

APPROVED 5/5/2020

**MINUTES
BOARD OF COMMISSIONERS
VIRTUAL BUSINESS MEETING
APRIL 21, 2020
7:00 p.m.**

The Orange County Board of Commissioners met for a Virtual Business Meeting on Tuesday, April 21, 2020 at 7:00 p.m.

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

COUNTY COMMISSIONERS ABSENT:

COUNTY ATTORNEYS PRESENT: John Roberts

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

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

Due to current public health concerns, the Board of Commissioners conducted a Virtual Business meeting on April 21, 2020. Members of the Board of Commissioners participated in the meeting remotely. As in prior meetings, members of the public were able to view and listen to the meeting via live streaming video at orangecountync.gov/967/Meeting-Videos and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

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

- Written submittals by email
- Speaking during the virtual meeting

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

1. Additions or Changes to the Agenda

NONE

PUBLIC CHARGE

The Chair acknowledged the Public Charge

Arts Moment

No Arts Moment will be available for this meeting.

2. Public Comments

a. Matters not on the Printed Agenda

Riley Ruske (sent in via email):

The citizens of Orange County have been able to dispose of 'construction and demolition' materials at the various recycle sites for years. The only constraint is published on the signage at the sites allowing 4.5 cubic yards or 120 cubic feet per weekday or weekend. Suddenly we are being told that the limit has been reduced to 3 cubic feet—the equivalent of about 2 Walmart shopping bags!!! This will not even cover a minor yard clean-up of a tiny structure or other debris. We are told to go to the Eubanks road site where we will have to pay tipping fees of \$22 per pick-up or trailer or \$5 per carload. This constitutes a 98% reduction in service to residents and a new tipping fee 'tax' on top of the already high \$142 Solid Waste Programs Fee for each residence. Why has there not been public discussion of this change? Who authorized and approved of this increase in fees to the citizens of Orange County? Will the Solid Waste Programs Fee for residences be reduced to compensate for these new tipping fees?

This change is not only a costly inconvenience but creates a hazard as rural residents are forced to travel down the interstate with construction and demolition materials in trailers and pickup trucks. Of course, prudent persons properly secure their loads, but sadly, many do not as demonstrated by the trash along the rural roads.

Please rescind this policy and return to the previous policy, which was safer and less costly to citizens.

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

Commissioner Bedford said at 5:00 p.m. today she had a conference call with the Burlington Graham Metropolitan Planning Organization (MPO). She said there is a projected \$300 million decrease in revenues from the North Carolina Department of Transportation (NCDOT) through June 30. She said this will lead to the postponement of projects. She said the SPOT 6 for that MPO was delayed until May 19th.

Commissioner Bedford thanked all of the essential workers and County staff that are keeping everyone safe. She also thanked the public for staying home.

Commissioner Greene echoed Commissioner Bedford's comment.

Commissioner Greene said she attended the Partnership to End Homelessness (PTEH) virtual meeting. She said all service coordinators are working together, water stations are being maintained, and the InterFaith Council (IFC) kitchen and pantry have seen a 50% increase in usage, and is need of shelf ready foods.

Commissioner Greene said there is a \$20,000 grant from Cardinal Innovations for those exiting prisons.

Commissioner Greene said Nate Broman-Fulks, Town of Chapel Hill Affordable Housing Manager, reported that the Town is getting a new \$245,000 CDBG grant to be used for rental assistance, and other housing needs. She said the Town and the County are working closely on housing.

Commissioner Greene said Corey Root, PTEH Coordinator, reported there is a new emergency grant coming out in the amount of \$5 billion nationwide.

Commissioner Greene said Emila Sutton, Housing Director, reported that the Housing Choice program will be able to help people with rent payments, due to lost income.

Commissioner McKee said a member of the public contacted him about the Solid Waste Convenience Center (SWCC). He said this resident was told that the SWCC would not be taking more than a wheelbarrow of household of C&D. He asked if he could receive more information on hours and what the SWCCs will accept.

Commissioner Price said many thanks to all who are caring for each other.

Commissioner Price said the North Carolina Association of County Commissioners (NCACC) and National Association of Counties (NACo) are lobbying for counties to get direct funding during this pandemic, as opposed of the funding going through the state.

Commissioner Price said the Chamber of Commerce is doing what it can to help small businesses apply for loans.

