

APPROVED 9/2/21

**MINUTES
ORANGE COUNTY
BOARD OF COMMISSIONERS
VIRTUAL BUSINESS MEETING
June 1, 2021
7:00 p.m.**

The Orange County Board of Commissioners met for a Virtual Business Meeting on Tuesday, June 1, 2021 at 7:00 p.m.

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

COUNTY COMMISSIONERS ABSENT: None.

COUNTY ATTORNEYS PRESENT: John Roberts

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

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

A roll call was conducted; all members were present.

Due to current public health concerns, the Board of Commissioners (BOCC) is conducting a Virtual Business Meeting on Tuesday, June 1, 2021. Members of the Board of Commissioners participated in the meeting remotely. As in prior meetings, members of the public were able to view and listen to the meeting via live streaming video at <http://www.orangecountync.gov/967/Meeting-Videos> and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

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

- Written submittals by email
- Speaking during the virtual meeting

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

1. Additions or Changes to the Agenda

There were no changes to the agenda. Chair Price dispensed with reading the public charge.

Public Charge:

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

2. Public Comments

a. Matters not on the Printed Agenda

None

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 Hamilton said she submitted budget amendments for the CIP to delay the Buckhorn Area Plan to year 2, and to use American Rescue Plan Act (ARPA) funds to provide \$3 million to schools. She said the impact of the COVID-19 pandemic is not one that teachers and students will get over quickly. She cited a New York Times Magazine article discussing the impact of the pandemic on high school students.

Commissioner Hamilton said it was the 100th anniversary of the Tulsa Massacre on May 31st.

Commissioner Greene said she had no comments.

Commissioner Fowler said she also made an amendment to the budget to direct part of the climate tax to the schools. She said she will justify the rationale for that amendment at a future work session.

Commissioner Fowler said May 31 was Memorial Day, and she remembered those who died to give the nation its freedom. She said it is a time to try to work together and remember those who died to provide the possibility of working towards democracy.

Commissioner Dorosin referenced the discussions at the General Assembly on the state budget. He said the House and Senate leadership are indicating that there will not be a budget at all. He said it is important to remember how much the County is constrained by what the State does, and everyone should keep pressure on legislators. He said the model of pushing costs on local governments is frustrating and worrying.

Commissioner Bedford said Cardinal Innovations said it is merging with Vaya Health, under Vaya's leadership. She said Vaya's CEO indicated that things will continue as normal.

Commissioner McKee said he spoke at a Memorial Day event on May 31. He said Commissioner Fowler's comments were spot on and the day is about honoring others.

Chair Price said the Memorial Day event was well attended, and Commissioner McKee did a spectacular job. She said anyone can purchase a brick at the Veteran's memorial to honor someone.

Chair Price said Orange County's COVID-19 numbers are good, and the emergency declaration will continue until the end of June.

Chair Price said June 1st is the beginning of hurricane season.

Chair Price said in regards to the revaluation, she is working with staff and there will be something added to the budget amendments to try to remedy the situation for historical communities.

Chair Price referred to the ARPA funds, and said it would be good to see where all the funds are going to be spent, and the plan for the next two years. She said she would like to know how much of the \$28 million will be used in the first year. She said the National

Association of Counties (NACo) has a description of what the funds may be used for on its website. She said ARPA funds can be applied to small business grants.

Chair Price said June is Pride Month, and she would like to honor that at the June 15th business meeting.

Commissioner Bedford said the Board was also going to discuss the possibility of extending the deadlines for revaluation appeals.

Chair Price said she hopes the Board can discuss that at June 15, and possibly extend until September or December.

Bonnie Hammersley said the deadline extension is scheduled for June 15th. She said there will be a presentation on ARPA funds at the June 3 work session, with a few approaches for how to go forward with that funding.

4. Proclamations/ Resolutions/ Special Presentations

a. Proclamation Designating June 11, 2021 as South Orange Rescue Squad (SORS) Day

The Board considered approving a proclamation recognizing South Orange Rescue Squad's 50th Anniversary and designating June 11, 2021 as South Orange Rescue Squad Day in Orange County.

BACKGROUND:

In 1968, the Orange County Rescue Squad in Hillsborough was formed and emergency medical services and ambulance transport began in Hillsborough. Early in 1971, members of the business community in Carrboro and Chapel Hill and volunteers from the Carrboro Fire Department met to address the issue of supplying emergency medical services and ambulance transport for the rest of the County. As a result of that meeting, and with a gift of an ambulance from Orange County Rescue Squad, the South Orange Rescue Squad was formed on June 11, 1971. Funds were donated, a building was built on land donated by Mr. Edward Yaggy, and the organization began and continues to provide emergency medical services to the Orange County community. In 1991, the Squad began to provide rescue services, and in 1992 began providing technical rescue services to the residents of Orange County and surrounding areas.

Since its founding, the South Orange Rescue Squad has provided countless hours of training for thousands of volunteers and residents and has engaged in countless hours of specialized training and continuing education to enhance life-saving skills.

On June 11, 2021, the South Orange Rescue Squad will be celebrating its 50th anniversary. A proclamation recognizing the Squad on its 50th anniversary, as well as designating June 11, 2021 as South Orange Rescue Squad Day in Orange County, is attached for Board consideration.

Kirby Saunders, Emergency Services Director, thanked Fred Stipe, SORS Board of Directors Chair, for the support SORS has given over the last 50 years. He said South Orange Rescue Squad shows its commitment everyday through training, EMS services, and augmenting emergency services everyday. He said SORS provides technical rescue services, and is currently helping search for a missing hiker in Carteret County. He said SORS includes some of the most professional and dedicated individuals he has ever worked with. He thanked the squad for all of the support they provide, and congratulated the rescue squad on its 50th anniversary.

Fred Stipe said he appreciates Kirby Saunders' partnership. He said on behalf of the rescue squad and the board of directors, he thanked the Commissioners for their support. He said the technical rescue team is getting prepared for possible deployment during hurricane season. He said it is an honor to work with a great team of emergency responders in Orange County, including 911, fire services, and the Sheriff's department. He said he is very proud of the partnership, and extremely proud of the 50th anniversary. He said the rescue squad will have a celebration in 2022, and the Board of County Commissioners (BOCC) will be invited.

