Orange County
Board of Commissioners

Agenda

Regular Meeting
November 7, 2019
7:00 p.m.
Richard Whitted Meeting Facility
300 West Tryon Street
Hillsborough, NC  27278

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

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

1. Additions or Changes to the Agenda

PUBLIC CHARGE

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

Arts Moment – Arshia Simkin is a graduate of North Carolina State University’s MFA in creative writing. She writes stories about her Pakistani heritage and about contemporary American society. Prior to attending NC State’s MFA program, she was a staff attorney at a legal aid firm in upstate New York, where she represented survivors of domestic violence. Currently, she is the co-founder of the Redbud Writing Project, the Triangle’s only adult education creative writing school, which offers six-week courses in memoir, fiction, and poetry.

2. Public Comments (Limited to One Hour)

(We would appreciate you signing the pad ahead of time so that you are not overlooked.)

a. Matters not on the Printed Agenda (Limited to One Hour – THREE MINUTE LIMIT PER SPEAKER – Written comments may be submitted to the Clerk to the Board.)

Petitions/Resolutions/Proclamations and other similar requests submitted by the public will not be acted upon by the Board of Commissioners at the time presented. All such requests will be referred for Chair/Vice Chair/Manager review and for recommendations to the full Board at a later date regarding a) consideration of the request at a future regular Board meeting; or b) receipt of the request as information only. Submittal of information to the Board or receipt of information by the Board does not constitute approval, endorsement, or consent.

b. Matters on the Printed Agenda
(These matters will be considered when the Board addresses that item on the agenda below.)
3. Announcements, Petitions and Comments by Board Members (Three Minute Limit Per Commissioner)

4. Proclamations/ Resolutions/ Special Presentations
   a. Family Caregivers Month and Caregiver Day of Care Proclamation

5. Public Hearings

6. Regular Agenda
   a. NC 54 West Corridor Study – Phase 2
   b. Approval of a Planning Framework for Updating the Orange County Transit Plan
   c. Application Modifications for Volunteer Advisory Boards and Commissions
   d. Creation of a 1.0 FTE Deputy Sheriff I (School Resource Officer) Position in the Orange County Sheriff’s Office for Assignment to Eno River Academy, and Approval of Budget Amendment #2-A

7. Reports

8. Consent Agenda
   - Removal of Any Items from Consent Agenda
   - Approval of Remaining Consent Agenda
   - Discussion and Approval of the Items Removed from the Consent Agenda
   a. Minutes
   b. Motor Vehicle Property Tax Releases/Refunds
   c. Property Tax Releases/Refunds
   d. Applications for Property Tax Exemption/Exclusion
   e. North Carolina Governor’s Highway Safety Program: Orange County Sheriff’s Office Traffic Safety Project and Approval of Budget Amendment #2-B
   f. Modifications to the Board of County Commissioners’ “Rules of Procedure” for Meeting Classifications and Clarification on Public Comments at BOCC Meetings
   g. Budget Amendment #2-C – Approval of an Intermediate Budget for the Link Government Services Center Remediation Project

9. County Manager’s Report

10. County Attorney’s Report

11. *Appointments

12. Information Items
   - October 15, 2019 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**

“To discuss the County’s position and to instruct the County Manager and County Attorney on the negotiating position regarding the terms of a contract to purchase real property,” NCGS § 143-318.11(a)(5).

To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. NCGS § 143-318.11(a)(6)

14. **Adjournment**

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

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

Orange County Board of Commissioners’ regular meetings and work sessions are available via live streaming video at orangecountync.gov/967/Meeting-Videos and Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).
SUBJECT: Family Caregivers Month and Caregiver Day of Care Proclamation

DEPARTMENT: Aging and Advisory Board on Aging

ATTACHMENT(S):
Family Caregivers Month and Caregiver Day of Care Proclamation

INFORMATION CONTACT:
Janice Tyler, Director, 245-4255
Heather Altman, Chair, Advisory Board on Aging

PURPOSE: To approve a proclamation designating November 9, 2019 as Orange County's Caregiver Day of Care, and recognizing November 2019 as Family Caregivers Month.

BACKGROUND: November is National Family Caregivers Month, an observance that began as National Family Caregivers Week in the mid-1990s. Former President Bill Clinton signed the first National Family Caregivers Month Presidential Proclamation in 1997, and every president since has followed suit by issuing an annual proclamation recognizing and honoring family caregivers each November. The importance of family caregivers has gained recognition over the years, and the National Family Caregivers awareness week has grown into an awareness month due to former President Barack Obama’s proclamation in 2012.

Family caregivers fulfill a variety of roles. In addition to becoming experts about their loved ones’ health, they act as liaisons with healthcare providers, insurance companies, and legal and financial entities. They prepare meals, perform housekeeping duties, transportation and hygiene duties, and often provide very sophisticated care, including managing complex medication schedules. Caregivers sometimes deal with problem behaviors, and offer socialization for those suffering from long-term illnesses. At this time of year, with holidays approaching, families are often overwhelmed by emotional distress as they cope with losses and memories of past times.

Family caregivers who care (mostly) at home for loved ones with debilitating, long-term health conditions such as Alzheimer’s disease and related dementias, often do so with little to no information or training. The Orange County Department on Aging aims to change that by providing several programs and services catered to family caregivers by appreciating the hard work they tirelessly do.

In honor of National Family Caregivers Month, the Department on Aging will hold its first annual Caregiver’s Day of Care event on November 9, 2019 at the Seymour Center from 10 a.m. – 2 p.m., in an effort to honor family caregivers for caring selflessly for loved-ones. Staff hopes this day of care will provide needed respite for family caregivers, while enabling attendees to engage in wellness, education and supportive services.
The Department of Aging recognizes that family caregivers are truly the backbone of their families and communities. Many however are under great stress and do not always have the information they need when taking responsibility for a loved one’s care. This November, the Department is proud to offer a variety of caregiving related programs and services for individualized and community caregivers, which include:

- Special designation in the Senior Times publication for activities and events geared towards supporting caregivers;
- A Care Partner Collaborative respite co-op group;
- Caregiver Support groups;
- Dementia Education Collaborative;
- Trainings for community partners and individuals;
- Memory Cafés;
- In-home caregiver assistance;
- Options Counseling;
- Memory Screenings; and
- A Caregiver monthly E-Newsletter.

For many years the Orange County Board of Commissioners has issued proclamations for older adults throughout Orange County. If approved, this will be the first year the Board joins with the Federal and State governments in designating the month of November as Family Caregivers Month as a time to honor family caregivers and care partners for their tireless work in service to their loved ones and as the unsung heroes of both their families and communities.

**FINANCIAL IMPACT:** There is no financial impact associated with approval of the proclamation. The Caregiver Day of Care event is being supported by donations, sponsorships, and local businesses.

**SOCIAL JUSTICE IMPACT:** The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
  - The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

Family Caregivers are overwhelmingly providing the majority of care for older adults in the community and save the system, themselves, and health insurance providers, as well as government, thousands of dollars annually for their service. According to a recent AARP study, family caregivers typically spend $7,000 annually of their own money providing assistance to their loved one.

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

**RECOMMENDATION(S):** The Manager recommends that the Board approve and authorize the Chair to sign the proclamation designating November 2019 as Family Caregivers Month and November 9, 2019 as Orange County’s Caregiver Day of Care.
ORANGE COUNTY BOARD OF COMMISSIONERS

PROCLAMATION

FAMILY CAREGIVERS MONTH – NOVEMBER 2019

“CAREGIVER DAY OF CARE” – NOVEMBER 9, 2019

WHEREAS, Orange County estimates suggest there are more than 20,000 family caregivers in Orange County; and

WHEREAS, Orange County recognizes that making time for yourself and family protects a family caregiver’s own health, strengthens family relationships, prevents burnout and can enable a care recipient to stay at home up to three times longer. The chance to take a breather and re-energize is vital in order for one to be as good a caregiver tomorrow as you were today; and

WHEREAS, Orange County understands 6 out of 10 family caregivers juggle everyday life tasks, such as preparing children for school, managing household responsibilities, and working full or part-time, and as vital members of care teams, have the responsibility of advocating for their loved ones and making decisions that lead to the best care outcomes, whether it be for an older adult with Alzheimer’s or related dementia or living with a chronic condition; and

WHEREAS, National Family Caregivers Month – celebrated each November – is a time to recognize and honor family caregivers across the country, and celebrating Family Caregivers during National Family Caregivers Month enables all of us to:
- Raise awareness of family caregiver issues;
- Celebrate the efforts of family caregivers;
- Educate family caregivers about supportive resources; and
- Increase support for family caregivers;

NOW THEREFORE, we, the Orange County Board of Commissioners, do hereby proclaim November 2019 as Family Caregivers Month in Orange County, recognize a Caregiver Day of Care on November 9, 2019, and urge Orange County residents to take time this month to recognize family caregivers as the unsung heroes of our families and community.

This the 7th day of November, 2019.

__________________________________
Penny Rich, Chair
Orange County Board of Commissioners
SUBJECT: NC 54 West Corridor Study – Phase 2

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):
1. Map – Miles by Jurisdiction
2. Draft Phase 2 Study
3. Comments and Responses

INFORMATION CONTACT:
Nishith Trivedi, Transportation Planner,
919-245-2582
Tom Altieri, Comprehensive Planning Supervisor, 919-245-2579
Craig Benedict, Planning Director, 919-245-2592

PURPOSE: To receive a presentation on the NC 54 West Corridor Study from VHB and provide comments.

BACKGROUND: The NC 54 corridor study was started in September 2017 by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) and North Carolina Department of Transportation (NCDOT). The study area is from Old Fayetteville Road in Carrboro west to the I-85/I-40 interchange in Graham. It includes Burlington-Graham Metropolitan Planning Organization (BG MPO) and Triangle Area Rural Planning Organization (TARPO). VHB is the consultant assigned to the study and they completed the final report in November 2018, with every member jurisdiction participating in the consultant’s and MPO’s public process. A copy of the full report is available online at www.nc54west.com/Report. The final recommendations serve to identify projects for consideration in the future Strategic Prioritization of Transportation (SPOT) processes.

The NC-54 west corridor covers multiple local jurisdictions and regional transportation planning agencies. A breakdown of each jurisdiction and agency is provided below and in Attachment 1.

- By local jurisdiction
  - Graham 1.7 miles 8% (does not include ETJ)
  - Swepsonville 1.2 miles 6% (does not include ETJ)
  - Alamance County 7.3 miles 35%
  - Orange County 8.6 miles 42%
  - Carrboro 1.8 miles 9% (includes ETJ)
  - Total 20.6 miles 100%

- By MPO/RPO
  - BG MPO 10.2 miles 50%
  - TARPO 5.8 miles 28%
  - DCHC MPO 4.6 miles 22%
  - Total 20.6 miles 100%
The primary recommendation of the study is the widening of NC 54 from NC 119 in Alamance County to Old Fayetteville Street in Carrboro to four lanes with a median and sidepath for bicycle and pedestrian travel. The study also recommends installing several roundabouts along the corridor to improve traffic flow and safety at major intersections. If the MPO Board were to adopt the study, staff would then implement the recommendations by working with NCDOT to develop a project for the widening of NC 54, which would include recommending local points for such a project in SPOT.

On November 1, 2018, the BOCC received a presentation on the NC 54 West Corridor Study from Orange County Transportation Planning staff, which also included the Orange Unified Transportation Board’s (OUTBoard) comments. All comments were addressed at the November 14, 2018 DCHC MPO Public Hearing.

On February 5, 2019, the BOCC approved NC 54 West as a County Priority for consideration in DCHC MPO and Triangle Area Rural Planning Organization (TARPO) Strategic Prioritization of Transportation (SPOT) process. An update on the corridor was provided to BOCC August 3, 2019.

On February 2019, Carrboro - through the DCHC MPO - requested VHB review and confirm Phase 1 conclusions through a phase 2 study to analyze trends and forecasts, transit alternatives as mentioned in the final report, widening impact on local roads, and other improvements not on NC 54. VHB will present the results of the Phase 2 analysis (Attachment 2). The following is a highlight of the findings:

- Trends and forecasts were confirmed through StreetLight data. This is a subscription based third party cellphone data collection company that assists in the analysis of trips.
- Adopted DCHC MPO Transportation Regional Model was deemed conservative in comparison to StreetLight.
- It is a supplement to the original Final Report. All recommendations are carried forward, including bike/ped and transit.
- All transit service providers were actively involved in the process, 3 additional park-and-ride lots in Orange County have been added to the recommendations.
- Inclusion of a shared use path is optional and subject to NCDOT’s new Complete Streets Policy.

The MPO will consider taking action on the Study on November 13, 2019 following a public hearing. Transportation planning staff, in coordination with Orange County Community Relations, issued a public notice of all public meetings on the County website. No comments were received for Orange County. Two local jurisdictions have taken separate action on the study:

- Graham City Council – November 6, 2018 – unanimously approved the study
- Carrboro Board of Aldermen – October 15, 2019 – Unconditional rejection of Phase 1 (Old Fayetteville Road to Dodson Crossroads) recommendations.

TARPO and BG MPO are working with local jurisdictions as they address their unique priorities. Those entities will take action on the study only after local jurisdictions have considered their portion of it. Orange County has prioritized the corridor to address multimodal, congestion, safety and mobility for all users. It has also submitted the project - NC-54 Improvements: Widen NC-54 from Orange Grove Rd to Old Fayetteville Road with multimodal facilities - to TARPO for SPOT consideration. However, the County has not taken formal action on the study.
The County priority cannot be considered for SPOT in DCHC MPO as it is not in the adopted 2045 Metropolitan Transportation Plan (MTP). DCHC MPO must adopt the study in order to pursue local input points for its portion of the corridor.

**OUTBoard Comments** - October 16, 2019:
The following comments were provided by the OUTBoard:
- Include more information on technology and/or Intelligent Transportation System (ITS) at intersections and along the road.
- Include more information on bike/ped safety along the corridor.
- Include more information on how to prevent or manage caterpillar – bumper to bumper traffic along the road, (e.g. managing speed).

A summary of all comments and responses have been collected (Attachment 3). This includes Orange County Transportation Planning staff, DCHC MPO Technical Committee, Carrboro Board of Aldermen, Chapel Hill Town Council, and comments from an October 24th public meeting in Carrboro.

**DCHC MPO Technical Committee (TC) Recommendation** - October 23, 2019:
The DCHC MPO TC recommended the DCHC MPO Board receive the study, proceed with safety improvements along the corridor using information from the study, and that the local jurisdictions work together with DCHC MPO to identify future roadway improvements.

**FINANCIAL IMPACT:** There is no immediate financial impact associated with this item.

**SOCIAL JUSTICE IMPACT:** The following Orange County Social Justice Goals are applicable to this item:
- **GOAL: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
  The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

**ENVIRONMENTAL IMPACT:** The following Orange County Environmental Responsibility Goal impacts are applicable to this item:

- **ENERGY EFFICIENCY AND WASTE REDUCTION**
  Initiate policies and programs that: 1) conserve energy; 2) reduce resource consumption; 3) increase the use of recycled and renewable resources; and 4) minimize waste stream impacts on the environment.

- **RESULTANT IMPACT ON NATURAL RESOURCES AND AIR QUALITY**
  Access and where possible mitigate adverse impacts created to the natural resources of the site and adjoining area. Minimize production of greenhouse gasses.

**RECOMMENDATION(S):** The Manager recommends the Board:
1. Receive the presentation, Draft NC 54 West Study Final Report and Phase 2 (Attachment 1);
2. Discuss as appropriate; and
3. Consider endorsing the DCHC MPO Technical Committee recommendation that the DCHC MPO Board receive the study, proceed with safety improvements along the corridor using information from the study, and that the local jurisdictions (including participation by TARPO) work together with DCHC MPO to identify future roadway improvements.
NC-54 West Corridor Study
By Local Jurisdiction and MPO/RPO

Attachment 1

DCHC MPO
4.6 Miles - 22% of corridor
(2.8 Miles - 61% Orange County)
(1.8 Miles - 39% Carrboro)

BG MPO
10.2 Miles - 50% of corridor
(83% Alamance County)
(17% Graham)

TARPO
5.8 Miles - 28% of corridor
100% Orange County

Orange County
8.6 Miles - 42% of corridor

Carrboro
1.8 Miles - 9% of corridor
(includes ETJ)

Alamance County
7.3 Miles - 35% of corridor

Sweepsonville
1.2 Miles - 6% of corridor
(does not include ETJ)

Graham
1.7 Miles - 8% of corridor
(does not include ETJ)

1 inch = 1.6 miles

Orange County Planning and Inspections
Nishith Trivedi (10/29/2019)
### Orange County Crashes

**8.6 Miles - 41.75% Whole Study (82.69% Phase 2 Study)**

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<th>List</th>
<th>Orange County</th>
<th>Carrboro (including ETJ)</th>
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<tr>
<td>Crashes</td>
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<td>156</td>
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<tr>
<td>Miles</td>
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<td>1.8</td>
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</tr>
<tr>
<td>Cyclist</td>
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* Does not include August 12, 2019 accident

### Carrboro Crashes

**1.8 Miles - 8.74% Whole Study (17.31% Phase 2 Study)**
INTRODUCTION

In response to the findings of the NC 54 West Corridor Study, the analyses summarized in this memorandum were requested to better understand and explain traffic patterns associated with the portion of NC 54 between I-40 in Graham and Old Fayetteville Road in Carrboro. Although the focus of the additional analyses is the eastern (Orange County) end of the corridor, the study area was expanded to provide more regional context, and to more directly address West Main Street and the NC 54 Bypass to the east.

The analyses in this memorandum address specific questions, supplementing the NC 54 Corridor Study. The NC 54 Corridor Study provides more detailed documentation of underlying assumptions, traffic data, analytical methodology, and findings related to existing conditions, demand forecasts, and evaluation of alternatives.

Some of the major issues addressed in this memorandum include:

- Origins and destinations of traffic using this portion of NC 54
- Traffic forecasts
- Traffic impacts of the proposed widening on other roads
- Transit options, including:
  - Park-and-ride lots
  - Potential options for UNC-CH and hospital employees

CORRIDOR TRIP ORIGINS AND DESTINATIONS

According to the latest data (2017) available from the NCDOT traffic count program, average annual daily traffic (AADT) on NC 54 ranged from a high of 23,000 veh/day at the western end of the study area (just east of I-40 in Graham) to a low of 6,400 veh/day near the county line (just west of Mebane Oaks Road/ Saxapahaw Road). From that point eastward AADTs increase to a high of 15,000 just west of Old Fayetteville Road, the eastern end of the study. This pattern indicates that only a portion of the NC 54 traffic at Old Fayetteville Road consists of “through” trips (defined as vehicles travelling the entire length of the corridor from I-40 to Old Fayetteville Road). Even if all 6,400 veh/day at the county line were through trips, only 43% of the traffic approaching Old Fayetteville Road could be defined as trips traveling the entire length of the corridor. Analysis of travel patterns suggests a much lower percentage; many of these 6,400 trips having origins or destinations along the corridor or intersecting roadways such as NC 119, Mebane Oaks Road, Orange Grove Road, and Bethel Hickory Grove Church Road. NC 54 collects and connects traffic between these dispersed trips ends.

The following sections summarize analyses performed to help identify sources of traffic on this portion of NC 54.
NC 54 Travelsheds

Figure 1 represents the approximate extent of the “travelshed” for trips to/from the center of Chapel Hill via the NC 54 West corridor. Trips beginning/ending within the shaded area are more likely to use NC 54 than alternate routes (especially I-40) for trips to/from downtown Chapel Hill, based on historically-determined relative travel times for routes provided by Google Maps. For example, a traveler starting near the northern edge of the shaded area could drive to downtown Chapel Hill via NC 54 or I-40 in about the same time. Figure 2 demonstrates the impact of shifting the destination slightly south, to Southern Village. The added time required to drive all the way through Chapel Hill results in NC 54 being a shorter route for trips from the northwest (Burlington/Graham). There is a dividing line for somewhere around the NC 54 Bypass. Figure 3 is a comparable representation for trips to Burlington/Graham. Note that the relative volume of trips in each of these cases varies, and will change over time.

The key to defining these travelsheds is the difference in relative travel times among alternative routes. Increasing congestion along I-40 or NC 86 would be expected to shift this boundary northward and eastward, while more congestion along NC 54 would constrict the shaded area. Conversely, improvements that reduce relative travel times would expand a road’s travelshed.

Observations

Comparing the travelsheds for the two major locations considered reveals several interesting observations:

- For central Chapel Hill trips, while the travelshed spreads farther north and east, it does not extend beyond the ends of the corridor.
- A minor shift south to Southern Village yields a travelshed that extends west and north of the Graham end of the corridor. This helps demonstrate the complex combination of origins and destinations served by the NC 54 west corridor. Although Chapel Hill is a major destination for trips using the NC 54 Study Area Corridor, there are dozens of significant trip-end pairs using portions of the corridor, and the relative volumes of these trips can shift over time in response to local and regional growth and development, congestion, and roadway improvements.
- For the centralized Burlington/Graham location, while the travelshed is narrower on the northern side, it extends well beyond the eastern end of the corridor, widening greatly to the south to include portions of northern Chatham County. This travelshed also applies to destinations north and west of the indicated location. Growth outside the corridor is a more significant factor in traffic increases in this travel market than for the downtown Chapel Hill travel market.
- Trips between western Orange County and points east of Chapel Hill (such as Durham and RTP) use this portion of NC 54 and the Bypass; however, I-40 is a more attractive option for trips originating farther west, or even a slight distance north of NC 54 through the study area.

Although this analysis does provide some insights about who is using this portion of NC 54, it has limitations. It does not reflect route selections of actual travelers, only the estimated minimum travel-time routes based on historical averages. These travel times are derived from samplings of signals from location-based services, which are subject to
variation. Furthermore, travelers do not always base their route choices on minimum travel times, even if they have accurate real-time information and reliable short-range predictions (which is not typically the case). Some drivers prefer to avoid freeways; others are less comfortable on rural two-lane roads that may require passing. If travel-time reliability is critical, routes with longer (but more consistent and predictable) travel times may be preferred to the risk of a long delay. Also, this analysis considers only three very specific—though important—locations. There are countless other potential locations that would generate different travelsheds.

**StreetLight Data**

To better understand the origin/destination patterns of traffic on NC 54 west of Carrboro, an analysis was performed using a StreetLight dataset provided by DCHC. This dataset is comprised of anonymized location information obtained from personal electronic devices during weekdays (Monday through Thursday) in April, May, September, and October of 2016-18. The results summarized here are based on a sample of approximately 8,000 devices, representing about 29,000 individual trips. The StreetLight Index sample represents about 23% of the averaged 2016-2018 AADT on NC 54, based on Index-to-AADT ratios.

The available StreetLight dataset did not include the entire NC 54 West study area (see Figure 4); only the portion of the corridor east of Orange Grove Road could be analyzed. Figure 5 depicts the associated portion of the corridor in more detail.

The goal of this analysis was to determine the major origins and destinations of traffic using this segment of NC 54. In particular, what portion of traffic is passing through the corridor, which intersecting roads contribute the most traffic, and what traffic is using the NC 54 Bypass versus West Main Street? This analysis can help quantify and evaluate potential markets for alternative travel options, as well as validating forecast assumptions and confirming the Triangle Regional Model’s accuracy in representing traffic patterns.

It must be emphasized that in the following analyses, percentage drops in traffic refer only to the distribution of trips passing the defined reference point (indicated by the “100%” label). This does not indicate a reduction in total traffic (AADT) on NC 54. The exercise traces the destinations of vehicles captured at the reference point as we move east or west along the corridor away from the reference point. It indicates where these vehicles leave NC 54 and what portion remain on NC 54 at the end of the analyzed segment. This is not an analysis of traffic passing through the entire length of the corridor, nor of AADTs.

**Eastward Trip Distribution**

Figure 6 depicts the eastward distribution of daily vehicle-trips on NC 54 to/from a point just east of Orange Grove Road. **Note that the “100%” label in the figure represents only traffic passing that point on NC 54, in both directions.** This analysis traces the destinations of these trips along the corridor. For simplicity and clarity, we will discuss eastbound trips; westbound trips are the mirror image of these. The diagram indicates that 83% of these trips are still on NC 54 just west of Old Fayetteville Road. This 17% drop in volume works out to nearly 2,000 veh/day out of the original 2017 AADT of 11,000 veh/day east of Orange Grove Road. Most of the trips that have
left the corridor by this point used White Cross Road (7%) and Bethel-Hickory Grove Church Road (4%). The remaining 6% departed via Dodsons Crossroads, Butler Road, Neville Road, Hatch Road, and various smaller roads and driveways. (Due to rounding, percentages may not add up precisely.)