Commissioner Price said the Board of County Commissioners (BOCC) has an item on the ABC Board in its Information Items, and Commissioner Dorosin, not her, is now the Board representative to the ABC Board. She said when the Board receives reports from the ABC Board, she would also like to know the requested fund amounts versus the amounts that are received.

Commissioner Price said she solicited information from Steve Brantley, Economic Development Director, about how local farmers are doing and they seem to be doing quite well.

Commissioner Marcoplos said he and Chair Rich met with Sig Hutchinson from the Wake County Orange County Board of Commissioners about greenways, as well as and Charles Flynn, Owner, Greenways, Inc. He said many municipalities have signed a resolution committing to connect intelligently with other greenways, which he would like the BOCC to support as well. He said he will send the resolution to staff.

Commissioner Marcoplos referenced the community garden grant program, and said the County should re-publicize it. He said he would like a report on this grant and its success.

Commissioner Dorosin said he had a petition and two reports.

Commissioner Dorosin said he thought the Board should consider an Orange County Centralized Recovery Office, with a dedicated staff person to head it up to coordinate all of the recovery efforts: tracking funds, prioritization of funds, etc. that will be made over the next 6-12 months. He said this could be useful for the County and for residents, and serve as a one- stop shop. He suggested issuing Orange County recovery bonds: low interest yield bonds one would buy from the County, and all the resources would go into these recovery funds. He said this would need to be done quickly, and would be similar to war bonds. He said staff would need to find out legally if the County can do this.

Commissioner Dorosin said he attended an ABC Board meeting today, and a question was raised as to when the BOCC will be making appointments to the ABC Board.

Commissioner Dorosin said there has been an increase in alcohol sales in Orange County during this pandemic. He said the ABC has made a lot of efforts toward safety and cleaning of its stores, and the ABC Board approved a \$2 raise for all employees, except the highest tier.

Commissioner Dorosin said Durham Tech's search for a new president is moving forward, and he will be following up with the BOCC on some of the qualities that it hopes to see in the new president for Durham Tech, which he will share with the search committee.

Chair Rich said there was a request to review the ¼ cents climate mitigation tax rubric, and she asked Commissioner Price, Commissioner Greene and Commissioner Marcoplos to do so by June 2nd.

Chair Rich said the Emergency Operations Center (EOC) minutes would be going out as soon as she reviews them.

Chair Rich said the EOC is starting to talk about recovery, re-entry, homelessness and food.

Chair Rich said she continues to talk with the Mayors and the School Board Chairs and they are collaborating with their partners.

4. Proclamations/ Resolutions/ Special Presentations NONE

5. **Public Hearings**
NONE

6. **Regular Agenda**

a. **Proposed Orange County Five-Year Consolidated Plan, FY 2020-2021 Annual Action Plan, and FY 2020-2021 HOME Activities**

The Board will consider:

- 1) Adoption of a Resolution approving the draft Five-Year Consolidated Plan for FY 2020-2021 through FY 2024-2025 and FY 2020-2021 Annual Action Plan;
- 2) Adoption of a Resolution approving the proposed HOME Program Activities for FY 2020-2021 and authorize the Chair to sign; and
- 3) Authorizing the County Manager to implement the HOME Program as approved by the BOCC, including the ability to execute agreements with partnering nonprofit organizations after consultation with the County Attorney and based on the allocation received from HUD.

BACKGROUND:

Consolidated Plan and Annual Action Plan

Every five years, state and local governments (“Participating Jurisdictions”) that receive HOME Investment Partnerships Program funds from the U.S. Department of Housing and Urban Development (“HUD”) are required to complete a Consolidated Plan that assesses the housing and community development needs of their jurisdiction, analyzes market conditions, and lays out a strategic plan that identifies priority needs and associated goals and anticipated allocations of federal and other funds. Additionally, Participating Jurisdictions must complete an Annual Action Plan showing how they will work to fulfill the goals and address the priorities in the Consolidated Plan in each program year.

The Orange County HOME Consortium (also called the Local Government Affordable Housing Collaborative), consisting of the County and the Towns of Carrboro, Chapel Hill, and Hillsborough, completed the Consolidated Plan and Annual Action Plan through extensive data analysis and community engagement conducted in partnership with Apiary Community Consulting and University of North Carolina researchers.