Commissioner McKee read the proclamation:

**ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION
South Orange Rescue Squad Day – June 11, 2021**

WHEREAS, Emergency Medical Services (EMS) is a vital public service; and

WHEREAS, Technical Rescue, including high-angle, swiftwater, and land search are vital public services; and

WHEREAS, CPR and Community Education are vital public services, and

WHEREAS, South Orange Rescue Squad is made up entirely of volunteers who provide these vital public services to the residents of Orange County with no compensation to themselves; and

WHEREAS, before the founding of South Orange Rescue Squad, transportation from southern Orange County to a hospital was provided by the Chapel Hill Funeral Home; and

WHEREAS, members of the Carrboro Fire Department and residents of Carrboro and Chapel Hill joined together to form the South Orange Rescue Squad in 1971; and

WHEREAS, the people of Chapel Hill and Carrboro donated the money to build South Orange Rescue Squad's station which was completed in 1974; and

WHEREAS, the volunteers of South Orange Rescue Squad have been serving the Orange County public and the University of North Carolina at Chapel Hill by providing EMS since the first week of June 1971; and

WHEREAS, the volunteers of South Orange Rescue Squad began providing rescue services to the residents of Orange County and surrounding areas in 1991 and technical rescue services in 1992; and

WHEREAS, South Orange Rescue Squad has trained more than two thousand volunteers over the past 50 years, many of whom have dedicated their careers to public safety and providing medical care to the residents of North Carolina; and

WHEREAS, since 1971 the volunteers of South Orange Rescue Squad have engaged in countless hours of specialized training and continuing education to enhance their life-saving skills; and

WHEREAS, since 2006 South Orange Rescue Squad has trained more than 10,000 Orange County residents by providing free CPR classes; and

WHEREAS, South Orange Rescue Squad contributes its volunteer EMTs and its ambulances to respond to the needs of the residents of Orange County through regular scheduling in the 911 System, as well as providing surge coverage and additional resources when needed; and

WHEREAS, it is appropriate to recognize and appreciate the value and accomplishments of the 50 years of service of South Orange Rescue Squad;

NOW THEREFORE BE IT RESOLVED that we, the Orange County Board of Commissioners, do hereby proclaim June 11, 2021 as South Orange Rescue Squad Day in recognition of the Squad's 50th anniversary of service to the Orange County community.

This the 1st day of June, 2021.

Renee Price, Chair
Orange County Board of Commissioners

A motion was made by Commissioner McKee, seconded by Commissioner Hamilton, to approve and authorize the Chair to sign the proclamation.

Roll call ensued

VOTE: UNANIMOUS

Commissioner McKee said, as a former volunteer fireman, this rescue squad is very valuable to the community.

Chair Price said it is invaluable.

Commissioner Fowler thanked the rescue squad for its dedication. She said in rural areas, people are dependent on volunteer organizations.

b. Resolution Supporting Juneteenth 2021

The Board considered voting to approve a resolution affirming the Board of Commissioners' support of previous Board action to make Juneteenth a paid County holiday in this the inaugural year of observing Juneteenth on June 19, 2021.

BACKGROUND:

On June 19, 1865, more than two years after the signing of the emancipation proclamation, Union Major General Gordon Granger went to Galveston, Texas to deliver the news to enslaved people that they were free. The first Juneteenth in 1866 in Texas was celebrated in Texas as a community event where people gathered together for prayer, food, song and dance. Since then, Texas families have emigrated to other parts of the United States and the historic and cultural tradition of Juneteenth has followed them. Today, Juneteenth is a holiday in at least 38 states. In 2007, the North Carolina enacted legislation that enables Juneteenth National Freedom Day to become a state holiday when it or a substantially similar holiday is nationally

recognized. Last year Orange County and the Towns of Carrboro, Chapel Hill and Hillsborough gave recognition to Juneteenth as holiday.

Juneteenth, while a time of celebration, it is also a time of reflection. Ira Berlin, in his book, "The Long Emancipation: The Demise of Slavery in the United States" finds slavery did not just happen over the course of the Civil War but was "a near century process." Emancipation was not a gift bestowed upon Black Americans by Lincoln or the Republican Party; it was something Black Americans fought for from the time they came to this country enslaved more than 400 years ago until today. In fighting for their freedom, Black Americans have shaped what it means to be a citizen in this "imperfect" country we call home. Through judicial decisions and legislation, Black Americans have redefined the words, "[We] the people."

This year there will be online and in person community celebrations of Juneteenth, June 18 – 20, by the Towns of Carrboro and Chapel Hill, the Chapel Hill-Carrboro City Schools system, the Chapel Hill-Carrboro NAACP, the Marion Cheek Jackson Center and others. Juneteenth will be celebrated with Black community and cultural events through arts performances, history exhibits, music and activities. Staff recommends the community attend these events to learn more about Juneteenth and the history of the Black community.

"The attached resolution regarding Juneteenth echoes many of the declarations and sentiments expressed by the Black, Indigenous and People of Color Elected Officials group in their statement commemorating Juneteenth, and thereby affirms the Board's support for this nationwide holiday.

Annette Moore explained the history of Juneteenth, and read some of the background information from the agenda abstract. She said early Juneteenth celebrations featured giving newly freed people information about voting. She discussed some of the Juneteenth events that will be celebrated this year, as noted in the abstract. She said this resolution will affirm the decision made last year to support Juneteenth as a paid county holiday.

Chair Price said there will be an art exhibit on June 18-20 called, "Say Their Names". She said it will highlight murders, lynchings, and atrocities that have occurred over the last 400 years. She said even though Juneteenth is a day of celebration, it is important to highlight the fact that there is still work to do.

Chair Price read the last two paragraphs of the resolution:

**ORANGE COUNTY BOARD OF COMMISSIONERS
Resolution Supporting Juneteenth 2021**

WHEREAS, Juneteenth is a celebration of the date, June 19, 1865, when people who were enslaved in Texas were informed that the US government had officially outlawed the brutal practice of slavery, three years *prior* with the issuance of the Emancipation Proclamation; and

WHEREAS, the Emancipation Proclamation issued on January 1, 1863 declared that the people who were enslaved in Confederate-controlled areas were officially free people (state action was used to abolish slavery in areas controlled by Union forces with the exceptions of Kentucky and Delaware where slavery was finally ended by the Thirteenth Amendment in December 1865); and

WHEREAS, isolated from both Union and Confederate forces during the Civil War, Texas had become a refuge for those who wished to continue the practice of holding human beings as property; and

WHEREAS, since the capture of New Orleans in 1862, people who held human beings as property in Mississippi, Louisiana and other points east had been migrating to Texas to escape the Union Army's reach and more than 150,000 people held in bondage had been moved to Texas; and the White people of Texas actively worked to ensure that the people held in bondage, who should have been freed in 1863, did not hear of the freedom granted by the Emancipation Proclamation; and

WHEREAS, although the Emancipation Proclamation was issued on January 1, 1863, there were still a total of 250,000 people held as human chattel in Texas when U.S. Army General Gordon Granger arrived in Galveston, Texas and on June 19, 1865 – Juneteenth – proclaimed the war had ended and so had the captivity of people who had been enslaved; and

WHEREAS, the following is the text of the official recorded version of the order:
“The people of Texas are informed that, in accordance with a proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of personal rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and hired labor. The freedmen are advised to remain quietly at their present homes and work for wages. They are informed that they will not be allowed to collect at military posts and that they will not be supported in idleness either there or elsewhere.”; and

WHEREAS, although news of emancipation came at different times during that Texas summer and autumn 1865, African Americans in Texas started to celebrate the freedom of enslaved persons on June 19 (Juneteenth) as their day of celebration; and

WHEREAS, beginning in 1866, they held parades, barbecues, and gave speeches in remembrance of their liberation. The oldest of the surviving formerly enslaved people were often given a place of honor and Black Texans initially used these gatherings to attempt to locate family members from whom they had been separated and soon these events became staging areas for family reunions and an opportunity to uplift each other as they moved through hostile environments; and

