.

27 Frank Csapo said the NCDOT approval indicates that there is no funding at NCDOT to
28 secure the right of way, and the responsibility would fall to the Developer. He said in response
29 to that, the Developer has reached out to pertinent property owners and is having ongoing
30 dialogue with them.

31 Commissioner McKee said he was made aware of the amount that was offered for the
32 required land, and he considers it a pittance.

33 Frank Csapo disagreed, and said the Developer is spending more than \$5 million to
34 bring water and sewer to the area, and \$3 million to bring a fully signalized intersection, which
35 will bring great investment to the area and increase in property values.

36 Commissioner McKee said he is glad that the Developer has been able to make these
37 advances with the plan.

38 Commissioner Bedford asked if the Developer will be required to make improvements
39 where Davis Road and Old 86 meet.

40 Frank Csapo said no.

41 Commissioner Price asked if the service road will be widened to accommodate traffic,
42 and if the easements are required to do so.

43 Frank Csapo said yes.

44 Commissioner Price asked if most traffic can be directed to the left.

45 Frank Csapo said the traffic cannot be controlled, but the intersection is immediately
46 adjacent to the I-40 on ramp, and it seems only local traffic will go to the right.

47 Commissioner Price said trucks may be tired of waiting to turn left, and there may
48 additional build out in the area due to the installation of public water and sewer.

49 Chair Rich said the next issue to consider is the parking area.

50 Commissioner Greene said she would oppose barbed wire in any part of the property.

51 Frank Csapo said there will be no barbed wire.

1 Frank Csapo said this will be a master plan development, and there will be an
2 architectural review committee that will review all plans and aesthetics.

3 Michael Harvey said it will still be hard to enforce these conditions. He said an
4 architectural committee means nothing to him.

5 Commissioner Greene said perhaps it should not be included at all.

6 Craig Benedict said that would be his opinion as well.

7 Michael Harvey said there are architectural design standards in the Orange County
8 UDO, and the Applicant was recommended to address similar compliance points. He said this
9 does some of that, but the language does not allow him to definitively allow for violations.

10 Commissioner Dorosin asked if those standards can be imported here to make
11 determinations.

12 Michael Harvey said that was a suggestion, and the conditions here were taken from the
13 application narrative. He said the Applicant took its lead from Settlers Point, but there is some
14 specificity missing here that was in Settlers Point.

15 Chair Rich asked if the language from the UDO could be added here.

16 Michael Harvey said he will work with the Applicant to attempt to improve the language.

17 Commissioner Price said "harmonious and compatible" is vague and can mean different
18 things to different people. She said she would like more specificity to aid with enforcement.

19 Frank Csapo said there are photographic examples in the application materials of these
20 items.

21 Chair Rich said the next item is the parking lot layout.

22 Michael Harvey said the application does not address all the possible permitted land
23 uses, and if more parking would be needed.

24 Frank Csapo said the Applicant has addressed this issue, and there is typically too many
25 parking spaces made with large development. He said these spaces will accommodate the use.

26 Commissioner Greene said this answer makes sense to her. She asked if "general
27 office use" can be explained.

28 Frank Csapo said a typical warehouse building has 5% office occupied space, and that
29 portion will be built out as office area. He said office square footage would apply to that area,
30 and industrial square footage would apply to the rest of the open area.

31 Commissioner Price asked if the Developer knows the breakdown of the property use
32 percentages.

33 Frank Csapo said no, but the office space will be minimal.

34 Chair Rich said she hears a difference between the Developer and staff's description.

35 Michael Harvey said this is what the Applicant has proposed, and he has no comfort
36 level on this proposal.

37 Commissioner Marcoplos said he would favor less parking wherever possible, and to
38 trust the Developer on this.

39 Chair Rich said the next issues are setbacks and buffers.

40 Commissioner Price said she is concerned about setbacks. She said Orange County
41 already has setback standards, based on a variety of reasons, and asked if the Applicant could
42 justify its reduction of these setbacks.

43 Frank Csapo put a map on the screen, and said he does not agree that the Applicant is
44 not complying with County buffers, as there is a 100 foot building buffer around the south and
45 west boundaries of the property. He said there are logistical issues associated with the property
46 that are immutable boundaries that are fixed, and around which the Applicant must work. He
47 said there is a flood plain, a Duke power easement, and an additional County boundary. He
48 said given these immutable objects the project must adjust accordingly.

49 Commissioner Price said she wants to preserve the 100-foot no build buffer.

50 Frank Csapo said there are no adjacent property owners that have houses near the
51 property. He said there is a 100-foot building buffer all the way around, and a no build 50-foot

1 buffer. He said this is necessary due to the immutable boundaries on numerous sides of the
2 property, bisecting north, south, east and west. He said for buildings to be functional to the
3 marketplace, there are certain dimensions that must be available. He said bay depths mean
4 something, and these buffers are what the Developer can offer given the physical needs of the
5 buildings.

6 Commissioner Price said the Developer could reduce the number of buildings to allow
7 for more buffer.

8 Frank Csapo said reducing the number of buildings would make the project unviable
9 economically, due to the amount of investment that must be made up front to develop the site.

10 Chair Rich asked if Michael Harvey could state the requirements of the County's UDO.

11 Michael Harvey said if this parcel were zoned economic development – Hillsborough,
12 there would be a 100-foot perimeter buffer. He said this is required for the edge of the
13 economic development districts. He said the BOCC required a more restrictive buffer of 125
14 feet along the southern and western borders for Settlers Point. He said the Applicant is
15 proposing a 50-foot land use buffer along the southern and western property lines, and a 100-
16 foot building setback.

17 Commissioner Marcoplos said 50 feet from one's property to a road is not very much,
18 and he wondered if there could be a 65-foot buffer with dense vegetative plantings.

19 Frank Csapo said the dimensional request will be hard to accommodate, but dense
20 plantings are achievable. He said within the 50 feet, the Developer can increase the amount of
21 vegetative buffer.

22 Commissioner Marcoplos said he is uncomfortable with that proposal.

23 Chair Rich agreed. She said she remembers this discussion with Settler's Point, where
24 dense plantings were encouraged, but the larger buffer also existed.

25 Commissioner Greene also agreed.

26 Commissioner Price said the buffer issue goes along with open space, which the
27 Developer is reducing to 25% from the required 30%.

28 Frank Csapo said there is 32% open space on the plan.

29 Michael Harvey said all documents he has reviewed have shown 25%.

30 Frank Csapo said 30% open space can be accommodated.

31 Commissioner Greene asked if the open space includes storm water basins, as she
32 would hope not.

33 Frank Csapo said under the UDO it is included.

34 Commissioner Greene asked if this is where the discrepancy is occurring between the
35 Applicant and County staff.

36 Frank Csapo said no, the paperwork that staff has seen says at least 25%, but the actual
37 plan that the Developer is working with is 32%.

38 Commissioner Greene asked if there can be any assurance that the storm water basins
39 will look like ponds, or actual open space.

40 Frank Csapo said he is unsure of any standard to apply there, but will work with staff to
41 alleviate BOCC concerns.

42 Commissioner Price asked if that will be a retention pond or a draining pond.

43 Frank Csapo said wet ponds.

44 Chair Rich said there is no agreement on the buffers.

45
46 Craig Benedict said the Applicant has agreed to put what is typically in 150 feet into 100
47 feet in a denser manner and linear fashion. He said the UDO has a 75-foot buffer requirement,
48 with specifics about trees. He said this could be compressed to a 50-foot buffer with dense,
49 evergreen plantings.

50 Frank Csapo said this would be acceptable.

51 Chair Rich asked if this falls in line with the UDO.

1 Craig said the UDO has multiple buffers, with varied plantings. He said the 50-foot
2 buffer could have the quantity of plantings that would be found in a 75-foot buffer. He said the
3 75-foot buffer contains more evergreens. He said this would be an alternate design option.

4 Commissioner Marcoplos asked if there was a way to measure the densification.

5 Craig Benedict said yes, there is a certain amount of trees in each size of buffer. He
6 said the same amount of trees that would go in a 75-foot wide area would be compressed into a
7 50-foot wide area.

8 Commissioner Marcoplos said that may be an option, as long as the outcome could be
9 measurable.

10 Craig Benedict said it is quantifiable.

11 Commissioner Greene said it is quantifiable while the trees are living, but those trees will
12 change, and it is not the same as a 100-foot buffer.

13 Craig Benedict said the project has a requirement to maintain buffers, and have trees
14 grow from initial planting to mature heights. He said the County monitors this.

15 Commissioner Greene asked who covers this expense.

16 Craig Benedict said it is an ongoing inspection process done by the County, and if non-
17 compliance is found, the County sends a letter to the Developer for correction.

18 Chair Rich said she has a problem with the buffers, and would like to see an option that
19 includes the 100-foot buffer on the western and southern property lines.

20 Commissioner Price agreed.

21 Commissioner Greene agreed.

22 Commissioner Marcoplos agreed.

23 Commissioner McKee said he thinks there needs to be further discussion, as he
24 envisions the 50-foot buffer on the west and the south being all parking lots. He said he does
25 not think a 100-foot buffer would greatly impinge on the building.

26 Chair Rich said Craig Benedict has proposed a solution, but it is not what the County
27 expects. She asked if Staff could work with the Developer on this issue.

28 Commissioner Dorosin said it is important to consider the trade-offs, and if there could
29 be less parking over, or a taller building at some point, etc. He said it is important to be as
30 creative as possible.

31 Chair Rich agreed.

32 Commissioner Marcoplos agreed as well. He asked if there is some value to allow taller
33 buildings on the north side/interstate side.

34 Commissioner McKee expressed his appreciation to the Developer for revising the
35 delivery traffic out on Davis Road. He said the CZ process involves working within the County's
36 expectations and the Developer's needs. He said he would be willing to discuss the issue of
37 building heights in order to maintain the buffers.

38 Chair Rich said the next issue was land uses.

39 Michael Harvey said he has a stylistic concern about the project, but not about any of the
40 uses. He said he needs a head nod from the BOCC that the listed uses are acceptable. He
41 said most of the uses are listed in Settlers Point.

42 Commissioner Price asked if dry cleaning is really allowed, as they often need
43 chemicals.

44 Michael Harvey said chemicals do not have to be used, and it is up to the operator. He
45 said he does not see a problem with it.

46 The Board agreed by consensus about the list of uses.

47 Commissioner Bedford referred to page 58 and the LED lightning, and the word
48 "substantially".

49 Frank Csapo said a different style of lighting is required in certain laboratory formats,
50 and this wording is present to accommodate such unique situations.

1 Commissioner Bedford said the language could simply be amended to say LED lighting
2 will be used except for unique situations where it is not possible to do so.

3 Frank Csapo agreed.

4 Commissioner Marcoplos said he would like more information on the Cates Creek
5 natural area. He asked if County environmental staff could provide a summary of the issues.

6 Frank Csapo said he is unsure what information can be provided, as the project has no
7 impact on Cates Creek. He said storm water control is in place, along with rain gardens.

8 Commissioner Marcoplos said he wants to hear from County staff in this issue, not the
9 Developer.

10 Michael Harvey said the Department of Environment, Agriculture, Parks and Recreation
11 (DEAPR) staff sent a memorandum to the BOCC. He confirmed that no portion of the property
12 contains any part of Cates Creek.

13 Commissioner Greene suggested the following language for the LED lighting: "LED
14 lighting will be used unless LED lighting is not compatible with the associated use."

15 Frank Csapo agreed.

16 Commissioner Greene referred to page 8 section 5, performance standards, and said
17 she would prefer vehicles not be allowed to park in front of trash and recycling receptacles.

18 Frank Csapo agreed. He returned to the LED lighting issue, and said he agrees with
19 Commissioner Greene's wording, but would like to include language for successor technology in
20 case LED lighting is replaced by something more efficient.

21 Commissioner Greene agreed.

22 Commissioner Price said she is concerned about the environmental impact. She said
23 County staff says there will be no impact, but local environmental agencies say otherwise. She
24 said she would like those reports to be taken into consideration and a full report be given to the
25 BOCC.

26 Frank Csapo said these agencies did not submit any professional reports, but rather just
27 opinions. He said the Developer hired Kimley Horn who did a full analysis, and found no
28 environmental concerns. He said there are plenty of professional reports to be reviewed on this
29 issue.

30 Commissioner Price said whether the Developer considers these agencies professional
31 or not, she respects them and the work of the Eno River Association. She asked if County staff
32 could listen to these agencies, and give a report back to the BOCC.

33
34 A motion was made by Commissioner Dorosin, seconded by Commissioner McKee to
35 consider discussing the revised Statement of Consistency and the Ordinance Amending the
36 Zoning Atlas at the October 20th, 2020 BOCC Virtual Business Meeting.

37
38 **Roll call ensued.**

39
40 **VOTE: UNANMIOUS**

41
42 **7. Reports**
43 **NONE**

44
45
46 **8. Consent Agenda**

- 47
- 48 • **Removal of Any Items from Consent Agenda**
- 49 **None removed**

- 50
- 51 • **Approval of Remaining Consent Agenda**

1
2
3 A motion was made by Commissioner McKee, seconded by Commissioner Price to
4 approve the consent agenda.
5

6 **Roll call ensued.**
7

8 **VOTE: UNANMIOUS**
9

10 **a. Minutes**

11 The Board approved the draft minutes from the September 1, 2020 Virtual Business Meeting as
12 submitted by the Interim Clerk to the Board.

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

14 The Board adopted a resolution, which is incorporated by reference, to release motor vehicle
15 property tax values for three taxpayers with a total of three bills that will result in a reduction of
16 revenue in accordance with NCGS.

17 **c. Property Tax Releases/Refunds**

18 The Board adopted a resolution, which is incorporated by reference, to release property tax
19 values for fifteen taxpayers with a total of twenty-six bills that will result in a reduction of revenue
20 in accordance with North Carolina General Statute 105-381.

21 **d. Applications for Property Tax Exemption/Exclusion**

22 The Board adopted a resolution, which is incorporated by reference, to approve eleven untimely
23 applications for exemption/exclusion from ad valorem taxation for twelve bills for the 2020 tax
24 year.

25 **e. Resolution Authorizing Exchange of Property for the Sheriff's Office**

26 The Board adopted a resolution, which is incorporated by reference, authorizing exchange of
27 weapons for credit at P.F. Custom Guns and authorized the Chair to sign.

28 **f. Budget Amendment for the County Funding of 800 Hot Spots to Orange County**
29 **Schools**

30 The Board approved a Budget Amendment in the amount of \$120,000 to fund 800 Hots Spots
31 for Orange County Schools (OCS) at a cost of \$150 each.

32 **g. Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Comprehensive**
33 **Transportation Plan Amendment**

34 The Board approved a list of Orange County Comprehensive Transportation Plan (CTP)
35 Amendments in the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC
36 MPO) and submitted to the DCHC MPO for inclusion in its CTP Amendment.