FY 2020-2021 HOME Program Activities

For FY 2020-2021, Orange County anticipates receiving the following HOME resources:
FY 2020-2021

HOME Funds	\$ 374,851
HOME Program Income	\$ 13,000
Local Match (25% of HOME)	\$ 93,712
Total	\$ 481,563

The above amounts are estimates and may be adjusted according to the actual allocation received from HUD.

The HOME Consortium, comprised of one (1) elected official and staff members from Orange County and the Towns of Carrboro, Chapel Hill, and Hillsborough, reviewed the received applications for the FY 2020-2021 HOME Program on March 26, 2020 and made the following funding recommendations for consideration by each of the jurisdictions’ elected bodies:

Habitat for Humanity – Homeownership Assistance	\$ 94,138
CASA – Rental Development	\$ 200,000
EmPOWERment – Rental Development	\$ 56,228
Local Match – Rental Assistance	\$ 93,712
Administration	\$ 37,485
Total	\$ 481,563

The above amounts may still be adjusted according to the actual allocation received from HUD.

In accordance with the Orange County HOME Consortium Agreement, approved in May 2011, the HOME Program Design for each year must be approved by all jurisdictions prior to submission to HUD. The HOME Program Design is scheduled for approval by the:

- Town of Carrboro on April 21, 2020;
- Town of Chapel Hill on April 22, 2020; and
- Town of Hillsborough on May 11, 2020.

The Board of Commissioners is therefore asked to consider approval of the attached HOME Program Design Resolution.

The Consolidated Plan and FY 2020-2021 Annual Action Plan must be submitted to HUD on or before May 15, 2020.

HOME Program Implementation

After approval of the FY 2020-2021 HOME Program Design by all Consortium participants, authorization is requested to allow the Orange County Manager, based on the HUD allocation received, to execute agreements with partnering nonprofit organizations as necessary to implement the approved HOME Program Design. All agreements will be reviewed and approved by the County Attorney's Office.

Emila Sutton, Housing Director, made the following PowerPoint presentation:

ORANGE COUNTY HOME PROGRAM
2020 CONSOLIDATED PLAN, ACTION PLAN, & FY21 HOME PROGRAM
Orange County Board of Commissioners
April 21, 2020

AGENDA

- HOME Overview
- Consolidated Plan Overview
- Action Plan Overview
- FY 2020-2021 HOME Award Recommendations

HOME PROGRAM

Purpose

- Increase the supply of decent, affordable housing to low-income households
- Expand the capacity of nonprofit housing providers
- Strengthen the ability of state and local governments to provide housing
- Leverage private sector participation

Uses

- Acquisition of real property, site improvements, & housing construction
- Housing rehabilitation & reconstruction
- Homeownership assistance
- Tenant-based rental assistance

CONSOLIDATED PLAN

- Five year planning document detailing the use of HUD grants
 - HOME: Orange County
 - CDBG: Chapel Hill
- Three main components: Needs Assessment, Market Analysis, & Strategic Plan
 - Needs Assessment & Market Analysis look at housing, homelessness, and community development
 - Strategic Plan identifies priorities, sets goals, & earmarks resources

CONSOLIDATED PLAN SUMMARY

Needs Assessment

- Cost burden is the most common housing problem
- Homelessness in Orange County remains stubbornly high
- Orange County has many people with unique housing needs, such as seniors and people with disabilities

Market Analysis

- The housing market in Orange County is high-cost
- There are some, but not enough, subsidized units
- Orange County's economic base lies in healthcare, education, and professional services, in addition to retail and service sectors that accommodate them
- CONSOLIDATED PLAN SUMMARY

Strategic Plan

- Based on the Needs Assessment, Market Analysis, and community and stakeholder input, the Strategic Plan establishes the following priorities:
 - Housing for People Experiencing Homelessness
 - Housing for Low- and Moderate-Income Households
 - Integrated Housing for People with Service Needs
 - Community Development and Services (**CDBG only**)
- Activities to address these priority needs with HOME funds include: rental construction, rental assistance, housing rehabilitation/preservation, home ownership construction, and home buyer assistance

ACTION PLAN

- Annual "update" to Strategic Plan piece of the Consolidated Plan
- Includes information on HOME funding awards for the year in question
 - Chapel Hill also creates a separate Action Plan for their CDBG funds

FY21 HOME PROGRAM

- Applications for FY20-21 HOME program were due on **2/17**
- Applications are reviewed and scored by staff (Towns & County)
- Scoring based on:
 1. Income targeting
 2. Vulnerable population(s)
 3. Long-term affordability
 4. Project location relative to services & employment
 5. Leveraging other funding