WHEREAS, by 1900, Juneteenth had unofficially become Texas Emancipation Day and was sponsored by black churches and civic organizations; and

WHEREAS, with the migration of African Americans from Texas to the West Coast, especially during World War II, Juneteenth grew in the emerging black communities of Los Angeles, San Diego, and Oakland in California; Portland, Oregon; and Seattle, Washington; and

WHEREAS, activists in the 1980s began to advocate for wider recognition of the Juneteenth Holiday; and

WHEREAS, Texas became the first state to make Juneteenth a state holiday; and

WHEREAS, by June 2020, 47 states and the District of Columbia had established either full or partial recognition of the holiday – only Hawaii, North Dakota, and South Dakota have not; and

WHEREAS, Juneteenth is the oldest nationally celebrated commemoration of the ending of slavery in the United States; and

WHEREAS, Juneteenth has been declared a paid holiday by the governing bodies of Orange County, Town of Chapel Hill, the Town of Carrboro, the Town of Hillsborough, the Orange County Schools District and the Chapel Hill Carrboro City Schools District; and

WHEREAS, the Thirteenth Amendment to the United States Constitution, which was passed by Congress on January 31, 1865, and ratified by the required 27 of the then 36 states on December 6, 1865, and proclaimed on December 18, 1865, abolished slavery and involuntary servitude, except as punishment for a crime; and

WHEREAS, we recognize that while the Emancipation Proclamation and the 13th amendment may have officially ended the legal practice of enslaving human beings in the United States of America, one hundred and fifty six years later, there is still progress which must be made to dismantle the insidious systems and practices which continue to harm Black people and deny them access to the rights and resources to which they are entitled;

NOW THEREFORE BE IT RESOLVED, that we, the Orange County Board of Commissioners, join with Black, Indigenous and People of Color Elected Officials in honoring the perseverance and hope that inspired African Americans to celebrate freedom, to look for lost relatives, and to thrive in a hostile and white supremacist environment, recognize Juneteenth as an important date in American history.

BE IT FURTHER RESOLVED that we honor the legacy of Juneteenth by building a more equitable future for our children, our children's children, and their children and we will continue to advocate and work to that end.

This the 1st day of June, 2021.

Renee Price, Chair
Orange County Board of Commissioners

A motion was made by Chair Price, seconded by Commissioner Hamilton, to approve and authorize the Chair to sign the resolution.

Roll call ensued

VOTE: UNANIMOUS

Chair Price said much of the language in the resolution comes from the statement that the BIPOC elected officials have recorded, and will be read on Juneteenth.

5. Public Hearings
None.

6. Regular Agenda

a. Opioid Litigation Memorandum of Agreement

The Board considered adopting a Memorandum of Agreement with the State of North Carolina regarding the disbursement of settlement funds related to the national opioid litigation and authorizing the Chair to sign.

BACKGROUND:

In 2018 the Board of Commissioners authorized Orange County's participation in national litigation related to the nationwide opioid epidemic. At that time the County entered an agreement with the McHugh Fuller Law Group, PLLC to represent the County's interests in the national litigation.

The national litigation has resulted in the potential for a \$26 billion settlement with the four largest corporate defendants. Should such a settlement occur, the attorneys representing the local governments, including McHugh Fuller, could have an attorney payment fund of up to \$1.6 billion. Under a settlement of this type, North Carolina could receive up to \$850 million in potential settlement funds over approximately 20 years.

For more than a year, the North Carolina Association of County Commissioners, the North Carolina Department of Justice, and a committee consisting of five county commissioners, five county managers, and five county attorneys have worked on the terms of an agreement regarding the disbursement of potential settlement funds among the state and the counties should a settlement of the national litigation occur.

The result of this work is the attached MOA that recognizes the critical role of North Carolina counties in delivering human and social services to county residents. It directs substantial resources to local governments on the front lines of the opioid epidemic while ensuring that these resources are used in an effective way to address the epidemic.

Should the national litigation settle as discussed herein, the settlement funds will be distributed among local governments according to the National Multidistrict Litigation Opioid Allocation Class Model, which is a formula developed by the national litigation attorneys, including McHugh Fuller. The formula allocates funds in proportion to where the opioid crisis is the most severe. The model accounts for the number of pills dispensed, number of opioid overdose deaths, and number of people suffering from opioid use disorder. A county's allocation percentage will not change over the term of the MOA.

Pursuant to the terms of the MOA, opioid settlement funds received in North Carolina from the national settlement will be allocated as follows:

- 80% will go to Local Governments listed in the MOA to address the opioid epidemic,
- 15% will go to the State of North Carolina,
- 5% will be used for a County Incentive Fund for any county (and any municipality in that county slated to receive settlement funds) in which the county itself and every municipality of a certain size signs the MOA.

These funds may only be used for opioid remediation activities.

The MOA prescribes collaborative strategic planning and stakeholder involvement required for certain activities. Counties are required to hold annual meetings with municipalities within their

borders to encourage collaboration and plan for permissible expenditures in the upcoming year. Local governments are also encouraged to engage in a strategic planning process to access additional expenditure options.

The MOA also establishes a Coordination Group composed of local government representatives, state government representatives, and others with relevant expertise that will meet periodically to help coordinate and guide Local Governments with their work under the MOA. The Coordination Group includes twelve total representatives as follows:

- Five local government representatives including one county commissioner, one county manager, one county attorney, one local health director, and one municipal manager;
- Four appointees of the Secretary of the Department of Health and Human Services;
- One appointee of the Attorney General;
- Two appointees of the legislature including one from the UNC School of Government and one from the North Carolina Institute of Medicine.

The MOA requires local governments to deposit opioid settlement funds received in a special restricted revenue fund to account separately for the monies. The local government must include in its budget or pass a resolution authorizing the expenditure of opioid settlement funds, indicating the specific strategy it chose from one of the two options outlined in the MOA.

Under Option A, a local government may fund one or more strategies from a shorter list of evidence-based, high-impact strategies to address the epidemic, including many strategies already deployed at the county level. The Option A strategies include:

- evidence-based addiction treatment
- recovery support services
- recovery housing
- employment-related services
- early intervention programs
- naloxone distribution
- post-overdose response teams
- syringe service programs
- criminal justice diversion programs
- addiction treatment for incarcerated persons
- reentry programs

Under Option B, a local government may fund one or more strategies from a longer list of strategies after engaging in a collaborative strategic planning process involving a diverse array of stakeholders at the local level (as detailed in Exhibit C to the MOA). The longer list of Option B strategies – the full range of strategies that will be allowed under a national settlement or bankruptcy resolution – involve multiple strategies falling into these broad categories:

Provide treatment for Opioid Use Disorder (OUD)

Support people in treatment and recovery and provide connections to care

Address the needs of criminal-justice-involved persons with OUD

Address the needs of pregnant or parenting women and their families

Prevent over-prescribing of opioids and misuse of opioids

Prevent overdose deaths and other harms (harm reduction)

Local governments have annual financial and impact reporting and audit requirements under the MOA to ensure opioid settlement funds are spent consistent with permissible purposes:

Certain reports and resolutions from the local government's governing body will be available for public access on a statewide opioid settlement dashboard.