Ten percent of traffic drops off at Old Fayetteville Road (8% northbound and 2% southbound), leaving 73% of the original traffic on NC 54. Another 7% of trips are destined for development in the immediate vicinity of Carrboro Plaza. The remaining 66% divides between West Main Street (12%) and NC 54 Bypass (54%). This represents an 82%/18% (or 4.5 to 1) split of this traffic between NC 54 Bypass and West Main Street.

For comparison, the analysis was repeated for only the period between 6:00 and 10:00 AM, which includes the critical AM peak. These results are summarized in Figure 7. The most significant differences are that a higher proportion of traffic is still on NC 54 just west of Old Fayetteville Road (91% versus 83%), and that most of this increase continues onto NC 54 Bypass (63% of origin traffic, as opposed to 54% on a daily basis). This results in an increased share relative to West Main Street (85%/15%, or 5.7 to 1). These differences are consistent with a higher proportion of commuter traffic to UNC in the morning peak.

Westward Trip Distribution

Similar analyses were performed to estimate the westward distribution of NC 54 traffic to/from West Main Street, and to/from NC 54 Bypass. Note that the “100%” label in these figures represents only traffic passing those points (on West Main Street or NC 54 Bypass), in both directions. For simplicity and clarity, we will discuss westbound trips; eastbound trips are the mirror image of these. Figure 8 depicts the findings of this analysis for traffic on West Main Street immediately east of NC 54, where the 2017 AADT is 6,400 veh/day. About 44% of this traffic is associated with destinations in the immediate vicinity of Carrboro Plaza. Another 26% heads east on NC 54 Bypass. Old Fayetteville Road attracts 6% to the north, and 2% to the south, leaving 22% of the original traffic on NC 54 immediately west of Old Fayetteville Road. Another 9% disperses before Dodsons Crossroads, mainly via Neville Road (2%) and Bethel-Hickory Grove Church Road (2%). Another 2% each turn off on Dodsons’ Crossroads and White Cross Road, with 10% of the traffic from West Main Street remaining on NC 54 just east of Orange Grove Road. This translates to a drop of nearly 800 vehicles between Old Fayetteville and Orange Grove Roads.

Figure 9 summarizes the results of a similar analysis for NC 54 Bypass south of West Main Street, where the 2017 AADT is 25,000 veh/day. Ten percent of this traffic diverts east onto West Main Street, and another 30% heads for destinations in the vicinity of Carrboro Plaza. A substantial 21% heads north via Old Fayetteville Road, with 1% going south, leaving 38% of the original traffic on NC 54 to the west. Intervening roads and driveways attract another 7% between Old Fayetteville Road and Dodsons Crossroads. White Cross Road (2.5%) and Dodsons Crossroads (1.5%) account for most of the remaining reduction, leaving 27% of the original NC 54 Bypass traffic on NC 54 just east of Orange Grove Road. This represents a decrease of nearly 2,800 vehicles between Old Fayetteville and Orange Grove Roads.
Observations

- About 17% of daily traffic on NC 54 just east of Orange Grove Road enters/exits NC 54 between this location and just west of Old Fayetteville Road.
- During the AM peak, only 9% of traffic on NC 54 just east of Orange Grove Road enters/exits NC 54 between this location and just west of Old Fayetteville Road. This is consistent with a higher proportion of longer commuter trips.
- For West Main Street daily traffic, about 12% of traffic enters/exits NC 54 between this just west of Old Fayetteville Road and just east of Orange Grove Road. For NC 54 Bypass traffic, this figure is about 11%.
- Trips using West Main Street tend to be more local that trips using NC 54 Bypass.

Travel Demand Models

The NC 54 West corridor study area spans two regional travel demand models. The portion west of the Alamance County line is represented in the Piedmont Triad Regional Model (PTRM), while the Orange County portion to the east is part of the Triangle Regional model (TRM v6).

Growth Forecasts

Traffic growth in both models is derived from forecasts of population and employment growth and characteristics, geographically distributed by traffic analysis zone. Figures 10a-10c and 11a-11c depict TRM and PTRM assumptions about the distribution and growth of population and employment relative to the NC 54 West study area and the three travelsheds presented previously.

Because population and employment data available for the two models have different base and design years, values were extrapolated to obtain consistent values for 2017 and 2045. Also, dot-density plots were used to more effectively represent the density, magnitude, and distribution of population and employment among traffic analysis zones (TAZs). Note that each dot represents a number of data points (100 persons; 50 jobs). Dots are randomly located within each TAZ, and do not represent specific locations.

The socio-economic forecasts in both models were approved and adopted by relevant MPOs and RPOs for use in transportation planning. Consultation with Alamance and Orange County planning staff did not identify any problems with the growth assumed in either the TRM and PTRM.

Observations

- Development remains sparse along the middle segment of the corridor, due in large part to environmental constraints.
- Relative growth is greatest in the western portion of the corridor, both in Alamance County and Mebane, especially along and west of NC 119. Development includes residential, industrial, and commercial, as well as newly-approved high school at the corner of NC 54 and NC 119.
• Growth in the east is concentrated in Chapel Hill, primarily in nodes along NC 86 and US 15/501. Particularly relevant to this study is the Lloyd Farm development in the northeast quadrant of the NC 54/Old Fayetteville Road intersection.

**TRM Comparison to StreetLight InSight Analysis**

A select-link analysis was performed using the Triangle Regional model (TRM v6) to provide a comparison against the StreetLight analysis described previously for the eastward distribution of trips to/from a point on NC 54 just east of Orange Grove Road. Because of minor anomalies in the Base Year network loading at the western end of the corridor, some manual adjustments were necessary, and comparative runs for 2045 Build and No-Build scenarios were also conducted. The results are summarized in Figure 12. The major differences between the TRM the StreetLight trip distributions occur at the eastern end of the corridor. Just east of Old Fayetteville Road, both analyses estimate between 82% and 83% of eastbound trips from just east of Orange Grove Road are still on NC 54. But the TRM distributes 5% fewer trips north on Old Fayetteville Road, and loses none at Carrboro Plaza. This leaves 77% of the original trips, as opposed to 66% according to StreetLight. More importantly, TRM assigns a far higher proportion of these trips to West Main Street. TRM has 25% of the initial traffic turning on West Main Street (versus 12% according to StreetLight), and 52% continuing down NC 54 Bypass (versus 54%). This works out to a 68%/32% (or 2.1 to 1) split between NC 54 Bypass and West Main Street. The Streetlight analysis yielded a split of 82%/18% (or 4.5 to 1).

This difference is probably attributable to the fact that regional travel demand models like TRM tend to underestimate intersection delay as congestion increases, especially through denser downtown areas. It also appears that trips to Carrboro Plaza and up Old Fayetteville Road (including McDougal Middle School) are either under-represented or inaccurately routed.

**TRM Comparison of Build (Widen NC 54) and No-Build Scenarios**

To estimate the traffic impacts of the proposed widening of NC 54 on traffic patterns, two 2045 TRM networks were compared. Both have identical socio-economic data and include all transportation improvement projects assumed in the latest DCHC Metropolitan Transportation Plan (MTP). The only difference is that the Widen NC 54 (Build) Scenario, a 45-mph 4-lane divided cross-section is assumed for NC 54 between I-40 in Graham and Old Fayetteville Road in Carrboro. The No-Build Scenario assumes the existing cross-section is maintained.

After trips were distributed and assigned to the two networks, daily volumes in the No-Build network were subtracted from the corresponding link volumes in the Build (widen NC 54) network. Results are summarized in Figure 13. Where traffic volumes are higher in the Build scenario (due to diversion from other routes), links are shaded red and given bandwidths corresponding to the magnitude of the increase. Where traffic volumes are lower in the Build scenario, links are shaded blue and assigned bandwidths corresponding to the magnitude of the decrease. Changes in daily traffic volumes are indicated on representative links. Changes of less than 100 vehicles/day are not represented. Volumes for West Main Street and NC 54 Bypass were adjusted to compensate for
the model’s over-assignment of traffic to West Main Street (discussed above). An 80%/20% (4:1) split between NC 54 Bypass and West Main Street was assumed.

A comparison of the daily volumes from the 2045 Build and No-Build scenarios west of Old Fayetteville Road is shown in Figure 14 to illustrate the shifts in network traffic assignments associated with the widening, according to the TRM. Historical volumes and 1% and 1.5% annual volume growth rates are displayed, and the typical capacities of a 2-lane roadway and a 4-lane divided roadway are indicated to provide context for the road’s current and anticipated performance.

Observations

Volume Increases

- As traffic volumes increase on NC 54, longer segments exceed capacity for longer time periods. Travel times increase, while also becoming less reliable due to crashes, weather events, and other incidents. In response, some traffic shifts to alternate routes. When NC 54 is widened, congestion and resulting delays and variations are reduced, and these trips return to NC 54, which should also reduce crashes.
- The most significant volume shifts are on NC 54. The 2,000 veh/day added between Dodson’s Crossroads and Old Fayetteville Road represent about a 10% increase over the No-Build scenario. The resulting volume is well within the capacity of the proposed 4-lane divided cross section. Assuming 10% of traffic occurs in the peak hour, with a 60/40 directional split, this translates into about 200 additional vehicles in the peak hour, with 120 vehicles (two/minute) added in the peak direction.
- Traffic shifts back onto NC 54 decrease to the west, both on an absolute and a percentage basis. To the east, about 200 vehicles/day are added to West Main Street, and 1000 to the NC 54 Bypass. About one-third of these are added to South Columbia Street traffic, half continue on the Bypass, and the remainder are oriented southward.
- Orange Grove Road and Mebane Oaks Road experience smaller increases from traffic that would have headed north to I-40 or used rural roads (such as Arthur-Minnis and Bradshaw Quarry) for east-west trips. Some of these trips appear to be shifted from Old NC 86/Hillsborough Road, Union Grove Church Road, and even M.L.K. Jr Boulevard. Minor traffic increases occur on segments of Eubanks, Bethel-Hickory Grove Church, Butler, and White Cross Roads.
- Both the Build and No-Build scenarios exceed the capacity of the 2-lane existing roadway across a range of growth rate estimates.

Volume Reductions

- Overall, traffic reductions resulting from the proposed NC 54 widening are more dispersed than the traffic increases. There is a noticeable reduction in east-west traffic along Arthur-Minnis, Bradshaw Quarry, and New Hope Church Roads. North-south traffic on Old NC 86/Hillsborough Road and Old Fayetteville Road also decreases. The most significant decrease is 800 vehicles/day along the segment of Old NC 86 between Dairyland/Homestead Roads and Old Fayetteville Road. Minor reductions occur on portions of Old
Greensboro, Dairyland, Albert, and Union Grove Church Roads, as well as M.L.K. Jr Boulevard. Reductions to I-40 traffic, although larger in absolute terms, represent less than 1% of average daily traffic.

Other

- Some feedback questioned whether volumes on rural roads such as Arthur-Minnis and Bradshaw Quarry would actually increase in response to increased congestion on NC 54, given the nature of these roads. While there is no way to be absolutely certain, these are the findings based on the Triangle Regional Model, developed and approved by NCDOT and local agencies for use in transportation planning. These findings appear reasonable in light of relative travel times and distances. However, if future traffic does not divert to these roads, most of it would remain on NC 54, with a portion shifting to I-40. In that case, traffic volumes on NC 54 would be even higher in the No-Build scenario than in our analysis, while volumes in the Build scenario would be the same. The end result would be a smaller difference in volumes between the Build and No-Build scenarios.

Historical Trends

Historical trend analysis is not especially useful in forecasting traffic volumes along this segment of NC 54. Attempts were made to correlate changes in annual average daily traffic (AADT) along the Orange County portion of NC 54 to population changes in the vicinity of the corridor. The only consistent population estimates available are for counties, municipalities, and townships from 2009 through 2017.

Figure 15 shows the jurisdictions used for population estimates. These areas are generally too large for the purposes of this type of analysis, and neither the estimates nor the AADTs appear to be precise enough. Lagged correlations did not perform significantly better. In aggregate, however, populations and AADTs were generally consistent, with population growing by 16% and AADTs by 15% between 2009 and 2017 (see Figure 16). Based on TRM and PTRM forecasts (and consistent with NC OSBM forecasts), populations in these jurisdictions are estimated to increase by 42% between 2017 and 2045. This study forecasts a corresponding 40% increase in traffic on the Orange County portion of the NC 54 West study corridor (see Figure 17).

Observations

- Although population and traffic volume trends could not be strongly correlated on an annual or time-series basis, overall growth rate trends are reasonably consistent.

Transit

There is currently no fixed-route transit service along NC 54 west of Old Fayetteville Road. To gain a better understanding of historical transit service, future transit plans, and anticipated effects of emerging transportation technologies, interviews were conducted with four transit agencies in the region, with emphasis on fixed-route service, versus paratransit:
Because of the significant role UNC-CH and UNC Hospitals play in local and regional transit (as well as traffic and parking), representatives from these institutions were also consulted. Figure 18 depicts transit routes by agency in the region, as well as locations of relevant existing and proposed park-and-ride lots.

**PART**

The Piedmont Authority for Regional Transportation (PART), offers service on the Alamance Burlington Express (Route 4) between Alamance County and UNC Hospitals. Route 4 is one of PART's most popular routes due in part to UNC GoPass holders commuting to campus. This route used to run along NC 54 until late 2013, but the routing switched to I-40 due to congestion along NC 54 impacting travel-time reliability and the addition of the Mebane Park & Ride Lot. One of the determinants PART uses in its route selection is congestion along the proposed corridor. Congestion along a route can affect travel time reliability and schedule adherence. This is especially critical when connecting to other transit routes; Route 4 provides a transfer to GoTriangle's ODX route. Another reason for PART's decision to use I-40 is to serve Alamance Community College and Mebane Cone Health.

Route 4 continues to grow in ridership, with standing room only during some peak periods runs. Every two years, PART undertakes a system wide analysis and examines its routes and potential adjustments. According to the FY 2020-2029 STIP, PART will be receiving funds to increase Route 4 frequency.

**LINK**

While Link Transit does not provide transit service to UNC, it does operate fixed-route service in the northern portion of the study area. The Orange Route services Graham and crosses the north-western portion of the corridor on I-40. The two stops in the corridor's vicinity are a park-and-ride lot (located at Hwy 87 and Crescent Square Drive) and Alamance Community College. The Orange Route has been one of Link Transit's most productive routes with the top five stops for the system occurring in Graham. Link Transit would like to expand service further into Graham and Mebane, but needs additional funding or partnerships to implement expanded service. The northern portion of the NC 54 corridor has potential to support fixed-route transit with continued increases in residential density and employment centers, like the Honda Manufacturing plant.

**Chapel Hill Transit and UNC**

The NC 54 West corridor serves east-west travel to and from UNC Chapel Hill and UNC Hospitals. Figures 19 and 20 show residence locations for UNC-CH and UNC Hospital employees, based on the *UNC-CH Development Plan, 2017 TIA Update*. (Locations are not precise, but representational.) Figure 21 (also from the *UNC-CH Development Plan, 2017 TIA Update*) indicates that just under 2,000 employees (or 12.4% of total employment) are in the sector assigned to the NC 54 West corridor. This number is a rough estimate, however. The travelshed analysis described
above suggest that many of these employees actually use I-40, and that some use NC 87. Between 750 and 1450 employee residences are estimated to fall within the travelshed depicted in Figure 1, with most of the uncertainty concentrated in the easternmost end of the travelshed. The potential market for a UNC-oriented transit service along the NC 54 west corridor falls somewhere in this range.

Park-and-ride lots serving UNC Chapel Hill have long helped reduce demand for on-campus parking, as well as providing an alternative to reduce personal vehicle use. To help support their fare-free transit system, Chapel Hill Transit began charging for the use of their park-and-ride lots in 2013. Chapel Hill Transit Park-and-Ride Permits are available at a daily rate of $2, a monthly rate of $21, or an annual rate of $250. Chapel Hill Transit operates four park-and-ride locations serving commuters coming from the western portion of the region to campus. Table 1 (below) details the Chapel Hill Transit Park-and-Ride lots, which are also depicted in Figure 18.

While parking demand has fallen for the westernmost park-and-ride lots (Jones Ferry and Carrboro Plaza), demand has risen for the northern park-and-ride along NC 86 (Eubanks Road) and the southern park-and-ride lot along US 15-501 (Southern Village). While the percent of commuters within each respective corridor is similar, utilization is not. One key reason appears to be the enhanced service level provided by the NS route compared to those routes serving the Jones Ferry and Carrboro Plaza. The NS Route operates all day with headways as little as ten minutes during the peak. This level of service frees commuters from having to plan their journey around a bus schedule. Commuters have the flexibility to arrive at a park-and-ride at a time of their choosing, knowing the next bus will be coming shortly. This pattern suggests commuters coming from the west pass by the Carrboro Plaza and Jones Ferry Park-and-Ride lots in favor of the Southern Village Park-and-Ride (and to a lesser extent, the Eubanks Park-and-Ride) to take advantage of enhanced transit service.

Table 1: Chapel Hill Transit Park and Ride (data from UNC Chapel Hill Development Plan – TIA Update)

<table>
<thead>
<tr>
<th>Park-and-Ride Lot</th>
<th>Routes Served</th>
<th>Number of Spaces</th>
<th>Fall 2013 Utilization</th>
<th>Fall 2015 Utilization</th>
<th>Fall 2017 Utilization</th>
<th>% of Total Commuters in Corridor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eubanks Road</td>
<td>NS, CRX (GoTriangle)</td>
<td>400</td>
<td>185</td>
<td>188</td>
<td>216</td>
<td>12.1%</td>
</tr>
<tr>
<td>Jones Ferry</td>
<td>CM, CW and JFX</td>
<td>443</td>
<td>132</td>
<td>102</td>
<td>86</td>
<td>11.4%</td>
</tr>
<tr>
<td>Carrboro Plaza</td>
<td>CPX and CW</td>
<td>145</td>
<td>52</td>
<td>30</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>Southern Village</td>
<td>NS and V</td>
<td>400</td>
<td>272</td>
<td>260</td>
<td>325</td>
<td>11.7%</td>
</tr>
</tbody>
</table>
The Town of Chapel Hill is in the process of designing the North-South Bus Rapid Transit. This system will run between the Eubanks Road Park-and-Ride and the Southern Village Park-and-Ride, providing frequent all-day service to downtown Chapel Hill and UNC Hospitals. Bus rapid transit (BRT) elements such as dedicated lanes, traffic signal priority, and high capacity transit vehicles, will further increase level of service and convenience for those choosing to park-and-ride from Southern Village or Eubanks to ride the North-South BRT. These enhancements will increase the appeal for those previously using Carrboro Park-and-Ride or the Jones Ferry Park-and-Ride to reroute their trip to one of the BRT stations for the premium transit service provided by BRT.

The Draft Chapel Hill Transit: Short Range Transit Plan provides short-term recommendations to improve bus routing and frequency on key routes, while remaining cost neutral. The Plan also lays out a set of unfunded improvements. Several desirable service upgrades were identified that could not be achieved within the existing budget. One such improvement was the West NC 54 Route, which would provide new weekday peak-only service from White Cross along the NC 54 corridor to UNC Chapel Hill. This route adds approximately ten route-miles per trip, and is proposed to run at 70-minute headways during peak periods only, Monday through Friday, at an additional annual operating cost of $154,000.

One alternative suggested for a park-and-ride at White Cross could be the Henry Anderson III Community Park in Carrboro. However, a park-and-ride lot does not appear to be compatible with park operations, given current parking demands.

Emerging Technologies

Emerging technologies continue to redefine transit and the micro-mobility industry while providing alternatives to traditional fixed route transit service. Transit companies in the region continue to explore the possibilities of on-demand service and its potential to best meet the agencies goals at a reduced cost compared to fixed route service. Beginning in August, GoTriangle is partnering with Uber and Lyft to subsidize Ride Sharing trips up to ten dollars if it connects with one of the GoTriangle bus routes within the Research Triangle Park. GoDurham’s long term transit vision also includes “on-demand zones” where GoDurham will subsidize ride sharing trips connecting to their transit service. The on-demand type trips are viewed as being most effective where traditional fixed route service may not be efficient as well as when the on-demand trip connects with high frequency transit. PART has also tested on-demand shuttles around Piedmont Triad International Airport but reverted to fixed route shuttles when on-demand ridership did not meet expectations. On-demand style shuttles are best used when looking to replace a costly, low-ridership, inefficient route to soften the financial burden while still providing service coverage to an area.

Transit agencies continue to face a constrained funding environment and must make tough decisions on trade-offs. Extending transit service along NC 54 would provide additional coverage to an area previously unserved and thus would create the possibility for new trips. However, given limited resources, extending service further west from Carrboro limits other opportunities, such as providing more frequent service on core routes with higher ridership.
Observations

- As indicated in Table 1, the current supply of park-and-ride spaces serving traffic from the west (including the NC 54 West corridor) is underutilized.
- Convenience and frequency of service seem to be significant factors in attracting park-and-ride patrons, favoring park-and-ride lots along the planned BRT route. This limits traffic reduction benefits along NC 54 west.
- UNC and Chapel Hill Transit support park-and-ride and other transit options in the NC 54 west corridor. However, low ridership potential and long routes limit the cost-effectiveness of this service relative to other transit investments.
- Focusing on improvements to higher-demand transit corridors—including BRT—could be a more productive and cost-effective overall strategy than shifting limited resources to the NC 54 West corridor, given its lower densities, smaller market, and longer route lengths.
- UNC-CH and UNC Hospital are not planning substantial increases in parking capacity. Travel demand management (TDM) policies are being implemented to encourage and support a mode shift away from single-occupant vehicles and towards to transit, biking, walking, and ridesharing. These efforts will be most productive—and cost-effective—in denser corridors with efficient transit service and/or shorter trip distances. Limited impacts can be expected in the NC 54 west corridor, given the relatively lower concentration of trip ends and longer travel distances. Ridesharing and park-and-ride appear to be the most promising options in this corridor.
- As an important public institution serving the State of North Carolina (and beyond), UNC Hospital must be accessible to a broad range of patients, visitors, and others. A balance of convenient access by both transit and automobile must be maintained.
- Although UNC-CH and UNC Hospital are significant contributors to traffic using the NC 54 West corridor, these trips are only part of the volumes on NC 54. As the region grows, these trips will represent a shrinking share of NC 54 West traffic. The biggest sources of new traffic on NC 54 West appear to be growth in Alamance and Chatham Counties, along with overall growth in Orange County.
Figure 1: Estimated NC 54 Travelshed for Trips to Chapel Hill

Derived from relative historical travel times for 8 AM weekday, per Google Maps
Figure 2: Estimated NC 54 Travelshed for Trips to Southern Village

Derived from relative historical travel times for 8 AM weekday, per Google Maps
Figure 3: Estimated NC 54 Travelshed for Trips to Burlington

Derived from relative historical travel times for 5 PM weekday, per Google Maps
Figure 4: StreetLight InSight Dataset Coverage
Figure 6: Origin-Destination Analysis – NC 54 East of Orange Grove Road

- Average Mon-Thu for Apr, May, Sep, & Oct, 2016-18
- Totals may not add up precisely due to rounding
- Blue %s represent trips to/from intersecting roads
- Red %s represent trips to/from minor roads and driveways along a segment of NC 54

Daily Vehicle-Trip Distribution (StreetLight InSight Data)
AM Peak Vehicle-Trip Distribution (StreetLight InSight Data)

- Average Mon-Thu for Apr, May, Sep, & Oct, 2016-18
- Totals may not add up precisely due to rounding
- Blue %s represent trips to/from intersecting roads
- Red %s represent trips to/from minor roads and driveways along a segment of NC 54

Figure 7: Origin-Destination Analysis – NC 54 East of Orange Grove Road
Daily Vehicle-Trip Distribution (StreetLight InSight Data)

Figure 8: Origin-Destination Analysis – West Main St East of NC 54 Bypass

- Average Mon-Thu for Apr, May, Sep, & Oct, 2016-18
- Totals may not add up precisely due to rounding
- Blue %s represent trips to/from intersecting roads
- Red %s represent trips to/from minor roads and driveways along a segment of NC 54

*Figure 8: Origin-Destination Analysis – West Main St East of NC 54 Bypass*
Daily Vehicle-Trip Distribution (StreetLight InSight Data)