- 6. Cost effectiveness
- 7. Capacity to complete project
- Award recommendations made by HOME Consortium (Local Government Affordable Housing Collaborative)

FY21 HOME APPLICANTS

	Habitat	CASA	EMPME
Funding Request	\$390,000	\$350,000	\$200,00
Funding Award	\$94,138	\$200,000	\$56,228
Project Description	Second mortgage assistance for Habitat home buyers	Gap financing for Merritt Mill, a 48 unit rental project with some units set aside for people with disabilities	Financing for 107 Johnson Street, an 8 to 10 unit rental project
Income Targeting	9 units for households earning up to 50% AMI and 4 units up to 80% AMI	9 units for households earning up to 30% AMI and 39 units for households earning up to 80% AMI	2 units for households earning up to 30% AMI, 7 units up to 50% AMI, and 1 unit at 80% AMI
Population Targeting	Low-income seniors and people with disabilities will be targeted in 15% of units	People with disabilities will be targeted in 9 units (19%)	None, but of their existing portfolio, 48% of residents are voucher holders
Project Location	Fairview community in Hillsborough and Northside neighborhood in Carrboro	Merritt Mill Road in Carrboro/ Chapel Hill	Pine Knolls neighborhood in Chapel Hill
Leveraging	Total non-HOME project funding is \$1.5 million	Total non-HOME project funding is \$8.6 million	Total non-HOME project funding is \$2.4 million

FY21 HOME AWARD RECOMMENDATION

Funding Sources

FY 2020-2021 HOME Funds	\$ 374,851
HOME Program Income	\$ 13,000

Local Match (25% of HOME)	\$ 93,712
Total	\$ 481,563

Funding Uses

Habitat for Humanity – Homebuyer Assistance	\$ 94,138
CASA – Rental Development	\$ 200,000
EMPOWERment – Rental Development	\$ 56,228
Local Match – Rental Assistance	\$ 93,712
Administration	\$ 37,485
Total	\$ 481,563

Commissioner Price referred to the resolution under rental development, and said it says 84 units, but should say 48 units.

Commissioner Price asked if there are any guidelines as to how the Housing Department determines the amount of funds per unit.

Emila Sutton said Commissioner Dorosin may be able to speak to that.

Commissioner Dorosin said the consortium meeting did not include a target, but with this particular discussion, most of the funds were given to CASA is because it was doing rentals. He said given that the Home Consortium had a limited pot of funds, the rentals were a big factor in the discussion. He said CASA was also serving the highest number of people at the lowest targeted AMI.

A motion was made by Commissioner Price, seconded by Commissioner Bedford for the Board to:

- 1) Adopt a Resolution approving the draft Five-Year Consolidated Plan for FY 2020-2021 through FY 2024-2025 and FY 2020-2021 Annual Action Plan;
- 2) Adopt and authorize the Chair to sign a Resolution approving the proposed HOME Program Activities for FY 2020-2021; and
- 3) Authorize the County Manager to implement the HOME Program as approved by the BOCC, including the ability to execute agreements with partnering nonprofit organizations after consultation with the County Attorney and based on the allocation received from HUD.

VOTE: UNANIMOUS

b. Climate Action Tax Recommendations for FY 2019-20 – School Solar Update

The Board received additional information on the Solar for Schools Grant program that could be funded through the FY 2019-20 Orange County Climate Action Tax in response to Board members' questions at the February 4, 2020 Board Business Meeting; and consider voting to approve funding for the recommended Solar for Schools Grant program for FY 2019-20 as outlined.

Travis Myren presented this item:

BACKGROUND: As part of the FY 2019-20 budget, the Board of Commissioners authorized an additional ¼ cent property tax to provide an estimated \$469,272 dedicated to accelerating

climate change mitigation through the new Climate Change Mitigation Project in the Capital Investment Plan.

When the tax was authorized, the BOCC stated that it would decide the final prioritization of projects to be funded, and the Board requested that the Commission for the Environment (CFE) provide feedback on prospective projects in advance of BOCC review.

The CFE completed its initial scoring, and the BOCC reviewed a report that outlined the recommended projects at its Business meeting on February 4th. At that meeting the Board approved funding for two of the four recommended projects, and at the request of school leadership, temporarily deferred taking any action on the two projects which make up the proposed Solar for Schools grant program. Attachment 1 is a copy of this report revised in accordance with the comments received from the BOCC.