For every fiscal year in which a local government receives, holds, or spends opioid settlement funds, the local government must submit annual financial and impact reports specifying the activities and amounts it has funded.

The local government must maintain records of opioid settlement fund expenditures and related documents for at least five years.

The State Auditor and Department of Justice shall have access to persons and records related to the MOA and expenditures of Opioid Settlement Fund to verify accounts and data affecting fees for performance.

The Local Government manager is the point of contact for questions that arise under the MOA.

The County may secure additional funds from the 5% county incentive fund if each municipality in Orange County also adopts the MOA.

John Roberts reviewed the background information for the item.

Commissioner Greene thanked John Roberts for giving a good summary of the item. She said the goal has been to avoid what happened with the tobacco settlement money. She said it is wonderful that all have realized that local governments are the front line workers, they understand how to deal with it, and they should be entrusted with the money. She said this money cannot be used for other causes without penalty. She said Option A is for high impact, and are simpler to use. She said many items on option A and B are things that Orange County is already doing. She said Orange County is a leader, and likewise North Carolina is a leader and a model for how to do this and how to get the money in the right hands.

Commissioner Dorosin asked if there is a timeline by which local governments have to select which option they want to pursue.

Commissioner Greene said areas in Option A are things can be done quickly, and without reporting. She said areas under Option B have a process.

Commissioner Dorosin asked if options A and B are mutually exclusive.

Commissioner Greene said no.

Commissioner Bedford thanked Commissioner Greene and John Roberts for the work they have done and time they have put in.

Commissioner Greene thanked the staff for their help.

Commissioner Dorosin asked if the lessons learned from the tobacco settlement could be explained, and what this settlement is trying to avoid.

John Roberts said the State was the recipient of the tobacco settlement, and did not give local governments control over the use and distribution of those funds. He said that the State used the funds for things that were not related to tobacco.

Commissioner Greene said 80% of the money will go straight to the counties, 5% is called incentive money, which counties will receive if all local municipalities sign up to participate. She asked if there is a plan in place to get Chapel Hill, Hillsborough, and Carrboro to sign up.

John Roberts said it is only required for municipalities with populations over 30,000, but he would talk to all of them for their approval.

Chair Price asked if there is a time limit for getting approval.

John Roberts said not specifically. He said North Carolina Association of County Commissioners (NCACC) just gave guidance.

Commissioner Greene said the case has not actually settled yet.

Chair Price asked if the municipalities have been involved.

Commissioner Greene said in the work she did, they were not part of the agreement that was negotiated.

Chair Price thanked Commissioner Greene and John Roberts for their work on the agreement.

Commissioner Fowler asked if there could be clarification on the timeline of the settlement and the agreement.

Commissioner Greene said the idea was to get ahead of the settlement, so the minute it settles, the agreement will be in place.

Commissioner Fowler asked if the BOCC needs to approve the agreement by a certain time.

Commissioner Greene suggested this evening.

A motion was made by Commissioner Greene, seconded by Commissioner Bedford, to adopt the Memorandum of Agreement and authorize the Chair to sign.

Roll call ensued

VOTE: UNANMIOUS

7. Reports

a. Buckhorn Area Study

The Board received a report on the Buckhorn Area Study public outreach, convey any additional direction to staff, and discuss the need and timing of a Board response to the City of Mebane.

BACKGROUND:

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

At its April 20, 2021 Business meeting, the BOCC received a report and detailed presentation from staff that addressed:

- Orange County Comprehensive Planning and context history as it relates to Planning collaboration with City of Mebane and Economic Development Zones;
- Overview of the current Countywide framework for development;
- Overview of water and sewer installations in the areas identified for Economic Development;
- Buckhorn Economic Development District (EDD);
- Areas from the Buckhorn Area Study with known developer Interest (A-B) - No known interest in areas C, D, and E;
- Moving forward in coordination with the City of Mebane on Areas A and B; and
- Public outreach.

Key outcomes from the April Board meeting included direction to staff to proceed in scheduling and holding an outreach meeting and to report back at the Board's June 1, 2021 meeting.

Following is a link to the agenda materials from the April 20, 2021 BOCC meeting:

<http://server3.co.orange.nc.us:8088/WebLink/0/doc/64229/Page1.aspx>

The video for the meeting is available for viewing at <http://orangecountync.gov/967/Meeting-Videos>

May 17, 2021 VIRTUAL PUBLIC OUTREACH MEETING: A Public Outreach Meeting was held on Monday May 17, 2021 from 6:00-8:00PM. The meeting was advertised via direct mail to owners of property located within Outreach Focus Areas "A" and "B", as well as those within 1,000-feet of these areas. The mailed notification letter, which included a map, is provided as Attachment 1. Approximately 70 people attended, 21 people provided comments and/or questions. At the end of the meeting, all people who had hands raised by the 8:00 end time were able to speak at least once, and a few spoke more than once. Instructions were provided at the beginning of the meeting, as well as the end, directing the public to send any additional comments or questions to BuckhornStudy@orangecountync.gov. Comments and/or questions received at that address by 11:59 PM on Sunday, May 23, 2021 are provided in Attachment 2. In response, staff has developed a Frequently Asked Questions (FAQ) document provided as Attachment 3.

The purpose of the outreach meeting was to:

- Continue engagement with the community as a follow-up to previous Buckhorn Area Study meetings;
- Communicate that Areas "A" and "B" are to be the focus for outreach and planning coordination between Orange County and the City of Mebane;
- Provide additional context for Outreach Focus Areas "A" and "B"; and
- Collect public comments and common questions to guide the development of a Frequently Asked Questions (FAQ) document for public and BOCC information.

Consistent themes and questions from the meeting emerged during the Q&A portion of the meeting, and are being documented as part of the FAQ document. Some of the key topics that were raised in questions and comments include the following:

- Concerns with the tributaries feeding into Seven Mile Creek and Eno River
- A sense of lost trust in Orange County and the Planning Department
- The absence of "social impacts" as a facet of the study
- The challenges around holding public meetings over Zoom, especially for those with poor broadband connectivity, as opposed to holding in-person meetings
- The absence of a comprehensive Traffic Impact Analysis (TIA) for the West Ten Road and Buckhorn Road areas (as opposed to project-specific TIAs)
- The presence of Gravelly Hill Middle School in an area that could become surrounded by 'big box' industrial or warehousing sites and the associated air quality concerns
- The potential for economic development to displace multiple groups of people, some of whom have had land passed down through family for a century

DRAFT BUCKHORN AREA STUDY – SUMMARY OF ORANGE COUNTY MEETINGS AND AGENDA ITEMS*:

- November 10, 2020 – Joint City of Mebane and Orange County-hosted Virtual Open House (Public Comments Taken)
- November 23, 2020 – BOCC Information Item
- February 16, 2021 – BOCC Report Item (Public Comments Taken)

- March 9, 2021 – BOCC Work Session with City of Mebane Council
- April 20, 2021 – BOCC Regular Item** (Public Comments Taken)
- May 17, 2021 – Orange County-hosted Virtual Public Outreach Meeting (Public Comments Taken)

*The City of Mebane Planning Board and Council also conducted meetings between November 2020 – January 2021, which included opportunity for public comments and a formal public hearing.