- Average Mon-Thu for Apr, May, Sep, & Oct, 2016-18
- Totals may not add up precisely due to rounding
- Blue %s represent trips to/from intersecting roads
- Red %s represent trips to/from minor roads and driveways along a segment of NC 54

Figure 9: Origin-Destination Analysis – NC 54 Bypass South of West Main St
Figure 10a: TRM & PTRM Population Growth (2013 – 2045)
Figure 10b: TRM & PTRM Population Growth (2013 – 2045)
Figure 10c: TRM & PTRM Population Growth (2013 – 2045)
Figure 11b: TRM & PTRM Employment Growth (2013 – 2045)
Figure 11c: TRM & PTRM Employment Growth (2013 – 2045)
Daily Vehicle-Trip Distribution (TRM)

Figure 12: TRM Select Link Analysis – NC 54 East of Orange Grove Road

- Totals may not add up precisely due to rounding
- Blue %s represent trips to/from intersecting roads
- Red %s represent trips to/from minor roads and driveways along a segment of NC 54
Figure 13: TRM – Daily Traffic Differences between 2045 NC 54 Widened and No-Build Scenarios

-XXX Vehicle/day reduction due to NC 54 widening

+XXX Vehicle/day increase due to NC 54 widening

XXX* Manually adjusted to compensate for TRM over-assignment to West Main St

NOTE: Only differences >100 veh/day are shown

Yellow indicates roads in TRM network with <100 veh/day change between Build & No Build
Figure 14: Relative Impacts of Traffic Shifts due to NC 54 Widening
Figure 15: Areas Included in Population-AADT Correlation Analysis
Figure 16: Comparison of Historical Population and AADT Aggregations
Figure 19: Regional Distribution of UNC-CH and Hospital Employee Residences (2017)

Source: UNC-CH Development Plan, 2017 TIA Update
Figure 20: Study Area Distribution of UNC-CH and Hospital Employee Residences (2017)

Source: UNC-CH Development Plan, 2017 TIA Update
Figure 21: Proportion of UNC-CH and Hospital Employees by Commute Corridor (2017)
<table>
<thead>
<tr>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposes widening – rational – increasing lanes results in more cars on road and impact on air quality and climate change.</td>
<td>Traffic growth is due to continued development in the area served by NC 54, regardless of widening. Statistically, recommended cross-section will lower crash rate, a significant benefit separate from mobility or capacity.</td>
</tr>
<tr>
<td>Make intersection improvements first, add passing lanes second and incorporate recent advancements in Intelligent Transportation System (ITS) technologies at intersections.</td>
<td>This is consistent with recommendations. This recommendation will be made more explicit, although specific and appropriate recommendations will be developed during project design, given variations in individual location characteristics, and the rapid pace of ITS evolution.</td>
</tr>
<tr>
<td>“Enhance lighting, pavement marking, and signage as needed to maintain visibility” – Change “maintain” to “improve” and add “where appropriate”.</td>
<td>Changes incorporated in final report</td>
</tr>
<tr>
<td>Provide dedicated transit lane and improve transit service between all providers along the corridor, including Bus Rapid Transit (BRT) recommendations.</td>
<td>Transit improvements are included in corridor recommendations. Funding is a significant challenge with multiple agencies involved, all of which already have unmet needs. BRT investments are planned in urban areas along congested, high-volume corridors with multiple lanes and multiple established bus routes serving larger, denser mixed-use development that may be higher priorities. No examples of plans for adding dedicated bus lanes to a rural 2-lane highway could be found. Given budgetary constraints, unmet needs on more productive routes, and relatively low densities and long distances along NC 54, it is difficult to envision an affordable service that could significantly lower traffic volumes.</td>
</tr>
<tr>
<td>Recommend increased transit and improved coordination among all transit agencies along the corridor.</td>
<td>Further mention of increased transit service and coordination will be added; however, given budgetary constraints, unmet needs on more productive routes, and relatively low densities and long distances along NC 54, it is difficult to envision an affordable service that could significantly lower traffic volumes. However, rapidly-evolving technologies and service models could lead to nonconventional transit services that are more viable in this corridor than traditional fixed route service. At the same time, advances in connected/autonomous vehicle (C/AV) technology could also render park-&amp;-ride services obsolete...or at least less attractive.</td>
</tr>
<tr>
<td>Prioritize park and ride lot in the study, including UNC.</td>
<td>Park and ride services are noted as options and suggested locations are added.</td>
</tr>
<tr>
<td>Widening entire corridor is a good project, and scores well in SPOT, and therefore should be supported by all three planning organizations sooner rather than later.</td>
<td>Widening the entire corridor appears inevitable, due to traffic growth. Certain segments are already experiencing capacity and crash problems and are probably past due.</td>
</tr>
<tr>
<td>Phase I has sections of the corridor that are already failing, and the end of Phase I is late</td>
<td>The recommended timeframe represents the likely earliest opportunity to complete the recommended widening.</td>
</tr>
<tr>
<td>What is the benefit to Carrboro</td>
<td>Safety and Mobility for all users</td>
</tr>
</tbody>
</table>

| To what degree is the inability to pass cars contributing to the capacity of the whole corridor. What about 3 lanes during different times of the day, (e.g. peak hours)? | Passing lanes were considered and proposed as possible locations, where currently allowed. However, it is hazardous near driveways and access points. A 3 lane road was considered as one of the alternatives. Reversible lanes were not proposed due to the complexities involved in managing directional traffic. They are used in special events, airports, but can result in crashes if people do not know how to use them. |
| What is the consequence on the travelsheds when moving the star further south or east, especially when at some point traffic moves to I-40? At what point does it move to I-40? | The further south you move the star, travel sheds do not change. When moving further east along 15/501, eventually traffic does go to I-40. This is already built into the adopted model. This is because future improvements are counted for in the model. |
| Can you clarify Phase 1, is it Old Fayetteville to Mebane Oaks? And Phase 2 is? | Phase 1 is Old Fayetteville to Dodson Crossroads, Phase 2 goes to Orange Grove Road |

| Why would Graham east not start early? due to watershed and future development, it seems premature for a 4 lane road from Old Fayetteville Road to Dodson Crossroads. Phasing is important, 2045 is far out into the future and things can change like transit along the corridor. It may be wise to allow Alamance and Graham portion to develop first. Skeptical about the viability of the project. | Graham is already a 5 lane section, that is where most of the growth is happening with sufficient capacity. It is not that far into the future where traffic brakes down past 119. One problem PART mentioned for NC-54 is reliability and safe travel along corridor. If BRT is sought, the corridor would need to be widened first. If this area is not going to grow, do you want to invest transit money on it, due to its already limited funding. Even if project were to start now, it would not occur for 10 years. We are not planning for how it is now but how it will be. Graham has approved the study and will support improvements along the corridor. |
NCDOT has implemented some safety improvements along the corridor and one of the primary motivation for this project is safety. These improvements were to address safety and are complete. We haven’t seen the result in the data of those improvements.

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Intersections will be safer but now we will have longer que of cars bunched together. Uncertain what problems this could cause.</td>
<td></td>
</tr>
<tr>
<td>If this project were to get funded in the STIP, would there be enough right of way besides for widening and median?</td>
<td>Widening does not produce increased trips as the model shows. Traffic is shifting due to development. In 2045 we are looking at 50,000 cars/day on the by-pass vs current 30,000. While those are 2045 numbers, the safety issue is now. If we address the safety issues now, it should be adaptable for the future. If it doesn’t happen, its the same problem.</td>
</tr>
<tr>
<td>But there will be right of way acquisition for the shared use path?</td>
<td>Yes, there will be some acquisition.</td>
</tr>
<tr>
<td>Should the corridor get widened, all that induced demand will have to go somewhere - through Carrboro - will we have to widen the by-pass? There are safety issues with it too and a safety issue is currently underway.</td>
<td>Not in most areas, were there are tighter sections yes there is possibility. There is no clarity whether it would be widened to one side or another, but that occurs in design. There are still questions about the new Complete Street Policy and looks like there is funding if in locally adopted plans. There is clarity coming out on the policy and is encouraging.</td>
</tr>
<tr>
<td>Will NC 54 by-pass need to be widened in the future due to more demand on the road</td>
<td>NC-54 by-pass was outside the scope of the study. Currently there are two committed STIP FY 2020-2029 that will impact the future demand on NC-54 by-pass: * U-5304 - Capacity Improvements on US-15/501 - widening with transit. * U-5774 - Upgrade NC-54 East Corridor - widening with transit</td>
</tr>
<tr>
<td>What about the shops and Lloyd Farm at NC-54 and Old Fayetteville Road? How much traffic will that development generate and what will be the impact on the intersection?</td>
<td>NCDOT has approved a Traffic Impact Analysis (TIA) for the development. Developer required traffic mitigation will provide some relief to the increasing traffic caused by the development, allowing the intersection to function adequately.</td>
</tr>
</tbody>
</table>
SUBJECT: Approval of a Planning Framework for Updating the Orange County Transit Plan

DEPARTMENT: County Manager

ATTACHMENT(S): INFORMATION CONTACT:

Travis Myren, 919-245-2308
Theo Letman, 919-245-2007
Craig Benedict, 919-245-2592

PURPOSE: To approve a planning framework for updating the Orange County Transit Plan and to appoint two Commissioners to serve as representatives to the Policy Steering Committee.

BACKGROUND: In 2012, the Board of Orange County Commissioners along with the Durham-Chapel Hill Carrboro Metropolitan Planning Organization and GoTriangle adopted the Orange County’s first comprehensive Transit Plan. This Plan was funded using a newly adopted Article 43 Half-Cent Sales Tax, and it included investments in new and expanded bus service, new capital infrastructure projects such as the Chapel Hill North-South Bus Rapid Transit Project, the Hillsborough Train Station, and the Durham-Orange Light Rail Project. The Plan was most recently updated in 2017 to meet federal requirements associated with the Durham-Orange Light Rail Project.

In March 2019, the Durham-Orange Light Rail Transit Project was discontinued. This project was central to the Transit Plan. It was the Plan’s primary investment, represented a critical partnership between Durham and Orange counties, and served as the transit infrastructure around which other transit services and growth strategies were planned. In response to the discontinuation of the light rail project, a staff team began the process of creating a potential planning framework to create a new Orange County Transit Plan that prioritizes investments, funds service improvements, and improves the resiliency of the public transit network.

The proposed planning framework would be led by a Policy Steering Committee composed of two (2) Commissioners serving as Co-Chairs, and one representative each from Chapel Hill, Carrboro, Hillsborough, and Mebane. The County and/or municipal appointees should also represent the interests of GoTriangle and the Durham-Chapel Hill Carrboro Metropolitan Planning Organization (DCHC-MPO).
The Policy Steering Committee would be supported by a staff team which would be led by County staff and include representatives from the same organizations as well as staff support from the Triangle J Council of Governments, the Triangle Area Rural Planning Organization, and the University of North Carolina at Chapel Hill.

Both the Policy Steering Committee and the staff team would provide direction and guidance to a consulting firm responsible for analyzing data, facilitating public input processes, soliciting feedback from specific stakeholders, and drafting the Transit Plan. The new Plan would outline transit investment priorities through 2040. Specific consultant responsibilities detailed within a request for qualifications would include:

- Creating an overview of services and capital improvements that have been made possible through prior iterations of the Orange County Transit Plan,
- Affirming that recently adopted short range plans provide an appropriate, seamless continuum of bus services,
- Establishing a process for how improvements are prioritized, so that priorities are understood and supported by elected officials and residents,
- Identifying transit dependent populations in Orange County and strategies to serve these populations,
- Reporting on public preferences regarding transit services and future investments,
- Creating performance measurement criteria that can explain how different existing and planned services meet community goals and preferences,
- Creating a Regional Connections Opportunities assessment that examines:
  - NCDOT studies and projects underway that could be modified to include a transit component
  - Remnant sections of the Durham-Orange Light Rail alignment that might still be used as high-capacity transit corridors
  - Travel market needs that link Orange County with Durham County’s resident and business needs to build, expand, and support cross-county line transit networks. The Plan should also examine emerging transit needs and opportunities that cross into Alamance and Chatham counties,
- Proposing year-by-year implementation recommendations for transit investments through 2040,
- Creating a risk assessment to identify potential implementation barriers for new transit projects,
- Examining transit recommendations through a racial and social justice lens, establishing agreed upon benchmarks through which to achieve equitable outcomes,
- Preparing a financially sound plan that considers the costs and benefits of debt financing using a 20 year financial model,
- Preparing all necessary maps and exhibits, and
• Writing a succinct, user-friendly, easy to understand and meaningful - Final Report and Documentation with an executive summary.

The Final Orange County Transit Plan would be approved by Orange County, GoTriangle, and the DCHC MPO.

FINANCIAL IMPACT: The current Orange County Transit Plan has allocated up to $500,000 to pay for consulting services and other expenditures necessary to complete a new Plan.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are applicable to this item:

• GOAL: FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY
  The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.

• GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY
  The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

Public Transportation provides opportunity for access to jobs and services and supports these Goals.

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impact is applicable to this item:

• CLEAN OR AVOIDED TRANSPORTATION
  Implement programs that monitor and improve local and regional air quality by: 1) promoting public transportation options; 2) decreasing dependence on single-occupancy vehicles, and 3) otherwise minimizing the need for travel.

RECOMMENDATION(S): The Manager recommends that the Board:
  1) Approve the planning framework for updating the Orange County Transit Plan;
  2) Authorize staff to proceed with implementing the planning framework and issuing request for qualifications for consulting services as outlined in this abstract; and
  3) Appoint two BOCC members to serve as co-chairs of the Policy Steering Committee.
SUBJECT: Application Modifications for Volunteer Advisory Boards and Commissions

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):
1. Excerpt from Draft October 3, 2019 BOCC Regular Work Session Minutes
2. Modified Application
3. Current Application

INFORMATION CONTACT: David Hunt, 919-245-2126

PURPOSE: To discuss modifications to the application for volunteer advisory boards and commissions, consider approving a new application format and consider to hold or cancel the November 14, 2019 regular work session.

BACKGROUND: At the October 3, 2019 regular work session, the Board expressed an interest in making advisory boards and commissions more inclusive and improving diversity, and it was noted that the lengthy application may be negatively impacting public response.

The Board discussed reducing the size and complexity of the application to two pages.

Proposed changes to streamline the current application are listed below:

1. Remove “Additional Questions” for Selected Boards
   • ABC Board
   • Durham Technical Community College Board of Trustees
   • Orange County Board of Adjustment
   • Orange County Equalization and Review Board
   • Orange County Planning Board
   • OWASA Board
2. Remove Township question (can be verified by staff by address)
3. Remove domicile in Orange County question (can be verified by address)
4. Remove “Place of employment” and “Job title”
5. Remove “Are you at least 18 years of age”
6. Remove references to fax numbers (old technology no longer used by applicants)
7. Remove categories of phones with a space for one phone number.
8. Remove “Ethics Guidelines” from application
9. Add “Age Range”
10. Add “How would your participation on this board contribute to the diversity of viewpoints?”

An excerpt from the draft October 3rd minutes is included as Attachment 1 for reference.
If and/or when the Board approves the new application, the following next steps will need to be implemented to switch to the new application and process. (The actions below will likely take several weeks to accomplish.)

- Information Technologies (IT) will need to format the layout of the online application.
- IT will need to modify the current database fields for the additional questions.
- IT will need to modify the coding for the report package presented to the BOCC for appointments.
- The Clerk’s Office will need to contact the applicants on the boards up for appointment to get a response for the additional questions (approximately 2 – 10 applicants per board).

Additional BOCC decision:

- Does the Board wish to move forward with the November 14 regular work session as a trial run of the new appointment discussion process, using the current application (and not the new one)?

The Board may want to consider reviewing the current pending appointments at the November 14 regular work session, based on the original application responses.

It should be noted that:

- The Board’s next regular work session will be on February 11, 2020.
- February 2020 will mean some boards will wait for appointments for 6 to 9 months.
- Several pending appointments are based on town recommendations.
- Some appointments are re-appointments with no other applicants under consideration.
- If the BOCC wishes to see the responses to the new questions for specific boards, those appointments could be postponed by the Board until the February work session.

A future discussion topic for the Board regarding appointments is:

- In 2020 there are regular work sessions in February, March and April, then a 5-month gap to September. Do additional work sessions need to be added? Does the BOCC want to discuss appointments in budget work sessions?

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- GOAL: ENABLE FULL CIVIC PARTICIPATION
  Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

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

RECOMMENDATION(S): The Manager recommends that the Board consider approving the proposed changes to the volunteer application for advisory boards and commissions and provide direction on holding or cancelling the November 14, 2019 work session.
Attachment 1
Excerpt from BOCC Draft Work Session Minutes from 10/3/19

The Board met to discuss:
1) reserving County Advisory Board and Commission seats to ensure racial and ethnic representation; and
2) the addition of an “Age” item on Advisory Boards and Commissions Volunteer Application Forms.

Commissioner Dorosin said there might be legal issues for saving seats. John Roberts said that looks like a quota, but it is legal to target recruitment efforts to increase membership based on race; to have diversity on the boards. If the goal is to set aside one or two seats, I would not recommend this. But a goal of targeting recruitment efforts towards achieving diversity works.

Commissioner Dorosin said what we can do in recruitment is to have a statement that says we want to have a diverse population, and ask a question such as how will your participation on this board affect this ethnicity or diversity of the county. This gets buy-in for being on the board. It’s one of our social justice values and establishes expectations. They can tell us how their addition will help us to achieve diverse representation on the boards.

Chair Rich said that the application form is 8 pages long. You’re turning people off by completing a long application. There is also a problem with putting this type of information in the database.

David Hunt said that some of it is disclaimers for certain boards, and instructs what they have to agree to serve on the board. We ask a lot of questions, and they’re not consistent among all boards.

Commissioner Dorosin said we should set up a subcommittee to review the entire process. Yes, it’s important to apply, but we don’t need to have experts. I would volunteer to be on a subcommittee. Most of our boards are full. I don’t think there a problem.

David Hunt said part of the hypothesis is that, the more complex the form, people may be discouraged to complete an application, and don’t want to participate.

Commissioner Price said the reason I raised this issue is not with filling out the application. The issue is increasing diversity, and we have been poor at doing this. The boards have asked to wait to get a certain type of person. For the planning board, we had an opportunity to add diversity, but the board was primarily white. The people who have applied aren’t able to get on a board when they want to, because they might not be seen as having the right qualifications.

Commissioner Rich said I don’t believe this is true anymore. I remember trying to get a person of color on the board.

Commissioner Price said I’ve dealt with that, but it hasn’t worked.

Chair Rich said in general, I believe our boards are trying. We get a certain group of people that are abused by serving on too many boards. We need to attract more people.

Commissioner Price said I’m talking about what we do. We continue to put the same people on the board. We’re failing on being intentional.

Chair Rich said I don’t think we’re picking people because of being friends on the board.

Chair Rich asked if we create subcommittee, would it be a long process?

Commissioner Dorosin said that a 8 page form is discouraging people from applying. It’s daunting. We need to be conscious of adding more requirements. We either need to jettison some of it, or do something else. My belief is to jettison it. If you’re interested, you should be able to apply. Have some question to address diversity to the board. We need to have some questions, but many of the recommendations come from the boards. I think there needs to be training or outreach to attract them. Ask them why wasn’t there diversity in your recommendations? We’re not doing targeted outreach. There are more components than what our board decides. We want to be supportive of the boards. If they’ve vetted them, we lean on that. This is our goal; our value. How do we get a more diverse applicant pool? Often we don’t get diverse pools. All we may know is their race, but it
may not be the only factor we’re considering for diversity. I value the Advisory Board’s recommendations. Engagement should be at that level. Then, when should we appoint? Should we do it at a work session to really review and discuss the candidates?

Chair Rich said we don’t want to have one or two times to appoint at the end of the year. We’ve done this. Maybe we should bring this to a work session.

Commissioner Dorosin said that would give us an opportunity to review the diversity, and ask the chair of the Advisory Board what type of recruitment did you do.

Commissioner Price said I’d like to know why they’re not able to attract?

Chair Rich said the subcommittee will be Mark Dorosin and Renee, who will meet with David and Donna. Be sure to take into consideration ways to get age. We get a lot of accolades about having an 18 year old on the Housing Advisory Board.

Commissioner Dorosin said we need to ask the question about what you would bring to the board. How will you help us achieve the diversity goal?

Commissioner Marcoplos said, when I see the applications, I think of the young people and all I want to know is how they can serve. What’s the problem with putting age?

Commissioner Bedford said it can be discriminatory. If it were up to me, I don’t think we should ask age or race or ethnicity. There’s a big social problem of trust; diversity is important.

Commissioner Marcoplos asked, can we make them optional?

Commissioner Bedford said yes, but you don’t know their qualifications.

Commissioner Dorosin said if all you’re looking at is a young person, I’d rather want to see the person who wants to bring the perspective of the young person; we need to reduce the metric. Having a simple question raises the issue.

Commissioner Marcoplos said, I want to make it easy and have the information there.

Commissioner Dorosin said we need to address this with the Advisory Board with their recruitment. Where are you getting your prospective people to get involved?

Chair Rich – how do we reach out to the current boards?

Bonnie Hammersley said staff support for each board leads the recruitment. The staff support would talk directly to the boards. I could attend these meetings, and talk about recruitment. Staff support calls Thom about open seats.

Chair Rich said the outreach to staff can be there. The subcommittee should revise the application and ask Commissioner Dorosin’s question. Let’s consider changing the applications review to a work session. Let’s keep the application to 2 pages. There possibly could be a link to another website about the qualifications, time expectations, etc. It needs to be less threatening.

Thom Freeman-Stuart said I have suggested in the past to try to encourage you all to tell me of groups that meet in community centers, so I could make a presentation to try to attract people. I’m willing to do that. I can promote them, but I don’t know who to contact...

Commissioner Price said I will give you information about two upcoming meetings. The NAACP meets on Saturday, and I will handle this.

Commissioner Dorosin said all of us should consider doing this. We should take some responsibility. We all have access to different groups. It’s a recruitment issue.

Commissioner Bedford said that perhaps we can advertise at the radio summit. Have the presenter speak about the Advisory Boards that are similar to your interest.

Chair Rich asked about discussion at a work session. Do you want to do this?

Commissioner Dorosin said I think this topic needs more discussion, but I’m not sure the best way to do it.

Commissioner Price said I think we should just try it and see what works.

Commissioner Marcoplos said at the last meeting we spent a lot of time on a lot of applicants. I never really understood the thought process. How do we balance ethnicity with competing applicants? I think we should have discussion, and have a time to let each of us state our approach.

Commissioner Dorosin said I think it’s good to spread them out over the meetings.

Thom Freeman-Stuart said at the next meeting, there are 8 advisory board coming up for the 10/15 meeting. Should we move these to the November work session?
Greg Wilder said that the Board can push the appointments to the November work session, but that moves the appointments to December. Perhaps more appointments could be grouped together at that time.
Commissioner Bedford – we need to be mindful of how quickly these vacancies need to be filled.
VOULUNTEER APPLICATION
ORANGE COUNTY ADVISORY BOARDS AND COMMISSIONS
This application is a public document

If you are an Orange County resident, at least 18 years old, and willing to volunteer your time and expertise to your community, you may apply to serve on an advisory board by completing this form online or download it and mail it to the address below:

Orange County Board of Commissioners
P.O. Box 8181
Hillsborough, NC 27278
Phone (919) 245-2125
Email: tfreeman@orangecountync.gov

If an applicant is not selected, their application will remain on file in the Clerk to the Boards’ office for two years, and will be considered by the Board of County Commissioners when reviewing and making appointments.