37 **h. Advisory Boards and Commissions – Appointments**

38 The Board approved the Advisory Boards and Commissions appointments as reviewed and
39 discussed during the September 10, 2020 Work Session.

40 **i. Approval of Board of Commissioners Meeting Calendar for Year 2021**

41 The Board approved the meeting schedule for the Board of County Commissioners for calendar
42 year 2021.

43 **j. Approval of the Board of County Commissioners (BOCC) Travel Policies and**
44 **Procedures**

45 The Board approved the County Commissioner Travel Policy to establish appropriate guidelines
46 for travel and transportation required of elected officials conducting business for Orange County.

47 **k. Approve Contract for Building Commissioning Services of Northern Campus Project**

48 The Board authorized the County Manager to execute a contract upon review by the County
49 Attorney, between Orange County and Facilities Dynamics Engineering to perform building
50 commissioning services for the Northern Campus construction project.

51 **l. Orange County Public Transportation Electric Bus and Charging Station Purchase**

1 The Board approved an Agreement with GILLIG LLC of Hayward, California in the amount not-
 2 to-exceed \$1,117,000 for the purchase and installation of a 40 foot electric bus and charging
 3 station; and authorized the County Manager to sign the agreement upon County Attorney review
 4 and to sign any change orders up to the Project Budget.

5 **m. Amendment to Orange County Board of Commissioners Advisory Board Policy**
 6 **Regarding Elected Officials**

7 The Board voted to amend the Orange County Advisory Board Policy so that elected
 8 government officials may not serve on advisory boards.

9
 10 **9. County Manager's Report**

11 Bonnie Hammersley said there is work session on October 8th, and highlighted the
 12 topics for discussion.

13
 14 **10. County Attorney's Report**

15 NONE

16
 17 **11. *Appointments**

18 NONE

19
 20 **12. Information Items**

- 21
 22
 - September 15, 2020 BOCC Meeting Follow-up Actions List
 - 23 ▪ Tax Collector's Report – Numerical Analysis
 - 24 ▪ Tax Collector's Report – Measure of Enforced Collections
 - 25 ▪ Tax Assessor's Report – Releases/Refunds under \$100
 - 26 ▪ Memorandum - Racial Equity Progress Report
 - 27 ▪ Memorandum - 2016 School Bond Projects

28
 29 **13. Closed Session**

30 NONE

31
 32 **14. Adjournment**

33
 34 A motion was made by Commissioner Price, seconded by Commissioner McKee to
 35 adjourn the meeting.

36
 37 **VOTE: UNANMIOUS**

38
 39 The meeting was adjourned at 11:35 p.m.

40
 41
 42 Penny Rich, Chair

43
 44
 45 Allen Coleman
 46 Assistant Deputy Clerk

47
 48 Submitted for Approval by Gregory A. Wilder, Interim Clerk to the Board

1
2
3 **DRAFT**

4 **MINUTES**
5 **ORANGE COUNTY**
6 **BOARD OF COMMISSIONERS**
7 **VIRTUAL WORK SESSION**
8 **OCTOBER 8, 2020**
9 **7:00 p.m.**

10
11 The Orange County Board of Commissioners met for a Virtual Work Session on Thursday,
12 October 8, 2020 at 7:00 p.m.

13
14 **COUNTY COMMISSIONERS PRESENT:** Chair Penny Rich, Vice Chair Renee Price, and
15 Commissioners Jamezetta Bedford, Mark Dorosin, Sally Greene, Earl McKee, and Mark
16 Marcoplos

17 **COUNTY COMMISSIONERS ABSENT:** NONE

18 **COUNTY ATTORNEYS PRESENT:** John Roberts

19 **COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy County Manager
20 Travis Myren, Interim Clerk to the Board Greg Wilder, and Assistant Deputy Clerk II Allen
21 Coleman (All other staff members will be identified appropriately below.)

22
23 Chair Rich called the meeting to order at 7:01 p.m.

24 Chair Rich asked John Roberts if a roll call was needed.

25 John Roberts said yes.

26 Chair Rich proceeded with roll call, and said Commissioner Greene would be late.

27
28 Due to current public health concerns, the Board of Commissioners is conducting a Virtual Work
29 Session on Thursday, October 8, 2020. Members of the Board of Commissioners participated in
30 the meeting remotely. As in prior meetings, members of the public were able to view and listen
31 to the meeting via live streaming video at <http://www.orangecountync.gov/967/Meeting-Videos>
32 and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

33
34
35 **1. Alcohol Beverage and Control Board Voting Membership and Financial Statement**
36 **Analysis**

37
38 John Roberts reviewed the following item:

39
40 **PURPOSE:**

41 To provide:

- 42 1) An update on the BOCC commissioner being an ABC voting member
43 2) A financial analysis of the ABC Board revenue, profitability and funding capacity
44

45 **BACKGROUND:**

46 LEGAL – Voting Member Information

47
48 The BOCC has expressed interest in having the commissioner appointee to the ABC Board be
49 a voting member rather than a non-voting liaison. There are multiple options available to the
50 BOCC if the BOCC is dissatisfied with some aspect of ABC operations or governance or if the
51 BOCC simply believes changes should be made for other reasons. 1) Change the Chair. The

1 BOCC has full authority to appoint the Chair. 2) Change or reduce salaries. Again full authority
2 to do so rests with the BOCC. 3) Adopt standards of conduct for ABC board members. 4)
3 Appoint commissioners or senior county employees to the ABC board. Both have been done by
4 counties in North Carolina. This fourth option is further explored below.

5
6 As authorized by statute the BOCC appoints both the members and the Chair of the ABC Board
7 and members serve three-year terms. Due to the fact that terms are for three years it may be
8 administratively best to appoint a commissioner who has at least three years left in office.
9 However, this is not absolutely necessary because vacancies are filled by the BOCC to
10 complete the term of the member who created the vacancy and should a commissioner leave
11 office another could be appointed to fill the ABC role for the duration of the original appointee's
12 term.

13
14 There may be some concern about the prohibition of dual office holding if a commissioner is
15 appointed to the ABC board, however, so long as the appointment is ex officio the dual office
16 holding prohibition is not a concern. Under North Carolina law ex officio appointees have the
17 same rights and authority as any other appointee. Regarding the dual office non-issue North
18 Carolina General Statute §128-1.2 reads:

19
20 *Ex officio service by county and city representatives and officials. Except when the*
21 *resolution of appointment provides otherwise, whenever the governing body of a county*
22 *or city appoints one of its own members or officials to another board or commission, the*
23 *individual so appointed is considered to be serving on the other board or commission as*
24 *a part of the individual's duties of office and shall not be considered to be serving in a*
25 *separate office. As used in this section, the ter "official" means (i) in the case of a*
26 *county, the county manager, acting county manager, interim county manager, county*
27 *attorney, finance officer, or clerk to the board and (ii) in the case of a city, the city*
28 *manager, acting city manager, interim city manager, city attorney, finance officer, city*
29 *clerk, or deputy clerk. As used in this section, the term "city" has the meaning provided*
30 *in G.S. 160A-1.*

31
32 One important consideration in appointing a commissioner to the ABC board is the appointment
33 would create occasional conflicts of interest for the appointed commissioner. That commissioner
34 could not vote, and would have to be excused from voting, on ABC board members' salaries,
35 the ABC board travel policy, or other items that could have a financial impact on the
36 commissioner.

37
38 There are two current ABC board members whose terms expire 6/30/21. According to the
39 Orange County advisory board webpage Patrick Burns is serving the first of two potential terms
40 and Jane Cousins is serving the second of two terms. Should the BOCC determine to appoint
41 one, or more, of its own members to an ABC board position one of these two positions is most
42 realistic for the appointment because outright removal of ABC members may only be for cause.
43 Of the remaining members' terms one expires in 2022 and two expire in 2023.

44 FINANCIAL- Revenue, Profitability and Funding Capacity

45
46
47 The Chair requested a financial statement analysis of the ABC Board to determine additional
48 funding capacity in view of the ABC Board not approving the County's FY 2020-21 funding
49 request for the Drug Treatment Court program. The Drug Treatment program was funded at
50 \$25,000 and not the requested \$32,500. The Vice-Chair requested a listing of distributions to
51 sub-recipients for FY 2019-20 (Attachment 1).

The following are key financial and revenue metrics from the ABC FY 2019-20 Financial Audit.

ABC Key Financial metrics include:

- Net position increased by 9.27%
- Total Sales increased 12.47%
- Retail liquor sales increased 22.48%
- Working capital increased 28.8%

Table 1 below indicates the historical year trend in ABC profits before distribution and distribution to sub-recipients. As noted on Table 1 below, the ABC distribution as a percent of profits has increased from 39% in FY 2014-15 to 65% in FY 2019-20. These increases resulted from BOCC Petitions and Benchmarking Analyses (Attachments 2 and 3).

Table 1

Orange Alcoholic Beverage Control Board						
Historical Year Financial Trend						
	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Profit Before Distributions	\$1,780,957	\$ 1,564,997	\$ 1,303,231	\$ 1,074,918	\$ 1,458,916	\$ 1,249,749
Profit as Percent of Income	9.91%	8.37%	9.77%	5.35%	6.83%	5.20%
Statutory Distributions						
Law Enforcement	\$ 130,000	\$ 135,000	\$ 149,000	\$ 149,300	\$ 160,000	\$ 147,000
Alcohol Education	156,550	144,094	209,150	212,500	244,000	165,233
Local	400,000	400,000	500,000	500,000	535,000	500,000
Total Distributions	\$ 686,550	679,094	858,150	861,800	939,000	812,233
Total Distribution as % of Profit	39%	43%	66%	80%	64%	65%

Table 2 below is an updated Benchmarking Analysis as of June 30, 2019 comparing the Orange County ABC Board distribution to sub-recipients as a percent of profit which was 64%. The five counties of Alamance, Chatham, Durham, Wake and Mecklenburg have an average distribution as percent of profit of 70%.

Based on the ABC financial and sales performance and the Table 2 comparison of other County ABC Board distributions, the County's Drug Treatment funding request of \$32,500 for the Criminal Justice Resource Department does appear reasonable. A copy of this financial analysis has been provided to the ABC General Manager and Finance Director in order to allow ABC management to respond. Attachment 4 represents the ABC response.

Table 2

Alcoholic Beverage Control Board - Benchmarking Analysis						
As of June 30, 2019						
	Alamance	Chatham	Durham	Wake	Mecklenburg	Orange
Profit Before Distributions	\$1,490,023	\$ 224,751	\$5,094,539	\$23,520,812	\$27,934,328	\$ 1,458,916
Profit as Percent of Income	9.7%	5.07%	12.64%	15.57%	15.65%	6.83%
Statutory Distributions						
Law Enforcement	\$ 84,629	\$ 5,028	\$ 484,250	\$ 1,147,161	\$ 2,588,961	\$ 160,000
Alcohol Education	\$ 74,050	\$ 7,040	\$ 267,123	\$ 4,284,450	\$ 4,903,700	\$ 244,000
Local	\$ 955,176	\$ 124,181	\$2,555,555	\$11,884,086	\$13,291,176	\$ 535,000
Total Distributions	\$1,113,855	\$ 136,249	\$3,306,928	\$17,315,697	\$20,783,837	\$ 939,000
Total Distribution as % of Profit	75%	61%	65%	74%	74%	64%
				AVERAGE	70%	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

RECOMMENDATION(S):

The Manager recommended the Board accept this as an information item for further discussion.

Commissioner Dorosin said he has expressed his feelings in prior meetings, but he does not understand the value of a Commissioner being present on the ABC Board, without being a voting member. He said Commissioners are excluded from closed sessions, ABC Board items, and other items. He said a Commissioner should have the same permissions and authority as other ABC Board members.

Commissioner Price said she thought it says somewhere in state law that a Commissioner cannot vote on a Board.

John Roberts said he is not aware of anything that prohibits Commissioners from voting. He said he would love to see any information that Commissioners may have.

Commissioner Price said a Commissioner is currently serving, and asked if there is a reason this person does not already have voting authority. She asked if there is a reason the Board of County Commissioners (BOCC) must wait for current ABC Board members to roll off, prior to appointing new members.

John Roberts said he is not familiar with how the ABC Board was originally structured, or why the ABC Board Commissioner representative does not have a vote. He said the BOCC would need to wait to appoint new members as ABC members can only be removed for cause, such as malfeasance.

Commissioner Price asked if there is a reason why the ABC Board Commissioner liaison cannot vote currently.

John Roberts said the board is not set up that way, and is a 5-member board. He said state statute says a 5-member board cannot be increased or decreased, other than by a legislative act.

Commissioner Dorosin said the abstract was very good. He asked if the ABC Board members get paid a salary, and if a Commissioner were a voting member, would he/she also receive a salary.

John Roberts said to his knowledge the ABC Board members receive a stipend. He said an appointed Commissioner would be eligible for that stipend, and thus would not be allowed to vote on issues relating to that stipend, due to his/her position as a County Commissioner.

Commissioner Greene joined the meeting at 7:10 p.m.

Chair Rich said the GoTriangle board also receives a stipend.

Commissioner Bedford said she was a liaison on the Orange County Partnership for Young Children. She said she is required to recuse herself when this board is voting on the allocation of state dollars that will financially benefit the County. She asked if the ABC Board would have similar restrictions.

John Roberts said this may be part of the non-profit's bylaws, and would not be applicable to a Commissioner individually as he/she is not benefiting personally from the vote.

Chair Rich said the BOCC will choose boards in December, and asked if the Commissioner that chooses the ABC Board would become the voting member when slots become available in 2021.

John Roberts said the liaison position would go away, and a voting member would be installed, but the BOCC could change the Commissioner who fills each role, if it so desires.

Commissioner Dorosin asked John Roberts if he recommends this change be made.

1 John Roberts said he does not have an opinion on this item, due to there not being any
2 concerns about existing ABC board members. He said by changing this structure it would allow
3 the Board to have more authority, and enable the BOCC to have representation in ABC financial
4 and personnel decisions.

5 Commissioner McKee said he does not hear of any concerns with the current ABC
6 board members, and the BOCC goes to great lengths to get the community involved. He said
7 he has served as the liaison to the ABC Board twice, and found the members to be very
8 responsive to any input that he gave. He said he is not sure how this change would help the
9 BOCC.

10 Commissioner Price said when she served on the Board she thought about this change,
11 but realized that the BOCC appoints the other five members and the Chair of the ABC Board.
12 She said those appointees represent the BOCC, and it is okay if the Commissioner liaison does
13 not have a vote.

14 Commissioner Dorosin said it is important for the BOCC to have a vote on the Board.
15 He said having a direct voice in decision-making is critical. He said there has always been
16 heavy representation from law enforcement on the ABC Board. He said the ABC Board
17 generates a lot of revenue, and is involved with social services programs about which the
18 BOCC is concerned. He said having an equal vote is important.