**An outcome of the April 20 BOCC meeting was the renaming of the Buckhorn Area Plan to the “Buckhorn Area Study” to better reflect County intent and process, as well as Study content.

STAFF IDEAS FOR CONTINUED PUBLIC ENGAGEMENT AND COORDINATION: Orange County Planning staff collects a variety of data on municipal development. Upon BOCC request, staff has the ability to prepare and maintain a new webpage that could be used as a central repository for western Orange County development trends, outreach information, and process documents for proposed developments in the area. This could include tools and information, such as:

- A link to the *Mebane Development Map* website that shows developments that are proposed, approved or under construction in Mebane’s incorporated area
- An Orange County-maintained map with parcels annexed into Mebane accompanied by a table of total annexed acres over the past few years
- Materials associated with the *Buckhorn Area Study* process to date
- Links to relevant Mebane Planning Board and City Council documents as a part of the development, annexation and rezoning processes that are in western Orange County

Any changes to the County’s Comprehensive Plan Future Land Use Map (FLUM) or Zoning require Orange County public hearing, advertised consistent with County ordinance, and County Commissioner adoption. Development proposals submitted to Orange County are processed consistent with the County’s ordinance and development standards, different from those submitted to the City of Mebane, which are processed consistent with its ordinances and standards.

Orange County Planning staff will continue to actively participate in Technical Review Committee (TRC) Meetings in Mebane when action is proposed in Orange County and provide memos in accordance with Orange County Plans. In direct response to public comments, the Draft *Buckhorn Area Plan Study* includes a section on “Development Standards” that discusses Lighting, Trails, Buffers, and Traffic as areas for review and ongoing coordination between Orange County and City of Mebane staffs. Additionally, the Orange County BOCC may resume its annual meetings with Mebane City Council. As summarized previously, the Mebane City Council joined the Orange County BOCC at its work session on March 9, 2021.

CONSISTENCY OF AREAS “A” and “B” WITH EXISTING COUNTY PLANS AND AGREEMENTS: [Attachment 4](#) shows the relationship between Areas “A” and “B” and the Future Land Use Map (FLUM) included in the adopted Orange County 2030 Comprehensive Plan. As indicated, Area “A” is located within an area currently identified on the FLUM as Economic Development Transition future land use. Land in these areas have been specifically targeted for non-residential land uses including light industrial, distribution, office, service/retail uses, and flex space since 1981 with compatible zoning on the property since 1994. The study included Area A to show its strength in economic development viability due to its location north

of and adjacent to the interstate. In addition, this study accented its viability with partial supporting infrastructure, wherein the existing investment could be leveraged.

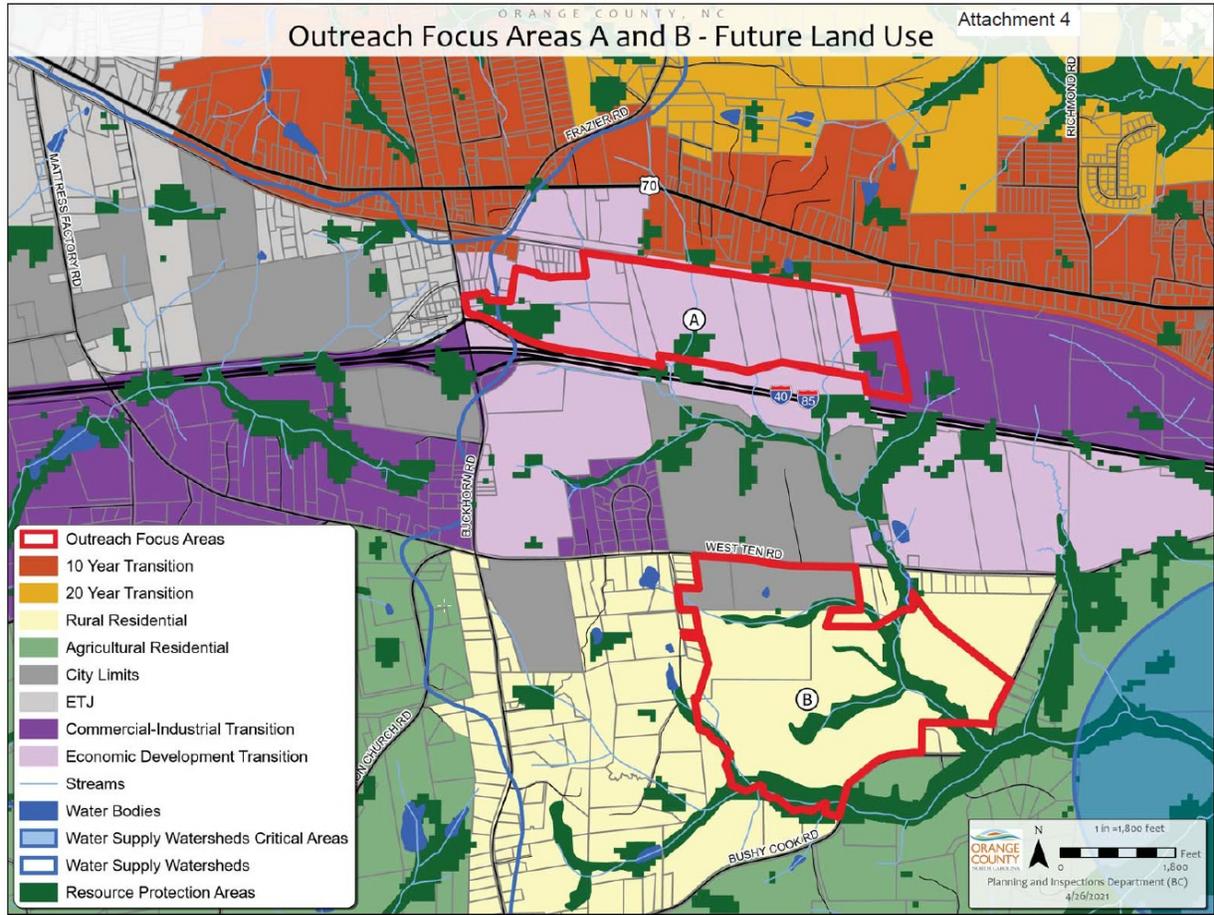
Attachment 4 also shows that Area "B" is located within an area currently identified on the FLUM as Rural Residential future land use. Land in these areas have been specifically targeted for low intensity and low-density residential development. Upon the direction of the BOCC, County Planning staff could initiate a process to implement non-residential development in Area "B" through proposed changes to the FLUM and Orange County Zoning, which would require additional process consisting of public outreach, a Planning Board recommendation, a formal Public Hearing, and adoption by the BOCC. However, such a process could be somewhat misleading in the event that future development in Area B requires public water and/or sewer utilities owned by the City of Mebane, which as a matter of policy will likely require a voluntary annexation petition for utility connection. In cases of annexation, the development proposal would be submitted to the municipality (City of Mebane) for processing consistent with its plan, ordinances and standards rather than Orange County's plan, ordinances and standards. For this reason, Planning staff is suggesting additional public engagement and coordination, as outlined herein, rather than amendments to the County's FLUM and Zoning. This focused public engagement and coordination on Area B could help inform the City of Mebane on any future changes it may consider to its Comprehensive Land Development Plan, which currently excludes the majority of Area B.

