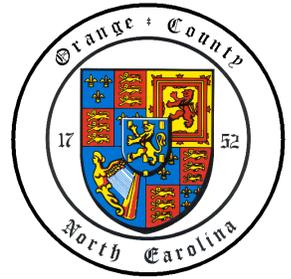


PENNY RICH, CHAIR
RENEE PRICE, VICE CHAIR
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ORANGE COUNTY BOARD OF COMMISSIONERS
POST OFFICE BOX 8181
200 SOUTH CAMERON STREET
HILLSBOROUGH, NORTH CAROLINA 27278



March 11, 2019

Senator Valerie Foushee
Representative Verla Insko
Representative Graig Meyer

Dear Senator Foushee and Representatives Insko and Meyer:

This letter is to express the Board of Commissioners' appreciation for your support and assistance with legislative initiatives of importance to Orange County. We appreciate the effort and time you invest on our behalf and hope the 2019 legislative session affords opportunities for further collaboration.

Enclosed please find materials outlining Orange County's legislative agenda package for the 2019 General Assembly session. The package includes:

- 1) A "2019 Orange County Priority Legislative Issues" document detailing our top seven issues; and
- 2) A document outlining "Other Orange County Legislative Interests."

We appreciate the opportunity to share this information with you and look forward to your support of these items. Please contact me or other Board members directly for any additional information, or if there is anything we can do to assist in your efforts in Raleigh. We can also be reached through Donna Baker, the Clerk to the Board, at her office in Hillsborough at (919) 245-2130.

Sincerely,

A handwritten signature in cursive script that reads "Penny Rich".

Penny Rich, Chair
Orange County Board of Commissioners

Enclosures

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Protecting and preserving – People, Resources, Quality of Life
Orange County, North Carolina – You Count!
(919) 245-2130 • FAX (919) 644-0246

2019 ORANGE COUNTY PRIORITY LEGISLATIVE ISSUES

Broadband/Digital Infrastructure – Support legislation, funding, and other efforts that provide counties with flexibility and opportunities to support options for increasing access to high-speed internet connectivity and expanding digital infrastructure/broadband capability to the un-served and under-served areas of the state. Access to high speed internet connections will reduce disparities, enhance quality of life for all the State’s residents, and broaden opportunities in areas such as education, jobs creation, small business development, health care, civic participation, and growth in farm enterprises.

Priority School Issues – Support legislation to address the following issues related to schools:

- a) Provide local school systems with calendar flexibility, including the opportunity to align with nearby community college schedules;
- b) Provide full funding for State allotments including Average Daily Membership (ADM) growth, and support legislation to provide for an overall increase in funding based on average daily memberships outside of the current formula system;
- c) Impose class size reductions commensurate with State funding for staffing; and
- d) Provide additional revenue options, including a statewide bond and lottery proceeds, to equitably address statewide public school and community college capital challenges and meet identified needs.

Expansion of Medicaid Program – Support legislation to increase access to the Medicaid program to make health insurance available to approximately 500,000 more North Carolina residents and as additional support for rural hospitals.

Minimum Wage Increase – Support legislation to raise the minimum wage to enhance people’s economic security, improve access to safe and secure housing, boost the economy with increased spending, decrease dependence on government assistance programs, and improve the lives of families.

Mental Health Funding – Seek legislation that:

- a) provides adequate State-funded mental health, developmental disability, and substance abuse services and facilities at the local level, accessible and affordable to all residents and that sufficient state resources fund service provision costs inclusive of sufficient crisis intervention and treatment, and to structure appropriate county participation in governance; and
- b) provides funding to develop and implement a plan to reduce the number of people with mental health issues in county jails (See EXHIBIT A – National Association of Counties (NACo) Stepping Up Initiative);

Non-Partisan Redistricting Process for Elections – Support legislation to establish a process for an independent, non-partisan redistricting process after each United States Census for the election of representatives from North Carolina to the United States House of Representatives, the North Carolina House, and the North Carolina Senate;

Criminal Justice Reform/Juvenile Jurisdiction – Support legislation to develop and fund a plan to:

- a) help reduce unnecessary charges and arrests by expanding the use of pre-arrest diversion and the issuance of citations or summons, replace reliance on money bail with non-financial conditions of release such as written promises to appear, or the least restrictive available conditions, and restrict detention to the small number of people for whom no condition or combination of conditions can reasonably assure appearance in court and public safety, reduce disparity within the pretrial justice system; support the collection of local data regarding pre-trial release outcomes; and increased funding for pre-trial release supervision programs that utilize evidence-based best practices; and
- b) address developmentally inappropriate limits on juvenile court jurisdiction, demographic and geographic disparities, inadequate representation in juvenile court, unnecessary juvenile detention, lifelong collateral consequences stemming from juvenile court involvement, and punitive school policies and practices that push students into the court system.