19 Commissioner Rich said there are also other boards on which the BOCC has a vote,
20 such as the Visitors Bureau, Home Trust, GoTriangle, etc.

21 Commissioner Bedford said both she and Commissioner Greene were on a seminar
22 today about community engagement, and the timing was perfect for this agenda item. She said
23 the discussion focused on the value of broad community participation, with which she strongly
24 agrees. She said leadership should be spread out, diluted, and shared with the community.
25 She said prior to becoming a Commissioner, she served on the ABC Board. She said she could
26 have continued serving, but felt it was very much a conflict of interest and thus resigned once
27 elected a Commissioner. She referred to the chart on Table 2, and said 17% is spent on law
28 enforcement, but also 26% on non-profits. She said the ABC Board pays a living wage, which
29 reduces its profit, and gives 64% of profit away. She said this could be higher, but given
30 COVID, there may not have been as much revenue as normal, and it is wise to be conservative.
31 She said the ABC Board has a rigorous capital improvement plan in place. She said if a funding
32 request is needed, it should be made, but otherwise she would prefer to leave this board alone.

33 Commissioner Greene asked if the conflict of interest could be clarified.

34 Chair Rich said the possible conflict of interest is because the ABC Board members
35 receive a stipend, and BOCC members should not vote of adjusting the stipend.

36 Commissioner Price said she could go either way. She said the difference with the ABC
37 Board is that the Commissioners appoint each member to the ABC Board, as well as the chair,
38 as opposed to other boards where Commissioners serve and have a vote, but do not select the
39 other board members. She said there must be five members, and she does not want to remove
40 any of the current ABC Board members.

41 Commissioner Dorosin said having one seat as a voting member would not eliminate
42 participatory democracy. He said he does not see any issues of malfeasance, but does find the
43 ABC Board to be very dependent on the staff. He said he heard a lot of grievances from ABC
44 employees. He said having a Commissioner, as a voting member, is important as the liaison
45 only has a power of persuasion. He said he would not recommend removing the current
46 incumbent, but following John Roberts' comments to replace a member once their term is over.

47 Chair Rich agreed with Commissioner Dorosin. She said this item can come to a
48 business meeting for a vote.

49 Commissioner Bedford asked if the ABC Board's opinion on this matter could be sought.

50 Commissioner Price agreed with Commissioner Bedford.

1 Commissioner Marcoplos said he supports voting yes to having a voting member on the
2 ABC Board. He said influence in the votes is one thing, but the BOCC must also be fully
3 informed on all matters of this board.

4 John Roberts said he would contact the Executive Director for comments, and feedback
5 from the ABC Board.

6 Commissioner Price asked if there are any questions on the request.

7 Commissioner Bedford said she would recommend making the request to the ABC
8 Board for additional funding, since the Executive Director says he is open to hearing it.

9 Bonnie Hammersley said staff will make that request.

10 Commissioner Price asked if there are any comments on the percentages.

11 Commissioner Dorosin said funding was increased a few years ago, and he raised it
12 again this year, due to record profits. He said he was told the increase was unlikely due to
13 paying the living wage and compression. He said there is a significant amount of revenue, and
14 perhaps the percentages should be increased.

15 Chair Rich asked if the percentage issue should be included in the agenda item.

16 Commissioner Dorosin said he would not want to delay the first issue.

17 Bonnie Hammersley said previously the ABC Board funding went into the General Fund,
18 although it was supposed to be identified for specific spending purposes. She said when the
19 Criminal Justice Resource Department (CJRD) was created, the County identified positions that
20 would be covered by ABC funds, including the Director of this Department. She said Cait
21 Fenhagen, CJRD Director, has identified initiatives and programs that are needed in her
22 department, and ABC funds have been requested to cover these items. She said the way the
23 money is spent must be identified, and staff can make requests for more funding if necessary.

24 Gary Donaldson, Chief Financial Officer, said the audit was completed, and items were
25 not funded due to being cautious about COVID/recession fall out.

26 Commissioner Bedford asked if someone from the CJRD should be a voting member, as
27 opposed to a Commissioner.

28 Bonnie Hammersley said no, the voting member should be leadership, not staff.

29 Commissioner Price said it may be important to see where there are shortfalls. She said
30 thinking back there was some good ideas, like pretrial diversion, that could have benefitted from
31 funds.

32 Chair Rich asked if Bonnie Hammersley would proceed with an abstract for a future
33 BOCC meeting.

34 Commissioner Greene said she does not see a benefit of having fixed set allotment as
35 needs rise and fall each year. She said asking for what is needed is likely the best approach.
36
37

38 **2. New Street Outreach and Harm Reduction Program**

39 **PURPOSE:**

40 To share information about a new grant-funded county initiative supported through a
41 collaboration between the Criminal Justice Resource Department and the Housing and
42 Community Development Department with the Partnership to End Homelessness.
43
44

45 Caitlin Fenhagen, Criminal Justice Resources Director, and Corey Root, Homeless
46 Programs Manager, presented the following item:
47

48 **BACKGROUND:**

49 Since 2017, each year people with lived experience of homelessness, housing and homeless
50 service providers, the Orange County Partnership to End Homelessness, and other community
51 stakeholders have identified a street outreach program as a gap in the Orange County

1 homeless service system ([latest gap analysis update from 2019](#)). Orange County has had
2 proven success with a street outreach program, connecting people living unsheltered with
3 services and housing, administered by Housing for New Hope -- this program ended when
4 Housing for New Hope ended work in Orange County in 2016.

5
6 In April 2019, over thirty community stakeholders from the criminal justice system, healthcare,
7 behavioral health system, and housing came together to participate in the Orange County
8 Sequential Intercept Mapping Workshop facilitated by the North Carolina Department of Health
9 and Human Services. A systems intercept map and Final Report were created ([SIM Final
10 Report](#)) and one of the identified community gaps that emerged from this process was the need
11 to divert people who are high utilizers of the courts, health care, and homelessness systems
12 from further criminal justice contact.

13
14 At the same time, stakeholders from the criminal justice system including law enforcement, the
15 District Attorney's office, the Orange County Criminal Justice Resource Department (CJRD),
16 and criminal justice reform advocates are seeking to expand harm reduction deflection efforts in
17 Orange County. The current pre-arrest diversion program administered by the CJRD (OC PAD)
18 allows for law enforcement to divert first-offenders, but the OC PAD Advisory Committee,
19 District Attorney's Office and all law enforcement chiefs have endorsed proceeding with a plan
20 to expand to a separate harm reduction track, which would allow for diversion for low level
21 offenses committed by individuals impacted by behavioral health concerns, homelessness and
22 prior criminal justice involvement. These high utilizers will be linked to appropriate resources
23 and will avoid the trauma of arrest, short-term incarceration and justice system involvement.
24 This harm reduction model of diversion moves away from ineffective punitive models and
25 unnecessary law enforcement response and increases public safety, enhances stability and
26 improves public health.

27
28 With the onset of the COVID-19 outbreak in March 2020, homeless service providers reduced,
29 changed, and eliminated existing services to comply with social distancing and other response
30 recommendations. As a result, existing homeless service gaps, including street outreach, have
31 been exacerbated and deepened. On any given night, there are thirty to forty people living
32 unsheltered in Orange County. We are seeing these numbers increase during the COVID-19
33 response and recovery period. Research shows that street outreach programs that link people
34 with housing improve health outcomes and positively impact spending in other sections
35 including healthcare and the criminal justice system. In addition, recent national incidents of
36 police brutality have led to a new urgency in addressing systemic racism in policing and a
37 conversation about reinvestment in communities. Increasing therapeutic responses and
38 deflection from the criminal justice system, where it is safe and appropriate, have been widely
39 considered an evidence-based best practice for improved outcomes for individuals. Reimagining
40 law enforcement as one of the conduits for referring people in crisis to behavioral health
41 treatment experts and peer support is an important example of a reinvestment in impacted
42 communities.

43
44 In August 2020, the CJRD and Housing Departments were awarded an Emergency Solutions
45 CARES Act grant in the amount of \$256,225.00 for the Street Outreach and Harm Reduction
46 Program. This one year of funding will support three positions to administer the program, which
47 is designed to connect people living unsheltered with housing, therapeutic interventions, critical
48 resources and ongoing peer support and case management. The program will also increase
49 harm reduction efforts and reduce unnecessary law enforcement response and justice
50 involvement, where deflection is appropriate.

51

RECOMMENDATION(S):

The Manager recommends the Board receive the presentation as information.
Caitlin Fenhagen made the following PowerPoint presentation:

Slide #1



**Orange County
Street Outreach and Harm Reduction Program**

Presentation to the Board of County Commissioners
October 8, 2020



Slide #2

Orange County has a demonstrated community need for street outreach

- [Orange County Sequential Intercept Mapping \(SIM\)](#)
 - Facilitated by N.C. Department of Health and Human Services
 - April 2019
- [Homeless System Gaps Analysis](#)
- Expansion of Pre-Arrest Diversion/Deflection (OC-PAD)
- COVID-19 community response
- Focus on re-imagining public safety



Slide #3

This new program will connect people living unsheltered with housing and services

- Funded by Emergency Solutions Grant CARES Act (ESG-CV)
- Begin operation October 5, 2020
- 12 months of funding

Positions	# Staff	Location
Harm Reduction Deflection Coordinator	1	OC Criminal Justice Resource Department
Street Outreach Peer Navigators	2	OC Housing & Community Development with OC Partnership to End Homelessness



Corey Root presented the following slide:

Slide #4

The program design uses a trauma-informed, relationship-based model

- Ongoing engagement and harm reduction
- People living unsheltered, many behavioral health issues
- Visits to campsites, hospitals, jail, streets
- Connections to housing, food, medical care, treatment services, transportation and employment
- Therapeutic assessment, case plans, case management
- Referral contact for community members, law enforcement, and businesses
- Reduce policing and justice involvement

Cait Fenhagen resumed the PowerPoint presentation:

Slide #5

There are several sustainability and program needs to address

- Program funding starting Fall 2021
 - \$257,000 annually
- Downtown office space
- Street Outreach one of several gaps to fill to end homelessness
 - Overlap with Behavioral Health Task Force Priorities
 - Crisis/Diversion Center
 - Day Center with integrated services
 - Increased behavioral health services



Slide #6

Contact us to talk further

- Caitlin Fenhagen, Criminal Justice Resource Director
 - 919-245-2303
 - cfenhagen@orangecountync.gov
- Emila Sutton, Housing and Community Development Director
 - 919-245-2492
 - esutton@orangecountync.gov
- Corey Root, Homeless Programs Manager
 - 919-245-2496
 - croot@orangecountync.gov



Commissioner Price said this is an exciting report, but she is concerned about access to housing, and asked if there is enough housing in Orange County to meet the needs.

Corey Root, Homeless Programs Manager, said more affordable housing is always needed, but people are housed every month successfully. She said one of the gaps is permanent supportive housing. She said rapid rehousing started in early April, and is showing good results. She said the staff is good, and just keeps working. She said more people have been housed this year than ever before. She said more housing programs are needed.

Caitlin Fenhagen said involvement in the criminal justice system creates a barrier to accessing housing, especially ongoing criminal justice involvement. She said lack of housing also leads to increased criminal justice involvement. She said both issues go hand in hand.

Commissioner Price said she hopes this program would be successful. She said having housing inventory is important, but many people do not want affordable housing near them. She said there are ample luxury apartments being built, and she wants to make sure the BOCC is supporting the efforts referenced in this presentation.

Commissioner Dorosin said this program is very exciting. He said he remembered hearing about this in the criminal justice committee. He referred to the gaps analysis and pre-COVID discussions, and asked if there is a natural next step in which gap to tackle. He asked if the way to maximize the success of this program is to connect it to the next gap that will be

1 addressed. He said he is excited about this program, but would like a slightly zoomed out
2 perspective of the plan ahead.

3 Commissioner Dorosin referred to the \$257,000 grant, and asked if it will all go to
4 staffing costs. He asked if there are other costs, and if there is additional grant funds available
5 to meet them. He said sustainability is vital.

6 Corey Root said there are a number of gaps that are exacerbated by COVID, so the next
7 logical step needs to come from the Partnership to End Homelessness (PTEH) leadership team.
8 She said more non-congregant shelter is greatly needed, and people experiencing
9 homelessness are at a higher risk for COVID. She said there are continued gaps around
10 housing resource programs and permanent support housing, which could be the next priority.

11 Commissioner Dorosin asked if non-congregant housing means single room housing.

12 Corey Root said the CDC recommends having individual rooms for those experiencing
13 homelessness. She said the County moved people into hotels in May, and FEMA is covering
14 those costs.

15 Caitlin Fenhagen said the majority of the grant is for salary and benefits, but \$10,000 is
16 for program services such as transportation, emergency supplies, staff mileage, etc.

17 Commissioner Greene said this is great news. She said looking ahead this is a great
18 opportunity to redirect police funding; to do a community reset. She said this type of work
19 should not be law enforcement's role, but rather social workers'.

20 Commissioner Marcoplos said this is really great work. He asked if homelessness is
21 rising, and if the coming year will make the crisis more acute.

22 Corey Root said the latest numbers are from January 2020. She said they count once
23 per year and it was 124, down from 132. She said numbers have been relatively flat over the
24 past decade. She said she expects numbers to rise in the coming year, but homelessness often
25 lags behind as an indicator by about 18-24 months. She said staff will keep a very close watch
26 on the numbers. She said having the street outreach team will provide real time data, especially
27 for those who are experiencing unsheltered homelessness.

28 Chair Rich said this is a great update. She said it will be a challenge to find ongoing
29 funding, but she has great confidence in the staff.

30 Caitlin Fenhagen said law enforcement partners have been particularly supportive of this
31 program, along with the downtown partners, and, of course, the Commissioners.

32 33 **3. Government Alliance on Racial & Equity ("GARE") Progress Report: Advancing** 34 **Racial Equity and Transforming Government Progress Report**

35 36 **PURPOSE:**

37 A Progress Report on the work of the Orange County Government Alliance on Race & Equity
38 ("GARE") staff cohort that has trained with other North Carolina jurisdictions since October 2019
39 to advance racial equity and create a plan to undo structural racism in County government.

40 41 **BACKGROUND:**

42 The Government Alliance and Race & Equity ("GARE") is a national network of governments
43 working to achieve racial equity and advance opportunities for all. GARE features three
44 emphases:

- 45 • Supporting jurisdictions that are at the forefront of work to advance racial equity.
- 46 • Building pathways for new jurisdictions to begin doing racial equity work, including
47 cohorts of new jurisdictions.
- 48 • Expanding and strengthening local and regional collaborations that are broadly inclusive
49 and focused on achieving racial equity.