ORANGE COUNTY RESPONSE TO CITY OF MEBANE: The City of Mebane may be anticipating comments from Orange County with regard to any feedback it may have on the Buckhorn Area Study (a.k.a. Draft *Buckhorn Area Plan* to the City of Mebane), next steps, or closure. Tonight's meeting may be the last opportunity the Board has to discuss a letter of response and offer staff direction prior to the Board's summer meeting break.

Craig Benedict, Planning Director, reviewed the various outreach meetings, comments, and meetings with Commissioners. He said staff has put information gleaned from those interactions into a summary for the Board.

Tom Altieri, Comprehensive Planning Supervisor, read the background information for the item.

Tom Altieri showed the Future Land Use Map (FLUM) for areas A and B:



Tom Altieri resumed reading the background information for the item.

Chair Price referred to the area to the west of Gravelly Hill Middle School, and asked if the age for that subdivision is known.

Craig Benedict said the Preston Loop subdivision was approved in 1994. He said there is no suggestion to change the land use for that subdivision. He said the Board could direct to leave this subdivision out of economic development, and leave it as residential. He said Mebane took this area out of its land development plan, and has no interest in doing any planning here.

Commissioner Dorosin asked if staff could provide clarification on the issue of annexation, using Area B as an example. He asked at what point does the land come under Mebane's control, and if there are any geographical limits to what can be annexed.

Tom Altieri said the annexation process has to follow state statutes. He said as part of a voluntary annexation petition, a request is submitted to be zoned under the municipality's zoning ordinance, and a statement of consistency that it is addressed under Mebane's development or comprehensive plan. He said Mebane recently amended its comprehensive plan, as it annexed the Medline facility. He said this was the beginning of the study, and Mebane wanted to insure that it could be found in compliance with state statutes. He said there are several regulations and standards in the state statutes that set forth the process by which properties can be annexed. He said annexation can be contiguous, adjacent to incorporated areas, or the satellite process, which is what occurred with the Medline

annexation. He said there are standards that a municipality cannot satellite annex any property that is closer to another municipality.

Craig Benedict said Mebane would have the ability to annex in Area B, if an applicant came forward. He said Mebane does not have any satellite limits, except for if the satellite is closer to another jurisdiction.

John Roberts said there are a number of rules that apply to annexation. He said involuntary annexation is still permissible, but is not usually practiced these days. He said annexation is primarily voluntary now.

Commissioner Dorosin asked if a landowner wanted to be annexed, and Mebane approved it, the County would have no say in it. He asked if it is correct that the County has no legal authority to prevent it.

John Roberts said that is correct. He said if it was the first time Mebane was annexing into the County, it would need approval from the County.

Commissioner Dorosin clarified that the only restriction is that it has to be within 3 miles of the primary corporate limits, and closer to Mebane than any other city. He said looking at the map, the city limits for Mebane are scattered throughout the focus areas.

Chair Price asked if there has to be a way to connect water and sewer to an annexed area.

Craig Benedict said it is the decision of the municipality if it wants to annex. He said the state statute says that the municipality has to decide if it can provide public services to an area.

Commissioner Dorosin asked if Mebane has a vision for the growth of its corporate limits.

Tom Altieri said the City of Mebane does not have a definitive line of its future incorporated area. He said there is no way to determine what areas might be annexed and what might not.

Commissioner Greene said when the Board met with the Mebane City Council it seemed like there was a possibility that the Council may want to come to an agreement with the County for what their future limits will look like.

Commissioner Dorosin clarified that the City Council did not define it, however.

Chair Price asked if there is a timeline for responding to the City of Mebane. She said she is focused on responding to the residents of Orange County, but the Planning Department is focused on responding to the City of Mebane.

Craig Benedict said it is a two-step process. He said the County staff could go back out to the residents and discuss the frequently asked questions. He said Mebane has requested that the County tell the City what it wants. He said the desire is to determine the areas where the City and the Council are on the same page. He said the timeframe is just to be reasonable, and not take years to move forward.

Chair Price asked if more clarification could be provided on additional outreach. She asked if it will just be answering frequently asked questions, or will it be incorporating more public comments. She said when COVID-19 pandemic restrictions end, staff could go out and have more face-to-face interactions.

Commissioner Hamilton said it is really important to go out into the community, not just in Area B, but also in Area A. She said many of the residents in Area A are elderly, African-American, and are not aware of what is going on. She said these residents need to know how it will affect their property, and not everyone has Internet access. She said she found the frequently asked questions section to be very helpful.

Commissioner Hamilton asked if clarification could be provided on not developing south of West Ten Road. She asked if more information could be provided about traffic impacts on West Ten Road.

Craig Benedict said development historically focused on the two sides of the interstate, which was good for anti-sprawl and encouraged focused growth. He said an engineering study found that all of those areas by the interstate are not ready for development. He said some of those areas were encumbered by stream buffers. He said the study looked into which properties were prime areas, and if there were prime areas adjacent. He said the study looked at the good EDD areas and any viable areas in addition to that area.

Craig Benedict said that in the 1994 economic development design manual, West Ten Road was identified as a minor arterial road, knowing there was going to be a lot of traffic, due to the land use designation. He said staff worked with the Department of Transportation DOT to insure the traffic capacity of west ten would be developed to manage the growth around it.

Craig Benedict said the Board could direct staff to take another look at a comprehensive traffic impact analysis.

Tom Altieri said County staff completed an access management plan, which was adopted by the BOCC in April 2019. He said staff worked with a consultant on a land use analysis, build out projections, and recommendations for roadway improvements. He said this included modernization, wider lanes, sidewalks, etc. He said a meeting was held at Gravelly Hill Middle School at that time.

Chair Price asked about the area on the map that is lavender colored, north of West Ten Road. She asked if this area is built out.

Craig Benedict said the large Medline project took 176 acres west of Gravelly Hill Middle School, and to the east is the soccer park and a future expansion. He said to the west of Medline is the Buckhorn flea market, which is undeveloped (138 acres), but there is strong interest. He said there is an additional 40-50 acres west of Petro.

Chair Price said she is still looking for justification for area B.

Commissioner Fowler noted a letter from resident John Dempsey, and the potential impact on Sevenmile Creek if area B is developed. She asked if farming or tilling in the area would have a different impact, to which staff gave a basic and vague answer. She asked if staff knows if Medline has impacted Sevenmile Creek.

Craig Benedict said once a development is proposed it must meet State guidelines and Orange County guidelines. He said staff ensures that the water run off is the same pre and post development. He said any nutrients that leave the site are within the limits allowed by the State. He said the County has little control over what occurs agriculturally, as it is exempt from many standards. He said he spoke with the North Carolina Department of Environment and Natural Resource (NCDENR) who were encouraged that the higher intensity development was located as far away as possible from Sevenmile Creek. He said the County's watershed protection program is one of the best, and increasing the size of the critical area protects the creek.