Name: _________________________________________________________________________________________
Home Address: _________________________________________________________________________________
City: __________________________________________________________ Zip Code: _____________________
Phone: ____________________________ Email: _____________________________________________________

Year you became an Orange County resident: _________________________________________________________________________________________________________

Are you serving or have you ever served on any Orange County Advisory Board?  _Yes   _No
If “Yes” please list which one(s):
_________________________________________________________________________________________________

Please list your current community activities/organizational memberships:
_________________________________________________________________________________________________

I owe no outstanding Orange County taxes (real/personal) at the time of application.  _Yes   _No

We ask your help in assuring diversity of membership by answering the following questions:

Gender identity: ______________ Age Range:  _18-34   _35-59   _60+
Ethnic background: _ Black/African American  _White  _Latinx/Hispanic  _Indian/Native American  _Asian American  Other ____________________
PLEASE LIST THE BOARDS/COMMISSIONS ON WHICH YOU WOULD BE WILLING TO SERVE  Please indicate your preferences by prioritizing your selection of boards (first choice being “A”) and choose no more than three

A. ________________________  B. __________________________  C. _________________________

For each of the boards listed above, please answer the following questions:

1. Please explain how your background, education and experience is relevant to this board.
_____________________________________________________________________________________
_____________________________________________________________________________________

2. Please explain your reasons for wanting to serve on this board.
_____________________________________________________________________________________
_____________________________________________________________________________________

3. How would your participation on this board contribute to the diversity of viewpoints?
_____________________________________________________________________________________
_____________________________________________________________________________________

4. Do you have any personal or business interest(s) that could create a conflict of interest (either real or perceived) if you are appointed to this board? ________Yes  ____No  If yes, then please explain:
_____________________________________________________________________________________
_____________________________________________________________________________________

How did you become aware of Orange County volunteer opportunities?
_ Radio  _ Newspaper  _ County Web Page  _ TV  _ Current Volunteer  Other ________________________
VOLUNTEER APPLICATION
ORANGE COUNTY ADVISORY BOARDS AND COMMISSIONS
This application is a public document

If you are an Orange County resident, at least 18 years old, and willing to volunteer your time and expertise to your community, you may complete this application online or download it and mail/fax it to the address/fax number below:

Orange County Board of Commissioners' Office
P.O. Box 8181
Hillsborough, NC 27278
Phone (919) 245-2125
Fax: (919) 640-1953 • Email: tfreeman@orangecountync.gov

If an applicant is not selected, their application will remain on file in the Clerk to the Board's office for two (2) years, and will be considered by the Commissioners when reviewing and making appointments.

Items in **bold** are required fields.

NAME: __________________________________________

HOME ADDRESS: ________________________________________________

CITY: _____________________________ Zip Code: ______________

PHONE: (Day) ___________ (Evening/late) ___________ (Cell) ___________

EMAIL: ______________________________

PLACE OF EMPLOYMENT: _______________________________ JOB TITLE: ______________________________

YEAR BECAME ORANGE COUNTY RESIDENT: _______

IN ORDER TO ASSURE COUNTYWIDE REPRESENTATION PLEASE INDICATE YOUR TOWNSHIP OF RESIDENCE:
Bingham  Cheeks  Hillsborough  Eno  Chapel Hill  Little River  Cedar Grove

WE ASK YOUR HELP IN ASSURING DIVERSITY OF MEMBERSHIP BY AGE, GENDER AND RACE, BY ANSWERING THE FOLLOWING QUESTIONS:

Male  Female

ETHNIC BACKGROUND:  African American  white  Hispanic  Native American
Asian American  Other  ________________________________

ARE YOU AT LEAST 18 YEARS OF AGE?  □  YES  □  NO

PLEASE LIST YOUR CURRENT COMMUNITY ACTIVITIES/ORGANIZATIONAL MEMBERSHIPS:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
I. PLEASE LIST THE BOARDS/COMMISSIONS ON WHICH YOU WOULD BE WILLING TO SERVE  Please indicate your preferences by prioritizing your selection of boards (first choice being “1”) and choose no more than three

A. ________________________________

1. Please explain how your background, education and experience is relevant to this board.

______________________________________________________________________________

2. Please explain your reasons for wanting to serve on this board.

______________________________________________________________________________

3. Do you have any personal or business interest(s) that could create a conflict of interest (either real or perceived) if you are appointed to this board?  ___Yes  ___No  If yes, then please explain:

______________________________________________________________________________

B. ________________________________

1. Please explain how your background, education and experience is relevant to this board.

______________________________________________________________________________

2. Please explain your reasons for wanting to serve on this board.

______________________________________________________________________________

3. Do you have any personal or business interest(s) that could create a conflict of interest (either real or perceived) if you are appointed to this board?  ___Yes  ___No  If yes, then please explain:

______________________________________________________________________________

C. ________________________________

1. Please explain how your background, education and experience is relevant to this board.

______________________________________________________________________________

2. Please explain your reasons for wanting to serve on this board.

______________________________________________________________________________

3. Do you have any personal or business interest(s) that could create a conflict of interest (either real or perceived) if you are appointed to this board?  ___Yes  ___No  If yes, then please explain:

______________________________________________________________________________
II. ADDITIONAL QUESTIONS FOR SELECTED BOARDS

Applicants to the ABC Board, Durham Technical Community College Board of Trustees, Orange County Board of Adjustment, Orange County Equalization and Review Board, Orange County Planning Board and OWASA (Orange Water and Sewer Authority Board) should answer the questions for the relevant boards:

A. ABC Board Applicants:

1. Please list/explain your experience, either professionally and/or from other boards/commissions that you have in the areas of budget, personnel, and management.

2. In addition to the experience listed in question 1 above, please list the work/volunteer experience/qualifications that would add to your expertise for this board.

3. What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

B. Durham Technical Community College Board of Trustees:

1. What improvements do you believe can be made so that DTCC better services the residents of Orange County?

C. Orange County Board of Adjustment Applicants:

1. Please list the work/volunteer experience/qualifications that would add to your expertise for this board.

2. What unique perspective can you bring to the Orange County Board of Adjustment?

3. What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

4. What do you consider to be the most important issues facing Orange County related to growth?

5. What role should the Board of Adjustment take in guiding and regulating growth?

6. How would you, as a member of the Orange County Board of Adjustment, contribute to the implementation of the Board of Commissioners’ adopted Goals and Priorities – link below: (http://orangecountync.gov/occlerks/BOCCGoals09.pdf)

D. Orange County Equalization and Review Board Applicants:

1. Please list/explain any experience (professional/volunteer) you may have in the area(s) of real estate, tax appraisal or real estate law.

2. In addition to the experience listed in question 1 above, please list the work/volunteer experience/qualifications that would add to your expertise for this board.
3. What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?
D. Orange County Planning Board Applicants:

1. Please list the work/volunteer experience/qualifications that would add to your expertise for this board.

2. What unique perspective can you bring to the Orange County Planning Board?

3. What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

4. What do you consider to be the most important issues facing Orange County related to growth?

5. What role should the Planning Board take in guiding and regulating growth?

6. How would you, as a member of the Planning Board, contribute to the implementation of the Board of Commissioners’ adopted Goals and Priorities - link below (http://www.orangecountync.gov/964/Duties-Goals-Priorities)

E. OWASA Applicants

1. Please list/explain your experience, either professionally and/or from other boards/commissions that you have in the areas of budget, personnel, and management.

2. In addition to the experience listed in question 1 above, please list the work/volunteer experience/qualifications that would add to your expertise for this board.

3. What do you see as the responsibilities of this board, and what do you hope to accomplish if appointed?

4. What is OWASA’s role in growth/development issues?
III. QUESTIONS FOR ALL APPLICANTS

A. ARE YOU SERVING OR HAVE YOU EVER SERVED ON ANY ORANGE COUNTY ADVISORY BOARDS? IF “YES”, PLEASE INDICATE WHICH ONE(S):


B. Please check Yes or No:

1. I maintain a domicile in Orange County (Domicile is defined as one’s permanent established home as distinguished from one’s temporary although actual place of residence).

    Yes
    No

2. I owe no outstanding taxes (real/personal) at the time of application/appointment.

    Yes
    No

C. How did you become aware of Orange County volunteer opportunities? (Please check all that apply):

    Newspaper    County Web Page    Current Orange County Volunteer
    Radio         T.V.            Other ____________________________
I agree by my signature below that, if appointed, I pledge to comply with the following ethics guidelines for advisory boards and commissions as adopted by the Orange County Board of Commissioners.

A. Conflict of Interest
1. During advisory board meetings, a member shall immediately disclose any potential conflict of interest and request to be excused from voting when he or she has a conflict of interest.
2. During appeal proceedings, the applicant has the right to question the interest of any voting member. The advisory board chair should consult with the County Attorney or staff attorney on any potential conflict of interest in appeal matters.
3. In determining from existing facts and circumstances whether a conflict of interest exists the determining party shall consider the facts and circumstances as would an ordinary and reasonable person exercising prudence, discretion, intelligence, and due care.

B. Gifts
1. An advisory board member shall not directly or indirectly ask, accept, demand, exact, solicit, seek, assign, receive, or agree to receive any gift or honorarium for the advisory board member, or for another person, in return for being influenced in the discharge of the advisory board member’s official responsibilities.
2. This section shall not apply to gifts or awards authorized by Orange County Policies, Resolutions, or Ordinances.

C. Code of Ethics
1. Advisory board members should act with integrity and with independence from improper influence as they exercise the functions of their offices. Characteristics and behaviors that are consistent with this standard are:
   a. Adhering firmly to a code of sound values.
   b. Behaving consistently and with respect towards everyone with whom they interact.
   c. Exhibiting trustworthiness.
   d. Living as if they are on duty as appointed officials regardless of where they are or what they are doing.
   e. Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner.
   f. Remaining incorruptible, self-governing, and not subject to improper influence, while at the same time being able to consider the opinions and ideas of others.
   g. Disclosing contacts and information about issues that they receive outside of public meetings, and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves.
   h. Treating other advisory boards and advisory board members and the public with respect, and honoring the opinions of others even when they disagree.
   i. Being careful not to reach conclusions on issues until all sides have been heard.
   j. Showing respect for their appointed office and not behaving in ways that reflect badly on the office, the advisory board, Orange County, or the Orange County Board of Commissioners.
k. Recognizing that they are part of a larger group and acting accordingly.
l. Recognizing that individual board members are not generally allowed to act on behalf of the board, but may only do so if the board specifically so authorizes, and that the board must take official action as a body.
m. Being faithful in the performance of the duties of their offices.
n. Acting as especially responsible residents whom others can trust and respect.
o. Faithfully attending and preparing for meetings.
p. Carefully analyzing all credible information that is properly submitted to them, and when applicable, being mindful of the need not to engage in communications outside the meeting in quasi-judicial matters.
q. Being willing to bear their fair share of the board’s workload.
r. To the extent appropriate, they should be willing to put the board’s interests ahead of their own.

2. Members of the Planning Board, Board of Adjustment, Economic Development Commission, and Board of Equalization and Review shall upon initial appointment, and prior to December 31 annually thereafter, disclose:
   a. Any interest he or she or his or her spouse or domestic partner has in real property situated in whole or in part in Orange County and the general description of that property.
   b. Any legal, equitable, beneficial or contractual interest he or she or his or her spouse or domestic partner has in any business, firm or corporation, which is currently doing business with Orange County pursuant to contracts awarded by Orange County, or which is attempting, or has attempted in the past calendar year, to secure the award of a bid from Orange County or the approval of any Board or Agency of Orange County.
   c. Failure to file a disclosure statement setting out the above required information shall result in immediate removal of the member from the applicable board.

DO NOT SUBMIT RESUMES OR ATTACHMENTS.

**SIGNATURE AND DATE**

By checking this box I

[ ]

certify that this serves as an electronic version of my signature, for the sole purposes of this form:

Date

__________________________________________________________  __________________________
Signature  Date
SUBJECT: Creation of a 1.0 FTE Deputy Sheriff I (School Resource Officer) Position in the Orange County Sheriff’s Office for Assignment to Eno River Academy, and Approval of Budget Amendment #2-A

DEPARTMENT: Sheriff’s Office

ATTACHMENT(S):
Attachment 1: Excerpt from June 11, 2019 BOCC Budget Work Session Minutes

INFORMATION CONTACT: Sheriff Charles S. Blackwood, 919.245.2900

PURPOSE: To approve the creation of a 1.0 FTE Deputy Sheriff I (School Resource Officer) position in the Orange County Sheriff’s Office for assignment to Eno River Academy, and approval of Budget Amendment #2-A for the acceptance of offsetting revenues from Eno River Academy to cover the full costs of the position.

BACKGROUND: At its July 12, 2018 meeting, the Eno River Academy Board of Directors voted unanimously to move forward with discussions with the Orange County Sheriff to place a School Resource Officer (SRO) on its K-12 campus. The Orange County Sheriff’s Office currently provides a School Resource Officer Program in the Orange County Public Schools. One deputy is assigned to each elementary and middle school, as well as to the Partnership Academy, while two deputies are stationed at each high school. Upon approval of the position, the Sheriff’s Office and Eno River Academy will enter into a previously reviewed and approved Agreement.

At its June 11, 2019 Budget work session, and as part of the 2019-20 budget process, the BOCC previously discussed the possibility of creating a 1.0 FTE Deputy Sheriff I position to provide School Resource Officer (SRO) services at Eno River Academy. At that time, it was proposed that Eno River Academy would provide reimbursement to the County for the 10-month School Year associated expenditures. The minutes from that discussion detailing the Board’s decision to not move forward with the proposal are provided at Attachment 1.

The new current request entails Eno River Academy providing reimbursement to the County based on a full fiscal year’s (12 months) expenditures and on a Services Agreement Contract outlining the SRO’s services and related reimbursement to the County for FY 2019-20.
expenses for FY 2019-20 would be pro-rated based on a commencement date of November 11, 2019, and both the Sheriff and Eno River Academy would have the option at the beginning of each future fiscal year to approve, amend or discontinue the associated Services Agreement Contract.

The SRO would maintain the same training and certification requirements as apply to all other certified law enforcement officers in the Sheriff’s Office and would be qualified to provide law enforcement services in a manner consistent with customary law enforcement standards and practices.

FINANCIAL IMPACT: There is no financial impact to the County. The funding of the 1.0 FTE Deputy Sheriff I (School Resource Officer) position will be paid in its entirety by A Public School of Choice, Inc., dba Eno River Academy. The annual salary for the position is $39,978, with a total annual salary and benefits of $59,039. In addition, the Academy will cover the annual cost of the SRO’s equipment and vehicle-related costs of $11,030, for a total of $70,069. For FY 2019-20, these annual amounts will be prorated based on the commencement date of November 11, 2019, at an estimated cost of $49,632. Pending Board approval of the creation of the position, and with each subsequent fiscal year approval of the Services Agreement Contract, the total position costs, as well as the offsetting revenue from Eno River Academy, would be included in the Sheriff’s Office annual budget.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- GOAL: CREATE A SAFE COMMUNITY
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

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

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

1) Creating a 1.0 FTE Deputy Sheriff I Position in the Orange County Sheriff’s Office for Assignment to Eno River Academy; and
2) Contingent upon the Board’s creation of the FTE Position, approve Budget Amendment #2-A and the acceptance of offsetting revenue to cover the pro-rated costs of the position for November 11, 2019 through June 30, 2020.
The Orange County Board of Commissioners met for a budget work session on Tuesday, June 11, 2019 at 7 p.m. at the Whitted Building in Hillsborough, N.C.

COUNTY COMMISSIONERS PRESENT: Chair Penny Rich and Commissioners Jamezetta Bedford, Mark Dorosin, Sally Greene, Earl McKee, Mark Marcoplos, and Renee Price
COUNTY COMMISSIONERS ABSENT: None
COUNTY ATTORNEYS PRESENT: None
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below)

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

Travis Myren noted the following items at the Commissioners’ places:
- Blue sheet: Memo from Asset Management Services (AMS)
- White sheet: PowerPoint
- Green sheet: all proposed amendments to operating budget
- Salmon sheet: CIP budget amendments
- White sheet: fee changes from the Health Department

Travis Myren reviewed the outline for the evening:

1. FY2019-20 Operating Budget
   Consider and Approve Amendments to the County Manager’s Recommended Operating Budget
2. FY2019-24 Capital Investment Plan (CIP)
   Consider and Approve Amendments to the County Manager’s Recommended Capital Investment Plan
3. FY2019-20 County Fee Schedule
   Consider and Approve Amendments to the County Manager’s Recommended Fee Schedule
4. FY2019-20 Tax Rates
   Consider and Approve Amendments to the County Manager’s Recommended Budget - the Ad Valorem (Property) Tax Rate, Special District Tax Rate, and Fire District Tax Rates.
5. Break
6. Resolution of Intent to Adopt
   Consider and Approve the Resolution of Intent to Adopt the FY2019-20 Operating Budget at the Board of County Commissioners Regular Meeting on June 18, 2019
   Operating Budget for FY2019-20 Year One (FY2019-20) of the Capital Investment Plan County, Special District, and Fire District Tax Rates Fee Schedule
<table>
<thead>
<tr>
<th>Code</th>
<th>Role</th>
<th>Department/Office</th>
<th>Description</th>
<th>Increase/Decrease</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-20OP-016</td>
<td>Commissioner</td>
<td>Various Pages</td>
<td>County-wide Increase mobile telephone stipend from $35 to $50 per month for county employees who use personal mobile telephones for county business.</td>
<td>Increase</td>
<td>$22,590.00</td>
</tr>
<tr>
<td>19-20OP-017</td>
<td>Staff</td>
<td>306</td>
<td>Non Departmental - Community Services Increase in Triangle Area Rural Planning Organization (TARPO) dues for FY 2019-20 from $7,500 to $9,000</td>
<td>Increase</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>19-20OP-018</td>
<td>Staff</td>
<td>371</td>
<td>Sheriff's Office Add a 1.0 FTE Deputy Sheriff I position to provide School Resource Officer (SRO) services at Eno River Academy. The County will receive reimbursement for the 10 month School Year associated expenditures. Offsetting revenue of $56,422 from Eno River Academy for SRO services for the 10 month School Year period</td>
<td>Increase</td>
<td>$67,706.00</td>
</tr>
<tr>
<td>19-20OP-019</td>
<td>Staff</td>
<td>246</td>
<td>County Manager Increase Emergency Medical Services Collections by $250,000</td>
<td>Decrease</td>
<td>$(250,000.00)</td>
</tr>
<tr>
<td>19-20OP-020</td>
<td>Commissioner</td>
<td>109</td>
<td>County Manager Decrease $4,000 in Food Council division for one-time Equity Training that was budgeted in FY 2018-19</td>
<td>Decrease</td>
<td>$(4,000.00)</td>
</tr>
<tr>
<td>19-20OP-021</td>
<td>Staff</td>
<td>495</td>
<td>Solid Waste Add a Storm Debris Fee Waiver option to the County Fee Schedule to allow limited storm fee waivers for residents following undeclared storm events.</td>
<td>Increase</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>19-20OP-022</td>
<td>Staff</td>
<td>407</td>
<td>Asset Management Services - Transfer to County Capital Use funds of $154,000 from additional EMS collection revenue for the Facility Accessibility, Safety and Security Improvements Capital Project for Elevator modernization at the Richard E. Whitted Facility</td>
<td>Increase</td>
<td>$154,000.00</td>
</tr>
<tr>
<td>19-20OP-023</td>
<td>Staff</td>
<td>64</td>
<td>Asset Management Services Add funds of $15,000 for a Temporary position in AMS to assist with Capital Projects management</td>
<td>Increase</td>
<td>$15,000.00</td>
</tr>
</tbody>
</table>
A motion was made by Commissioner McKee, seconded by Commissioner Price to approve this amendment.

**VOTE: UNANIMOUS**

**Amendment 18:** (Add a 1.0 FTE Deputy Sheriff I position to provide School Resource Officer (SRO) services at Eno River Academy (ERA). The County will receive reimbursement for the 10 month School Year associated expenditures. Offsetting revenue of $56,422 from Eno River Academy for SRO services for the 10-month School Year period.)

Bonnie Hammersley said the Sheriff was approached by ERA about having an SRO on site. She said the Sheriff has agreed to do this, and the revenue coming from ERA would be $56,422 for the 10-month school period. She said the Sheriff has requested a FTE, and this is the first charter school that has made this type of request. She said the BOCC must provide approval as it is creating a new position within the department.

Commissioner Dorosin said he is against this, and does not want County staff working in a private school. He said approval of this amendment would set a precedent. He said he hopes there will be broader conversations about SROs with the school districts in the near future.

Commissioner McKee said this position would protect children, which he strongly supports, regardless of where the children go to school.

Commissioner Dorosin said the school can still hire a security officer.

Commissioner McKee said the County provides SROs to other students.

Commissioner Bedford asked if ERA serves certain grades.

Commissioner Marcoplos said it is a K-12 school.

Commissioner Bedford said she does not support this amendment either, and the Sheriff’s office has other funds that could cover the 2 months not covered by the ERA contract.

Commissioner Marcoplos said this topic is part of a larger discussion, and it would be breaking new ground. He said the County needs to have more discussions with the charter schools, and should not make any decisions at this time.

Commissioner Greene agreed.

Commissioner Price said she is does not support this amendment.

A motion was made by Commissioner McKee to approve this amendment.

**NO SECOND**

Motion fails.

**Amendment 24** (Add to the County Travel Policy that travel expenses for Commissioners and County staff will include the purchase of carbon offsets for any airfare and the miles traveled by Car Share vehicles. This will also be included in the Financial Policy section of the Budget Ordinance. The impact is currently estimated at approximately $1,100 and will be covered in departmental budgets.)

Commissioner Greene said there is no budget consequence, and this is a policy decision and staff would work with Brennen Bouma to optimize car share vehicles.

A motion was made by Commissioner Dorosin, seconded by Commissioner McKee to approve amendment 024.
ORANGE COUNTY  
BOARD OF COMMISSIONERS  

ACTION AGENDA ITEM ABSTRACT  
Meeting Date: November 7, 2019  

Action Agenda  
Item No. 8-a

SUBJECT: Minutes  

DEPARTMENT: Board of County Commissioners  

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

INFORMATION CONTACT:  
Donna Baker, Clerk to the Board  
919-245-2130  

PURPOSE: To correct and/or approve the minutes as submitted by the Clerk to the Board as listed below.  

BACKGROUND: In accordance with 153A-42 of the General Statutes, the Governing Board has the legal duty to approve all minutes that are entered into the official journal of the Board’s proceedings.  

October 3, 2019  BOCC Work Session  
October 15, 2019  BOCC Regular Meeting  

FINANCIAL IMPACT: NONE  

SOCIAL JUSTICE IMPACT: NONE  

ENVIRONMENTAL IMPACT: NONE  

RECOMMENDATION(S): The Manager recommends the Board approve minutes as presented or as amended.
Chair Rich called the meeting to order at 8:12 p.m.

1. Discussion on Public Comments at BOCC Meetings
The Board met to discuss any potential changes to the Board’s current framework regarding public comments at BOCC meetings.

BACKGROUND:
At the September 10, 2019 work session, the Board had a brief discussion related to public comments occurring at work sessions.

At the September 17, 2019 Regular Board Meeting, a request was made by a member of the public that the Board consider providing the opportunity for public comments at all BOCC meetings.

North Carolina General Statute 153A-52.1 establishes a baseline for public comment at BOCC meetings. The statute requires the BOCC to “provide at least one period for public comment per month at a regular meeting of the board.” Orange County far exceeds this baseline and also exceeds what is provided by many other counties.

The current Rules of Procedures for the Board of County Commissioners, Rule 9, “Public Comment for Items not on the Printed Agenda”, provides the opportunity for public comment on any topic at the beginning of all Regular Meetings under Item #2. Speakers are required to sign up to speak, and are allowed three minutes each after being recognized by the Chair of the Board of Commissioners.

The Rules of Procedure also include a comment stating:
“The board may decide as a matter of general policy to set aside part of each meeting for individuals or groups to address the board. The rule allows any individual or group to get on the agenda, but lets the board decide whether there is time to hear its comments.”
The Board’s current operational framework also provides for public comments on all items appearing on Regular Meeting agendas. This includes Resolutions, Presentations, Public Hearings, and all other items that appear on a Regular Meeting agenda.

The Board’s current framework also provides the opportunity for public comment at any other specific Public Hearings as may be scheduled by the Board, such as the separate Budget Public Hearings meetings conducted each year by the Board.

There is no current specific written policy regarding public comment at non-Regular BOCC meetings. However, the Board’s general practice for more than 20 years has been that non-Regular BOCC meetings are opportunities for Board members to study, discuss and evaluate issues among themselves, with governing boards from other jurisdictions, and with staff. Since those non-Regular Meetings by practice have rarely incorporated actual decisions made by the Board, opportunities for public comments have been focused to Regular Meetings when the Board is specifically considering decisions on respective issues.

This item provides the opportunity for the Board to discuss its current public comment framework for Regular Meetings as referenced above, as well as the public comment framework for all other Board meetings. Those other Board meetings include, but are not necessarily limited to:

- Regular Work Sessions
- Budget Work Sessions
- Annual Board Retreats
- Joint Meetings with Chiefs’ Council
- Joint Meetings with the Schools
- Any Other Joint Meetings
- Legislative Breakfasts
- Special Meetings
- Meetings Specifically for Closed Session Matters

Chair Rich said Commissioner McKee and a resident, brought up this issue at a recent meeting.