1 In the 2019-20 budget, the Orange Board of Commissioners approved funds to support a team
 2 of Orange County staff to be a part of a GARE North Carolina Learning Community of
 3 government jurisdiction working to advance racial equity by addressing institution and structural
 4 racism. Each jurisdiction made a one-year commitment to the learning process.

5
 6 Each jurisdiction received tools and resources, including:

- 7 • A racial equity training curriculum, to equip cohort participants to implement the training
 8 with other employees;
- 9 • A Racial Equity Tool to use in policy, practice, program and budget decisions;
- 10 • Support to identify and launch pilot projects that demonstrate racial equity outcomes in
 11 your jurisdiction;
- 12 • A capacity building plan and organizational structure to institutionalize equity within their
 13 jurisdiction;
- 14 • Example policies and practices that helped advance racial equity; and
- 15 • Support to develop a Racial Equity Action Plan

16
 17 The Orange County team is comprised of fifteen diverse team members. Department Directors
 18 were asked either to self-select or to select a member of their staff for the team. If through that
 19 process the team was not filled, then co-leads selected county staff so that there was a diversity
 20 of members and skills and departments on the team. The members of the team are: Annette
 21 Moore, (Co-Lead), Human Rights and Relations, Nancy Coston, (Co-Lead), Social Services,
 22 Brenda Bartholomew, Human Resources, Melvyn Blackwell, Human Rights and Relations, Erica
 23 Bryant, Child Support Enforcement, Brennan Bouma, Asset Management Services, Diogenes
 24 DeLosSantos, Information Technology, Desmond Frierson, Criminal Justice Resource, Jennifer
 25 Galassi, Sherriff's Office, Ashley Hager, Food Council/County Manager's Office, Sarah
 26 Pickhardt, Emergency Services, Rachel Raper, Board of Elections, Juliet Sheridan, Health,
 27 Quintana Stewart, Health, Robert Williams, Solid Waste.

28
 29 The One Orange GARE team developed a mission statement: One Orange is a commitment by
 30 Orange County leaders and staff to uncover and address implicit racial biases in our institution
 31 to ensure that race can no longer be used to predict life outcomes in our community.

32
 33 GARE Training has been intense. Members of the team have not only had to attend training but
 34 also had meetings outside of the training, committee meetings, and additional homework. The
 35 pandemic has been an obstacle in getting both the training and the racial equity plan completed
 36 in September as we anticipated.

37
 38 In May, with the murder of George Floyd and the ensuing protest, awareness of the need for
 39 racial equity has grown exponentially around the Country. In June, the Health Director, Quintana
 40 Stewart, declared structural racism a health crisis in Orange County. The Board of County
 41 Commissioners also passed a resolution condemning the murder of George Floyd and
 42 committing to dismantling structural and institutional racism in Orange County government and
 43 throughout Orange County. The Board directed the Department of Human Rights and Relations
 44 to lead the One Orange Racial Equity Team in developing a Racial Equity Plan using the
 45 Government Alliance on Race and Equity Model to bring a first draft of the plan back to the
 46 Board in September 2020.

47
 48 Although the pandemic has impacted the work of the GARE core team, it has also created an
 49 opportunity for us to reimagine how we move forward, advancing racial equity as a region.
 50 Instead of looking at racial equity from a jurisdictional position, we believe we should be looking

1 at racial equity collaboratively both within the county and regionally. In Orange County, working
2 collaboratively, we could break down not only institutional racism but also systems racisms.
3 Other regional partners are Durham City, Durham County, Caswell County, Greensboro, and
4 Raleigh.

5
6 Several weeks ago, we met with Chapel Hill and Carrboro to discuss having one Countywide
7 Racial Equity Plan that would include different local community strategies. Now that
8 Hillsborough is a member of GARE, we have invited them to be a part of this collaboration. We
9 want leverage our shared resources with one another. This thinking would also carry over
10 regionally as well. We believe the attached Report outlines the steps that we will take to put a
11 comprehensive countywide racial equity plan together that is not only data-driven but keeps us
12 accountable for the work we are required to do. The other jurisdictions will be taking this Racial
13 Equity Progress Report to their Boards in October.

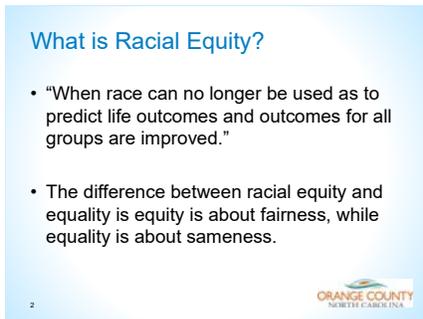
14
15 **RECOMMENDATION(S):** The Manager recommends that the Board provide staff with feedback
16 on the Racial Equity Progress Report.

17
18 Annette Moore, Director of Human Rights and Relations made the following PowerPoint
19 presentation:

20
21 Slide #1



22
23
24
25 Slide #2



26
27
28
29
30
31
32
33

1
2
3
4

Slide #3

Why Race?

- Normalizing conversations about race and operationalizing strategies for advancing racial equity allows us to build systems that address income and wealth inequity and recognize bias based on gender, sexual orientation, ability, age, religion, and other protected categories.
- Allows us to develop a framework, tools and resources that apply to other areas of marginalization, recognizing that different strategies will be necessary to achieve equity in other areas.

3



5
6
7
8

Slide #4

Why Race?

- Allows us to move past looking at just disparities to finding racialized systems that are costly, depress outcomes, and life chances for all groups.
- Systems that are failing communities of color are failing us all by depressing life chances and outcomes

4



9
10
11
12

Slide #5

Government Alliance on Race and Equity ("GARE")

- Support state and local jurisdiction that are advancing racial equity by addressing institutional and structural racism.
- Training staff to not only do the work but also build internal capacity to undue racism within their organization.
- Help expand and strengthen local and regional collaboration that are inclusive and focused on achieving racial equity.

5



13
14
15
16
17
18

Slide #6

North Carolina GARE Learning Community Cohort

GOAL -Build organizational capacity to advance racial equity within the jurisdiction

- > A racial equity training curriculum, with cohort participants who are equipped to implement the training with other employees,
- > A Racial Equity Tool to be used in policy, practice, program and budget decisions,
- > Support for identifying and launching pilot projects that demonstrate where to start achieving racial equity outcomes in each jurisdiction
- > A capacity building plan and organizational structure to institutionalize equity within each jurisdiction,
- > Example policies and practices that help advance racial equity, and
- > Support on developing a Racial Equity Action Plan



Slide #7

1
2
3

North Carolina GARE Learning Community Cohort
Cohort Teams

- Orange, Carrboro, Chapel Hill, Durham City, Durham County, Raleigh, Caswell County, Greensboro, and RMJJ
- Orange County Team -15 members.
- Team Name - "One Orange"
- Co-Lead - Nancy Coston
Annette Moore



Slide #8

4
5
6
7

One Orange GARE Core Team

- Brenda Bartholomew, Human Resources
- Melvin Blackwell, Human Rights and Relations
- Erica Bryant, Child Support Enforcement
- Brennan Bounia, Asset Management Services
- Diogenes DeLosSantos, Information Technology
- Desmond Frerson, Criminal Justice Resource
- Jennifer Galassi, Sheriff's Office
- Sarah Pichtandt, Emergency Services
- Rachel Raper, Board of Elections
- Juliet Sheridan, Health
- Quintana Stewart, Health
- Robert Williams, Solid Waste



Slide #9

8
9
10
11

One Orange Mission Statement

One Orange is a commitment by Orange County leaders and staff to uncover and address implicit racial biases in our institution to ensure that race can no longer be used to predict life outcomes in our community.



Slide #10

12
13
14
15



1
2
3
4

Slide #11

Racial Equity Tool

- The Racial Equity Tool Committee will lay out a process and a set of questions to guide the development, implementation and evaluation of policies, initiatives, programs, and budget issues to address the impact of racial equity. The racial equity tool will help align racial equity goals with desired outcomes.

11



5
6
7
8

Slide #12

Community Engagement

- Develop a plan to provide for meaningful community engagement. Consider the current and unlikely partners needed to accomplish the organizational outcomes. Who are the decision makers with whom you need to inform, consult, or collaborate?

12



9
10
11
12

Slide #13

Racial Equity Index (Data Collection)

- The use of data and metrics to track progress of County's racial equity initiatives and to follow trends in racial disparities.
- Metrics will also facilitate the alignment of outputs with outcomes and the coordination of efforts across departments and jurisdictions.
- The Racial Equity Index will be a transparent public access to data with built public data dashboards to help assess questions of equity.
- The dashboards contained within the Index will include sub-county maps and key performance indicators (KPIs) to help track essential indicators and equity performance.
- Wherever possible these KPIs would be disaggregated by geography, race/ethnicity, income, and gender.

13



13
14
15
16

Slide #14

Training

- The training committee will develop a plan to provide training to policymakers, managers, staff, boards and commission members, and community partners to build capacity to advance racial equity and to embed racial equity into countywide systems.



14

1
2
3
4

Slide #15

Evaluation and Accountability

- The Evaluation and Accountability Committee will develop an Evaluation Plan based on the principles of the Results-Based Accountability ("RBA") framework.
- RBA is a national model and provides a disciplined, data-driven, decision-making process to help local governments take action to solve problems.
- An Evaluation Plan will help local governments apply racial equity principles embedded into the Results-Based Accountability (RBA) methodology into Racial Equity Action Plans.



15

5
6
7
8
9

Slide #16

Advancing Racial Equity

- Questions



16

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Commissioner Bedford thanked Annette Moore, and said it would be beneficial to have Racial Equity training for Commissioners at the January retreat. She said the work is very important, and Commissioners should have that vocabulary. She said Triangle J Council of Government is incorporating these topics into meetings, and encouraging participants to think broadly.

Commissioner Dorosin asked if the Town of Hillsborough is participating in the group of governments in the cohort

Annette Moore said the Town of Hillsborough was not involved in the cohort, but is now a member with GARE, and is included in the countywide initiative. She said this information will be presented to the Town of Hillsborough on October 12, 2020, and she will attend this meeting.

Commissioner Dorosin asked if there was a timeline for the items that were mentioned, and an arc over the next three months, six months, etc.

1 Annette Moore said the countywide team is focusing on creating timelines. She said she
2 wants to move faster than the rest of the group, and negotiations are underway.

3 Commissioner Dorosin asked if there will be interim updates like this evening.

4 Annette Moore said the racial equity plan should not take a long time. She said this is
5 just an outline of what needs to be done. She said it will take more time to complete the racial
6 equity index. She said they are currently working on the projects for GEAR specifically.

7 Commissioner Dorosin referred to the BOCC listening session about policing, and asked
8 if this fits into GARE in any way.

9 Annette Moore said the Human Relations Committee will be discussing this on Monday
10 night, and having a community conversation about what defunding the police means. She said
11 the GARE also seeks to provide racial equity training to boards and commissions.

12
13 *Nancy Coston, Director of Social Services, joined the meeting at 8:44 p.m.*

14
15 Nancy Coston said she was surprised that Social Service departments are not more
16 involved in these efforts, as it is appropriate and necessary for them to be involved.

17 Commissioner Price said she is excited about this work, and stressed the importance of
18 data collection and analysis.

19 Commissioner Greene said this was a really strong report. She asked if there are other
20 cities or government entities that have made significant changes, from whom Orange County
21 could learn.

22 Annette Moore said the premiere jurisdictions are King County (Seattle), Albuquerque,
23 Austin, and another place in Wisconsin. She said there are a few counties/states that may be
24 further along. She said she will pass along more information to the BOCC.

25 Commissioner Greene said it would be great to see this information.

26 Chair Rich said most Commissioners have received some training on racial equity.

27 28 **4. Agricultural Preservation Board – Appointments Discussion**

29
30 **RECOMMENDATION(S):** The Manager recommended that the Board discuss an
31 appointment to the Agricultural Preservation Board.

32
33 A motion was by Commissioner McKee, seconded by Commissioner Price to nominate
34 the Portia McKnight to the Agricultural Preservation Board

35
36 **Roll Call ensued.**

37 **VOTE: UNANIMOUS**

38 39 **5. Animal Services Hearing Panel Pool – Appointment**

40
41 **RECOMMENDATION(S):** The Manager recommended that the Board discuss an
42 appointment to the Animal Services Hearing Panel Pool.

43
44 Position #4 – To Be Determined

45
46 Chair Rich said the BOCC passed a policy that if one is on an elected board, one cannot
47 serve on an Advisory Board. She asked if that policy applies to this board, and to Bonnie
48 Hauser, who is a school board member and listed for this board.

49 John Roberts said the advisory board policy only applies to certain boards, and this
50 hearing panel is not covered. He said he is not sure if this would apply to Bonnie Hauser.

1 Chair Rich said there are two applicants for one position, but if Bonnie Hauser is no
2 longer allowed to serve, then there would be two positions, allowing both applicants to serve.

3 Commissioner Dorosin asked if either position needs to be filled by a Chapel Hill
4 resident.

5 Chair Rich said no.

6 Chair Rich said the position has been open since January, and the BOCC policy allows
7 a vacant position to be filled after 6 months.

8 Commissioner Price said she had the same question about Bonnie Hauser, but noted
9 that the new BOCC policy had no effective date.

10 John Roberts said the change is effective immediately. He said he has reviewed the
11 policy, and it does not apply to this hearing pool.

12 Chair Rich asked how the BOCC would like to proceed.

13 Commissioner Dorosin said he would like to get more information on why certain boards
14 are exempt from Advisory Board policy that was adopted on Tuesday, October 6th, 2020. He
15 said the BOCC may want to amend this new policy.

16 John Roberts said the reason some boards are not included is because it is an advisory
17 board policy, and this hearing pool is not an advisory board.

18 Chair Rich asked if Commissioner Dorosin wants to amend the advisory board policy.

19 Commissioner Dorosin said he would need more information from the Attorney.

20 John Roberts said he will have more information for the meeting on October 20, 2020.

21 Commissioner Price asked if task forces would fall under this policy as well.

22 John Roberts said the policy does not include taskforces, the election committee, or
23 other short-term committees.

24 Commissioner Price said the BOCC may want to consider this more in the future.

25
26 A motion was made by Commissioner Dorosin, seconded by Commissioner Price to
27 nominate Stacy Shakenal to the Animal Services Hearing Panel Pool.

28
29 **Roll call ensued.**

30
31 **VOTE: UNANIMOUS**

32
33 Commissioner Dorosin said he has a question for the Attorney that is covered as
34 privileged communication, and asked if he could send this question via email.

35 John Roberts said email is fine, but noted his response would have to go to the entire
36 BOCC, not just to Commissioner Dorosin.

37 Commissioner Dorosin said he understands, and it is completely fine to do so.

38
39 **Adjournment**

40
41 The meeting was adjourned at 9:02 p.m.