ORANGE COUNTY BOARD OF COMMISSIONERS
Resolution Supporting "Stepping Up Initiative to
Reduce the Number of People with Mental Illnesses in Jails"

WHEREAS, counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jails each year; and

WHEREAS, prevalence rates of serious mental illnesses in confinement facilities are three to six times higher than for the general population, with statistics showing that almost 13% of North Carolina's prison population requires some type of intervention due to mental health issues; and

WHEREAS, almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders; and

WHEREAS, adults with mental illnesses tend to stay longer in jail and upon release are at a higher risk of recidivism than people without these disorders; and

WHEREAS, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs; and

WHEREAS, without the appropriate treatment and services, people with mental illnesses can continue to cycle through the criminal justice system, often resulting in tragic outcomes for these individuals, their families, and their communities; and

WHEREAS, county jails are generally an unsafe environment for those with mental health treatment needs; and

WHEREAS, the North Carolina Association of County Commissioners has undertaken a serious effort to address the local service needs of those with mental illnesses through the appointment of a special Task Force; and

WHEREAS, Orange County, like all counties, takes pride in our responsibility to protect and enhance the health, welfare and safety of our residents in efficient, safe, and socially just ways; and

WHEREAS, through the Stepping Up Initiative, the National Association of Counties, the Council of State Governments Justice Center and the American Psychiatric Foundation are encouraging counties to reduce the number of people with mental illnesses in county jails;

NOW THEREFORE, be it resolved by the Orange County Board of Commissioners:

1. That the Board of Commissioners does hereby sign on to the Call to Action to reduce the number of people with mental illnesses in our county jail and commits to sharing lessons learned with other counties in North Carolina and across the country to support the Stepping Up Initiative; and
2. That the Board of Commissioners will utilize resources available through the Stepping Up Initiative and other resources provided by the Council of State Governments Justice Center to convene a diverse team of leaders and decision makers from multiple agencies who are committed to safely reducing the number of people with mental illnesses in jails, and
3. That this team will utilize the comprehensive resources available through the Stepping Up Initiative to develop a plan to reduce the number of people with mental illness in the county jail for 2016-2020, consistent with the Council of State Governments Justice Center report and recommendations, to be presented to the Board of Commissioners at its first meeting in December 2015.

This the 1st day of September, 2015.

Earl McKee

Earl McKee, Chair
 Orange County Board of Commissioners

Other Orange County Legislative Interests

In addition to Orange County's Priority Legislative Issues, other legislative items of importance to the County for 2019 are as follows:

- 1) **Child Care** - Seek legislation to reverse changes made to the childcare subsidy program available to working families, including establishing eligibility for all children at 200% of the federal poverty level, to help many working parents who are trying to become more financial self-sufficient, and to prorate fees for children attending based on the hours attended;
- 2) **County Jail System/Housing State Inmates Reimbursement** – Support legislation to protect the fiscal viability of the county jail system by reinstating reimbursement for state inmates housed in county jails sentenced to 90 days or less;
- 3) **Machinery Act** – Support local governments' need for more flexibility to remedy measurement and/or condition property appraisal errors related to local property tax functions. North Carolina property tax law substantially limits the ability of local governments to address property tax discrepancies, such as prohibiting the refund of prior years' taxes paid after a measurement and/or condition property appraisal error is discovered. Just as local governments can recoup prior years' property taxes from owners for "discoveries", local governments should likewise be authorized to refund prior years' taxes paid when situations such as measurement and/or condition property appraisal errors are discovered;
- 4) **Homestead Exemption** – Support revisions to the Homestead Exemption provisions of the Machinery Act to:
 - a) provide greater opportunities for low-income seniors to remain in their homes and not be displaced due to property tax burdens by approving a one-time ten percent (10%) increase in the base income qualification standard; and maintaining the current provisions which increase the income qualification standard each year based on any cost-of-living adjustment made to the benefits under Titles II and XVI of the Social Security Act for the preceding calendar year; and
 - b) diminish the discriminatory features of the current exemption provisions relating to married couples by establishing graduated income qualification standards for single individuals versus married couples;
- 5) **Sales Tax Distribution Formula** – Support legislation directing that all sales tax be distributed on a per capita basis as it is fair and more equitable for counties with less economic development as compared to the point of delivery basis. The UNC School of Government has indicated that a per capita basis tax "would indeed be a more even distribution of LOST revenue across the state";