During the discussion of the Solar for Schools grant program, Board members asked several questions in preparation for additional discussion in the future. In response, staff revised the report and had discussions with staff in both school districts. Attachment 2 is a list of the Board members' questions and follow-up responses on the recommended Solar for Schools Grant Program.

The Board considered the item again at its April 7, 2020 Business meeting. However, some additional concerns were raised by both school systems. The Board once again deferred action on the two proposed Solar for Schools projects to allow additional communication between both school districts and County staff, and also to allow both Boards of Education to consider the proposed rooftop solar projects.

The Chapel Hill-Carrboro City Schools (CHCCS) Board of Education met on April 16, 2020 and expressed support for its rooftop solar project. The Orange County Schools (OCS) Board of Education is scheduled to meet on April 20, 2020 to discuss its rooftop solar project, and County staff will provide an update to the BOCC on any actions taken at that OCS meeting.

FINANCIAL IMPACT: The Climate Action Tax is projected to generate \$469,272 in funds in FY 2019-20. The top two recommended projects have already been approved to use \$169,272 of these funds, and the remaining \$300,000 is recommended to fund two Solar for Schools grants for \$150,000 each.

Chair Rich said both school districts have indicated that they would like to move forward on these solar projects.

Travis Myren reminded the Board that they discussed this item on April 7th and additional questions were raised, and staff was asked to see if the school districts would like to use these funds.

Travis Myren said both Boards of Education (BOE's) accepted these grant funds, and he circulated both action items from both districts to the Orange County Board of Commissioners earlier today.

Commissioner McKee said he had concerns about the differences between leasing and purchasing. He said there may be a lower up front cost with leasing, but if they actually use the funds to leverage a larger system, it may be cheaper over the long term to own. He asked if staff has any figures on long-term costs. He said there were some answers in the abstract, but there were not a lot of numbers and the Board does not know what their long term costs are. He said he would have liked to have seen the costs of leasing versus ownership.

Travis Myren said the grant would allow the districts to do whatever they think is in their best interest.

Commissioner McKee said it would have been more helpful to have had the long term costs, and would have been interesting to see these numbers.

Commissioner McKee asked if anyone contacted local solar providers about how much the systems would cost. Commissioner McKee asked if staff knows the efficiency downgrades on these systems.

Travis Myren said staff has these calculations, and he can get them to the Board.

Commissioner McKee said there is no need at this point, but it would have been helpful to have numbers that are verifiable.

Commissioner McKee referred to page 13, and read:

Solar panels have a 25-year life expectancy, and the leasing company often only owns the panels for the first 5-10 years. The schools have the option to write into the lease agreement that the solar company will manage any repairs and maintenance either during the time the system is owned by the solar company or for the entire life of the panels. After an agreed-upon period of time, the lease agreement should allow the Schools to make one of the following choices:

- 1.) Purchase the panels at a much reduced cost;
- 2.) Renegotiate a new lease agreement;
- 3.) Ask the solar company to remove the panels at no cost.

Commissioner McKee asked if these solar companies are willing to write in any of these points into a lease agreement.

Travis Myren said he can find out this information.

Commissioner McKee said it would have been nice for both the Board and the schools to know the situation that would be facing them after 5-10 years.

Travis Myren said determining what to do with the panels at the end of a lease, or their usefulness, will be at the discretion of the school districts.

Commissioner McKee referred to page 11, item 2, and read the following excerpt.

2. Are there Duke Energy Solar Incentives that apply to this project?

Duke Energy will provide up to \$75K in incentives for public entities to install solar energy systems >100kW. Assuming these potential projects offset a school's total energy demand, these projects are likely to be eligible for that level of incentives (see this [fact sheet](#) for more info).

That incentive is locked in after the design phase once Duke approves an interconnection agreement, so projects could be designed with a budget of \$225,000. Some project money would be spent on design before the incentive was guaranteed, but there could be a clause that would allow the remainder of project funds to be contingent on Duke solar incentive approval.

Commissioner McKee said this wording leads him to wonder why one would design a project before having a commitment from Duke.

Travis Myren said Duke will not approve an incentive unless they know certain criteria about the project. He said there would be some engineering to do before one can apply for the Duke incentive.

Commissioner Price referred to the issue of leasing, and asked if the school boards wanted to negotiate a longer lease, do these companies provide upgrades during the lease period.