42
43 **VOTE:**

44
45
46 Penny Rich, Chair

47
48 Allen Coleman
49 Assistant Deputy Clerk II

50
51 Submitted for Approval by Gregory A. Wilder, Interim Clerk to the Board

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

**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 T. Freeman, Tax Administrator
(919) 245-2735

PURPOSE: To consider adoption of a resolution to release motor vehicle property tax values for eight taxpayers with a total of nine bills that will result in a reduction of revenue.

BACKGROUND: North Carolina General Statute (NCGS) 105-381(a)(1) allows a taxpayer to assert a valid defense to the enforcement of the collection of a tax assessed upon his/her property under three sets of circumstances:

- (a) "a tax imposed through clerical error", for example when there is an actual error in mathematical calculation;
- (b) "an illegal tax", such as when the vehicle should have been billed in another county, an incorrect name was used, or an incorrect rate code (the wrong combination of applicable county, municipal, fire district, etc. tax rates) was used;
- (c) "a tax levied for an illegal purpose", which would involve charging a tax which was later deemed to be impermissible under state law.

NCGS 105-381(b), "Action of Governing Body" provides that "Upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the taxing unit shall within 90 days after receipt of such a request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct liability or notify the taxpayer in writing that no release or refund will be made".

For classified motor vehicles, NCGS 105-330.2(b) allows for a full or partial refund when a tax has been paid and a pending appeal for valuation reduction due to excessive mileage, vehicle damage, etc. is decided in the owner's favor.

FINANCIAL IMPACT: Approval of these release/refund requests will result in a net reduction of \$3,630.61 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2020-2021 is \$6,281.66.

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

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, Greg Wilder, Interim 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 _____, 2020.

Clerk to the Board of Commissioners

**BOCC REPORT - REGISTERED MOTOR VEHICLES
NOVEMBER 5, 2020**

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	ADDITIONAL EXPLANATION
Chen, Yongxin	55971924	2020	35,948		(630.00)	County changed to Durham (illegal tax)	
Chen, Yongxin	57550048	2019	14,010		(275.53)	County changed to Durham (illegal tax)	
Conary, Scott	57289438	2020	15,800	500	(151.71)	Antique plate (property classification)	
Hawknis, Richard Wright	57207498	2019	74,400	500	(863.96)	Antique plate (property classification)	
Sheth, Siddharth	53651815	2019	43,730		(759.90)	County changed to Chatham (illegal tax)	
Trageser, Linda Lewis	56364003	2020	5,740		(125.81)	County changed to Chatham (illegal tax)	
Vitali, Delores	56849744	2019	0		(502.36)	County changed to Durham (illegal tax)	
Walters, David	54697369	2019	0		(215.10)	County changed to Catawba (illegal tax)	
Wilcoxon, Marshall	44864203	2018	11,680	0	(106.24)	County changed to Durham (illegal tax)	
					(3,630.61)	TOTAL	

Adjustment Descriptions
<i>Clerical error G.S. 105-381(a)(1)(a): e.g. when there is an actual error in mathematical calculation.</i>
<i>Illegal tax G.S. 105-381(a)(1)(b): e.g. when the vehicle should have been billed in another county, an incorrect name was used, or an incorrect rate code was used.</i>
<i>Tax levied for an illegal purpose G.S. 105-381(a)(1)(c): e.g. charging a tax that was later deemed to be impermissible under State law.</i>
<i>Appraisal appeal G.S. 105-330.2(b): e.g. reduction in value due to excessive mileage or vehicle damage.</i>
<i>*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 that physical location.</i>
<i>Classification GS 105-330-9(b): e.g. Antique automobiles are designated a special class of property under the NC Constitution.</i>
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: November 5, 2020

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

SUBJECT: Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Resolution
Releases/Refunds Data Spreadsheet

INFORMATION CONTACT:

Nancy T. Freeman, Tax Administrator
(919) 245-2735

PURPOSE: To consider adoption of a resolution to release property tax values for twelve taxpayers with a total of thirty-three bills that will result in a reduction of revenue.

BACKGROUND: The Tax Administration Office has received twelve 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 \$30,954.08 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

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, Greg Wilder, Interim 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 _____, 2020.

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
 NOVEMBER 5, 2020**

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	ADDITIONAL INFORMATION
Alston, Nanessa	247626	2020	86,900	56,400	(302.43)	Assessed in error (illegal tax)	House destroyed by fire in June 2019
Bishop, Sheila N.	253871	2020	468,889	-	(4,318.03)	Assessed in error (illegal tax)	Present Use Value proof of sales income provided
Bishop, Sheila N.	253871	2019	468,889	-	(4,663.47)	Assessed in error (illegal tax)	Present Use Value proof of sales income provided
Bishop, Sheila N.	253871	2018	468,889	-	(4,960.45)	Assessed in error (illegal tax)	Present Use Value proof of sales income provided
Bishop, Sheila N.	253871	2017	468,889	-	(5,214.00)	Assessed in error (illegal tax)	Present Use Value proof of sales income provided
Bishop, Sheila N.	253869	2020	29,328	-	(280.07)	Assessed in error (illegal tax)	Present Use Value proof of sales income provided
Bishop, Sheila N.	253869	2019	29,328	-	(302.48)	Assessed in error (illegal tax)	Present Use Value proof of sales income provided
Bishop, Sheila N.	253869	2018	29,328	-	(338.13)	Assessed in error (illegal tax)	Present Use Value proof of sales income provided
Bishop, Sheila N.	253869	2017	29,328	-	(321.74)	Assessed in error (illegal tax)	Present Use Value proof of sales income provided
Borland, Samuel W.	240954	2020	134,412	-	(177.76)	Incorrect value (clerical error)	Incorrect acreage calculated on deferred tax bill
Borland, Samuel W.	240954	2019	134,412	-	(191.88)	Incorrect value (clerical error)	Incorrect acreage calculated on deferred tax bill
Borland, Samuel W.	240954	2018	134,412	-	(204.14)	Incorrect value (clerical error)	Incorrect acreage calculated on deferred tax bill
Borland, Samuel W.	240954	2017	134,412	-	(216.84)	Incorrect value (clerical error)	Incorrect acreage calculated on deferred tax bill
Green, Jeffrey Patrick	3176333	2018	8,320	-	(210.73)	Illegal tax (clerical error)	Gap bill: vehicle registered in Wisconsin during gap period
Habitat for Humanity Orange County NC Inc.	1066702	2020	9,900	-	(147.30)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074472	2020	15,000	-	(223.18)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074471	2020	15,000	-	(223.18)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074469	2020	13,000	-	(193.42)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074466	2020	13,000	-	(193.42)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074468	2020	13,000	-	(193.42)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074470	2020	25,000	-	(371.97)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074473	2020	13,000	-	(193.42)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074474	2020	13,000	-	(193.42)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074475	2020	13,000	-	(193.42)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074476	2020	13,000	-	(193.42)	Assessed in error (illegal tax)	Exempt property billed in error
Habitat for Humanity Orange County NC Inc.	1074467	2020	13,000	-	(193.42)	Assessed in error (illegal tax)	Exempt property billed in error
Lewis Tree Service Inc.	1055899	2020	11,249	-	(105.26)	Assessed in error (illegal tax)	Business Personal Property discovered in error
McCauley, Robert	1071306	2020	9,929	-	(101.17)	Situs error (illegal tax)	Property is not located in Orange County
Minor, Jennie Catherine	3189053	2020	8,910	-	(263.59)	Illegal tax (clerical error)	Gap bill: vehicle registered in Wisconsin during gap period
Trek Retail Corporation	3184204	2020	318,802	150,289	(2,719.29)	Assessed in error (illegal tax)	Listed in error
White, Flora	1050595	2020	204,900	127,800	(731.60)	Assessed in error (illegal tax)	Properties uninhabitable
Whyte, Laura E.	3189635	2020	80,000	-	(1,420.05)	Incorrect value (clerical error)	Incorrect rental value and should be included on real property account
Zou, Baiming	3188880	2020	17,620	-	(1,397.98)	Assessed in error (illegal tax)	Gap bill: vehicle registered in Florida during gap period
				Total	(30,954.08)		
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: November 5, 2020

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

SUBJECT: Applications for Property Tax Exemption/Exclusion

DEPARTMENT: Tax Administration

ATTACHMENT(S):

Exempt Status Resolution
Spreadsheet
Requests for Exemption/Exclusion

INFORMATION CONTACT:

Nancy T. Freeman, Tax Administrator

PURPOSE: To consider thirteen untimely applications for exemption/exclusion from ad valorem taxation for thirteen bills for the 2020 tax year.

BACKGROUND: North Carolina General Statutes (NCGS) typically require applications for exemption to be filed during the listing period, which is usually during the month of January. Applications for Elderly/Disabled Exclusion, Circuit Breaker Tax Deferment and Disabled Veteran Exclusion should be filed by June 1 of the tax year for which the benefit is requested. NCGS 105-282.1(a1) does allow some discretion. Upon a showing of good cause by the applicant for failure to make a timely application, an application for exemption or exclusion filed after the close of the listing period may be approved by the Department of Revenue, the Board of Equalization and Review, the Board of County Commissioners, or the governing body of a municipality, as appropriate. An untimely application for exemption or exclusion approved under this provision applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed.

Nine of the applicants are applying for homestead exclusion based on NCGS 105-277.1, which allows exclusion of the greater of \$25,000 or 50% of the appraised value of the residence.

One of the applicants is applying for exclusion based on NCGS 105-277.1C, which allows for an exclusion of \$45,000 for an honorably discharged Disabled American Veteran.

One of the applicants is applying for exclusion based on NCGS 105-278.3, which allows for exclusion from property taxes for property used for a religious purpose.

One of the applicants is applying for exemption based on NCGS 105-278.6 (8), which allows an exemption of a nonprofit organization providing housing for individuals or families with low or moderate incomes.

One of the applicants is applying for exclusion based on NCGS 105-278, which allows for an exclusion of real property designated as a historic property by a local ordinance adopted pursuant to former G.S 160A-399.4 or designated as a historical landmark by a local ordinance adopted pursuant to G.S. 160A-400.5. This is a designation for a special class of property under authority of Article V, Sec. 2(2) of the North Carolina Constitution.

Including these thirteen applications, the Board will have considered a total of thirty-six untimely applications for exemption of 2020 taxes since the 2020 Board of Equalization and Review adjourned on June 25, 2020. Taxpayers may submit an untimely application for exemption of 2020 taxes to the Board of Commissioners through December 31, 2020.

Based on the information supplied in the application and based on the above-referenced General Statutes, the application may be approved by the Board of County Commissioners. NCGS 105-282.1(a1) permits approval of such application if good cause is demonstrated by the taxpayer.

FINANCIAL IMPACT: The reduction in the County's tax base associated with approval of the exemption application will result in a reduction of FY 2020/2021 taxes due to the County, municipalities, and special districts in the amount of \$36,994.72.

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 for the above-listed applications for FY 2020/2021 exemption.

NORTH CAROLINA

ORANGE COUNTY

EXEMPTION/EXCLUSION RESOLUTION

Whereas, North Carolina General Statutes 105-282.1 empowers the Board of County Commissioners to approve applications for exemption after the close of the listing period, and

Whereas, good cause has been shown as evidenced by the information packet provided, and

Whereas, the Tax Administrator has determined that the applicants could have been approved for 2020 had applications been timely.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF ORANGE COUNTY THAT the properties applying for exemption for 2020 are so approved as exempt.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners _____

Noes: _____

I, Greg Wilder, Interim 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 _____, 2020.

Clerk to the Board of Commissioners

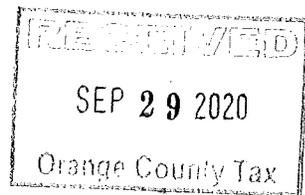
**BOCC REPORT - REAL/PERSONAL
LATE EXEMPTION/ EXCLUSION
NOVEMBER 5, 2020**

Late exemption/exclusion application - GS 105-282.1(a1)

NAME	ACCOUNT NUMBER	BILL YEAR	ORIGINAL VALUE	TAXABLE VALUE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT
Bogart, Tracy	171274	2020	582,200	380,541	(2,352.35)	Late application for exemption General Statute 105-277.1 (homestead exemption)
Cremeans, Raymond	193314	2020	165,900	82,950	(800.21)	Late application for exemption General Statute 105-277.1 (homestead exemption)
Deprez, Christina	3183149	2020	678,000	339,000	(3,173.04)	Late application for exemption General Statute 105-278 (historic property)
Earle, John	180170	2020	233,300	116,650	(1,125.32)	Late application for exemption General Statute 105-277.1 (homestead exemption)
Habitat for Humanity, Orange County	111767	2020	468,500	0	(7,560.18)	Late application General Statute 105-278.6 (low or moderate income housing)
Harrelson, Jeraline	136693	2020	122,800	62,019	(576.75)	Late application for exemption General Statute 105-277.1 (homestead exemption)
Herndon, Jimmy	204493	2020	101,900	64,600	(369.86)	Late application for exemption General Statute 105-277.1 (homestead exemption)
Hollingsworth, Joseph Clark	101572	2020	189,200	94,600	(1,103.50)	Late application for exemption General Statute 105-277.1 (homestead exemption)
Hunt, Edgar William	251667	2020	474,400	429,400	(726.16)	Late application for exemption General Statute 105-277.1C (disabled veteran exemption)
McFann, Ann	79086	2020	76,700	38,350	(380.27)	Late application for exemption General Statute 105-277.1 (homestead exemption)
Moore, Edward L.	209301	2020	63,200	38,200	(240.67)	Late application for exemption General Statute 105-277.1 (homestead exemption)
St. Paul AME Church	3183118	2020	924,500	0	(15,430.82)	Late application General Statute 105-278.3 (religious purposes)
Wilson, Lee	189566	2020	393,331	197,781	(3,155.59)	Late application for exemption General Statute 105-277.1 (homestead exemption)
					(36,994.72)	Total
*Circuit Breaker does not result in a reduction in value. The exemption received is based on the income of the taxpayer.						

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.

September 17, 2020 thru October 14, 2020



Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 9.28.20

To Whom It May Concern:

I, (PRINT NAME) TRACY BOGART wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9768524049

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

SEE ATTACHED LETTER ->

How did you find out about the program(s)? From your mailed statements

Thank you, [Signature] (Signature)

**Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application**

To Whom It May Concern,

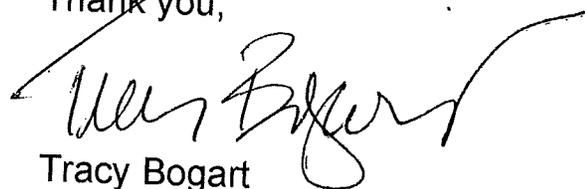
Due to the pandemic I was required to shutter my business (a yoga studio that served the Triangle for 25 years) on March 14th, 2020. By the end of June it was clear we would not be allowed to reopen. My AirBnB income also came to an end at the same time.