- 6) **Maintain Local Government Authority over Solid Waste Management** – Oppose any shift of solid waste management and recycling services away from local governments;
- 7) **Electronics Recycling** – Support legislation to provide additional funding to local governments for electronics recycling to cover significant increased costs for recycling these materials and to oppose the lifting of restrictions on disposal of electronics in landfills;
- 8) **Re-instatement of Earned Income Tax Credit** – Support legislation to re-instate the State Earned Income Tax Credit which greatly benefitted low wage earners until its elimination after the 2013 tax year;
- 9) **Voter Registration and Voting** – Support legislation to restore straight party ticket voting and provide public financing of judicial elections and eliminate any requirements for photograph identification;
- 10) **Abolish State Death Penalty** – Support legislation to abolish the State of North Carolina’s death penalty;
- 11) **Fulfillment of Constitutional Duties** – Oppose any legislation, that seeks to exempt any government employee or agent from fulfilling his/her constitutional duties, including but not limited to guaranteeing the right to marry for same-sex residents of North Carolina;
- 12) **Oppose any shift of state transportation responsibilities to counties** – Oppose legislation to shift the state’s responsibility for funding transportation construction and maintenance projects to counties. Counties cannot afford to assume costs for maintaining secondary roads and/or funding expansion projects;
- 13) **Expansion of Protected Classes** – Seek statewide legislative action to provide all North Carolina local governments with the authority to include sexual orientation and gender identity as protected classes in order to protect these classes from discrimination and discriminatory practices; and authorize complaints for discrimination to be brought in North Carolina Courts by any Equal Employment Opportunity Commission recognized protected class;
- 14) **Eminent Domain** – Oppose adding language to a constitutional amendment on eminent domain that extends any further preemption of county authority to regulate the placement of telecommunication towers;
- 15) **Fees-In-Lieu – NCDOT as Additional Recipient** – Support legislation amending North Carolina General Statute 153A-331 to add a provision allowing counties to transfer fees collected as part of subdivision development, and in lieu of required street construction, to be transferred to and held by the North Carolina Department of Transportation (NCDOT)

for the future construction of roads intended to be added to the State Maintained system. Presently there is no mechanism where a county can collect fees in lieu of transportation improvement construction based on conditions agreed to by both parties during a conditional zoning process. These fees may be for a developer fair share of a future comprehensive intersection improvement but would not be built by NCDOT until other funding could be assigned to do a complete improvement;

- 16) **Bona Fide Farm Use** – Support legislation clarifying that the farm use and agriculture exemption of 153A-340 that restricts local zoning authority applies only to property on which the production of crops or livestock is the primary use. Clarify that marketing and agri-tourism activities must be secondary uses of the property and do not qualify for the exemption in the absence of the production of crops or livestock;
- 17) **Revenue Options for Local Government** – Support efforts to preserve and expand the existing local revenue base of counties and authorize local option revenue sources already given to any other jurisdiction to all counties. Oppose efforts to divert to the state fees or taxes currently allocated to the counties or to erode existing county revenue streams;
- 18) **E-911 Funds** – Support protection and broader applications of the NC 9-1-1 Fund to be used primarily for assuring that 9-1-1 systems are able to upgrade existing performance levels in order to pay for 9-1-1 operations or 9-1-1 related upgrades such as the infrastructure needed to migrate to next-generation (NG911) technology. Orange County has appreciated past efforts and supports future initiatives to assure our citizens are provided continued access to emergency services from all sources;
- 19) **Renewable Energy** – Support renewable energy initiatives available to residential, commercial, industrial and agricultural activities to create a market for energy credits. This support will provide incentives to produce renewable energy, which will become increasingly important to preserving and strengthening the economy and infrastructure, and in the case of agriculture help maintain rural heritage and culture;
- 20) **Land, Water and Agricultural Preservation Funding** – Support Park, Agricultural Preservation, Clean Water Management and other existing trust funds established for the protection of the State's land, water, biological resources, agriculture, and special places before they are irreversibly lost, and request that these funds receive additional funding, preferably through dedicated funding sources;
- 21) **Agriculture – Support Conservation of Working Lands and Farmland Preservation** – Support a revision to the revenue and acreage requirements of the Use Value Program to reduce acreage requirements, balanced by increasing the income threshold;