Commissioner McKee responded to Commissioner Fowler's questions about the impact of farming. He said, as a farmer, he can till as close to a stream as he wants. He said he built ponds for that reason on his property. He said in his experience working on the 540 project, the oversight from NCDENR, and from local counties, run off from a construction site could not possibly be equal to full-tilling farms.

Chair Price said it was time to move on to the public comments. She reminded the public commenters to refrain from ad hominem attacks against anyone, to stick to the issues, and to respect staff members.

PUBLIC COMMENTS:

Patty O'Connor said a plan is a detailed proposal to do something, and a study is a detailed investigation. She said she does not see any details. She said traffic on West Ten is already significantly impacted by the presence of Medline and population growth. She said she

would like to see a real estate study to know what her home will be worth surrounded by industry. She said she would also like to see an environmental study, and the impact of impervious surfaces. She said she is concerned about the environmental welfare of the area. She said it is the job of the Planning Department to investigate these details, and the BOCC should want to hear from the public. She said Mebane is very interested in annexing, and it will be willy-nilly and hodge podge, leading to a potpourri of mediocrity. She urged the BOCC to use its influence with Mebane to get a plan that makes sense.

Fiona Johann said she came to hear the questions the Commissioners had for the Planning Department. She said the joint area plan is something she would like the Commissioners to consider. She said people who live in the County, and not in Mebane, need representation. She said she is interested in a home value study, and how development will impact the values of the homes. She said marketing and publicity matters, and this study is a massive marketing map. She encouraged more community input sessions, because looking at a map is one thing, while talking with the community is another. She said the Internet is not great in the study area, and that cannot be the only way we communicate. She said Mebane has stated over and over that it is interested in working with the County, and the BOCC should invest in this partnership.

Kaye Brown said she has owned a horse farm adjacent to Area E for 35 years. She said she did not learn of the plan until the Planning Department sought the City of Mebane's approval. She applauded the County and the Planning Department for slowing down and communicating with the residents. She urged the County to invite comment at the start of projects, and not just at the end. She citizen advisory councils give input at the start of projects, and will reduce resistance. She said better engagement will lead to trusted partnerships.

John Dempsey showed a map and discussed the impact of development on water sources in the area. He said the Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA) creates a rural buffer between Hillsborough and Mebane. He said misplaced and unregulated industrial and commercial activity in watershed can lead to environmental costs that bankrupt cities. He said zoning should not be based on potential profit, but potential costs should be considered as well.

Matt Cartmill thanked the Planning Department for listening to the public, and proposing the new website as a clearinghouse of information. He said it is important to allow the information to flow in both directions, with the public hearing from the County, and the County hearing from the public as early as possible. He said the public been told by the Planning Department that a large percentage of the land area in Orange County is protected by County policies. He said the Buckhorn Area Study laid bare a critical flaw in that agreement, which is the exclusion of the City of Mebane. He said there is nothing to keep the City from annexing Orange County piece by piece. He said staff indicates this is no one's intention, but this does not give him confidence for the future. He said if urban sprawl is unchecked, rural areas will disappear and natural and green spaces will disappear, and Orange County will become like Los Angeles.

Janine Zanin echoed the comments of Fiona Johann, noting that Mebane seems to want to hear what Orange County has to say. She said the City of Mebane stopped the process to give Orange County time to think about how this land should be used. She said it is important to include the City of Mebane in County plans so there can be some limitations on the City's future growth. She said Area B only scored 8 points on the study, and the study concluded that a score from 13 to 16 was ideal for economic development. She said 4 points of area B's score were due to its size as a big parcel. She said there many farms around area B, as well as a creek running through it, wildlife, etc. She encouraged the BOCC to engage the community's creativity on how to use this space. She said much of the land in areas A and B is owned by non-profits, and encouraged the BOCC to talk to them.

Margo Lakin said Attachment 2 did not include her questions that she sent in to the Planning Department, and wonders if the questions of others were left out. She asked if the Commissioner for the Environment will be invited to weigh in with scientific information. She expressed great concern about fully understanding environmental impacts including flora, fauna, hydrology reports, an alternative water source for Hillsborough, etc. She said she lived through the Flint water crisis, and it is imperative to answer these questions before development.

Del Ward said Orange County is full of smart people and is continuing to grow. He said area B seems like a great place for a new elementary school, not something the size of Medline. He said area A sits within EDD, but Area B does not. He said there has been a loss of faith in the community. He said at the May 17th meeting, someone asked if people in area A would be displaced, and the Planning Department director responded that he had dinner with someone 21 years ago. He said that is not thoughtful community engagement, and public meetings must continue. He said he is confused as to whether this is a plan or a study, and this all seems a bit much.

Commissioner Hamilton said the name change was discussed at a previous meeting. She said a plan is something that County commissioners agree on after there has been input from the community and environmental agencies. She said she wants to know when the Board will create a plan, and which areas will be targeted. She said the BOCC is in a process where things are not being taken off the table. She said the BOCC needs to communicate what it wants to Mebane. She said she would like more community input prior to determining a plan, as well as a clear understanding of the costs and benefits for developing this area.

Commissioner Hamilton said the County should communicate to Mebane that it is going to work on a timeline to make a clear plan on how the County wants to move forward. She said it is important for this to be clear, so that the BOCC is not constantly picking at this, understanding that things can always change.

Commissioner Greene said she understands how staff got to Areas B, C, and D, but she cannot support changing anything for Area B. She said it would be better to stick with the original EDD north of West Ten Road.

Commissioner Dorosin said whatever the plan looks like, at some point there is going to be commercial development near to residential development. He said it would be helpful to talk to Mebane about its goals for corporate development. He said he would push back against free for all annexation. He said looking at the map, there are two large areas already annexed by the City of Mebane, which are mostly north of area B. He said Mebane has already said it does not want to go to C. He asked if the BOCC should encourage economic development from areas to the east of the City, and similarly those other areas east of A are in consideration. He said it would be helpful to determine areas where economic development should be concentrated. He said areas on the map that are already purple would not require changes to the County's land use map, and it may make more sense to have some contiguity in an economic development area. He said there should be renewed focus on the existing EDD areas, and if there are already services in the annexed areas, it makes sense to begin there. He said there ought to be some reasonable expectation where economic development should be concentrated.

Commissioner Bedford agreed with focusing on parcel A, including water and sewer installation, and the area with the flea market. She said there might be a possibility for a school site in Area B, but it will depend on growth and other potential sites. She referred to Area B, and said she would prefer to keep the rural buffer and keep the agreement. She said Mebane was invited to participate in the WASMPBA, and declined. She said she would like to continue exploring this area with the community, as there might an opportunity to do mixed use with a hotel and shops, businesses, restaurants, and residential. She said Mebane did listen when

the County said please do not put just residential there. She said she does not want to shut off creative thinking.

Chair Price said Mebane was concerned about not having major residential in that area. Commissioner Bedford said yes.

Chair Price said Mebane's water capacity will not allow major residential development.