John Roberts said it came up because a lot of false information was being spread, alleging that the Board of County Commissioners (BOCC) was talking about things behind closed doors, which was not true. He said an item was just opened for discussion, and no vote was taken. He said the public does have an opportunity to make comments at public hearings, and the Board allows public comment at all regular meetings, which is well above the state mandated requirement. He said the topic in question was always intended to be continued to another time, and public comment was to be accepted prior to any vote being taken.

Chair Rich said the Attorney’s comments are based on page 15 of the booklet, where the procedures are outlined, and the Board did nothing unusual. She said the Board is being pressured to allow comments at work sessions, and has previously made the decision not to do this.

Commissioner Dorosin said the points are all well taken, but in the abstract it says there is no written policy about non-regular meetings. He asked if the Board should codify some version of the Procedures that would specifically state a policy on public input. He summarized that public comment is allowed at all regular meetings, and the philosophy behind work sessions is to interact more directly with each other in an informal setting. He said no votes are taken, and any matter that is discussed must come to a regular meeting to
allow public comment prior to a vote. He said public comment can also be made even
when an item is not on the agenda. He said this situation involved a deliberate
misinformation campaign, and the Board should write something to provide a consistent,
clear explanation. He said the agenda abstract used to indicate if an item was public or not.
He said this did help to bolster what the Board is trying to do. He said if there is nothing
specific in the Procedures, the Board should set the expectations and manage them. He
said he values work sessions to brainstorm and share ideas; and there are not many of
them, and offering an hour of time for public comment takes away from the discussion time.
Chair Rich asked if this feedback makes sense to staff.

John Roberts said yes, and staff can put this in place if the Board so chooses.

Commissioner Marcoplos said it is important to make sure the work sessions are
defined, and the discussions that occur allow the Board to be ready to create items that can
be presented to the public. He said the public has many opportunities to talk, and this is
just a solution without a problem.

Chair Rich said she feels that while it is important to just be able to talk, allowing
Public Comment at that previous work session would not have been helpful. She agreed it
is important to manage expectations.

Commissioner Marcoplos said misinformation is a problem, and allowing people to
beat the drum on their favorite issue just creates a game.

Commissioner Bedford said she does not want to pick and choose issues to allow
public comment. She asked if the Board ever changes the amount of time people can
speak, to allow more people to talk.

Chair Rich said the Board has tried this, but the Board settled on three minutes per
person, and 1 hour in total. She said if there were more people to speak, the Board has
traditionally voted to extend the comments to over an hour, for that particular meeting.
Chair Rich said it should be done consistently, and the Board should not pick and
choose hot button issues.

John Roberts said the Procedures say the Board can suspend the rules, but he likes
Commissioner Dorosin’s idea of not extending public comment to work sessions.

Commissioner Marcoplos said work sessions are essential, and should not cater to
a certain desire.

Commissioner Dorosin said a work session should be defined in writing, and it made
clear that public comment is offered only at regular meetings. He said this paragraph
should be put at the top of the work session agenda, along with the date for the next
opportunity for public comment. He said the Board should not get hung up on what people
want to talk about, as the Board offers more opportunities for public comment than other
counties in the state. He said people have the chance to talk with the Board, and the Board
wants to hear what the public has to say; but work sessions are intended for a different
purpose.

Commissioner Marcoplos said work sessions are not private, and the public can
attend and listen.

Commissioner Price said the booklet already says that, and asked if the Board can
add an explanation that the Board does not conduct regular business at work sessions.

Commissioner Bedford said she has received requests to provide childcare at
meetings to allow better access. She said currently comments can be made about items
not on the agenda at the beginning of a regular meeting, but one must wait until later to
comment on items that are on the agenda. She said maybe the Board should also allow for
comment on items on the agenda at the beginning, so that parents with young children can
go home and get them to bed.

Chair Rich said the Board tries to be flexible if someone mentions they have
concerns with the agenda and timing.
Commissioner Bedford said the Board should let the public know this accommodation is available.
Chair Rich said the consensus seems to be to bring this topic back to a regular meeting with some proposed wording to manage expectations.
John Roberts said he will put it on an agenda and allow for public comment, and will make the desired changes.
Bonnie Hammersley said she was reminded that this issue was not only regarding a public work session, but also other types of meetings.
Greg Wilder, Manager’s Office, said there are different types of meetings: special sessions, meetings with other jurisdictions, budget work sessions, the retreat, legislative breakfasts, Assemblies of Governments (AOG), etc. He said the petition refers to all types of meetings.
Commissioner Dorosin said this practice should apply for all types of meetings, except regular meetings. He said there are plenty of regular meetings per month, and any other types of meetings are like work sessions.
Commissioner Price suggesting adding a section on when public comment is allowed.
Commissioner Dorosin said there needs to be a section describing what work sessions are and why.
Commissioner Price said there is already a section, but it is not as descriptive as what is being discussed tonight. She agrees with Commissioner Dorosin, but also wonders if the Board should spell out public comment in each type of meeting.
Commissioner Dorosin said it is important to define a work session specifically.
Bonnie Hammersley said she likes Commissioner Dorosin’s suggestion of putting something at the top of the agenda stating that it is not an opportunity for public comment.
Commissioner Dorosin suggested the following language: “Work Sessions are designed to xxx”, and address no public comment. He said if it is spelled out, people will better understand. He said boilerplate language can be used, and just change the date to indicate the next opportunity for public comment.
Chair Rich asked if the same information should be listed for all meetings, e.g.: AOG meetings.
Commissioner Dorosin said there should be two categories: regular meetings and work sessions (with all other meetings being work sessions).
Greg Wilder said the statement that the Board does not make decisions at work sessions is not totally correct, as the Board occasionally votes. He said John Roberts will need to figure out the best way to word this.
Commissioner Dorosin said the AOG is not a voting situation; it is just a type of agreement.
Commissioner Bedford said the Rules of Order state that votes are possible at joint meetings.
Greg Wilder said he has seen motions made, seconded, and voted on at AOG meetings.
Bonnie Hammersley said a vote can be taken at any meeting that has a quorum, and not have to bring it back. She said even at budget time, the vote is not concrete until it is a final vote when the budget is approved.
Chair Rich said John Roberts will come up with language, and the Board will discuss it at a regular meeting.

2. Discussion of County Commissioners’ Terms on Advisory Boards and Commissions
The Board discussed the length of the terms that members of the Board of County Commissioners serve on Advisory Boards and Commissions.

BACKGROUND:
At the BOCC Special Meeting on December 18, 2018, the Board began a discussion on the length of terms that BOCC members serve on the various County Boards and Commissions. Based on a desire for further discussion, the topic was scheduled for a late-2019 work session.

Chair Rich said the Board tried to change up the policy about not allowing people to stay on boards for an indefinite time period, and this seems to be understood in different ways by different people. She said there needs to be some clarification about whether one chooses the same board two or four years in a row, or if one chooses a board and keeps it for 2 or 4 years.

Commissioner Dorosin said his intent was that every board gets picked every year, and after picking the same board 2 or 4 years in a row, one cannot save that board again; but one could choose it again if no one else does. He said this practice encourages Commissioners to take on different roles.

Chair Rich said one can only choose one save each year, and can stay on it for four years.

Commissioner Marcoplos said his perspective is slightly different. He said, when picking intergovernmental boards, it takes longer to be effective. He said it is not about limiting the time, but it is the time that is needed to have an effective representative on a board. He said if the Board says one needs two years to become effective, there is a value being placed on the tenure; but if only one board can be saved then it does not work. He said it needs to be a team effort, and the Board should determine the best approach to dealing with this in the County. He asked if it should it be like a fantasy draft, or should there be limitations and expectations to be on that board for two years. He said there should be some way to make sure people are on the same boards long enough to be effective.

Commissioner Price asked if there is a way to determine effectiveness.

Commissioner Marcoplos said, for example, GoTriangle has a lot going on at the board, and if someone else grabs it next year, it may not help the overall concern.

Commissioner Price asked if there is a way to decide which person should be on a board.

Commissioner Marcoplos said one should be able to pick a board when the time limit is up.

Commissioner Price said she thought the intent is for all to experience being on different boards, and to prevent any one person for staying on one board for 10 years. She said reports are good, but rotating the roles creates the opportunity for others to experience it.

Commissioner Dorosin said all Commissioners should be somewhat familiar with all areas of the County. He said he does not agree that one needs to be in the position for 4 years to be effective. He said if a Commissioner is in a 4-year role, but is doing a bad job after year one, he feels that he should be able to have the opportunity to be on that board, if he thinks he can do a better job. He said another downside of serving too long is it encourages other Commissioners to check out on issues. He said he can accept that there is a learning curve, but people get tracked into their preferred areas and become experts, and that does not keep everyone engaged. He said, with this approach, one still has a save, but it puts pressure on the rest of the Board to be involved in some aspect. He said he does not think anything is too complicated for any Commissioner to learn, and all should
be able to rotate these duties. He said he is on the Fire Chief’s Council this year, after
Commissioner McKee was on it for years. He said he did not have a good idea of what the
issues were or what was going on, but he sees value in being able to be involved and
learning. He said he looks forward to someone else taking on this role next, and the 2 to 4
year limits seem reasonable to him.

Commissioner Marcoplos said it takes time to fully understand some of these
boards, and it would be useful to be able to use the knowledge one has taken time to
acquire, in order to be effective. He said the Board has the responsibility to serve
effectively, and there is some tension there with the desire to have experience in a variety of
roles. He said the transportation stuff is very complicated, and it just takes time to learn it,
and then 2-3 years to be able to be effective. He said there is not a magical formula, and
agreed that if a Commissioner screws up, it needs to be addressed.

Commissioner Price said she has an issue with “best representation”.

Commissioner Marcoplos said it is not a personal thing, and if one serves on a
board for 2 years, that person is better qualified to serve than one who has never been on
said board.

Commissioner Price said someone could have a background in an area already, but
it is advantageous for the Board as a collective to get experience in different areas, as all
will need to address issues. She said sometimes board by-laws need to be changed.

Commissioner Marcoplos said time adds to effectiveness, and allows
Commissioners to best serve the County.

Commissioner Dorosin asked if the 2 and 4 model works. He said he thinks it does,
as the burden is on each Commissioner to pick a save about which he/she is passionate.

Commissioner Marcoplos said there is only one pick, and asked if it is a good thing
for the Board to allow changes. He said the limitation is fine, and he wonders if there
should be more saves.

Commissioner Bedford said there are experts on the staff to assist new members to
get up to speed. She said a higher-level question is to consider the Commissioner’s role as
a board member. She said, on the intergovernmental boards, the Commissioners serve as
more of a liaison for the BOCC. She said each Commissioner has areas of expertise/
interest, which is why he/she has chosen the boards. She said no one needs to be an
expert, and to be a high functioning Board, it is critical to share power and control. She said
she is hearing a fear that one may come to a board, and not do as well as someone else
can, and that should not be the motivation. She said all have special interests, and she
does not want to poach if someone else has a high interest. She said she has been in the
fear situation with the school boards, and voted out of that fear forgetting that staff and other
board members are available to help and support. She said it is important to have the
limitations and depth across the bench.

Commissioner Marcoplos said he is not scared, but wants to figure out a best way to
be effective. He said attending one or two meetings is just the tip of the iceberg, as there
are a lot of other things that happen behind the scenes.

Chair Rich said Community Home Trust (CHT) is changing the way it handles its
business, and CHT requested that the person who comes from the elected board should
serve a three-year term, because one is not effective until then. She said there will also be
limitations of two three-year terms, regardless if you are an elected official. She said she is
not certain if CHT wants Commissioner McKee to come back; but CHT is changing up their
policies to address an issue.

Commissioner Dorosin said that approach is inconsistent with BOCC policies. He
said BOCC policies should be dictated by what other agencies want. He said, in the time
he has served on the intergovernmental boards, he has found it discouraging that other
counties keep the same members on the board forever, as this makes the board less
He said in Orange County every Commissioner has a chance to participate, and continuity can turn into exclusivity.

Commissioner Marcoplos agreed. He said boards like GoTriangle have voting power that is equivalent to an elected body, which gives a different level of power. He said this makes these boards on a level playing field on key decisions, and makes them different.

Commissioner Dorosin said this fact supports his desire for limitations.

Commissioner Marcoplos said he would set limitations, but also assure good representation with an experienced representative.

Commissioner Dorosin said that is the reason for the save.

Commissioner Price said the same issue exists on the BOCC, with members who have served for many years and may have greater experience. She said all Commissioners have the ability make decisions, and the BOCC often votes separately on issues related to GoTriangle, etc.

Commissioner Dorosin said there are some boards that have the BOCC chair as the representative, and chairs change every few years, so continuity is not there.

Commissioner Marcoplos said he desires for the BOCC to get the most bang for its buck with Board representation, and he understands it will never be perfect.

Chair Rich said the Board needs look at section 6-a to make this clear. She said the Board will do a 2-year limit and 4-year limit (not terms), and still allow one save. She asked if this choosing process is Board policy or a directive.

David Hunt, Deputy Clerk, said it was something the Board came up with.

Bonnie Hammersley said it should be a Board rule, and a future Board can change it if it so chooses.

Greg Wilder said there is a written document that spells out the rules and process, but it needs to be amended.

Chair Rich said there should just be a one-paragraph change, and see how it works.

3. Discussion on Reserving County Advisory Board and Commission Seats to Ensure Racial and Ethnic Representation and the Addition of “Age” to Volunteer Application Forms

The Board met to discuss:

1) reserving County Advisory Board and Commission seats to ensure racial and ethnic representation; and
2) the addition of an “Age” item on Advisory Boards and Commissions Volunteer Application Forms.

BACKGROUND:

At the June 4, 2019 BOCC Regular Meeting, it was requested that the Board of Commissioners discuss the possibility of reserving seats on County Advisory Boards and Commissions to ensure racial and ethnic representation.

At the September 17, 2019 BOCC Regular Meeting, it was requested that the Board of Commissioners discuss the possibility of adding an “Age” item on Advisory Boards and Commissions Volunteer Application Forms.

Commissioner Dorosin asked if there are legal issues with setting aside seats based on race.

John Roberts said that looks like a quota, which would not be good; however, it is legal to target recruitment efforts to increase membership based on race and to have
diversity on the boards. He said he would not recommend setting aside one or two seats, but having a goal of diversity and targeting recruitment efforts towards achieving diversity is perfectly legal.

Commissioner Dorosin said the Board could include a statement, in the recruitment process, which says Orange County believes in insuring diverse representation, and hearing from a range of voices a diverse population, and ask how the applicant’s appointment to the board would contribute to achieving this diversity. He said this would allow the applicants to describe it themselves, and gets buy-in for being on the board. He said the desire for diverse representation is one of the Board’s social justice values and, stating it as such, helps to establish expectations.

Chair Rich said the application form is 8 pages long, which can turn deter people from applying. She said there is also a problem with putting this type of information in the in-house database.

David Hunt said some of the current application is disclaimers for certain boards, and instructs an applicant what they must agree to to serve on the board. He said a lot of questions are asked, and there is not consistency among all boards.

Commissioner Dorosin suggested setting up a subcommittee to review the entire process. He said it is important to apply, but applicants do not need to be experts. He said he would volunteer to be on the subcommittee. He said most of the boards are full, so maybe the application is not a deterrent.

David Hunt said part of the hypothesis is that, the more complex the form, the less people want to complete it.

Commissioner Price said she originally raised this agenda item, and her concern is not with the length of the application. She said the issue is increasing diversity, and the Board has done a poor job at this. She said some boards have asked the BOCC to wait to get a certain type of person, which is fine. She said recently, the BOCC had an opportunity to add diversity, but the board was primarily white. She said the people who have applied are not able to get on a board when they want to, because they might not be seen as having the right qualifications.

Commissioner Rich said she does not believe this to be true anymore. She said the BOCC voted to put 3 people of color on the Visitor’s Bureau Board. She said efforts are being made.

Commissioner Price said she has tried to get people of color onto boards, and the BOCC has voted against it.

Chair Rich said in general boards are trying. She said there is a certain group of people that are abused by serving on too many boards, and a diversity of people needs to be found.

Commissioner Price said she is concerned with the selection actions of the BOCC, and when opportunities arise to put people of color on a board, the BOCC is failing to be intentional.

Chair Rich said the BOCC is not picking applicants because of being personal friends with them. She said that is not a good statement to put out there.

Commissioner Price said sometimes people are appointed because a Commissioner knows them.

Chair Rich said one can know an applicant for many reasons, and not necessarily be friends with them. She asked if creating a subcommittee would be a long process.

Commissioner Dorosin said that an 8-page form is discouraging people from applying, as it is daunting. He said the Board should be conscious of adding more requirements. He said the Board either needs to jettison some of it, or do something else; and he believes it is best to jettison some of these additional requirements. He said if one is interested, one should be able to apply. He said it is important to have some questions to
address diversity. He said many of the recommendations come from the boards, and there
needs to be training or outreach offered to these boards to encourage diverse recruitment.
He said there may not be targeted outreach, or there may not be diverse applicants that are
applying, but there are more components to the issue than decisions being made by the
BOCC. He said it is important to be supportive of the boards, and if they have vetted
applicants, the BOCC leans on that recommendation. He said diversity is a value and a
goal, and the question should be how to operationalize that goal. He asked if the Board
should be making appointments at work sessions to allow deeper review and discussion.
Chair Rich said she does not like to hurriedly make appointments at the end of
regular meetings, and likes the possibility of discussing them at a work session, and
appointing at a regular meeting.
Commissioner Dorosin said this process would give the Board an opportunity to
review the diversity, and ask the chair of the Advisory Board what type of recruitment they
did.
Commissioner Price said if an applicant of color applies, but is not recommended to
the BOCC, she would like to know why.
Chair Rich said the subcommittee will be Commissioners Dorosin and Price, who will
meet with David Hunt and Donna Baker. She said to be sure to take into consideration
ways to get the age of the applicant. She said the BOCC got a lot of accolades about
having an 18 year old on the Housing Advisory Board.
Commissioner Dorosin said the BOCC should ask the question about what an
applicant can bring to the board to help achieve the diversity goal.
Commissioner Marcoplos said he is always struck by the lack of young people, and
wants to get them involved. He asked if there is a reason to not ask an applicant's age.
Commissioner Bedford said it can be discriminatory. She said if it were up to her
she would not ask age, race, or ethnicity. She said there is a big social problem of trust, but
diversity is important.
Commissioner Marcoplos asked if the questions could be optional.
Commissioner Bedford said yes, but one will feel pressured to fill it out if it is on the
application.
Commissioner Dorosin said if the question asks age, then the BOCC just knows a
number. He said he would rather see the person who wants to bring the perspective of the
young person, and the Board must be cautious about reducing the application to any one
metric. He said asking the aforementioned question is more valuable.
Commissioner Marcoplos said he appreciates the point, but he would like to make it
easy to decipher the information.
Commissioner Dorosin said this can be addressed with the Advisory Board’s
recruitment practices, and asking if recruitment is occurring in a variety of places (UNC,
Young Republicans, Young Democrats, etc.).
Chair Rich asked if there is a way to reach out to the current boards that are making
recommendations.
Bonnie Hammersley said staff support for each board leads the recruitment, and
would talk directly to the boards. She said she could attend these meetings, and talk about
recruitment. She said staff support calls Thom Freeman-Stuart in the Clerk’s Office about
open seats.
Chair Rich summarized the following action steps:
• subcommittee should revise the application, including Commissioner
  Dorosin’s question. It should be kept to 2 pages, with links to further
  information if necessary.
• consider changing the applications review to a work session. Let’s keep the
  application to 2 pages.
Thom Freeman-Stuart said he is willing to speak to groups around the community about serving on boards to drum up greater interest. He asked if the BOCC would let him know which groups to contact.

Commissioner Price said she has information about two upcoming meetings. Chair Rich said the National Association for the Advancement of Colored People (NAACP) meets on Saturdays. Commissioner Price said she would get Thom Freeman-Stuart connected there. Commissioner Dorosin said all of the Commissioners should consider taking some responsibility on recruitment. He said everyone has access to different groups, and it is a recruitment issue.

Commissioner Bedford said perhaps this issue can be advertised at the radio summit. The Board agreed by consensus that this was an excellent idea. Chair Rich asked if the BOCC wants to discuss applicants at work sessions. Commissioner Dorosin said this topic needs more discussion, and he is not sure the best way to do it.

Commissioner Price said she would like to try it and see what works. Commissioner Marcoplos said at the last meeting the BOCC spent a lot of time on a lot of applicants. He said he never really understood the thought process of his fellow Commissioners, and wonders how to balance the desire for racial diversity with compellingly competent applicants. He said he would like to have the chance to hear how Commissioners reached their decision to recommend one applicant over another.

Commissioner Dorosin said it is good to spread them out over the meetings. Thom Freeman-Stuart said there are 8 advisory board appointments coming up for the 10/15 meeting. He asked if these should be moved to the November work session. Greg Wilder said that the Board can push the appointments to the November work session, but that moves the appointments to December. He said perhaps more appointments could be grouped together at that time.

Commissioner Bedford said the Board should not delay any appointments to the Nursing Home Advisory Board that have completed their first year, and should be automatically appointed. She said the BOCC should be mindful of how quickly these vacancies need to be filled.

Thom Freeman-Stuart said he can come to agenda review on Monday to consider which appointments should be reviewed sooner rather than later.

The meeting concluded at 9:52 p.m.

Penny Rich, Chair

Sherri Ingersoll
Deputy Clerk
The Orange County Board of Commissioners met in regular session on Tuesday, October 15, 2019 at 7:00 p.m. at the Southern Human Services Center in Chapel Hill, N.C.

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

**COUNTY COMMISSIONERS ABSENT:** None

**COUNTY ATTORNEYS PRESENT:** John Roberts

**COUNTY STAFF PRESENT:** County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, and Deputy Clerk Sherri Ingersoll (All other staff members will be identified appropriately below.)

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

1. **Additions or Changes to the Agenda**

   **Handouts:**
   - 6-a PowerPoint – Hurricane Florence Hazard Mitigation Program
   - 6-a Handout – Eno-Haw Regional Hazard Mitigation Plan
   - 6-a Handout – Eno-Haw Regional Hazard Mitigation Plan Public Survey

**PUBLIC CHARGE**

Chair Rich acknowledged the public charge.

**Arts Moment**

Katie Murray, Arts Commission Coordinator, introduced the artist:

Peter Guzzardi has worked in publishing for more than forty years. Prominent books he has edited include Stephen Hawking’s A Brief History of Time, Deepak Chopra’s Ageless Body, Timeless Mind, Queen Noor’s Leap of Faith, Arianna Huffington’s Fanatics and Fools, and Paula Poundstone’s There’s Nothing in This Book That I Meant to Say. Emeralds of Oz: Life Lessons from Over the Rainbow was published by HarperCollins in May 2019 and marks Peter's debut as an author. An independent editor and writer, he has lived in Chapel Hill for the past 20-plus years.

Peter Guzzardi read from the chapter, “Ninth Emerald: There’s No Place Like Home” from his book.

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

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

   Laura Cotterman said she has been very impressed with the Commissioners’ efforts with the task of averting climate congestion. She said time is of the essence, and asked if the Board of County Commissioners (BOCC) would look into the investment portfolio of the
County employee’s retirement plan with regard to oil, gas and coal investments, as well as other County investments, and request the State Treasurer to remove these funds immediately. She said oil, gas and coal companies are resisting this divestment, but doing so is a powerful tool. She said 14% of funds in these investments that have been divested already are in pension plans and other retirement plans. She said she receives a pension from the State. She encouraged the Board to pursue this, and inspire others to do the same.

Chair Rich said this would be taken up as a petition.

Riley Ruske said he presented a letter to the Board of County Commissioners and a petition on September 3, regarding reciting the Pledge of Allegiance. He said he recently received a letter from the Board Chair with a response, but some items have not been discussed. He said this letter is an inadequate response, as it does not address all of the points in the petition, and he considers this letter as a non-response to the petition. He said he is resubmitting this petition, and expects the Board to publicly discuss and vote on it. He said the public has a right to know how each member feels about reciting the pledge, and the social justice and inclusiveness impacts of doing so.