The landlord was unforgiving rent-wise, so we had no choice but to close down permanently in July, 2020. I received unemployment for 2 months, and other than my social security, no other income.

For the last 8 years I have paid my Property Tax in full, and on time, but at this point – and for the first time in my life - I need assistance.

Is there any way I can receive a reduction in fees?

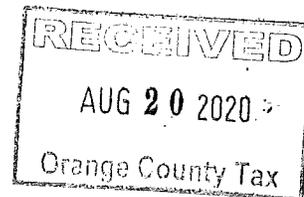
Thank you,



Tracy Bogart

tracybogart@me.com

919-306-9642



Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 8/20/20

To Whom It May Concern:

I, (PRINT NAME) Raymond & Lee Ann Cremeans wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020 on Tax Abstract or Parcel Identification Number(s) (PIN) # 0000 193314 9893584736

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

We are Seniors + are not working public jobs. We live on Social Security. We made less this year + we didnt have to file taxes.

How did you find out about the program(s)? Told from a friend.

Thank you,

Lee Ann Cremeans (Signature)

FILED

OCT 05 2020

ORANGE COUNTY
TAX ADMINISTRATION



**Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application**

Date: October 2, 2020

To Whom It May Concern:

I, Christina Depcz
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020
on Tax Abstract or Parcel Identification Number(s) (PIN) #

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

In October 2019 I purchased an additional 1.52 acres to the property and then signed an easement agreement with Orange Co. for the Mountains to Sea Trail. I was unaware this addition to the property would change my exemption

How did you find out about the program(s)? May 7, 1998 invited by the County to participate

Thank you,

Christina Depcz
(Signature)

FILED

AUG 10 2020

**ORANGE COUNTY
TAX ADMINISTRATION**



**Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely
Application**

Date: 9-22-20

To Whom It May Concern:

I, John D Ecker
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year _____
on Tax Abstract or Parcel Identification Number(s) (PIN) #
0200180170

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain: Unaware of time limits.

How did you find out about the program(s)? Info in tax bill

Thank you,
John D Ecker
(Signature)

FILED

SEP 24 2020

ORANGE COUNTY
TAX ADMINISTRATION

**Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application**

Date: September 23, 2020

To: Orange County NC Board of Equalization and Review:

I, (PRINT NAME) Habitat for Humanity, Orange County, NC Inc. wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9890060413.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

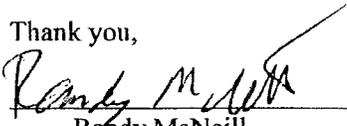
Please explain:

We closed on the purchase of this property, 7516 Sunrise Road, Chapel Hill, 09/26/2019 from a non-tax-exempt owner. Due to that timing, the 2019 tax bill was paid proratably between us and the seller at closing, and Habitat did not see the 2019 tax bill. Now, in 2020, we received the tax bill for this property which caused me to research and determine that we had not filed a Property Tax Exemption Request for 2020 this property. This was an oversight on my part, due to numerous property purchases, sales, merges, and splits over the past 2 years, as well as our current covid-19 situation causing me to work from home most of the work week, and I sincerely apologize. The tax portion of the bill amounts to \$7,560, which is a considerable sum for a non-profit. I humbly and respectfully ask that Habitat be exempted from this 2020 property tax. Thank you for your consideration.

How did you find out about the program(s)?

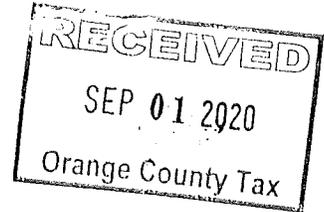
Conversations with Shavonda McLean and Nancy Freeman in the Orange County Tax Department

Thank you,


Randy McNeill

VP-Finance, Habitat for Humanity, Orange County, NC
Title

9-23-20
Date



**Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application**

Date: 8-30-20

To Whom It May Concern:

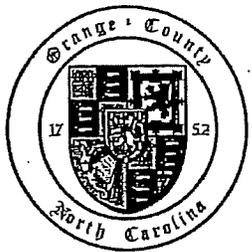
I, (PRINT NAME) JERALINE HARRISON,
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020
on Tax Abstract or Parcel Identification Number(s) (PIN) #
9847251833.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain: late letter
Due to confusion regarding due date
1

How did you find out about the program(s)? Government Employee

Thank you,
J. Garcia's Hamilton
(Signature)



FILED

SEP 23 2020

ORANGE COUNTY
TAX ADMINISTRATION

**Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application**

Date: 9-23-2020

To Whom It May Concern:

I, (PRINT NAME) Jimmy G. Herndon + Juanita Herndon
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020
on Tax Abstract or Parcel Identification Number(s) (PIN) #
9748676670

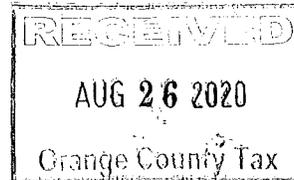
In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain: I think the Covid-19 - had a lot to do with the delay.
I carried the application to the Doctors office
in Feb. and every time we ask about it they told
us the doctor was working from home, we just got the
paper work back on Wednesday of this week.

How did you find out about the program(s)? back of the tax papers

Thank you,

Jimmy G. Herndon
(Signature)



**Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application**

Date: Aug 24, 2020

To Whom It May Concern:

I, (PRINT NAME) Joseph Clark Hollingsworth
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020
on Tax Abstract or Parcel Identification Number(s) (PIN) #
0000101572 9777742880

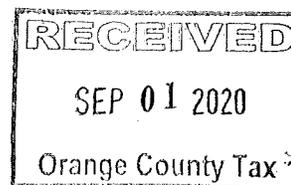
In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

I only became aware of this program after reading about it when I received this year's tax notice. I would have qualified ~~last~~ ~~year~~ if I had known of this program.

How did you find out about the program(s)? I read the back of my tax notice.

Thank you,
Joseph C. Hollingsworth
(Signature)



**Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application**

Date: 9-1-2020

To Whom It May Concern:

I, (PRINT NAME) Edgar William Hunt III,
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020
on Tax Abstract or Parcel Identification Number(s) (PIN) #
9777966128.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

Did not know about program
and was not aware of the deadline

How did you find out about the program(s)? VA Representative

Thank you,

Edgar William Hunt III
(Signature)



FILED

OCT 01 2020

ORANGE COUNTY
TAX ADMINISTRATION

**Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application**

Date: 9-25-2020

To Whom It May Concern:

I, (PRINT NAME) Anne McFann, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9748801570. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

I applied for Orange County Solid waste program fee assistance in late Aug. or early Sept. - Dana Hall contacted me, said I was eligibe for property Tax exemption - Sent appcation

How did you find out about the program(s)? Dana Hall - Orange Co. Tax office

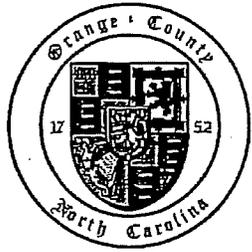
Thank you,

Anne Marie McFann

(Signature)

SEP 09 2020

ORANGE COUNTY TAX ADMINISTRATION



Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 9/9/2020

To Whom It May Concern:

I, (PRINT NAME) EDWARD L MOORE JR wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9868800304

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain: WASN'T AWARE OF DEADLINE

How did you find out about the program(s)? WEBSITE orange

Thank you, Edward L Moore Jr (Signature)



FILED

SEP 25 2020

ORANGE COUNTY
TAX ADMINISTRATION

**Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application**

Date: 9-25-20

To Whom It May Concern:

I, (PRINT NAME) St. Paul AME Church,
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020
on Tax Abstract or Parcel Identification Number(s) (PIN) #
9788065270.

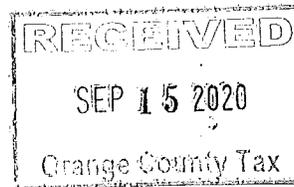
In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain: St. Paul AME church granted an easement requested by NCDOT at Merritt Mill Rd. for a crosswalk. A new PIN was generated. The property is still owned by the church and used for religious purposes. we were unaware a new application was needed to maintain the tax exemption

How did you find out about the program(s)? Orange County Tax Administration

Thank you,

Bernie Hachmy
(Signature)



Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: Sept 16, 2020

To Whom It May Concern:

I, (PRINT NAME) LEE WILSON wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2020 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9789420237

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain: I was not aware of the exemption

How did you find out about the program(s)? Phone

Thank you, [Signature] (Signature)

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

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

SUBJECT: Appointment of County Review Officer

DEPARTMENT: Tax Administration

ATTACHMENT(S):

- North Carolina General Statute 47-30.2
- RES-1997-047 – Resolution appointing County Review Officers
- RES-2014-014 – Resolution for County Review Officer
- Draft Resolution to Appoint County Review Officer

INFORMATION CONTACT:

Nancy T. Freeman, Tax Administrator
(919) 245-2735

PURPOSE: To appoint one additional County Review Officer, and to remove from appointment two (2) Review Officers that are no longer employed by the County.

BACKGROUND: NC General Statute 47-30.2 requires that all persons appointed as plat review officers be appointed by a resolution recorded in the Register of Deeds office. Review Officers ensure that all plats recorded comply with the plat requirements set out in the General Statutes. On September 16, 1997 the Board of Commissioners first adopted a Review Officer resolution. Additional resolutions appointing and rescinding review officers have since been recorded, including a resolution dated March 6, 2014.

Rebecca Lee has attained the status of certified property mapper in the State of North Carolina. The Land Records/GIS Manager recommends that she be appointed to carry out the duties and responsibilities of Review Officer as the need arises in day to day work.

Tammy Hicks Walker was appointed on September 16, 1997 as Tammy H Wood, and subsequently reappointed as Tammy Hicks Walker on March 6, 2014. Amy B. Gilbert was also appointed on September 16, 1997. Both are no longer employed with Orange County and can be removed from the list of personnel authorized to carry out the Review Officer responsibilities for Orange County.

FINANCIAL IMPACT: There is be no Orange County 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 County Manager recommends that Board approve the resolution appointing Rebecca Lee to be a Review Officer for Orange County, and removing two (2) review officers no longer employed by the County.

§ 47-30.2. Review Officer.

(a) The board of commissioners of each county shall, by resolution, designate by name one or more persons experienced in mapping or land records management as a Review Officer to review each map and plat required to be submitted for review before the map or plat is presented to the register of deeds for recording. Each person designated a Review Officer shall, if reasonably feasible, be certified as a property mapper pursuant to G.S. 147-54.4. A resolution designating a Review Officer shall be recorded in the county registry and indexed on the grantor index in the name of the Review Officer.

(b) The Review Officer shall review expeditiously each map or plat required to be submitted to the Officer before the map or plat is presented to the register of deeds for recording. The Review Officer shall certify the map or plat if it complies with all statutory requirements for recording.

Except as provided in subsection (c) of this section, the register of deeds shall not accept for recording any map or plat required to be submitted to the Review Officer unless the map or plat has the certification of the Review Officer affixed to it. A certification shall be in substantially the following form:

State of North Carolina

County of _____

I, _____, Review Officer of _____ County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer

Date _____

(c) A map or plat must be presented to the Review Officer unless one or more of the following conditions are applicable:

- (1) The certificate required by G.S. 47-30(f)(11) shows that the map or plat is a survey within the meaning of G.S. 47-30(f)(11)b. or c.
- (2) The map or plat is exempt from the requirements of G.S. 47-30 pursuant to G.S. 47-30(j) or (l).
- (3) The map is an attachment that is being recorded pursuant to G.S. 47-30(n). (1997-309, s. 3; 1998-228, s. 13.)

NORTH CAROLINA

RES-1997-047

RESOLUTION

ORANGE COUNTY

WHEREAS, the General Assembly of North Carolina enacted "AN ACT TO IMPROVE THE PROCEDURES FOR RECORDING MAPS AND PLATS," S.L. 1997-309 (Senate Bill 875) which Act requires each county of the State of North Carolina to appoint a Review Officer for that county on or before October 1, 1997 to perform the duties and perform the functions called for in the Act.

BE IT RESOLVED that pursuant to N.C. Gen. Stat. § 47-30.2, the Orange County Board of Commissioners appoints the following property mappers, certified, pursuant to G.S. 147-54.4, to be Review Officers to review each map and plat required to be submitted for review before the map or plat is presented to the register of deeds for recording:

- Roscoe E. Reeve
- Patricia B. Smith
- Denise Y. Robinson
- Penny C. Bryant
- Tammy H. Wood
- Amy B. Gilbert

said appointments to be effective the 1st day of October, 1997.

BE IT FURTHER RESOLVED that the certification to be used by the Review Officers shall be in the following form:

I, [Name of Review Officer], Review Officer of Orange County, certify that the map or plat to which this certification is affixed meets all statutory requirements for

3-6-14
6e

RES-2014-014

ORANGE COUNTY BOARD OF COMMISSIONERS

A RESOLUTION APPOINTING COUNTY REVIEW OFFICERS AND RESCINDING PAST APPOINTMENTS

WHEREAS, pursuant to North Carolina General Statute (NCGS) 47-30.2, the Orange County Board of Commissioners has from time to time since September 1997 adopted resolutions appointing and/or rescinding one or more named persons who are certified property mapper(s) holding current certification from the Department of the Secretary of State pursuant of North Carolina General Statute 147-54.4, as Review Officers, with the same being recorded in the Office of the Register of Deeds for Orange County; and

WHEREAS, pursuant to NCGS 47-30.2, said revision must be made by resolutions of the Board of Commissioners with said resolution being recorded in the Office of the Register of Deeds for Orange County;

NOW, THEREFORE, BE IT RESOLVED by the Orange County Board of Commissioners as follows:

1. **That Lori K. Berry** is a State certified property mapper holding a current certification from the Department of the Secretary of State pursuant of North Carolina General Statute 147-54.4 and Ms. Berry's certification has been verified by the Director, Orange County Tax Administration; and pursuant to NCGS 47-30.2, is hereby appointed as a Review Officer in Orange County; and
2. **That** the above named person, as a Review Officer, shall comply with all statutory requirements and shall follow all procedures, as prescribed by NCGS 47-30.2;

BE IT FURTHER RESOLVED that the certification to be used by the by Review Officer shall be in the following form:

I, Lori K. Berry, Review Officer of Orange County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording for which the Review Officer has responsibility as provided by law.