- 22) **Aquatic Vegetation Control** – Support legislation to provide for and fund a comprehensive statewide approach to noxious aquatic vegetation control in public water reservoirs;
- 23) **Concealed Weapons in Parks** – Seek legislation re-authorizing counties to fully regulate the carrying of concealed weapons on county-owned playgrounds and in county-owned parklands and authorize counties to prohibit the carrying of concealed weapons on county and county funded college/university campuses, in addition to playgrounds;
- 24) **Opioid Epidemic Efforts** – Support adequate funding for programs to provide and expand access for individuals with opioid use disorder to seek and complete treatment, and sustain recovery, as well as increased funding to collect data regarding opioid overdoses and to provide for additional law enforcement to investigate and enforce drug laws;
- 25) **Agricultural Economic Development** – Support state funding and staffing for agricultural research, Cooperative Extension services and other agriculture-related efforts to support the largest economic driver in North Carolina;
- 26) **Transportation Funding** – Support increased state funding for transportation construction and maintenance needs, and support legislation to ensure that the STI funding formula recognizes that one size does not fit all and that projects in both rural and urban areas are prioritized and funded, and eliminate the cap on light rail funding;
- 27) **Behavioral Health Services** – Support increased state funding for behavioral health services and facilities at the state and local level, including dedicated resources for community paramedicine projects. Support Medicaid reimbursement to EMS for behavioral health transport to crisis centers and structure appropriate county participation in behavioral health program governance;
- 28) **Adult Protective Services** – Support increased funding and legislation to strengthen adult protective services;
- 29) **Court Funding** – Support increased state funding for NC courts, including reinstating funding for drug treatment court;
- 30) **Crime Intervention Services** – Support legislation and state funding to provide early intervention services through the Juvenile Crime Prevention Councils, and support increased state funding for the prevention, intervention and treatment of adolescent substance abuse, gang involvement and domestic violence;
- 31) **State/County Partnership for Education** – Seek legislation to establish a new state-county partnership to address statewide public school capital challenges--including but not limited to maintenance, renovation,

construction and debt--through a dedicated, stable funding stream that is consistent from county to county and sufficient to meet the school facility needs of all 100 counties;

- 32) **Economic Development Efforts** – Support legislation to grow North Carolina's statewide economy through sound state investments, including public infrastructure funding, competitive incentives, and coordinated efforts with county economic development services;
- 33) **Exemption to 180 Day Temporary Electricity Connection Limit for Recreational Vehicles in a Campground or Other Similar Park** – Support legislation to provide an exemption to the current 180 day temporary utility connection limit as contained within the building code for individuals utilizing campers and/or recreational vehicles as temporary housing units while supporting/visiting family members undergoing treatment in local hospitals;
- 34) **School Impact Fee Authority** – Support legislation authorizing all North Carolina local government jurisdictions providing funding for public education to levy impact fees on new residential development to help pay for school construction. The North Carolina General Assembly approved legislation in the 1980's for some jurisdictions to levy these impact fees to support public school infrastructure. The authority to levy the fee to support school facility needs should be available to all local government jurisdictions providing funding for public education;
- 35) **Dangerous Dogs Determinations** – Support legislation to change current law so that dogs from dog fighting investigations and seizures are not automatically deemed dangerous without further determination that the dogs alleged to have been owned or harbored for fighting demonstrate an increased potential for unprovoked attacks on persons or domestic animals, in order to alleviate the requirement to destroy these animals "sight unseen". Additionally, clarify at what point in the legal process a dog is "owned or harbored...for fighting," be it upon seizure, arrest, indictment, or conviction;
- 36) **Legislative Leadership Term Limit** – Support legislation that limits the length of time a North Carolina General Assembly member can serve in the same leadership position to eight consecutive years;
- 37) **Smart Start and NC Pre-K** – Support legislation to increase and ensure secure and stable funding, enhanced quality early care and education, and family access and benefits in settings public and private; and
- 38) **Census Funding** – Support legislation to provide statewide funding for a comprehensive 2020 Census process that proactively facilitates and encourages participation by all North Carolina residents.