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 McKee said he had no comments.
Commissioner Greene said she had no comments.
Commissioner Marcoplos said he had no comments.
Commissioner Price said she attended the Triangle J Council of Governments’ Summit where keynote speaker Michael Goodman, gave a wonderful presentation about “Assistance Approach”. She said she sat in on a workshop relating to a regional approach to housing, where one of the panelists was from the County’s Department on Aging. She said this staff member is creating a database on housing needs. She said she also attended a workshop on financing local resilience strategies. She said no additional workshops are planned at this time, due to a lack of funding.

Commissioner Price said she has attended the collaboration meetings with the municipalities. She said in the Chapel Hill meeting, the group discussed looking at the environmental study. She said all involved want to place emphasis on this, including some neighbors to the Greene Tract, with whom she spoke.

Commissioner Price said the Board received a letter from the Northern Orange MLK, Jr. commemorative committee, regarding the 25th year of their hosting events. She asked if the Board could respond to this letter.

Commissioner Bedford said she had no comments.
Commissioner Dorosin said he received an email on September 22 about sidewalks around Hillsborough and Orange County schools, and the need for walkable ways to get to school. He said there was also a March email from the Manager that said the issue would be addressed with staff, but nothing seems to be getting done. He said he would like to see a more aggressive plan. He said the Board is not in the business of sidewalks, but it is in the business of public safety and environmental justice, and he would like to see this issue back at the top of the Board’s agenda to see what it can do to incentivize walking paths.

Chair Rich said the Chair and Vice Chair just had conversation about this with Hillsborough, and there is money in the budget to do a study. She said this is a priority issue.

Bonnie Hammersley said money was budgeted for a study in order to determine if a bike-ped path or walking paths would be better. She said this study and research will be done in advance of the budget, and staff will meet with the partners to see how to move forward, once the study is completed.
Commissioner Dorosin said the schools need to be involved. He said school safety is important, and getting to and from school is a critical issue. He asked if this could be added to a school collaboration meeting agenda.

Chair Rich said the school collaboration team is meeting on Friday, and there has been some confusion about these meetings. She said a facilitator is needed for these meetings, and one has recently been found. She said the Clerk’s office is working on some dates in January or February for the School Boards to meet, and this will be a topic of discussion.

Chair Rich said that Commissioner Dorosin talked at a recent meeting about universal pre-K, and made a petition to look into it. She said there is some information already gathered, and staff is continuing to research this idea.

Chair Rich said that the Latina Center opened on UNC campus on October 4, which is exciting. She said she went to an Ambassador Program meeting at the School of Government, and applications to this program are available. She said they talked about having civil conversations for four hours, including some conversation about charter schools, with 95% of the room being on the same page about charter schools.

Chair Rich said she is making a petition to review taking Board meetings on the road. She said smaller counties are doing this once or twice a year, and she would like to see how difficult this would be for the BOCC to do. She said the meetings could not be broadcast, but others have used Facebook Live or other ways to capture the meeting. She asked staff if this is logistically possible to try in the northern and western parts of the County.

Chair Rich said Durham Councilwoman Javiera Caballero has been getting criticism as being a non-legitimate person, which is untrue, and offered the Board’s support of her.

4. Proclamations/ Resolutions/ Special Presentations

a. Recognition of Cedar Ridge High School Students for Video Presented at the United Nations

BACKGROUND: Digital Promise Global, the United Nations SDG Action Campaign, and Oculus launched MY World 360°, supporting youth worldwide to create 360° media as a way to share their perspectives and advance positive action toward the 17 Sustainable Development Goals (SDGs) adopted by the United Nations in September 2015.

The program aims to drive youth engagement and agency, improve youth understanding about global issues impacting communities around the world, build young people’s technical production skills with new media, and spur public awareness and action.

Students, under the direction of Cedar Ridge Videography Instructor Andrea DeGette, wrote, produced and edited a short film titled, “Around the Same Table.” Students from 24 nations submitted 76 videos to MY World 360°. Nine were chosen to be screened at the summit. DeGette applied for an equipment grant through Digital Promise Global and Oculus in spring 2019.

Justus Alder, who graduated from Cedar Ridge in 2019, filmed and edited “Around the Same Table.” Former Cedar Ridge student Alexis Barnes, a graduate from UNC’s Hussman School of Journalism and Media, taught students how to use the 360 virtual reality equipment. Alder and Cedar Ridge senior Charles Bunker were featured in the video.
Todd McGee, Community Relations Director, introduced Andrea DeGette. He said this was an international competition at the UN with 76 entrants from 24 countries, and Cedar Ridge was one of nine to be chosen at the summit.

Andrea DeGette introduced her student, Justus Alder, and thanked the Board for showing the film tonight. She said they acquired an equipment grant to make a film about local farming, and how it brings various parts of the community together around the issue of sustainability. She said her students Justus Alder and Charles Bunker work in farming, and came together to create this project. She said Justus Alder received an all-expenses paid trip to the United Nations to represent Cedar Ridge's videography program.

Justus Alder said Orange County is a great place that is big on sustainable farming. He said he hopes people will continue to work together on this issue.

A member of the public asked how they distribute food to those who need it. Justus Alder said they have a partnership with the Methodist Church in Cedar Grove, and also drive it door-to-door to meet needs.

Chair Rich said this was an awesome presentation, and it is evident how much effort was put into making this work. She thanked Justus Alder for all that he does, and congratulated him on his accomplishments.

b. Orange County Arts Commission 2019-20 Grant Recipients

The Board presented grant checks to local artists and arts organizations receiving 2019-20 Orange County Arts Grants.

BACKGROUND: The Orange County Arts Commission (OCAC) awards grants to local artists, schools and nonprofit organizations from funds received from the state and Orange County government for this purpose. These funds are distributed for arts projects and programs in all arts disciplines.

<table>
<thead>
<tr>
<th>TOTALS</th>
<th>FY17-18</th>
<th>FY18-19</th>
<th>FY19-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>NC Arts Council Funding</td>
<td>$36,913</td>
<td>$40,594</td>
<td>$36,703</td>
</tr>
<tr>
<td>Orange County Funding</td>
<td>$28,800</td>
<td>$28,800</td>
<td>$28,800</td>
</tr>
<tr>
<td>TOTAL AVAILABLE FUNDING</td>
<td>$65,713</td>
<td>$69,394</td>
<td>$65,503</td>
</tr>
<tr>
<td>Total dollar amount requests</td>
<td>$162,334</td>
<td>$163,859</td>
<td>$187,560</td>
</tr>
<tr>
<td>Total grants awarded</td>
<td>33, or 60% of requests</td>
<td>38, or 57% of requests</td>
<td>43, or 53% of requests</td>
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<tr>
<td>Total applications received</td>
<td>55</td>
<td>67</td>
<td>80</td>
</tr>
<tr>
<td>Total first-time applicants</td>
<td>18, or 38% of applicants</td>
<td>29, or 47% of applicants</td>
<td>30, or 38% of applicants</td>
</tr>
<tr>
<td>First-time applicants awarded</td>
<td>8, or 17% of awards</td>
<td>12, or 32% of awards</td>
<td>10, or 23% of awards</td>
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</tbody>
</table>

The OCAC grant review and awards process is as follows:

1. The grant application process is open for two full months. During these two months, three training sessions are hosted throughout the County and the OCAC Director is available for one-on-one meetings. An “early review” deadline is offered one week ahead of the due date, allowing applicants to have staff review applications and receive feedback.

2. After the due date, the OCAC Director conducts an initial compliance review. Applications are checked for insufficient/missing financial documents, missing work samples, and completion of the correct type of application (for example, organizations must submit a Grassroots Arts Program Grant and cannot submit Artist Project Grant applications). Applications found noncompliant are considered disqualified.

3. Qualified applications are forwarded to members of each review panel for initial review and scoring:
a. Visual Arts: Composed of OCAC Board Members with visual arts expertise, as well as one visual arts professional from the community.
b. Performing Arts: Composed of OCAC Board Members with performing arts expertise, as well as one performing arts professional from the community.
c. Arts in Education: Composed of OCAC Board Members with public education experience.

4. Non-governmental Grassroots Arts Program (GAP) applicants are also evaluated by a Financial Review Panel that evaluates the organization’s submitted financial documents to determine financial solvency and stability. Factors considered include the ratio of administrative or fundraising expense in overall budget, as well as a deficit or surplus without explanation and/or stated plan.

5. Each panel meets in person to evaluate assigned applications. Feedback, first strengths and then challenges, is offered by panelists and recorded by the Director. After discussion, each panelist submits a score through the online platform for each of the categories below. After all scores are submitted, the director records the final average score per applicant.

6. The scoring rubric for each grant program is as follows:

   GRASSROOTS ARTS PROGRAM GRANTS
   Artistic Merit – 35%
   Community Impact – 30%
   Program Management – 15%
   Financial Review – 10%
   NC Arts Council Priority of Funding – 10%

   ARTIST PROJECT GRANTS
   Artistic Merit – 50%
   Community Impact – 25%
   Program Management – 25%

   ARTS IN EDUCATION GRANTS
   Artistic Merit – 40%
   Integration in curriculum and/or enrichment – 40%
   Need (Free and Reduced Lunch Percentage) – 20%

7. Funding decisions are made at the next Advisory Board meeting. This year, funds were divided based on the percentage of applicants from each category. Artists represented 41% of applications, organizations 34%, and schools 25%. Therefore, the total of available funding ($62,058) was divided within those framework percentages.

8. Within each of the three categories, applicants are funded based on their score, e.g., an application with a score of 73 would receive 73% of their request. If excess funds were available in a category after dispersing funds based on score, they were divided among all recipients in that category.

9. All applicants are notified of the panel’s decisions. All GAP applicants received panel feedback. Artist Project Grant applicants can receive feedback upon request.

Katie Murray said the Arts Commission received 80 grant requests for $187,560. She said 30 (38%) were first time applicants, and the Commission funded 60% of eligible request this year, and awarded $28,800 in Orange County funds, and $31,703 in State Grassroots Arts Program Funds. She said 43 grants were funded, included 10 first time applicants. She said the Commission received more applications from individual artists than organizations, and recipients included 16 artists, 15 non-profit organizations, and 12 schools. She said state grassroots funds and the Piedmont Laureate program usually also support the Commission’s funds; the Piedmont Laureate program will not be funded this year, but these funds were funded through the Arts Commissions’ general budget. She thanked the BOCC for its ongoing support.
Katie Murray introduced the recipients, and Commissioner Greene presented the checks.

<table>
<thead>
<tr>
<th>GRASSROOTS ARTS PROGRAM GRANT RECIPIENTS</th>
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<tbody>
<tr>
<td><strong>ORGANIZATION</strong></td>
</tr>
<tr>
<td>Ackland Art Museum at the University of North Carolina at Chapel Hill</td>
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<tr>
<td>Carrboro Elementary School</td>
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<tr>
<td>Cedar Ridge High School (Orange County Schools)</td>
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<tr>
<td>Cedar Ridge High School Darkroom Project</td>
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<tr>
<td>Chapel Hill Philharmonia</td>
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<tr>
<td>Chapel Hill-Carrboro Public School Foundation</td>
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<td>Chapel Hill-Carrboro Public School Foundation</td>
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<tr>
<td>Chapel Hill-Carrboro Public School Foundation</td>
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<tr>
<td>Chelsea Theater</td>
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<tr>
<td>CW Stanford Drama Club</td>
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<tr>
<td>East Chapel Hill High School Visual Arts</td>
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<tr>
<td>Ephesus Road Elementary School PTA</td>
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<tr>
<td>Estes Hills PTA</td>
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<tr>
<td>Guy B Phillips Middle School PTSA</td>
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<td>Hillsborough Arts Council</td>
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<td>Hillsborough Arts Council</td>
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<td>Hillsborough Arts Council</td>
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<tr>
<td>McDougla Elementary School Parent Teacher Association (MES PTA)</td>
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<tr>
<td><strong>Musical Empowerment</strong></td>
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<tr>
<td><strong>New Hope Elementary (Orange County Schools)</strong></td>
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<tr>
<td><strong>North Carolina Arts in Action</strong></td>
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<tr>
<td><strong>Orange County Artists Guild</strong></td>
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<tr>
<td><strong>Puppet Show Incorporated</strong></td>
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<tr>
<td><strong>The Village Band of Chapel Hill and Carrboro</strong></td>
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<tr>
<td><strong>University of North Carolina at Chapel Hill/PlayMakers Repertory Company</strong></td>
</tr>
<tr>
<td><strong>Voices the Chapel Hill Chorus</strong></td>
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<tr>
<td><strong>Women's Voices Chorus</strong></td>
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</tbody>
</table>

**ARTIST PROJECT GRANT RECIPIENTS**

<table>
<thead>
<tr>
<th><strong>NAME OF ARTIST</strong></th>
<th><strong>PROGRAM</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bailey, Sean T.</td>
<td>Preparation for Photographic Exhibition // &quot;Belonging&quot;</td>
</tr>
<tr>
<td>Barr, Amanda and George Jenne</td>
<td>My Room at Attic 506</td>
</tr>
<tr>
<td>Britton, Maria (not present)</td>
<td>Artist Residency at Hambidge</td>
</tr>
<tr>
<td>Haggerty, Meredith</td>
<td>The Collage Stop</td>
</tr>
<tr>
<td>Lane, Kim</td>
<td>Homegrown Hillsborough: Diverse Local Voices at Burwell House</td>
</tr>
<tr>
<td>LEVEL retreat (Marie Rossetti/BJ Warshaw)</td>
<td>Visiting Artist: Tod Seelie</td>
</tr>
<tr>
<td>Moore, Andrea Edith (Shannon Healey)</td>
<td>Family Secrets: Kith and Kin Recording</td>
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<tr>
<td>Nadeau, Emma</td>
<td>Musical Instruments for Educational Theater</td>
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<tr>
<td>Ramirez, Sol</td>
<td>123 Puppetry Spring 2020 Production</td>
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<tr>
<td>Slade, Marcela</td>
<td>Funds for material: vintage, silk and cotton to produce new sladesign collection</td>
</tr>
<tr>
<td>Spitzer, Wendy</td>
<td>Musical Performance/Workshop Events at Ronald McDonald House and The Nightlight in Chapel Hill</td>
</tr>
<tr>
<td>Taft, Annie</td>
<td>Suffragette!</td>
</tr>
<tr>
<td>Tyler, Jedd</td>
<td>March 2020 show for Senior HUD housing</td>
</tr>
<tr>
<td>Wagg, Ginger</td>
<td>Creating new sections and producing two public Critical Feedback sessions for Wild Actions' performance series &quot;Frivolous Artist&quot;</td>
</tr>
<tr>
<td>Wan, Jan-Ru</td>
<td>The silcene Force</td>
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<tr>
<td>Weinstein, Emily Eve</td>
<td>Funds for Hiring a Book Arts Apprentice</td>
</tr>
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Chair Rich congratulated all the recipients.
c. Dispute Settlement Center Month Proclamation

The Board considered voting to approve a proclamation designating November 2019 as "Dispute Settlement Center Month" and authorize the Chair to sign.

Former Commissioner Mia Burroughs read and received the proclamation. She extended greetings from Frances Henderson, who is traveling, and expressed appreciation for the support over the years, and for purchasing their services.

BACKGROUND: The Dispute Settlement Center began as a community mediation center in September 1978 to provide mediation services to Orange County residents, and was the first community mediation center in North Carolina. The Center now serves over 3,000 people through mediation, training, facilitation, and Restorative Practices for youth services, and is an essential partner for the courts, the schools, and government units, and a resource for residents.

The Center is celebrating its 40th year as a statewide leader in the provision of its services.

ORANGE COUNTY BOARD OF COMMISSIONERS
DISPUTE SETTLEMENT CENTER MONTH PROCLAMATION

Whereas, the Dispute Settlement Center began as a community mediation center in September 1978 to provide mediation services to Orange County residents; and

Whereas, the Dispute Settlement Center was the first community mediation center in North Carolina, and assisted in the formation of others around the state; and

Whereas, the Dispute Settlement Center now serves over 3,000 people through mediation, training, facilitation, and Restorative Practices for youth services; and

Whereas, the Dispute Settlement Center is an essential partner for the courts, the schools, and government units, and a resource for residents; and

Whereas, the Dispute Settlement Center is a statewide leader in the provision of these services; and

Whereas, the Dispute Settlement Center is celebrating its 40th year of operation;

NOW, THEREFORE, we, the Board of County Commissioners of Orange County, North Carolina, do hereby proclaim November 2019 as "DISPUTE SETTLEMENT CENTER MONTH" in Orange County and invite residents to observe this month with appropriate programs, ceremonies, and activities.

This, the 15th Day of October, 2019.

A motion was made by Commissioner McKee, seconded by Commissioner Price for the Board to approve a proclamation designating November 2019 as "Dispute Settlement Center Month" and authorized the Chair to sign the proclamation.

VOTE: UNANIMOUS

5. Public Hearings
6. Regular Agenda

a. Designation of an Agent to Administer Orange County’s Application to FEMA’s Hazard Mitigation Grant Program

The Board considered voting to designate an agent for Orange County’s application to the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grants Program for repetitive loss property acquisition and to serve as a sub-applicant for the University of Chapel Hill to fund the installation of a generator for its Emergency Operation Center and authorize the Manager to sign.

BACKGROUND: During September 14th through 17th, 2018 Orange County was significantly impacted by torrential rain and winds due to Hurricane Florence. As a result, significant flooding occurred over the course of several days, and Orange County was included in the list of counties that received a major disaster declaration from FEMA on October 22, 2018. (Disaster number: 4393-DR-NC). Orange County is submitting a grant request for the two projects outlined below:

Project #1

Despite emergency protective measures that were taken by the County, several residential properties were flooded during Hurricane Florence due to heavy and cumulative rainfall. One of these properties, 503 Brandywine Road (PIN 9777-20-6348) within the Chapel Hill Township, sustained significant damage. Flood waters effectively destroyed the first level of the home and all of its contents. Staff completed a damage assessment of the property and concluded that the property sustained approximately $87,000 in damage.

The property was developed sometime in 1971 before the County adopted comprehensive floodplain mitigation standards, and it is located within an identified floodplain. This property is considered to be at ‘high risk’ for flooding, as defined by FEMA.

Over the past 10 years, this property has suffered repetitive losses due to heavy rains and flooding. Both the Planning and Inspections Department and Emergency Services Department have coordinated efforts during this time period to secure the necessary funding to purchase the property and remove the existing residence. Based on its flooding history, the property officially constitutes a potential public safety hazard, but staff had been unable to sufficiently justify requests for acquisition and removal due to a lack of significant damage. However, as a result of the flooding that occurred during Hurricane Florence, staff can designate the property as being ‘substantially damaged’, consistent with the provisions of the Unified Development Ordinance (UDO) and are able to justify a grant request for acquisition. Once the County receives the grant funds, the County will acquire the property, contract for the deconstruction of the house, and restore the property to green space.

Project #2

Orange County has received a request from the University of North Carolina at Chapel Hill to serve as the sub-applicant for an emergency generator project on the University’s behalf. UNC Chapel Hill is seeking grant funding to install an emergency generator to support its environmental health and safety facility on Estes Drive Extension, which serves as the campus Emergency Operations Center. The total of this grant request is approximately $414,000. A letter of request from UNC Chapel Hill is attached.
As a part of the process, the County must adopt a resolution designating an agent to apply for and receive project assistance from FEMA’s Hazard Mitigation Grants Program.

Kirby Saunders, Emergency Management Coordinator, made the following PowerPoint presentation. He said, after a declared disaster, the County is eligible for mitigation funding, which is used to reduce the impact of potential impacts:

Kirby Saunders said the country has already seen 10 major disasters this year, and this is the 5th consecutive year of $10 billion disasters. He said this has been the costliest of all disasters in the history of the country. He resumed the PowerPoint presentation:

Kirby Saunders said the mitigation program has a significant return on investment; every $1 spent on mitigation results in $7 in savings in recovery. He resumed the PowerPoint presentation:
Kirby Saunders said this has been a joint effort with the County’s Planning and Inspections department. He said this area is at high risk, being in the floodplain for the past 10 years, and had substantial damage with Hurricane Florence. He resumed the PowerPoint presentation:

Kirby Saunders said this property is in the floodplain, and has been the target of mitigation efforts for 10 years. He said the funding had not been previously available, and not until Hurricane Florence did this property suffer significant damage. He said this damage now justifies the grant. He resumed the PowerPoint presentation:
Kirby Saunders said the base elevation of the property is significantly lower, causing a large risk of potential flooding. He resumed the PowerPoint presentation:

Kirby Saunders said the property will be returned to natural space, and deeded for 100 years. He said the grant process lasts 36 months with lots of regulation, documentation and reporting. He said staff feels this is the only solution for this property. He resumed the PowerPoint presentation:

Kirby Saunders said staff believes this provides critical infrastructure for the area. He resumed the PowerPoint presentation:
Kirby Saunders said this process of mitigation is in the Eno-Haw mitigation plan approved by the Board of County Commissioners in 2015. He said staff is in the process of updating the plan, which is required every 5 years, and is working with Triangle J and encouraging the public to participate in a survey, which is available through the end of the month. He said Emergency Services plans to come back to the Board by June 2020 with the updated plan.

Commissioner Greene asked if there is a reason why UNC does not submit directly for the grant.

Kirby Saunders said the campus’ community does not have an active mitigation plan, which is required to apply for these funds, so the only option is to apply through the County. He said the University chose not to be a part of the County’s mitigation plan at the time it was created because it was creating its own; however, this has not yet come to fruition, so they only have the option to be a sub-applicant.

Commissioner Price referred to the Brandywine Road home, and asked if this is the only one included in the application, or if there are other possible applicants.

Kirby Saunders said this is the only property for which help was requested under Hurricane Florence, and floodplain staff is reviewing others that may potentially be impacted in future situations. He said a challenge in this community is that the FEMA federal cap on property acquisitions is $276,000, and it is difficult to meet this as most property in the area is valued higher.

Commissioner Price asked if the family has been relocated.

Kirby Saunders said not yet, as the funds have not been acquired, but the grant funds do allow relocation assistance for up to a year.

Commissioner Price said the family is awaiting the funds, while living in a bad situation.
Kirby Saunders said the house was uninsured during the last flood, and the family used its own funds to make it habitable for the time being.

Commissioner Dorosin asked if all of the $322,000 will be paid to the family.
Kirby Saunders said the amount the family receives is based on a fair market appraisal.
Commissioner Dorosin asked if there is any idea of what that appraisal will be.
Kirby Saunders said he does not know.
Commissioner Dorosin asked if there is a range, and how much will go to purchase the property versus demolition, regrading of land, etc. He asked if there is an estimate for these costs.
Kirby Saunders said he can provide that information, and believes the tax-assessed value is $144,000, which is not a fair market appraisal. He said the amount is based on a pre-event appraisal for fair market value, which needs to be under $276,000. He said if the situation were to increase beyond a cost-benefit ratio that was determined by FEMA, the County could do in-kind support through paying for a survey, the closing costs, etc.
Commissioner Dorosin said an appraisal should not be needed to know how much it will cost for demolition.
Kirby Saunders said there is a draft budget with approximate costs, which can be provided to the Board.
Commissioner Marcoplos referred to the $276,000 maximum, and asked if a place like Camelot Apartments would be viewed as one property, or divided into subunits of $276,000 each.
Kirby Saunders said he and his staff are working with the Chapel Hill partners to target the Camelot area. He said it is considered as a condominium setup, and is considered one tract with multiple owners, which requires 100% consensus of owners. He said the only way around that is to subdivide, but he is uncertain of the status of this. He said without 100% owner consensus, mitigation efforts cannot be pursued. He said when using federal dollars, there can be no pressure or persuasion with the homeowners.
Commissioner Dorosin said the owners are looking to redo University Mall, and he would like to see affordable housing included, and offer it 1 for 1 to the people who own the units in Camelot village. He petitioned for the Board to weigh in collectively to the Town of Chapel Hill’s vision process.
Commissioner Greene said Moody, which does creditworthy analyses, is paying more and more attention to hazard mitigation as an element of its evaluation.
Chair Rich asked if fact sheet and survey could be put on the website, as well as a link to the application form. She said, since all towns are participating, this should be included on those websites as well. She asked the Clerk’s office to follow up on this request.
A motion was made by Commissioner Marcoplos, seconded by Commissioner Bedford for the Board to:

1) approve the Resolution designating Kirby Saunders as the County’s Primary Agent and Michael Harvey as the Secondary Agent for this Hazard Mitigation Grant Program application;
2) direct the Clerk of the Board of County Commissioners to sign as the Certifying Official;
3) authorize the designated agent to submit the Hazard Mitigation Grant Project application to North Carolina Emergency Management for approval; and
4) authorize the Manager to execute and sign all necessary documents in support of this grant opportunity.