Lori K. Berry

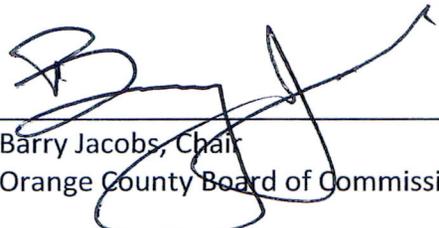
(Name of Review Officer)

(Date of Certification)

BE IT FURTHER RESOLVED that Tammy Hicks Walker is a State certified property mapper holding a current certification from the Department of the Secretary of State pursuant of North Carolina General Statute 147-54.4 and Ms. Walker's certification has been verified by the Director, Orange County Tax Administration; and pursuant to NCGS 47-30.2, is hereby appointed as a Review Officer in Orange County under her current legal name; and

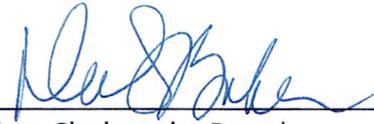
BE IT FURTHER RESOLVED that the appointments of Roscoe E Reeve, Patricia B. Smith, Denise Y. Robinson, and Penny C. Bryant as Review Officers for Orange County, which was effective the 22nd day of September 1997, are rescinded and said persons are removed from the list of personnel authorized to carry out the Review Officer responsibilities for Orange County, because said persons are no longer employed with Orange County.

THIS the 6th day of March, 2014.



Barry Jacobs, Chair
Orange County Board of Commissioners

ATTEST:



Donna Baker, Clerk to the Board



Prepared by and return after recording to: Anne Marie Tosco, Orange County Attorney's Office, P.O. Box 8181, Hillsborough, NC 27278

NORTH CAROLINA

ORANGE COUNTY

A RESOLUTION APPOINTING COUNTY REVIEW OFFICERS AND RESCINDING PAST APPOINTMENTS

WHEREAS, pursuant to North Carolina General Statute 47-30.2 the Orange County Board of Commissioners has from time to time since September 1997 adopted resolutions appointing and/or rescinding one or more named persons who are certified property mapper(s) holding current certification from the Department of the Secretary of State pursuant of North Carolina General Statute 147-54.4, as Review Officers, with the same being recorded in the Office of the Register of Deeds for Orange County;

WHEREAS, pursuant to NCGS 47-30.2, said revision must be made by resolutions of the Board of Commissioners with said resolution being recorded in the Office of the Register of Deeds for Orange County;

NOW, THEREFORE, BE IT RESOLVED by the Orange County Board of Commissioners as follows:

1. **That Rebecca Lee** is a State certified property mapper holding a current certification from the Department of the Secretary of State pursuant of North Carolina General Statute 147-54.4 and her certification has been verified by the Director, Orange County Tax Administration; and pursuant to NCGS 47-30.2, is hereby appointed as a Review Officer in Orange County;
2. **That** the above named person, as a Review Officer, shall comply with all statutory requirements and shall follow all procedures, as prescribed by NCGS 47-30.2;

- 3. **That** this Resolution designating Rebecca Lee as a Review Officer be recorded in the Orange County Registry and indexed on the grantor index in the name of the Review Officer.

BE IT FURTHER RESOLVED that the certification to be used by the by Review Officer shall be in the following form:

I, Rebecca Lee, Review Officer of Orange County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording for which the Review Officer has responsibility as provided by law.

(Name of Review Officer)

(Date of Certification)

BE IT FURTHER RESOLVED that the appointments of **Tammy Hicks Walker** as a Review Officer for Orange County, which was effective 22nd day of September 1997 and reaffirmed due to name change effective the 6th day of March 2014, and **Amy B Gilbert**, as a Review Officer for Orange County, which was effective the 22nd day of September 1997, are rescinded and said persons are removed from the list of personnel authorized to carry out the Review Officer responsibilities for Orange County, because said persons are no longer employed with Orange County. This Resolution rescinding the appointments of Tammy Hicks Walker and Amy B Gilbert shall be recorded and further indexed on the grantor index in the names of Tammy Hicks Walker and Amy B Gilbert, in addition to the above.

THIS the 5th day of November, 2020.

ORANGE COUNTY BOARD OF COMMISSIONERS

BY:

PENNY RICH, Chair

ATTEST:

GREG WILDER, Interim Clerk to the Board

ORD-2020-026

**ORANGE COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: November 5, 2020

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

SUBJECT: Fiscal Year 2020-21 Budget Amendment #3

DEPARTMENT: Finance and Administrative Services

ATTACHMENT(S):

Attachment 1. Budget As Amended
Spreadsheet

Attachment 2. Year-to-Date Budget
Summary

INFORMATION CONTACT:

Paul Laughton, (919) 245-2152
Gary Donaldson, (919) 245-2453

PURPOSE: To approve budget and grant project ordinance amendments for fiscal year 2020-21.

BACKGROUND:

Health Department

1. The Orange County Health Department has budgetary changes to the following programs:
 - **Immunization Action Plan** – receipt of \$18,614 in federal pass-through grant funds from the North Carolina Department of Health and Human Services, Division of Public Health to support the COVID-19 pandemic response. The grant service period runs through May 31, 2021. Funding will support personnel in administering flu vaccine to increase vaccination coverage in Orange County, as well as needed supplies to perform these clinics.
 - **COVID Infection Protection** – receipt of \$178,869 in federal pass-through Coronavirus Relief Funds (CRF) from the North Carolina Department of Health and Human Services, Division of Public Health to support the COVID-19 pandemic response. The grant service period runs through December 30, 2020. Funding will support staff administering infection control services/programs and education Orange County businesses on proper cleaning and infection control.

This budget amendment provides for the budgetary changes as stated above.
(See Attachment 1, column #1)

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.

Housing and Community Development

2. Orange County Housing and Community Development has received \$195,000 in federal pass-through Coronavirus Relief Funds/CARES Act grant funds from the North Carolina Department of Health and Human Services to strategically respond to the COVID-19 pandemic response. The grant service period runs through December 30, 2020. Funding will support the Street Outreach and Rapid Rehousing programs within the Partnership to End Homelessness Program, including Homelessness Prevention rental and financial assistance, hotel/motel assistance, essential move-in goods, housing unit upfits/repairs, and transportation. This budget amendment provides for the receipt of these funds for the above stated purposes.
3. Orange County Housing and Community Development is requesting the transfer of \$100,000 from the Local Voucher Program within the General Fund to the Housing Displacement Program within the Community Development Fund. Orange County continues to see an increase in the number of residents experiencing housing instability due to the COVID-19 pandemic, and there is a need for increased funding for housing assistance as part of the emergency response. The Board of County Commissioners took similar action in FY 2019-20 on April 7, 2020 as part of the approved Budget Amendment #7-A. This budget amendment provides for the transfer of funds from the Local Voucher Program to the Housing Displacement Program for the above stated purpose.

This budget amendment provides for the budgetary changes related to the Round 1 Coronavirus Relief Funding (*See Attachment, column #2*)

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.

Coronavirus Relief Funding (CRF) – Round 1 Technical Amendment

4. As part of the Round 1 Coronavirus Relief Funding (CRF), the Town of Chapel Hill received \$746,411 as their per capita allocation. The Town has allocated \$250,000 of those funds back to the Orange County Housing and Community Development Department, with \$25,000 to be used toward the Rapid Rehousing program, and \$225,000 to be used toward the County's Housing Stabilization efforts. The Town of Carrboro received \$266,575 as their per capita allocation. The Town has allocated \$119,983 of those funds back to the Orange County Housing and Community Development Department to be used toward the County's Housing Stabilization efforts. This budget amendment provides for the receipt of these funds from the Towns of Chapel Hill and Carrboro for the above stated purposes.
5. The Health Department has an urgent need of \$10,000 in funding to provide flu vaccines at COVID-19 testing sites and at early voting sites, as well as the normal distribution through their medical clinics. This budget amendment provides for the re-allocation of

\$10,000 from the Orange County IT Department's Round 1 funding to the Health Department to support the administering of the flu vaccines.

6. The Orange County Housing and Community Development Department has an urgent need of additional funding in support of the County's Housing Stabilization efforts. This budget amendment provides for the re-allocation of \$75,000 from Orange County Asset Management Services Round 1 funding to the Housing and Community Development Department for the above stated purpose.

This budget amendment provides for the budgetary changes related to the Round 1 Coronavirus Relief Funding (*See Attachment, column #3*)

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 on Aging

7. The Orange County Department on Aging has budgetary changes to the following programs:
 - **Nutrition Lunch Program** – receipt of \$118,837 in Families First and CARES funds from the Triangle J Council of Governments (TJCOG) to meet additional need for food and supplies related to the department's Nutrition Lunch Program.
 - **Family Caregiver Program** – receipt of \$26,836 in CARES funds from the Triangle J Council of Governments (TJCOG) for caregiver support and other related program expenses.
 - **Community Based Services/Senior Centers** – receipt of \$55,385 in Title III B CARES funds from the Triangle J Council of Governments (TJCOG) to support virtual programming and other supplies in the Senior Centers related to the COVID-19 pandemic response.

This budget amendment provides for the receipt of these additional funds for the above stated purposes. (*See Attachment 1, column #4*)

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.

Human Rights and Relations

8. The Human Rights and Relations Department has received additional funds of \$18,200 from Housing and Urban Development (HUD) related to case reimbursements. This budget amendment provides for the receipt and appropriation of these additional funds

and amends the following Human Rights and Relations HUD Grant Project Ordinance:
(See Attachment 1, column #5)

Human Rights and Relations HUD Grant (\$18,200) - Project # 71300

Revenues for this project:

	Current FY 2020-21	FY 2020-21 Amendment	FY 2020-21 Revised
HUD Funds	\$418,586	\$18,200	\$436,786
From General Fund	\$272,063	\$0	\$272,063
Total Project Funding	\$690,649	\$18,200	\$708,849

Appropriated for this project:

	Current FY 2020-21	FY 2020-21 Amendment	FY 2020-21 Revised
Human Rights & Relations HUD Grant	\$690,649	\$18,200	\$708,849
Total Costs	\$690,649	\$18,200	\$708,849

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

- **GOAL: FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY**

The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts associated with these agenda items.

FINANCIAL IMPACT: Financial impacts are included in the background information above. This budget amendment provides for the receipt of these additional funds in FY 2020-21 and increases the General Fund by \$398,541; increases the Community Development Fund by \$739,983; and increases the Multi-year Grant Projects Fund by \$18,200.

RECOMMENDATION(S): The Manager recommends the Board approve the budget and grant project ordinance amendments for fiscal year 2020-21.

Original Budget	Encumbrance Carry Forwards	Budget as Amended	Budget as Amended Through BOA #2	Sheriff's Office - receipt of \$25,000 grant from the North Carolina Governor's Highway Safety Program	Budget as Amended Through BOA #2-A	#1 Health Department - receipt of \$18,614 in grant funds for the Immunization Action Plan, and \$178,869 in grant funds COVID Infection Protection services	#2 Housing and Community Development - receipt of \$195,000 in CRF/CARES Act grant funds, and a transfer of \$100,000 from the Local Voucher Program within the General Fund to the Housing Displacement Program within the Community Development Fund	#3 Coronavirus Relief Funding (Round 1) - technical amendment for the receipt of \$250,000 from the Town of Chapel Hill and \$119,983 from the Town of Carboro from their per capital allocation, and the re-allocation of \$10,000 from the IT Department to the Health Department, as well as the re-allocation of \$75,000 from the AMS Department to Housing and Community Development	#4 Department on Aging - receipt of \$118,837 in Families First and CARES funds for the Nutrition Lunch program; receipt of \$26,836 in CARES funds for the Family Caregiver Program; and receipt of \$55,385 in Title IIB CARES funds for Community Based Services/Senior Centers	#5 Human Rights and Relations - receipt of \$18,200 in additional funds from HUD related to case reimbursements within the HUD Grant Project, outside of the General Fund	Budget as Amended Through BOA #3	
General Fund												
Revenue												
Property Taxes	\$ 167,694,880	\$ -	\$ 167,694,880	\$ 167,694,880	\$ -	\$ 167,694,880	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 167,694,880
Sales Taxes	\$ 23,827,353	\$ -	\$ 23,827,353	\$ 23,827,353	\$ -	\$ 23,827,353	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,827,353
License and Permits	\$ 274,550	\$ -	\$ 274,550	\$ 274,550	\$ -	\$ 274,550	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 274,550
Aging	\$ 714,177	\$ -	\$ 714,177	\$ 743,564	\$ -	\$ 743,564	\$ -	\$ -	\$ 201,058	\$ -	\$ -	\$ 944,622
Health	\$ 1,615,735	\$ -	\$ 1,615,735	\$ 2,113,322	\$ -	\$ 2,113,322	\$ 197,483	\$ -	\$ -	\$ -	\$ -	\$ 2,310,805
Sheriff	\$ 659,388	\$ -	\$ 659,388	\$ 661,888	\$ 25,000	\$ 686,888	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 686,888
Intergovernmental	\$ 17,710,005	\$ -	\$ 17,710,005	\$ 23,095,241	\$ 25,000	\$ 23,120,241	\$ 197,483	\$ -	\$ -	\$ 201,058	\$ -	\$ 23,518,782
Charges for Service	\$ 12,645,090	\$ -	\$ 12,645,090	\$ 12,645,090	\$ -	\$ 12,645,090	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,645,090
Investment Earnings	\$ 515,000	\$ -	\$ 515,000	\$ 515,000	\$ -	\$ 515,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 515,000
Miscellaneous	\$ 2,624,009	\$ -	\$ 2,624,009	\$ 3,168,653	\$ -	\$ 3,168,653	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,168,653
Transfers from Other Funds	\$ 5,486,817	\$ -	\$ 5,486,817	\$ 5,631,817	\$ -	\$ 5,631,817	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,631,817
Fund Balance	\$ 8,288,603	\$ -	\$ 8,288,603	\$ 7,977,302	\$ -	\$ 7,977,302	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,977,302
Total General Fund Revenues	\$ 239,046,307	\$ -	\$ 239,046,307	\$ 244,829,886	\$ 25,000	\$ 244,854,886	\$ 197,483	\$ -	\$ -	\$ 201,058	\$ -	\$ 245,253,427
Expenditures												
Asset Management Services	\$ 5,337,736	\$ -	\$ 5,337,736	\$ 5,883,846	\$ -	\$ 5,883,846	\$ -	\$ (75,000)	\$ -	\$ -	\$ -	\$ 5,808,846
Information Technologies	\$ 3,846,104	\$ -	\$ 3,846,104	\$ 4,307,607	\$ -	\$ 4,307,607	\$ -	\$ (10,000)	\$ -	\$ -	\$ -	\$ 4,297,607
Non-Departmental	\$ 687,264	\$ -	\$ 687,264	\$ 1,927,700	\$ -	\$ 1,927,700	\$ -	\$ (369,983)	\$ -	\$ -	\$ -	\$ 1,557,717
Support Services	\$ 12,773,209	\$ -	\$ 12,773,209	\$ 15,153,237	\$ -	\$ 15,153,237	\$ -	\$ (454,983)	\$ -	\$ -	\$ -	\$ 14,698,254
General Government	\$ 25,639,107	\$ -	\$ 25,639,107	\$ 26,094,128	\$ -	\$ 26,094,128	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 26,094,128
Community Services	\$ 14,322,250	\$ -	\$ 14,322,250	\$ 14,667,196	\$ -	\$ 14,667,196	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,667,196
Health	\$ 10,461,605	\$ -	\$ 10,461,605	\$ 10,969,192	\$ -	\$ 10,969,192	\$ 197,483	\$ 10,000	\$ -	\$ -	\$ -	\$ 11,176,675
Department on Aging	\$ 2,192,238	\$ -	\$ 2,192,238	\$ 2,221,625	\$ -	\$ 2,221,625	\$ -	\$ -	\$ 201,058	\$ -	\$ -	\$ 2,422,683
Housing and CD	\$ 418,275	\$ -	\$ 418,275	\$ 490,275	\$ -	\$ 490,275	\$ (100,000)	\$ -	\$ -	\$ -	\$ -	\$ 390,275
Human Services	\$ 41,614,328	\$ -	\$ 41,614,328	\$ 42,606,767	\$ -	\$ 42,606,767	\$ 197,483	\$ (100,000)	\$ 10,000	\$ 201,058	\$ -	\$ 42,915,308
Sheriff	\$ 14,803,705	\$ -	\$ 14,803,705	\$ 14,831,205	\$ 25,000	\$ 14,856,205	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,856,205
Public Safety	\$ 27,994,203	\$ -	\$ 27,994,203	\$ 28,164,919	\$ 25,000	\$ 28,189,919	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 28,189,919
Education	\$ 111,737,971	\$ -	\$ 111,737,971	\$ 111,857,971	\$ -	\$ 111,857,971	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 111,857,971
Transfers Out	\$ 4,965,239	\$ -	\$ 4,965,239	\$ 6,285,668	\$ -	\$ 6,285,668	\$ -	\$ 100,000	\$ 444,983	\$ -	\$ -	\$ 6,830,651
Total General Fund Appropriation	\$ 239,046,307	\$ -	\$ 239,046,307	\$ 244,829,886	\$ 25,000	\$ 244,854,886	\$ 197,483	\$ -	\$ -	\$ 201,058	\$ -	\$ 245,253,427
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Year-To-Date Budget Summary