Commissioner McKee said several different boards approved and reapproved a plan. He said a bond was approved by the voters for economic development, which encompassed economic development. He said refusing to explore other areas will create a gated community, and the County will just sit where it is. He said there are several hundred acres, but every acre is not developable. He said the majority of Orange County's taxes come from residential taxes, and people cannot afford the taxes they are paying. He said if the BOCC does not explore other options than residential, Orange County will become a gentrified bedroom community to the Triangle. He said he is open to exploring areas A and B, and wants to look at projects as they come forward in a reasonable manner.

Chair Price agreed with delaying development of Area B, look at other lavender areas along 85/40, remove designation of Preston Loop, and work towards community engagement. She said she would like to look more closely at Area A, and who is living there. She said it is worth looking at developing area A, in conjunction with the community.

Commissioner Hamilton said she is going to Area A and meeting with someone who lives there. She said folks want to develop. She said Orange County is a County that talks about institutional racism, and back in the 1980s, marginalized communities may not have had a voice when these plans were being made. She said it is vital that the BOCC hears from them, and be sure that they get a fair price for their land and not be taken advantage of. She said she would like to hold back one year for water and sewer, as the development possibilities are driven by access to water and sewer. She said it is important to remember that there are people who have not had a voice, and the BOCC has to be deliberate. She said she supports a process to make sure that everyone gets heard.

Commissioner Fowler said she agreed with getting more input from people in Area A. She said the BOCC hands are tied in Area B, unless it plans to change WASMPBA. She said people should be aware that Mebane is looking at that area. She asked if anyone on the BOCC has talked to Mebane. She said residents should be aware of the risk.

Commissioner Greene said in preferring to keep Area B out of commercial development, she would hope Mebane could be persuaded to do the same.

Chair Price reviewed the direction from the Commissioners. She said in terms of Area A, the BOCC could do a tour of the area, meet residents and talk to them about what could be possible. She said in terms of Area B, there seems to be a general consensus to hold off developing for now. She said the BOCC needs more detail on traffic, costs and benefits. She said the BOCC needs to hear from Mebane on its plans, and determine its corporate development goals. She said everyone seems to desire more community engagement, and lastly the BOCC needs to propose a timeline to Mebane.

Craig Benedict said he took notes. He said he is hearing that in Areas A and B there needs to be face-to-face outreach.

Chair Price said face-to-face outreach in area A, and a delay on area B for right now.

Craig Benedict said there have been ongoing conversations with this community, and staff will continue these.

Chair Price said that was almost a generation ago. She said staff should walk the area to see how people live.

Commissioner Dorosin said he does not think the County should retreat from the economic development plan, as it does risk becoming a bedroom community. He said he would like to redouble efforts to develop plans already in the land use plan. He said the County

desperately needs economic development. He said the County has been very limited in accepting economic development and has ended up with nothing. He said the perfect cannot be the enemy of the good, and high taxes put the squeeze on people who cannot pay.

Chair Price said she wanted to focus on the areas that are contiguous for development.

Commissioner Bedford echoed Commissioner Dorosin's comments. She emphasized talking with Mebane and communities about potential school sites. She said the County is monitoring traffic along West Ten Road, and wants to keep the Metropolitan Planning Organizations (MPOs) informed.

Commissioner Greene supports more engagement in Area A. She said it is an old community, to which the County needs to carefully listen. She also agreed with redoubling areas north of West Ten Road that are already in the economic development plan.

Chair Price asked the County Manager if the BOCC can expect an update report in the fall.

Bonnie Hammersley said staff will work on this, and has heard the BOCC's requests. She said staff will send an email over the summer with the plans for future community engagement and working with Mebane.

Chair Price said she would get moving on a plan for meeting up with the community in Area A.

Chair Price thanked staff and said she thought the May 17th meeting went well.

8. Consent Agenda

A motion was made by Commissioner Greene, seconded by Commissioner McKee, to approve the consent agenda.

Roll call ensued.

VOTE: UNANMIOUS

- 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

The Board approved of the draft minutes for the April 27, 2021 and May 4, 2021 Board of County Commissioners meetings.

b. Motor Vehicle Property Tax Releases/Refunds

The Board adopted a resolution, which is incorporated by reference, to release motor vehicle property tax values for six taxpayers with a total of ten bills that will result in a reduction of revenue.

c. Property Tax Releases/Refunds

The Board adopted a resolution, which is incorporated by reference, to release property tax values for two taxpayers with a total of two bills that will result in a reduction of revenue.

d. Orange County ABC Board Travel Policy

The Board approved the Orange County Alcoholic Beverage Control (ABC) Board's adoption and continued use of Orange County's travel policy.

e. Fiscal Year 2020-21 Budget Amendment #13

The Board approved budget, grant, and capital ordinance amendments for fiscal year 2020-21 for Orange County Schools; Board of Elections; Non-Major Funds Reconciliation; County

Capital Projects; Emergency Recovery Funds-ARPA Funds; Library Services; and Miscellaneous.

f. Resolution Regarding a Lease Purchase Agreement between Orange County Schools and Apple Financial Services to Provide iPads for Pre-K and Kindergarten Students

The Board adopted a resolution, which is incorporated by reference, approving a lease purchase agreement between Orange County Schools (OCS) and Apple Financial Services for the purchase of iPads in support of Pre-K and Kindergarten students.

g. Amendment to the Code of Ordinances – Minimum Housing Standards Ordinance

The Board adopted a resolution, which is incorporated by reference, amending the Code of Ordinances to bring the Minimum Housing Standards Ordinance (the “Ordinance”) into compliance with Chapter 160D of the North Carolina General Statutes.

9. County Manager’s Report

Projected June 3, 2021 Budget Public Hearing & Work Session

- Budget and CIP Public Hearing
- Discussion on County Departments’ Requests for American Rescue Plan Act (ARPA) Funds
- Options to Expand Affordable Housing Incentives and Opportunities
- Advisory Board Appointments (Multiple Boards)

Projected June 7, 2021 Closed Session Items

- County Manager’s Evaluation
- County Attorney’s Evaluation
- Clerk to the Board’s Evaluation

Projected June 8, 2021 Budget Work Session Items

- Review and Consider Budget Amendments Proposed by Board Members and Staff
- Finalize Budget and Tax Rate Decisions on the FY 2021-22 Annual Operating Budget and the FY 2021-26 Capital Investment Plan
- Resolution of Intent to Adopt FY 2021-2022 Budget

Bonnie Hammersley reminded the BOCC about the public hearing on June 3. She said the Commissioners will all be given an opportunity to explain their amendments. She said all amendments should be sent to staff by June 2, so the public can view them. She said the public hearing will take place after the amendments are explained, then there will be discussion of ARPA funds. She said on June 8, the Board will meet to discuss and vote on the amendments, as well as the vote on the intent to adopt the budget.

10. County Attorney’s Report

John Roberts said House bill 947 was unanimously approved last week in the General Assembly to expand broadband access. He said \$750 million of ARPA funding will be available to the counties to match in various ways. He said the Governor proposed \$1.2 billion for broadband connectivity.

11. *Appointments

None

12. Information Items

- May 18, 2021 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

None.

A motion was made by Commissioner Dorosin, seconded by Commissioner McKee, to adjourn the meeting at 9:39 p.m.

Roll call ensued

VOTE: UNANMIOUS

Renee Price, Chair

Laura Jensen
Clerk to the Board

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