VOTE: UNANIMOUS
b. Authorization to Proceed with Phase 1 of the Proposed Eno River Mill Arts Project and Associated Lease Agreement with Hedgehog Holdings

The Board received information on the proposed Eno River Mill Arts Project and considered voting to approve the Orange County Arts Commission and staff moving forward with Phase 1 of the Project by authorizing the Manager to sign a lease agreement with Hedgehog Holdings for artist studio space at the Eno River Mill in Hillsborough.

BACKGROUND: The Orange County Arts Commission (OCAC) has identified a lack of infrastructure and equitable access as the two primary barriers for a healthy creative ecosystem for Orange County artists and residents. By working in partnership with the Gold Family and its partner, Hedgehog Holdings, the OCAC seeks to activate Hillsborough’s historic Eno River Mill through the arts, providing critically needed space for the creative community, as well as generating economic impact for the surrounding area.

The mill, located in West Hillsborough along the Eno River, opened as a yarn mill in 1897 and operated until 1984. It was bought by the Gold Family in 1988. Hedgehog Holdings became managing partner in 2015. Currently, it houses Weaver Street Market's commissary, the Expedition School, The Cloth Room Events Space and several small businesses. However, it has vast amounts of raw, vacant space that would be perfect for the visual and performing arts.

The project is proposed to move forward in three phases, beginning with establishing thirteen (13) move-in-ready artist studio spaces in Phase 1, and eventually providing space in Phases 2 and 3 for additional programs. Phase 1 and the overall project will increase arts access for residents regardless of socio-economic status, while transforming the Mill into an arts destination and economic asset for the Town of Hillsborough and the County. Approval to move forward with Phase 1 and the lease agreement with Hedgehog Holdings will provide thirteen (13) affordable artist studio spaces for local visual artists.

Pending Board approval, staff will develop a press release and pursue other opportunities to publicize the project, and specifically the availability of the thirteen (13) artist studio spaces.

Katie Murray, Arts Commission Coordinator, said the Arts Commission has been evaluating current needs, and actively working to serve the creative community. She said the three largest needs are: a stronger local arts agency; physical space for the arts; and increased accessibility to the arts. She said Hillsborough is a hotbed for the arts right now, and the Hillsborough Town Board actively supports the idea for the Eno Arts Mill. She said the Mill is a wonderful, accessible location, and the timing is right. She made the following PowerPoint presentation:
Katie Murray said many compatible businesses are already located here. She resumed the PowerPoint presentation:

Katie Murray said the Mill is family owned, and is listed on the National Registry of Historic Places. She resumed the PowerPoint presentation:
Katie Murray said the Torpedo Factory gets approximately \( \frac{1}{2} \) million visitors per year. She resumed the PowerPoint presentation:

Katie Murray said Hedgehog would do the upfitting for the space, and minimal upfit is needed. She resumed the PowerPoint presentation:
Katie Murray said artists need space have to go outside of Orange County now. She resumed the PowerPoint presentation:

Katie Murray said there is a lot of potential for future opportunities for other types of arts, such as a children’s theater or visual arts space, which coincides with Hedgehog’s plan to develop low cost and/or subsidized housing for artists. She resumed the PowerPoint presentation:
Katie Murray said the Arts Commission is in the process of setting up a nonprofit 501(c)(3) to consider a future capital campaign to accommodate growth ideas.

Fred Joyner, Arts Commission Board Chair, thanked the BOCC for listening to this idea. He said he has been a beneficiary of art spaces in the past, and was an implementer and advocate for this type of work in D.C., which changed his practice as an artist. He said he has also expanded these efforts to international work. He said he has been able to witness how these projects benefit the community, and learned what needs to be done to make it happen. He said communities need to build resilience, and this type of project does just that. He said these types of spaces have helped him to become the artist he is today, and have helped him grow.

Frank Gaylor, Hedgehog Holdings owner, said it is fortunate for Orange County to have people like Katie and Fred who are passionate about the arts. He said this old building needs creative people. He said it is on the National Register of Historic Places, and he is excited about the opportunity to help combine everyone’s efforts. He said his company has negotiated well, and wants to make it happen.
Commissioner Dorosin said this is exciting, and asked if it is understood how this will work operationally. He said part of the goal is to create space for artists who may not have resources, and asked if there will be any special type of targeting for artists with low financial resources.

Katie Murray said the County would be renting the space from Hedgehog, and the Arts Commission will put out a call for space, and give a deadline. She said the Arts Commission will look at the need, where the artists are in their career, the type of art, and will select. She said there is a desire to target younger artists who do not have home studios or financial resources.

Commissioner Dorosin asked if the Arts Commission will rent the space from the owner, and if the County will collect rents.

Katie Murray said yes. She said an artist/manager will possibly serve as an onsite point person and receive reduced rent, but this is not fully worked out.

Commissioner Dorosin asked if the criteria will be publicly available.

Katie Murray said yes, just like any other call.

Commissioner Dorosin asked if some spaces will be shared by multiple artists.

Katie Murray said they could be. She said the larger spaces would be $500 a month, that could be shared, and there is a maximum of 13 artist spaces available.

Commissioner Price asked about the outlay for County, and if the County has to pay the rent and then get reimbursed by the artists. She asked if there is a timeline in place for when this will be available.

Katie Murray said this is still being worked out. She said the space is move-in ready, with the exception of a bathroom that needs to be installed, which Hedgehog will do. She said it may be a question of timing, and the Arts Commission has the means to pay upfront if needed.

Commissioner Price asked if it is known when Hedgehog needs be paid for the first month.

Katie Murray said a firm start date is not yet set, as commitments are needed from at least 10 artists before the County will lease the space.

Bonnie Hammersley said the lease will not be signed until there are 10 artists ready to sublet from the County. She said from an accounting perspective, it will have an expenditure line and a revenue line. She said the timing could be slightly off, but it will work out.

Katie Murray said it will take about 60 days to install the plumbing, and she expects there will be more people interested than there is space.

Commissioner Price asked if the lease would be for one year.

Katie Murray said that the County’s lease will be for 5 years, and the artist’s lease will be for one year.

Commissioner Greene applauded the work that has been put into this project, and said it is really exciting for artists to engage with the public. She said it is essential to how they practice, and it is significant that the gap can be filled by Article 46 funds, as this is an economic development effort.

Commissioner Bedford asked if the 30% commission is standard.

Katie Murray said yes, it is a common standard for sold artwork, but can vary a bit. She said artists realize that the property manager offers the space to sell their work, so some of the cost needs to go back to them to continue the ability to service the space.

Commissioner Bedford said this is a great opportunity, but she can see where the County might have to chase rental monies. She said the arrangement needs someone to oversee cash management and funds control, and it may be necessary to recruit some accounting talent to protect these dollars. She said in the big picture, this project is helping the artists and their development, and they are getting low market rents. She said Eno Mill will definitely benefit from a rental arrangement, but 20 years from now, the County will still be
renting. She said she knows it is early, but encouraged the Arts Commission to not give up on the long-term vision of purchasing space.

Katie Murray said that in the arts world, owning or renting space is a constant debate, as so much upkeep goes into just maintaining the space.

Commissioner Dorosin said if the County owned the property, there would be no property tax revenue.

Chair Rich said she had the opportunity of going to Minneapolis earlier with Katie Murray this summer, and heard about several very positive projects. She said she recently went to a seminar on a circular economy, of which this is a great example. She said she would like to see sustainability worked into the plan with the artists’ space, encouraging no waste. She said she is excited about the opportunities.

Commissioner Price thanked everyone who has been involved. She said the community has been waiting in Hillsborough for 2-3 decades to make this happen. She said she is optimistic that it will work, and add another dimension to Orange County.

Commissioner Dorosin said he hopes this opportunity will be used to reach a diverse cross section of the community.

Chair Rich said the County should promote this in as many ways as possible.

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

1. Approve Phase 1 of the Project and authorize the County Manager to sign a lease agreement with Hedgehog Holdings for up to five years consistent with the rent schedule outlined in the attached project outline. This authorization is contingent on approval by the County Attorney and commitments from ten or more artists to sublease the space from Orange County;

2. Authorize the County Manager to sign sub-lease agreements with artists according to the sub-lease rate schedule detailed in the attached project outline, pending review by the County Attorney; and

3. Authorize staff to prepare a budget amendment to set up the program and account structure in the Article 46 fund.

VOTE: UNANIMOUS

7. Reports
None

8. Consent Agenda

• Removal of Any Items from Consent Agenda

Chair Rich said there was a request to pull item 8-f from the consent agenda for public comment.

Chair Rich said she has some revisions to the minutes in item 8-a.

• Approval of Remaining Consent Agenda

A motion was made by Commissioner McKee, seconded by Commissioner Greene to approve items 8-b, 8-c, 8-d, 8-e and 8-g on the Consent Agenda.

VOTE: UNANIMOUS
b. Fiscal Year 2019-20 Budget Amendment #2
The Board approved budget, grant, and capital project ordinance amendment for fiscal year 2019-20 for the Department of Social Services; Animal Services; Library Services; Asset Management Services; County Capital Projects; and the Health Department.

c. Health Department Mobile Dental Clinic Contract
The Board approved a contract with Lifeline Mobile for $445,748 to purchase a mobile dental clinic, and authorized the Manager to sign the contract.

d. Amendment to Sections of the Code of Ordinances
The Board amended the Code of Ordinances to clarify an inconsistency in definitions.

e. Disaster Debris Removal and Clearance Service Agreement
The Board approved an Agreement with Crowder Gulf, LLC for the purpose of providing Disaster Debris Removal and Clearance Services and authorized the Manager to sign the agreement.

f. Support for Orange County Opioid Task Force
The Board approved expressing support for an Opioid Task Force to coordinate efforts to address opioid overdose in Orange County and will be facilitated jointly by the Orange County Health Department and the UNC Medical Center.

g. John M. Link, Jr. Government Services Center Remediation Project – Rejection of Apparent Low Bid
The Board will consider voting to authorize the County Manager to reject the non-responsive apparent low bid for the Remediation of the John M. Link, Jr. Government Services Center project that was opened on Thursday, September 25, 2019.

Ryan Plankenhorn, Resolute Building Company, provided public comment on the recent bidding process for the Link Center. He said Resolute was apparently the lowest bidder by $700,000, but the architect did not agree to accept their bid due to it not being responsive and responsible. He said Resolute does not agree with this recommendation, and asked if the County would reconsider the bid prior to making a decision. He said the architect’s question was regarding how Resolute would comply with the project as all of the qualifications were not met. He said in Resolute’s bid package, it was said that Resolute (General Contractor) was in association with Blue Sky Construction (Abatement and Demolition Contractor), and were able to ensure the best, safest product possible could be delivered by combining the strengths of these two companies. He said there was confusion when Resolute was asked what “in association meant”. He said, in the letter to the architect, Resolute explained that if it were awarded the project, it would set up a formal relationship with Blue Sky, who had the required certifications for remediation. He said the County said that since Resolute did not have a joint venture with Blue Sky in place at the time of the bid, the bid would be rejected. He said before the County spends an additional $700,000, he would ask the BOCC to reconsider. He said if that is not possible, he would recommend that the project be rebid in the next couple of weeks.

John Roberts said the RFP required a specific certification because of the remediation of the project. He said it is an absolute requirement, and Resolute did not meet this requirement. He said the RFP stated that a formal arrangement with a subcontractor, with the required certification, is necessary. He said Resolute said it was in association with Blue Sky, which has the required certification, but stated that Blue Sky is not a subcontractor. He said Resolute said the formal association would be complete when the bid was accepted. He said he looked for case law, and could not find any that spoke either side of this issue. He said this is the first time in 10 years that the County has rejected a low bid, so there is no precedence. He said it is recommended that the bid be rejected since there is no subcontractor with the required certification, and no professional business relationship between Resolute and Blue Sky.

Commissioner Marcoplos asked if the practicalities of a business association could be described, and if it is a formal arrangement.
John Roberts said it is an agreement between two entities, and the filing of some paperwork. He said it is a simple process, and the architects were surprised that the bid came in without the filing already in process.

Commissioner Marcoplos asked if there is a reason, from a financial standpoint, why a business would hold off on the filing until there is a certain need for that relationship.

John Roberts said he is not certain, but the County would not want to award a bid without the certification, because it would not be a firm, binding bid.

Commissioner Marcoplos asked if the County can accept a bid, with a contingency of completion of the business relationship, before the work is done.

John Roberts said he has never done it, and is not certain if it can be done legally.

Commissioner Marcoplos said Resolute is a local company with a strong track record, and, while he understand what happened, he is having a hard time understanding why there is no flexibility with this question.

Commissioner Dorosin asked if there is a reason why the County could not just rebid the project, as Resolute would probably get it due to the cost.

John Roberts said one path forward would be to reject all of the bids, and authorize a rebid for the project.

Commissioner Marcoplos asked if this process has any impact on bidder rights.

John Roberts said the County has the absolute authority, under state law, to reject all bids, so there is no infringement on the bidder’s rights.

Commissioner Marcoplos asked if there are any drawbacks to rejecting all bids.

John Roberts said he is not certain.

Commissioner McKee said it is clear that the BOCC can reject all bids, and call for a rebid. He said it is quite clear that the process or requirements were not met, so he sees no reason not to reject all bids and to put it back out for a bid.

Commissioner Price asked if the BOCC is required to consider the second lowest bid, if the lowest was rejected due incomplete qualifications.

John Roberts said usually, yes, the next low bidder would be negotiating for the contract. He said the BOCC has not yet rejected the lowest bidder, so there are no rights to consider. He said it is within the Board’s authority to reject all bids. He reminded the BOCC that anyone can sue for anything, at any time.

Commissioner Dorosin said the options are to reject all bids and rebid, and Resolute could rebid while meeting all of the qualifications; or the Board could reject Resolute’s bid and take next highest bid, which is not appealing to anyone because of the significant difference in cost. He recommended rejecting all bids, and put it back out to allow Resolute to meet the qualifications, and later accept the lowest bid, which would probably be Resolute.

A motion was made by Commissioner Dorosin, seconded by Commissioner McKee to reject all bids and put the project out again for bid.

Commissioner Marcoplos asked if there is a timeline for this process.

John Roberts said it took 2-3 weeks last time.

Commissioner Price asked if the other applicants would be notified.

John Roberts said yes.

VOTE: UNANIMOUS

a. Minutes

The Board will consider correcting and/or approving the minutes from October 1 and 3, 2019 as submitted by the Clerk to the Board.
Chair Rich said she would like to clarify some things in the minutes. She referred to page 2 of the minutes from October 1, where Commissioner Dorosin said he wanted to start a committee to review universal Pre-K. She asked Commissioner Dorosin if it is acceptable to review the information already gathered by the Manager’s office, prior to the creation of this committee.

Commissioner Dorosin said he wants to adhere to a 12-month timeline, and he does not mind reviewing that information, but wants to get this done most effectively.

Chair Rich referred to line 42 of page 3, and said Commissioner Dorosin asked about the reconfiguration of the Greene Tract land. She said she met with Chapel Hill this week, and she wants to clarify that Chapel Hill had voted on the reconfiguration twice; Chapel Hill wants the Board to know it voted, but she said the project cannot move forward until there is a plan for the usage.

Commissioner Dorosin asked if anything has been filed in the Register of Deeds Office that the land has been reconfigured.

Chair Rich said no, it has not.

Commissioner Dorosin said everyone has voted, but no action has been taken.

Chair Rich said it is not in anyone’s interest until a purpose for the land is determined.

Commissioner Dorosin clarified that the land is not reconfigured.

Chair Rich said correct; Chapel Hill voted to reconfigure, but it has not been completed yet.

A motion was made by Commissioner McKee, seconded by Commissioner Marcoplos to approve the minutes.

**VOTE: UNANIMOUS**

9. **County Manager’s Report**

Bonnie Hammersley reminded the Board that the Economic Development Summit is tomorrow, and she hopes to see everyone there.

10. **County Attorney’s Report**

John Roberts said that the Legislature has not adjourned yet, but the Senate expects to adjourn by the end of the month.

11. **Appointments**

Chair Rich said at the last work session, the Board talked about discussing applicants at future work sessions. She said the Clerk’s office will be working on getting a different data system, and Commissioner Dorosin and Commissioner Price are working on reducing the length of the application. She said some appointments need to be done now.

a. **Jury Commission – Appointment**

The Board will consider making an appointment to the Jury Commission.

Chair Rich said the need for this appointment is very timely, as the Jury Commission chooses the juries at the end of the year. She said she spoke with Clerk Kleinschmidt, who asked the Board to make this appointment, because this is the first time that he has done this.

Commissioner Dorosin said he appreciates the letter from the Clerk, but is concerned that the candidate has already served 8 terms, and the other two members have served since
2015 and should have institutional memory. He said his concern is to rotate people out, and he
thinks the BOCC ought to appoint someone else.

Commissioner Marcoplos asked if the responsibilities of this commission could be
clarified.

Commissioner Dorosin said it coordinates the roll for who is in the jury pool.

Commissioner Marcoplos said Mr. Hall is a great guy to do that, and has done a great
job.

Commissioner Dorosin said he does not doubt that.

Commissioner Price said she agrees that it is good to rotate, but she struggles with this
with all of the boards. She said when a staff person makes a request based on the quality, or
timing, of the candidate, she wants to respect that request. She asked if other people been
interviewed or vetted.

Commissioner Marcoplos asked if the length of term is known.

Commissioner McKee said the term length is two years.

Commissioner Marcoplos said this is why the BOCC is looking to change way it reviews
these applicants. He suggested honoring the recommendation in this case, and transition
shortly to a new way of vetting applicants, so the Board will be better suited to deal with these
issues in the future.

A motion was made by Commissioner Marcoplos, seconded by Commissioner Price to
approve the recommendation for appointment to the Jury Commission.

Commissioner Dorosin said he respectfully disagrees. He said the BOCC has talked
about engaging other people on boards and commissions, and keeps putting it off. He said this
board has a three-term limit, and this candidate has already served 8; so the BOCC is not even
following its own guidelines. He said the Board talks a lot about stuff, but does not act. He said
he will vote against the recommendation.

Commissioner Marcoplos said this is a good point, and asked if this appointment could
be put off.

Chair Rich said unfortunately, in this case, the Board cannot put it off until there is a
new, more thoughtful process. She said the Board knew there would be one or two snags with
working out the new process.

Commissioner Price said this is time sensitive, and there is no chance to vet other
applicants, or go through the new process, there is a compelling reason to approve this
recommendation. She asked if Mr. Hall can just stay on, or if he must take the oath of office.
Chair Rich said he, or whoever fills the roll, needs to be sworn in right away.

VOTE: Yeas, 4 (Chair Rich, Commissioner Greene, Commissioner Marcoplos,
Commissioner Price; Nays, (3) Commissioner McKee, Commissioner Bedford,
Commissioner Dorosin

b. Nursing Home Community Advisory Committee – Appointment

The Board will consider making an appointment to the Nursing Home Community Advisory
Committee.

Chair Rich said this is the case of a one-year preliminary terms, and the Board cannot
choose someone else.

A motion was made by Commissioner Bedford, seconded by Commissioner Price to
approve the appointment.

VOTE: UNANIMOUS
Commissioner Dorosin asked about the question of process of filling vacancies on this board. He said there is an at-large vacancy that has existed since 2017. He asked if the BOCC can nominate someone from the list to start the one-year training process.
Chair Rich said the Board has asked this question a number of times, and she is unclear why the Board cannot do as Commissioner Dorosin suggests.
Commissioner Price said she thinks the person is interviewed prior to the training.
Chair Rich asked if the Board could select someone to be interviewed.
Chair Rich asked if the Clerk's Office could provide clarification on the need to fill a seat that has been open for a long time, and what is the process of filling that seat if there are other applicants on the list.

12. **Information Items**

   The Board received the following information items:

   - October 1, 2019 BOCC Meeting Follow-up Actions List
   - BOCC Chair Letter Regarding Pledge of Allegiance at Board Meetings

13. **Closed Session**

    None

14. **Adjournment**

    A motion was made by Commissioner Dorosin, seconded by Commissioner Marcoplos to adjourn the meeting at 9:20 p.m.

    **VOTE: UNANIMOUS**

    Penny Rich, Chair

    Sherri Ingersoll

    Deputy Clerk
SUBJECT: Motor Vehicle Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

ATTACHMENT(S):
- Resolution
- Releases/Refunds Data Spreadsheet
- Reason for Adjustment Summary

INFORMATION CONTACT:
Nancy Freeman, Tax Administrator, (919) 245-2735

PURPOSE: To consider adoption of a resolution to release motor vehicle property tax values for five taxpayers with a total of six bills that will result in a reduction of revenue.

BACKGROUND: North Carolina General Statute (NCGS) 105-381(a)(1) allows a taxpayer to assert a valid defense to the enforcement of the collection of a tax assessed upon his/her property under three sets of circumstances:
(a) “a tax imposed through clerical error”, for example when there is an actual error in mathematical calculation;
(b) “an illegal tax”, such as when the vehicle should have been billed in another county, an incorrect name was used, or an incorrect rate code (the wrong combination of applicable county, municipal, fire district, etc. tax rates) was used;
(c) “a tax levied for an illegal purpose”, which would involve charging a tax which was later deemed to be impermissible under state law.

NCGS 105-381(b), “Action of Governing Body” provides that “Upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the taxing unit shall within 90 days after receipt of such a request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct liability or notify the taxpayer in writing that no release or refund will be made”.

For classified motor vehicles, NCGS 105-330.2(b) allows for a full or partial refund when a tax has been paid and a pending appeal for valuation reduction due to excessive mileage, vehicle damage, etc. is decided in the owner's favor.

FINANCIAL IMPACT: Approval of these release/refund requests will result in a net reduction of $1,415.73 to Orange County, the towns, and school and fire districts. Financial impact year to date for FY 2019-2020 is $11,301.51.
SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

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

RECOMMENDATION(S): The Manager recommends that the Board:
- Accept the report reflecting the motor vehicle property tax releases/refunds requested in accordance with the NCGS; and
- Approve the attached release/refund resolution.
NORTH CAROLINA

ORANGE COUNTY

REFUND/RELEASE RESOLUTION (Approval)

Whereas, North Carolina General Statutes 105-381 and/or 330.2(b) allows for the refund and/or release of taxes when the Board of County Commissioners determines that a taxpayer applying for the release/refund has a valid defense to the tax imposed; and

Whereas, the properties listed in each of the attached “Request for Property Tax Refund/Release” has been taxed and the tax has not been collected: and

Whereas, as to each of the properties listed in the Request for Property Tax Refund/Release, the taxpayer has timely applied in writing for a refund or release of the tax imposed and has presented a valid defense to the tax imposed as indicated on the Request for Property Tax Refund/Release.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the recommended property tax refund(s) and release(s) are approved.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners ______________________________________________

Noes: ____________________________________________________________

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a regular meeting of said Board held on _________________, said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this _____day of __________, 2019.