Travis Myren said not to his knowledge. He said leasing becomes an option when you face technology obsolescence.

Commissioner Price referred to page 7, "Supplemental Weatherization for Low Income Households-weatherizations up fits," and asked if staff can provide a list of the funding and what is allowed.

Travis Myren said yes.

Commissioner Marcoplos pointed out that they are not on the frontier of solar technology, and the information regarding ownership and leasing is readily available. He said it is up to the schools to make that decision, and both districts have experience with solar arrays, so there is little risk. He said leasing is typically much cheaper, and includes maintenance.

Commissioner Greene referred to page 8, and the three grant requirements and signage:

- 1.) That the solar projects maximize the purchase power of the grant funding by considering leasing of the solar panels in the arrangement laid out in 2017 by H.B. 589, and report to the County on the decision that was made to purchase or lease.
- 2.) The grantees must report the total solar energy generated as well as the percent of each facility's energy use that was served by the solar system. This would provide pressure for continued focus on energy efficiency along with the renewable energy.
- 3.) The grantees must have a monitor showing the live energy performance of their systems in a public location with a sign noting that the system was paid for by proceeds of the Orange County Climate Action Tax.

Commissioner Greene said, in the interest of education, she would want the signage to say more. She said this solar array will reduce carbon emissions, which could be quantified, and the signage could also list the benefits for climate action.

Chair Rich said the County is granting the money to the schools, and asked if Orange County has a role thereafter. She said she would like Brennan Bouma, Sustainability Director, to stay involved with these projects to assist the schools in the best way to utilize these funds.

Commissioner Bedford agreed with Commissioner Greene's suggestion about the signage.

Commissioner Price read the following from point 10:

Are there any relevant restrictions on solar in our Unified Development Ordinance (UDO)?

A third-party review of the solar regulations within Orange County's UDO was conducted in 2017 when the County was being certified as a SolSmart community at the Silver Level. According to that review at that time, there were several sections that might influence the design, function, and aesthetics of a school solar array depending on its size, type, and location. Orange County Sustainability staff plans to reach out to Planning staff for an updated review during the creation of the County's climate action plan.

Commissioner Price asked if staff could follow up on this point. She said she had brought this up before.

Travis Myren said staff would follow up.

Travis Myren said he wanted to confirm the two points to include in creating the grant report: the signage showing wattage, energy savings, education signage, etc.; and the County's on-going participation and on-going reporting by Brennan Bouma (per Chair Rich)

Travis Myren asked if an annual review of the projects, how they have performed over time, would be sufficient.

Chair Rich said everything the County spends this ¼ cent tax on should be measured.

Commissioner Marcoplos referred to page 8, and read the following: "The rooftop solar projects proposed for each school district is proposed to work through a grant to provide the schools with flexibility while preserving the ability of the County to track progress and impact." He said this says the grantee must provide a reference of sharing information in a report.

Commissioner Marcoplos said it is the Climate Council's practice that everyone at the table is sharing information about their projects, and it is important to learn collectively.

Commissioner Dorosin said suggested that a quarterly report come back on all of these projects, such as weatherizations.

Commissioner Dorosin reflected on the process of this particular issue. He said two weeks ago the schools did not want these projects, and now the schools have reviewed and accepted the projects. He said the process worked very well.

Chair Rich said the timeframe was good.

Commissioner McKee said he has no doubt the solar projects will be beneficial in the long run, but he did have an issue with the process. He said he believed the Board could have addressed, and reduced, school capital projects already in the queue that have equal climate value, thus killing two birds with one stone. He said the Board set an expectation and backed the schools in a corner, and he does not blame the schools for taking the project at this point, if the alternative was to refuse it and complete no projects. He said he will vote against this item.

Commissioner Dorosin said Commissioner McKee's characterization of the process was not accurate. He said if the schools had other projects, the Board invited the schools to submit them to the Board for evaluation.

Commissioner Bedford said she is glad there is going to be a subcommittee to work on the process of how projects are brought forward in the future.

Chair Rich said there is a difference between efficiency projects and climate mitigation projects. She said the solar panels project is a climate mitigation project, which is what the tax is for.

Commissioner Marcoplos said it is his understanding that every school board member voted in favor of these projects.

Commissioner McKee said he has had off line conversations with the school board members, and he stands by his comments and vote.