Fiscal Year 2020-21

General Fund Budget Summary

Original General Fund Budget	\$239,046,307
Additional Revenue Received Through Budget Amendment #3 (November 5, 2020)	
Grant Funds	\$1,192,788
Non Grant Funds	\$5,305,633
General Fund - Fund Balance for Anticipated Appropriations (i.e. Encumbrances)	\$0
General Fund - Fund Balance Appropriated to Cover Anticipated and Unanticipated Expenditures	(\$291,301)
Total Amended General Fund Budget	\$245,253,427
Dollar Change in 2020-21 Approved General Fund Budget	\$6,207,120
% Change in 2020-21 Approved General Fund Budget	2.60%

Paul:
includes 0.4 FTE time-limited increase of the current Emergency Preparedness Coordinator (BOA #2)

Paul:
includes 1.0 FTE Rapid Rehousing Case Manager; 2.0 FTE Peer Support Specialists; .375 FTE increase of Programs Coordinator; 3.0 FTEs time-limited Social Work positions; and 1.0 FTE time-limited Harm Reduction Clinical Coordinator (BOA #1)

Authorized Full Time Equivalent Positions

Original Approved General Fund Full Time Equivalent Positions	940.480
Original Approved Other Funds Full Time Equivalent Positions	97.950
Total Approved Full-Time-Equivalent Positions for Fiscal Year 2020-21	1,038.430

BOCC Meeting Follow-up Actions

(Individuals with a * by their name are the lead facilitators for the group of individuals responsible for an item)

Meeting Date	Task	Target Date	Person(s) Responsible	Status
10/20/20	Review and consider request by Commissioner Greene to receive a status report from the Food Council Coordinator on the focus on hunger in Orange County	11/17/20	Ashley Heger	Food Council Coordinator will provide a report to the Board at the 11/17/20 BOCC Meeting
10/20/20	Review and consider request by Commissioner Price to receive a report regarding what the County submitted to the NC Pandemic Recovery Office regarding COVID 19 expenditure transactions to date	11/12/20	Gary Donaldson Travis Myren	Information will be presented at the 11/12/20 BOCC Work Session
10/20/20	Review and consider request by Commissioner Price to adopt a resolution supporting 9-1-1 Telecommunicators be recognized as Public Safety personnel	12/07/20	Dinah Jefferies/Clerk's Office	To be reviewed and considered
10/20/20	Review and consider request by Commissioner Price to receive as report from members of the Pre-Trial Reform Workgroup on the Reform in the Criminal Justice system	12/07/20	Caitlin Fenhagen	To be reviewed and considered
10/20/20	Review and consider request by Commissioner Price to ask Housing staff to explore the HOPE program housing grant that is available through Housing and Urban Development	11/05/20	Emila Sutton	COMPLETED
10/20/20	Review and consider request by Commissioner Dorosin to receive a status report from CHCCS regarding the deficiencies found in the audit regarding financial issues from Spring 2020	12/31/20	Gary Donaldson	To be reviewed and considered
10/20/20	Review and consider request by Commissioner Dorosin regarding the Board and OWASA identify ways to assist residents experiencing back payments during COVID-19	12/31/20	Bonnie Hammersley	To be reviewed and considered
10/20/20	Review and consider request by Commissioner Rich to send a letter to the Governor supporting the appeal of the Hyde Amendment	11/05/20	Commissioner Rich/Clerk's Office	To be reviewed and considered

INFORMATION ITEM

Tax Collector's Report - Numerical Analysis

Property Tax Collection - Tax Effective Date of Report: September 30, 2020						
Tax Year 2020	Amount Charged in FY 20-21	Amount Collected	Accounts Receivable	Amount Budgeted in FY 20-21	Remaining Budget	% of Budget Collected
Real and Personal Current Year Taxes	\$ 154,198,531.00	\$ 23,985,665.95	\$ 130,071,783.88	\$ 154,198,531.00	\$ 130,212,865.05	15.56%
Real and Personal Prior Year Taxes	\$ 3,818,647.51	\$ 491,119.45	\$ 2,977,388.10	\$ 1,155,000.00	\$ 663,880.55	42.52%
Total	\$ 158,017,178.51	\$ 24,476,785.40	\$ 133,049,171.98	\$ 155,353,531.00	\$ 130,876,745.60	15.76%
Registered Motor Vehicle Taxes		\$3,559,505.56	\$11,962.78	\$ 11,175,116.00	\$ 7,615,610.44	31.85%
Tax Year 2019	Amount Charged in FY 19-20	Amount Collected	Accounts Receivable	Amount Budgeted in FY 19-20	Remaining Budget	% of Budget Collected
Real and Personal Current Year Taxes	\$ 152,142,471.00	\$ 20,266,950.91	\$ 130,657,801.19	\$ 152,142,471.00	\$ 131,875,520.09	13.32%
Real and Personal Prior Year Taxes	\$ 3,378,823.17	\$ 348,221.80	\$ 2,962,785.21	\$ 1,100,000.00	\$ 751,778.20	31.66%
Total	\$ 155,521,294.17	\$ 20,615,172.71	\$ 133,620,586.40	\$ 153,242,471.00	\$ 132,627,298.29	13.45%
Registered Motor Vehicle Taxes		\$3,091,724.20	\$4,181.12	\$ 10,770,627.00	\$ 7,678,902.80	28.71%
2020 Current Year Overall Collection Percentage - Real & Personal		15.57%				
2020 Current Year Overall Collection Percentage - with Registered Motor Vehicles		17.47%				
2019 Current Year Overall Collection Percentage - Real & Personal		13.43%				
2019 Current Year Overall Collection Percentage - with Registered Motor Vehicles		15.17%				

This report has been updated as of March 2019 to include registered motor vehicle collections.

INFORMATION ITEM

Tax Collector's Report - Measures of Enforced Collections

-

Fiscal Year 2020-2021

Effective Date of Report: SEPTEMBER 30, 2020

	July	August	September	October	November	December	January	February	March	April	May	June	YTD
Wage garnishments	95	62	84										
Bank attachments	22	17	32										
Certifications	-	-	-										
Rent attachments	1	1	-										
Housing/Escheats/Monies	-	-	17										
Levies	-	-	-										
Foreclosures initiated	2	8	3										
NC Debt Setoff collections	\$2,350.26	\$ 1,991.76	\$ 869.25										

This report shows the Tax Collector's efforts to encourage and enforce payment of taxes for the fiscal year 2020-21. It gives a breakdown of enforced collection actions by category, and it provides a year-to-date total.

The Tax Collector will update these figures once each month, after each month's reconciliation process.

NAME	ACCOUNT NUMBER	BILLING YEAR	ORIGINAL VALUE	ADJUSTED VALUE	TAX	FEE	FINANCIAL IMPACT	REASON FOR ADJUSTMENT	TAX CLASSIFICATION	ACTION	Approved by CFO	Additional Explanation
16 Parkside Lane LLC	3175842	2020	1,363	717	(7.35)		(7.35)	Incorrect value (clerical error)	Real	Approve	9/28/2020	Land area was doubled
16 Parkside Lane LLC	3175830	2020	2,729	1,604	(12.80)		(12.80)	Incorrect value (clerical error)	Real	Approve	9/28/2020	Land area was doubled
Adler, Deborah	57115405	2019	13,540	12,186	(22.60)		(22.60)	High mileage (appraisal appeal)	RMV-VTS	Approve	10/8/2020	
Arano Roque, Fabian	3183477	2020	4,860	-	(46.79)		(46.79)	Double billed (illegal tax)	Personal	Approve	9/28/2020	Also billed on account 268636
Carpenter, Joseph Brian	1066065	2017	500		(4.62)		(4.62)	*Situs error (illegal tax)	Personal	Approve	10/8/2020	Property listed in Granville County
Carpenter, Joseph Brian	1066065	2018	500		(4.73)		(4.73)	*Situs error (illegal tax)	Personal	Approve	10/8/2020	Property listed in Granville County
Carpenter, Joseph Brian	1066065	2019	500		(4.82)		(4.82)	*Situs error (illegal tax)	Personal	Approve	10/8/2020	Property listed in Granville County
Carpenter, Joseph Brian	1066065	2020	500		(4.82)		(4.82)	*Situs error (illegal tax)	Personal	Approve	10/8/2020	Property listed in Granville County
Carter, Ginger	234210	2020	31,350		(0.91)		(0.91)	Assessed in error (illegal tax)	Personal	Approve	9/28/2020	Keyed as late listing in error, removing listing penalty only
Carter, Ginger	204975	2020	33,280		(2.39)		(2.39)	Assessed in error (illegal tax)	Personal	Approve	9/28/2020	Keyed as late listing in error, removing listing penalty only
Childers, Christine	55391	2020	950		(9.15)		(9.15)	Assessed in error (illegal tax)	Personal	Approve	10/8/2020	The mobile home is demolished
Clutch dba Carpe Lotion	3185733	2020	15,430	14,820	(9.85)		(9.85)	Assessed in error (illegal tax)	Personal	Approve	10/8/2020	Equipment was assessed for the incorrect year
Cyntha Ryals Murray	3189396	2020	6,890	-	(17.09)		(17.09)	Assessed in error (illegal tax)	Personal	Approve	10/8/2020	Vehicle's registration period was changed in error by NCDMV at registration renewal; Covid 19 extension for June renewals is November 2020 however when the taxpayer renewed in August DMV changed her registration date to August triggering a 2 month gap in registration.
David C. Landen	43748	2020	1,950		(0.94)		(0.94)	Assessed in error (illegal tax)	Personal	Approve	9/28/2020	Keyed as late listing in error, removing listing penalty only
Huang, Yuhao	53048395	2019	37,970	35,899	(33.42)		(33.42)	Purchase price (appraisal appeal)	RMV-VTS	Approve	10/8/2020	
Liu, Xuecheng	3186623	2020	36,000	-	(96.82)		(96.82)	Assessed in error (illegal tax)	Personal	Approve	10/8/2020	Gap bill was created in error
Lovvorn, Virginia	3189630	2020	500	-	(4.81)		(4.81)	Assessed in error (illegal tax)	Personal	Approve	10/8/2020	Rental personal property appliances added back to the real property account 282303
Maclanders Farms LLC	3189633	2020	1,000	-	(16.14)		(16.14)	Assessed in error (illegal tax)	Personal	Approve	10/8/2020	Rental personal property appliances added back to the real property account 972379
Manturuk, Eric	265062	2020	840	-	(13.56)		(13.56)	Assessed in error (illegal tax)	Personal	Approve	10/8/2020	Property was sold
Monroe, John	34021502	2020	10,530	6,476	(65.41)		(65.41)	Value adjustment (appraisal appeal)	RMV-VTS	Approve	10/8/2020	
Morales, Mynor	3185396	2020	2,010	-	(23.45)		(23.45)	Double billed (clerical error)	Personal	Approve	10/8/2020	Also billed on account 3182611
Pegram, David	1062498	2020	489,789	488,997	(56.64)		(56.64)	Incorrect value (clerical error)	RMV	Approve	9/28/2020	Vehicles value was corrected
Reed, Scott	268426	2009	1,000	-	(10.10)		(10.10)	Double billed (clerical error)	Personal	Approve	10/8/2020	Also billed on account 316447
Reed, Scott	268426	2010	1,000	-	(9.18)		(9.18)	Double billed (clerical error)	Personal	Approve	10/8/2020	Also billed on account 316447
Reed, Scott	268426	2011	950	-	(8.82)		(8.82)	Double billed (clerical error)	Personal	Approve	10/8/2020	Also billed on account 316447
Reed, Scott	268426	2012	950	-	(8.82)		(8.82)	Double billed (clerical error)	Personal	Approve	10/8/2020	Also billed on account 316447
Reed, Scott	268426	2013	950	-	(8.99)		(8.99)	Double billed (clerical error)	Personal	Approve	10/8/2020	Also billed on account 316447
Reed, Scott	268426	2014	950	-	(9.39)		(9.39)	Double billed (clerical error)	Personal	Approve	10/8/2020	Also billed on account 316447
Staples, David	1073533	2020	500	-	(5.05)		(5.05)	Assessed in error (illegal tax)	Personal	Approve	10/8/2020	Property is no longer in Orange County
Tempest, David	53944754	2019	6,740	5,931	(9.65)		(9.65)	High mileage (appraisal appeal)	RMV-VTS	Approve	10/8/2020	
Weiss, Kenneth	299360	2020	68,200	67,600	(9.68)		(9.68)	Incorrect value (clerical error)	Personal	Approve	9/28/2020	Not rental property
Zakrocki, Frank	32571303	2020	11,430	9,524	(25.50)		(25.50)	Purchase price (appraisal appeal)	RMV-VTS	Approve	9/28/2020	
							(564.29) Total					
*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 that physical location.												
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.												