Commissioner Dorosin said this process started in January, and not two weeks ago. He said if Commissioner McKee has other information he should share it in the BOCC meetings, as it would be good to know.

Commissioner Price said she had conversations with school board members and chairs, who initially felt out of the loop on this project, but now all seem to be on the same page. She said she is glad the process will be reviewed.

Chair Rich said this project was discussed at school collaboration months ago, and the schools had more than two weeks.

Commissioner McKee said he had conversations with school board members, and he feels the two-week notice did back the schools into a corner. He said individual school board members did not know details about these projects, nor did their staff. He said County staff should have done a better job of raising it up the seniority ladder.

A motion was made by Commissioner Marcoplos, seconded by Commissioner Dorosin for the Board to approve funding for the recommended Solar for Schools Grant program for FY 2019-20 as outlined in the attached report in the abstract with revisions.

VOTE: Yeas, 6; Nays, 1 (Commissioner McKee)

7. **Reports**
NONE

8. **Consent Agenda**

- **Removal of Any Items from Consent Agenda**

Commissioner Price asked to remove items 8-f and 8-h.

Commissioner Dorosin asked to remove item 8-b to be read aloud

- **Approval of Remaining Consent Agenda**

A motion was made by Commissioner McKee, seconded by Commissioner Bedford to approve the remaining items on the Consent Agenda.

VOTE: UNANIMOUS

- **Discussion and Approval of the Items Removed from the Consent Agenda**

- **8-b Fair Housing Month Proclamation**

The Board considered voting to approve a proclamation designating April 2020 as Fair Housing Month in Orange County, North Carolina.

Commissioner Dorosin read the resolution:

**ORANGE COUNTY BOARD OF COMMISSIONERS PROCLAMATION
FAIR HOUSING MONTH**

WHEREAS, April 11, 2020 marked the 52nd anniversary of Title VIII of the Civil Rights Act of 1968 (formally known as the Fair Housing Act) and the 37th anniversary of the North Carolina Fair Housing Act prohibiting discrimination in housing on the basis of race, color, sex, religion, national origin, disability and familial status; and

WHEREAS, the Orange County Board of Commissioners enacted the Orange County Civil Rights Ordinance on June 6, 1994, which affords to the residents of Orange County the protections guaranteed by the Fair Housing Act and additionally encompasses the protected classes of Veteran Status and Age; and

WHEREAS, Orange County and the U. S. Department of Housing and Urban Development as well as concerned residents and the housing industry are working to make fair housing opportunities possible for everyone by encouraging others to abide by the letter and the spirit of fair housing laws; and

WHEREAS, the U.S. Department of Housing and Urban Development annually declares the month of April as National Fair Housing Month, designating *Call HUD: Because Sexual Harassment In Housing is Illegal* as the

national theme and Orange County has designated *Closing the Door on Housing Discrimination* as its theme in 2020; and

WHEREAS, despite the protections afforded by the Orange County Civil Rights Ordinance and the Fair Housing Act, illegal housing discrimination still occurs in our nation and within our County; and

WHEREAS, by supporting and promoting fair housing and equal opportunity, we are contributing to the strength of our County, State and Nation;

NOW, THEREFORE, we, the Board of County Commissioners of Orange County North Carolina, do proclaim April 2020 as **FAIR HOUSING MONTH** and commend this observance to all Orange County residents.

This the 21st day of April 2020.

A motion was made by Commissioner Dorosin, seconded by Commissioner Greene to approve the proclamation.

VOTE: UNANIMOUS

8-f Fiscal Year 2019-20 Budget Amendment #8

The Board considered voting to approve budget and grant project ordinance amendments for fiscal year 2019-20

Commissioner Price commended Animal Services for getting the \$20,000 grant.

Commissioner Price said she also wanted to commend the Friends of the Orange County Library for providing additional funding for its summer reading program.

A motion was made by Commissioner Price, seconded by Commissioner Dorosin to approve budget and grant project ordinance amendments for fiscal year 2019-20

VOTE: UNANIMOUS

h. Change in BOCC Meeting Schedule for 2020

The Board considered voting to change the Board of Commissioners' meeting calendar for 2020 to make all scheduled meetings in May virtual meetings

Commissioner Price said she was not aware of the stay at home orders being extended into May, and asked if there is a reason that the BOCC will meet virtually until the end of May.

Donna Baker said the stay at home order has not been extended, but staff thought it more efficient to change the BOCC Meeting calendar for the month of May to virtual meetings, so as not to have to constantly to publicize meetings back and forth. She said most other governmental entities are doing the same.

A motion was made by Commissioner Price, seconded by Commissioner McKee to approve to change the Board of Commissioners' meeting calendar for 2020 to make all scheduled meetings in May virtual meetings

VOTE: UNANIMOUS

a. Minutes

The Board approved the draft minutes from the April 7, 2020 BOCC Virtual Business Meeting as submitted by the Clerk to the Board.

b. Fair Housing Month Proclamation

The Board approved a proclamation designating April 2020 as Fair Housing Month in Orange County, North Carolina.

c. Refunding a Portion of the Solid Waste Programs Fee for Residents Being Provided Curbside Recycling Service by the City of Mebane

The Board authorized providing refunds for the last three years for the portion of the Solid Waste Program fee allocated to curbside recycling to single family homes in the City of Mebane that pay for and receive curbside recycling from the City of Mebane.

d. Approval of a Grace Period for the Registration and Renewal Process for Orange County Beverage Licenses through July 15, 2020

The Board approved a resolution, which is incorporated by reference, establishing a grace period for the registration and renewal of Orange County Beverage Licenses through July 15, 2020 due to the Covid-19 Pandemic and the State of Emergency issued by Governor Roy Cooper on March 10, 2020, and the Declaration of an Orange County State of Emergency to Order the Public to Stay at Home in order to slow the further spread of COVID-19.

e. Adoption of the Final Financing Resolution Authorizing the Issuance of \$40,750,000 in Installment Purchase Financing for Various Capital Investment Plan Projects

The Board adopted the final financing resolution, which is incorporated by reference, authorizing the borrowing of approximately \$40,750,000 in installment financing to finance capital investment projects and equipment for the fiscal year, including amounts to pay transaction costs.

f. Fiscal Year 2019-20 Budget Amendment #8

The Board approved budget and grant project ordinance amendments for fiscal year 2019-20 for Animal Services; Social Services; the Health Department; Library Services; New Hope Volunteer Fire Department; and the Planning and Inspections Department.

g. Approval of a Lease for a Section of the Roof and Wall of the Sportsplex to Celco Partnership (Verizon Wireless) for Installation of a Mini Cell Phone Tower

The Board approved a five year lease agreement with Celco Partnership (dba Verizon Wireless) for space on the wall and roof of the Sportsplex, located at 101 Meadowlands Drive in Hillsborough, for the installation, operation and maintenance of communications equipment; and authorize the Chair to sign the Resolution for Lease, and the Manager to sign the Non-Disturbance and Attornment Agreement, and Lease Agreement upon final review by the County Attorney.

h. Change in BOCC Meeting Schedule for 2020

The Board voted to change the Board of Commissioners' meeting calendar for 2020 to make all scheduled meetings in May virtual meetings.

9. County Manager's Report

Bonnie Hammersley said staff is currently putting together a recovery team with the jurisdictions and towns.

Bonnie Hammersley said staff is monitoring all situations and documenting all funding. She said she is awaiting information from the towns as to their proposed members.

Bonnie Hammersley said there is a virtual BOCC work session on April 23rd and she reviewed the agenda.

Bonnie Hammersley said there will be a joint virtual meeting on April 28th with the BOCC and both school boards of education.

10. County Attorney's Report

John Roberts said the General Assembly (GA) is planning to convene for a short session on April 28th, and will discuss a lot of Covid-19 issues. He said the GA is looking at a virtual meeting bill, which may include that closed sessions may not be held virtually. He said he will keep the Board posted on any changes.

John Roberts said the County has suspended its collection accounts.

John Roberts referenced an email, received earlier today, from Annette Moore, Human Rights and Relations Director, on the eviction diversion program.

**11. *Appointments
NONE**

12. Information Items

- April 7, 2020 BOCC Meeting Follow-up Actions List
- April 1, 2020 Alcoholic Beverage Control (ABC) Board Letter to Board of Commissioners
- Memorandum - Financial Report for Third Quarter of FY 2019-20

**13. Closed Session
NONE**

14. Adjournment

A motion was made by Commissioner Greene, seconded by Commissioner Marcoplos to adjourn the meeting at 8:31 p.m.

VOTE: UNANIMOUS

Penny Rich, Chair

Donna S. Baker
Clerk to the Board