_________________________________
Clerk to the Board of Commissioners
### BOCC REPORT - REGISTERED MOTOR VEHICLES
#### NOVEMBER 7, 2019

**February 1, 2019 thru March 31, 2019**

<table>
<thead>
<tr>
<th>NAME</th>
<th>ACCOUNT NUMBER</th>
<th>BILLING YEAR</th>
<th>ORIGINAL VALUE</th>
<th>ADJUSTED VALUE</th>
<th>FINANCIAL IMPACT</th>
<th>REASON FOR ADJUSTMENT</th>
<th>ADDITIONAL EXPLANATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean, Jennifer</td>
<td>48780591</td>
<td>2019</td>
<td>20,000</td>
<td>20,000</td>
<td>(171.94)</td>
<td>Situs error (illegal tax)</td>
<td></td>
</tr>
<tr>
<td>Kennedy, Mary</td>
<td>46997808</td>
<td>2018</td>
<td>18,995</td>
<td>18,995</td>
<td>(163.86)</td>
<td>Situs error (illegal tax)</td>
<td></td>
</tr>
<tr>
<td>Patel, Yogen Kiron</td>
<td>47789774</td>
<td>2018</td>
<td>87,000</td>
<td>87,000</td>
<td>(317.62)</td>
<td>Value adjustment (appraisal appeal)</td>
<td></td>
</tr>
<tr>
<td>Petrone, Adam</td>
<td>48237515</td>
<td>2018</td>
<td>10,140</td>
<td>10,140</td>
<td>(179.10)</td>
<td>Military exemption (illegal tax)</td>
<td></td>
</tr>
<tr>
<td>Petrone, Adam</td>
<td>44684007</td>
<td>2019</td>
<td>23,164</td>
<td>23,164</td>
<td>(374.66)</td>
<td>Military exemption (illegal tax)</td>
<td></td>
</tr>
<tr>
<td>Petrone, Erin</td>
<td>44711171</td>
<td>2019</td>
<td>12,000</td>
<td>12,000</td>
<td>(208.55)</td>
<td>Military exemption (illegal tax)</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL**

- **1,415.73**

### Adjustment Descriptions

<table>
<thead>
<tr>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerical error G.S. 105-381(a)(1)(a): e.g. when there is an actual error in mathematical calculation.</td>
</tr>
<tr>
<td>Illegal tax G.S. 105-381(a)(1)(b): e.g. when the vehicle should have been billed in another county, an incorrect name was used, or an incorrect rate code was used.</td>
</tr>
<tr>
<td>Tax levied for an illegal purpose G.S. 105-381(a)(1)(c): e.g. charging a tax that was later deemed to be impermissible under State law.</td>
</tr>
<tr>
<td>Appraisal appeal G.S. 105-330.2(b): e.g. reduction in value due to excessive mileage or vehicle damage.</td>
</tr>
<tr>
<td>Situs error: An incorrect rate code was used to calculate bill. Value remains constant but bill amount changes due to the change in specific tax rates applied to that physical location.</td>
</tr>
<tr>
<td>Classification GS 105-330-9(b): e.g. Antique automobiles are designated a special class of property under the NC Constitution.</td>
</tr>
</tbody>
</table>

The spreadsheet represents the financial impact that approval of the requested release or refund would have on the principal amount of taxes.

Approval of the release or refund of the principal tax amount also constitutes approval of the release or refund of all associated interest, penalties, fees, and costs appurtenant to the released or refunded principal tax amount.
Military Leave and Earning Statement (LES): Is a document given on a monthly basis to members of the United States military which reports their pay, home of record and service status. The LES is required when applying for exemption from Motor Vehicle Property Taxes. Active duty, non-resident military personnel may be exempt from North Carolina motor vehicle property tax as allowed by United States Code, Title 50, Service members’ Civil Relief Act of 1940. (Amended in 2009 by The Military Spouse’s Residency Relief Act)

Titles and Brands: Section 1, Chapter 7

Title: Document that records the ownership of vehicles and the liens against them.
Custom-Built: A vehicle that is completely reconstructed or assembled from new or used parts. Will be branded “Specially Constructed Vehicle”
Flood Vehicles: A motor vehicle that has been submerged or practically submerged in water to the extent that damage to the body, engine, transmission or differential has occurred.
Reconstructed Vehicles: A motor vehicle required to be registered that has been materially altered from original construction due to the removal addition or substitution of essential parts.
Salvaged Motor Vehicles: Is a vehicle that has been damaged by collision or other occurrence to the extent that the cost of repairs exceeds 75% of fair market value, whether or not the motor vehicle has been declared a total loss by an insurer. Repairs shall include the cost of parts and labor, or a vehicle for which an insurance company has paid a claim that exceeds 75% of the Fair Market Value. If the salvaged vehicle is six model years old or newer, an Anti-Theft Inspection by the License and Theft Bureau is required.
Salvage Rebuilt Vehicle: A salvaged vehicle that has been rebuilt for title and registration.
Junk Vehicle: A motor vehicle which is incapable of operation or use upon the highways and has no resale value except as scrap or parts. The vehicle shall not be titled.
Antique Vehicle: A motor vehicle manufactured in 1980 and prior
Commercial Trucking (IRP): The International Registration Plan is a registration reciprocity agreement among jurisdictions in the US and Canada which provides for payment of license fee on the basis of fleet miles operated in various jurisdictions.
Total Loss: Repairs were more than the market value of the vehicle and the insurance company is unwilling to pay for the repairs.
Total Loss/Rebuilt: Whatever the repairs were to make the vehicle road worthy after a Total Loss status has been given. Vehicle must be 5 years old or older. Vehicle status then remains as salvaged or rebuilt.
Certificate of Destruction: NC DMV will not register this type of vehicle. It is not fit for North Carolina roads.
SUBJECT: Property Tax Releases/Refunds

DEPARTMENT: Tax Administration

ATTACHMENT(S):
Resolution
Releases/Refunds Data Spreadsheet

INFORMATION CONTACT:
Nancy Freeman, Tax Administrator,
(919) 245-2735

PURPOSE: To consider adoption of a resolution to release property tax values for nineteen taxpayers with a total of thirty-three bills that will result in a reduction of revenue.

BACKGROUND: The Tax Administration Office has received nineteen taxpayer requests for release or refund of property taxes. North Carolina General Statute 105-381(b), “Action of Governing Body” provides that “upon receiving a taxpayer’s written statement of defense and request for release or refund, the governing body of the Taxing Unit shall within 90 days after receipt of such a request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct liability or notify the taxpayer in writing that no release or refund will be made”. North Carolina law allows the Board to approve property tax refunds for the current and four previous fiscal years.

FINANCIAL IMPACT: Approval of this change will result in a net reduction in revenue of $41,306.48 to the County, municipalities, and special districts. The Tax Assessor recognized that refunds could impact the budget and accounted for these in the annual budget projections.

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

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

RECOMMENDATION(S): The Manager recommends that the Board approve the attached resolution approving these property tax release/refund requests in accordance with North Carolina General Statute 105-381.
Whereas, North Carolina General Statutes 105-381 and/or 330.2(b) allows for the refund and/or
release of taxes when the Board of County Commissioners determines that a taxpayer applying for the
release/refund has a valid defense to the tax imposed; and

Whereas, the properties listed in each of the attached “Request for Property Tax Refund/Release”
has been taxed and the tax has not been collected: and

Whereas, as to each of the properties listed in the Request for Property Tax Refund/Release, the
taxpayer has timely applied in writing for a refund or release of the tax imposed and has presented a valid
defense to the tax imposed as indicated on the Request for Property Tax Refund/Release.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF ORANGE COUNTY THAT

the recommended property tax refund(s) and
release(s) are approved.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners _____________________________________________

Noes: __________________________________________________________

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina,
DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the
Board of Commissioners for said County at a regular meeting of said Board held on
____________________, said record having been made in the Minute Book of the minutes of said Board,
and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the
resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this _____day of
___________, 2019.

Clerk to the Board of Commissioners
<table>
<thead>
<tr>
<th>NAME</th>
<th>ACCOUNT NUMBER</th>
<th>BILLING YEAR</th>
<th>ORIGINAL VALUE</th>
<th>ADJUSTED VALUE</th>
<th>FINANCIAL IMPACT</th>
<th>REASON FOR ADJUSTMENT</th>
<th>ADDITIONAL INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>16 Parkside Lane LLC</td>
<td>2018</td>
<td>765,166</td>
<td>N/A</td>
<td>(2,368.27)</td>
<td>Incorrect value used as basis for deferred tax bill. Financial impact represents difference between original and corrected bill.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>16 Parkside Lane LLC</td>
<td>2017</td>
<td>856,540</td>
<td>N/A</td>
<td>(2,615.94)</td>
<td>Incorrect value used as basis for deferred tax bill. Financial impact represents difference between original and corrected bill.</td>
<td></td>
</tr>
<tr>
<td>16 Parkside Lane LLC</td>
<td>2018</td>
<td>1,200,113</td>
<td>N/A</td>
<td>(4,537.65)</td>
<td>Incorrect value used as basis for deferred tax bill. Financial impact represents difference between original and corrected bill.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bowman Road Partners LLC</td>
<td>2019</td>
<td>220,300</td>
<td>30,000</td>
<td>(2,546.02)</td>
<td>Assessed in error (illegal tax)</td>
<td>New home incorrectly listed on this account instead of account 1066901.</td>
<td></td>
</tr>
<tr>
<td>Chang, Daniel Ta-Jen</td>
<td>2019</td>
<td>3,250</td>
<td>-</td>
<td>(222.89)</td>
<td>Assessed in error (illegal tax)</td>
<td>Gap Billed: Registered in Canada, Quebec, and Virginia during gap period.</td>
<td></td>
</tr>
<tr>
<td>Garcia, Ramon Toledo</td>
<td>2017</td>
<td>47,100</td>
<td>-</td>
<td>(446.13)</td>
<td>Assessed in error (illegal tax)</td>
<td>Mobile home billed on account 1064508 for 2017-2020.</td>
<td></td>
</tr>
<tr>
<td>Miceli Chapel Hill</td>
<td>2019</td>
<td>1,081,234</td>
<td>723,559</td>
<td>(6,022.17)</td>
<td>Double billed (illegal tax)</td>
<td>Leasehold improvements also taxed on real property.</td>
<td></td>
</tr>
<tr>
<td>O'Dwyer, Teresa</td>
<td>2019</td>
<td>296,200</td>
<td>161,335</td>
<td>(1,534.49)</td>
<td>Assessed in error (illegal tax)</td>
<td>Application received timely, additional information requested was received after billing.</td>
<td></td>
</tr>
<tr>
<td>Purefoy Road LLC</td>
<td>2019</td>
<td>209,200</td>
<td>150,000</td>
<td>(453.31)</td>
<td>Assessed in error (illegal tax)</td>
<td>Building was demolished in 2019.</td>
<td></td>
</tr>
<tr>
<td>Purefoy Road LLC</td>
<td>2019</td>
<td>212,900</td>
<td>150,000</td>
<td>(1,806.31)</td>
<td>Assessed in error (illegal tax)</td>
<td>Building was demolished in 2019.</td>
<td></td>
</tr>
<tr>
<td>Purefoy Road LLC</td>
<td>2018</td>
<td>252,700</td>
<td>150,000</td>
<td>(1,657.27)</td>
<td>Assessed in error (illegal tax)</td>
<td>Building was demolished in 2019.</td>
<td></td>
</tr>
<tr>
<td>Purefoy Road LLC</td>
<td>2018</td>
<td>208,300</td>
<td>150,000</td>
<td>(640.79)</td>
<td>Assessed in error (illegal tax)</td>
<td>Building was demolished in 2019.</td>
<td></td>
</tr>
<tr>
<td>Purefoy Road LLC</td>
<td>2019</td>
<td>212,900</td>
<td>150,000</td>
<td>(1,010.18)</td>
<td>Assessed in error (illegal tax)</td>
<td>Building was demolished in 2019.</td>
<td></td>
</tr>
<tr>
<td>SGM Realty Associates LLC</td>
<td>2019</td>
<td>15,989</td>
<td>-</td>
<td>(256.02)</td>
<td>Assessed in error (illegal tax)</td>
<td>Taxpayers listed personal property in error-owns real property only.</td>
<td></td>
</tr>
<tr>
<td>Underhill, Wingate Jr.</td>
<td>2018</td>
<td>911,516</td>
<td>N/A</td>
<td>(2,343.61)</td>
<td>Assessed in Error (illegal tax)</td>
<td>Previously disqualified from present-use value program, evidence of compliance produced, necessitating reversal of deferred tax bill.</td>
<td></td>
</tr>
<tr>
<td>Underhill, Wingate Jr.</td>
<td>2017</td>
<td>911,516</td>
<td>N/A</td>
<td>(2,131.20)</td>
<td>Assessed in Error (illegal tax)</td>
<td>Previously disqualified from present-use value program, evidence of compliance produced, necessitating reversal of deferred tax bill.</td>
<td></td>
</tr>
<tr>
<td>Underhill, Wingate Jr.</td>
<td>2016</td>
<td>875,091</td>
<td>N/A</td>
<td>(2,350.50)</td>
<td>Assessed in error (illegal tax)</td>
<td>Previously disqualified from present-use value program, evidence of compliance produced, necessitating reversal of deferred tax bill.</td>
<td></td>
</tr>
<tr>
<td>Volpe, Mark</td>
<td>2019</td>
<td>865,728</td>
<td>N/A</td>
<td>(82.51)</td>
<td>Assessed in error (illegal tax)</td>
<td>Previously disqualified from present-use value program, evidence of compliance produced, necessitating reversal of deferred tax bill.</td>
<td></td>
</tr>
<tr>
<td>Volpe, Mark</td>
<td>2018</td>
<td>866,637</td>
<td>N/A</td>
<td>(88.09)</td>
<td>Assessed in error (illegal tax)</td>
<td>Previously disqualified from present-use value program, evidence of compliance produced, necessitating reversal of deferred tax bill.</td>
<td></td>
</tr>
<tr>
<td>Volpe, Mark</td>
<td>2017</td>
<td>866,637</td>
<td>N/A</td>
<td>(94.10)</td>
<td>Assessed in error (illegal tax)</td>
<td>Previously disqualified from present-use value program, evidence of compliance produced, necessitating reversal of deferred tax bill.</td>
<td></td>
</tr>
<tr>
<td>Volpe, Mark</td>
<td>2016</td>
<td>1,000,074</td>
<td>N/A</td>
<td>(337.89)</td>
<td>Assessed in error (illegal tax)</td>
<td>Previously disqualified from present-use value program, evidence of compliance produced, necessitating reversal of deferred tax bill.</td>
<td></td>
</tr>
<tr>
<td>Ward And Misenheim Real Estate LLC</td>
<td>2019</td>
<td>19,404</td>
<td>-</td>
<td>(220.86)</td>
<td>Assessed in error (illegal tax)</td>
<td>Taxpayer listed in error.</td>
<td></td>
</tr>
<tr>
<td>Whitby, Gary, Jr.</td>
<td>2019</td>
<td>2,780</td>
<td>-</td>
<td>(100.57)</td>
<td>Assessed in error (illegal tax)</td>
<td>Gap Billed: Registered in Orange County.</td>
<td></td>
</tr>
<tr>
<td>Whitted, John H HRS (Alisa Williams)</td>
<td>2019</td>
<td>52,800</td>
<td>47,520</td>
<td>(78.56)</td>
<td>Assessed in error (illegal tax)</td>
<td>Application received timely, additional information requested was received after billing.</td>
<td></td>
</tr>
</tbody>
</table>

**Total:** (41,306.48)
SUBJECT: Applications for Property Tax Exemption/Exclusion

DEPARTMENT: Tax Administration

ATTACHMENT(S):
Exempt Status Resolution
Spreadsheet
Requests for Exemption/Exclusion

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

PURPOSE: To consider fourteen untimely applications for exemption/exclusion from ad valorem taxation for forty-nine bills for the 2019 tax year.

BACKGROUND: North Carolina General Statutes (NCGS) typically require applications for exemption to be filed during the listing period, which is usually during the month of January. Applications for Elderly/Disabled Exclusion, Circuit Breaker Tax Deferment and Disabled Veteran Exclusion should be filed by June 1st of the tax year for which the benefit is requested. NCGS 105-282.1(a1) does allow some discretion. Upon a showing of good cause by the applicant for failure to make a timely application, an application for exemption or exclusion filed after the close of the listing period may be approved by the Department of Revenue, the Board of Equalization and Review, the Board of County Commissioners, or the governing body of a municipality, as appropriate. An untimely application for exemption or exclusion approved under this provision applies only to property taxes levied by the county or municipality in the calendar year in which the untimely application is filed.

Ten applicants are applying for homestead exclusion based on NCGS 105-277.1, which allows exclusion of the greater of $25,000 or 50% of the appraised value of the residence.

Thirty-eight of the applicants are applying for exemption based on NCGS 105-278.6, which allows an exemption of a nonprofit organization providing housing for individuals or families with low or moderate incomes.

One applicant is applying for Circuit Breaker exclusion based on NCGS 105-277.1B which allows for tax relief based on income. The Circuit Breaker exclusion is a tax deferral program.

Including these forty-nine applications, the Board will have considered a total of sixty-five untimely applications for exemption of 2019 taxes since the 2019 Board of Equalization and
Review adjourned on June 27, 2019. Taxpayers may submit an untimely application for exemption of 2019 taxes to the Board of Commissioners through December 31, 2019.

Based on the information supplied in the applications and based on the above-referenced General Statutes, the applications may be approved by the Board of County Commissioners. NCGS 105-282.1(a1) permits approval of such applications if good cause is demonstrated by the taxpayer.

**FINANCIAL IMPACT:** The reduction in the County’s tax base associated with approval of the exemption application will result in a reduction of FY 2019/2020 taxes due to the County, municipalities, and special districts in the amount of $25,995.67.

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

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

**RECOMMENDATION(S):** The Manager recommends that the Board approve the attached resolution for the above-listed applications for FY 2019/2020 exemption.
NORTH CAROLINA

ORANGE COUNTY

EXEMPTION/EXCLUSION RESOLUTION

Whereas, North Carolina General Statutes 105-282.1 empowers the Board of County Commissioners to approve applications for exemption after the close of the listing period, and

Whereas, good cause has been shown as evidenced by the information packet provided, and

Whereas, the Tax Administrator has determined that the applicants could have been approved for 2018 had applications been timely.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY THAT the properties applying for exemption for 2018 are so approved as exempt.

Upon motion duly made and seconded, the foregoing resolution was passed by the following votes:

Ayes: Commissioners ______________________________________________________

Noes: ___________________________________________________________________

I, Donna Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the Board of Commissioners for said County at a regular meeting of said Board held on _____________ said record having been made in the Minute Book of the minutes of said Board, and is a true copy of so much of said proceedings of said Board as relates in any way to the passage of the resolution described in said proceedings.

WITNESS my hand and the corporate seal of said County, this _____day of ___________, 2019.

_________________________________
Clerk to the Board of Commissioners
### Late Exemption/Exclusion

**September 12, 2019 thru October 16, 2019**

<table>
<thead>
<tr>
<th>NAME</th>
<th>ACCOUNT NUMBER</th>
<th>BILL YEAR</th>
<th>ORIGINAL VALUE</th>
<th>TAXABLE VALUE</th>
<th>FINANCIAL IMPACT</th>
<th>REASON FOR ADJUSTMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams, Larry</td>
<td>169775</td>
<td>2019</td>
<td>83,700</td>
<td>42,048</td>
<td>(386.15)</td>
<td>Late application for exemption G.S.105-277.1 (homestead exemption)</td>
</tr>
<tr>
<td>Bradshaw, Leslie</td>
<td>133961</td>
<td>2019</td>
<td>61,150</td>
<td>61,150</td>
<td>-</td>
<td>Late application for exemption G.S.105-277.1 (homestead exemption)</td>
</tr>
<tr>
<td>Chan, Kai M</td>
<td>213013</td>
<td>2019</td>
<td>165,800</td>
<td>82,900</td>
<td>(1,337.76)</td>
<td>Late application for exemption G.S.105-277.1 (homestead exemption)</td>
</tr>
<tr>
<td>Crawford, John</td>
<td>238393</td>
<td>2019</td>
<td>176,994</td>
<td>91,444</td>
<td>(848.31)</td>
<td>Late application for exemption G.S.105-277.1 (homestead exemption)</td>
</tr>
<tr>
<td>Empowerment</td>
<td>315690</td>
<td>2019</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td>Property exempt under previous owner, application filed to maintain exemption.</td>
</tr>
<tr>
<td>Empowerment</td>
<td>203614</td>
<td>2019</td>
<td>54,000</td>
<td>0</td>
<td>(871.39)</td>
<td>Late application G.S.105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Fuller, James H.</td>
<td>7085</td>
<td>2019</td>
<td>90,800</td>
<td>45,400</td>
<td>(675.50)</td>
<td>Late application for exemption G.S.105-277.1 (homestead exemption)</td>
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<tr>
<td>Gaylor, Kevin Wayne</td>
<td>126207</td>
<td>2019</td>
<td>330,300</td>
<td>330,300</td>
<td>(3,562.29)</td>
<td>*Late application for deferment G.S.105-277.1B (circuit breaker)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074506</td>
<td>2019</td>
<td>28,100</td>
<td>0</td>
<td>(418.09)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074505</td>
<td>2019</td>
<td>22,500</td>
<td>0</td>
<td>(334.77)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074507</td>
<td>2019</td>
<td>22,500</td>
<td>0</td>
<td>(334.77)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074508</td>
<td>2019</td>
<td>22,500</td>
<td>0</td>
<td>(334.77)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074509</td>
<td>2019</td>
<td>22,500</td>
<td>0</td>
<td>(334.77)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074510</td>
<td>2019</td>
<td>22,500</td>
<td>0</td>
<td>(334.77)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074511</td>
<td>2019</td>
<td>28,100</td>
<td>0</td>
<td>(418.09)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074516</td>
<td>2019</td>
<td>28,100</td>
<td>0</td>
<td>(418.09)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074517</td>
<td>2019</td>
<td>22,500</td>
<td>0</td>
<td>(334.77)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
<td>1074522</td>
<td>2019</td>
<td>22,500</td>
<td>0</td>
<td>(334.77)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
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<td>2019</td>
<td>22,500</td>
<td>0</td>
<td>(334.77)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
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<td>2019</td>
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<td>(334.77)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
<td>1074525</td>
<td>2019</td>
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<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
<td>1074526</td>
<td>2019</td>
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<td>0</td>
<td>(418.09)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
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<td>2019</td>
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<td>0</td>
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<tr>
<td>Habitat for Humanity</td>
<td>1074528</td>
<td>2019</td>
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<td>Habitat for Humanity</td>
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<td>Habitat for Humanity</td>
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<tr>
<td>Habitat for Humanity</td>
<td>1074519</td>
<td>2019</td>
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<td>0</td>
<td>(919.52)</td>
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<tr>
<td>Habitat for Humanity</td>
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<td>2019</td>
<td>51,300</td>
<td>0</td>
<td>(763.29)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
<td>1074515</td>
<td>2019</td>
<td>58,800</td>
<td>0</td>
<td>(874.88)</td>
<td>Late application G.S. 105-278.6 (low-or moderate income housing)</td>
</tr>
</tbody>
</table>

BOCC REPORT - REAL/PERSONAL LATE EXEMPTION/ EXCLUSION NOVEMBER 7, 2019
**Late exemption/exclusion application - GS 105-282.1(a1)**

**BOCC REPORT - REAL/PERSONAL**

**LATE EXEMPTION/ EXCLUSION**

**NOVEMBER 7, 2019**

<table>
<thead>
<tr>
<th>NAME</th>
<th>ACCOUNT NUMBER</th>
<th>BILL YEAR</th>
<th>ORIGINAL VALUE</th>
<th>TAXABLE VALUE</th>
<th>FINANCIAL IMPACT</th>
<th>REASON FOR ADJUSTMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Habitat for Humanity</td>
<td>1074514</td>
<td>2019</td>
<td>58,800</td>
<td>0</td>
<td>(874.88)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
<td>1074513</td>
<td>2019</td>
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<td>0</td>
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<tr>
<td>Habitat for Humanity</td>
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<tr>
<td>Habitat for Humanity</td>
<td>1074472</td>
<td>2019</td>
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<td>(223.18)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
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<td>2019</td>
<td>15,000</td>
<td>0</td>
<td>(223.18)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074469</td>
<td>2019</td>
<td>13,000</td>
<td>0</td>
<td>(193.42)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074466</td>
<td>2019</td>
<td>13,000</td>
<td>0</td>
<td>(193.42)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
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<td>2019</td>
<td>13,000</td>
<td>0</td>
<td>(193.42)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
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<tr>
<td>Habitat for Humanity</td>
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<td>2019</td>
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<td>0</td>
<td>(371.97)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
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<td>2019</td>
<td>13,000</td>
<td>0</td>
<td>(193.42)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074474</td>
<td>2019</td>
<td>13,000</td>
<td>0</td>
<td>(193.42)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074475</td>
<td>2019</td>
<td>13,000</td>
<td>0</td>
<td>(193.42)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Habitat for Humanity</td>
<td>1074476</td>
<td>2019</td>
<td>13,000</td>
<td>0</td>
<td>(193.42)</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Hart, Jane</td>
<td>311429</td>
<td>2019</td>
<td>155,400</td>
<td>103,600</td>
<td>(693.03)</td>
<td>Late application for exemption G.S. 105-277.1 (homestead exemption)</td>
</tr>
<tr>
<td>Jennings, Evelyn</td>
<td>1627</td>
<td>2019</td>
<td>120,400</td>
<td>60,200</td>
<td>(571.23)</td>
<td>Late application for exemption G.S. 105-277.1 (homestead exemption)</td>
</tr>
<tr>
<td>Ramsey, Viola Deloes</td>
<td>100159</td>
<td>2019</td>
<td>142,834</td>
<td>142,834</td>
<td>-</td>
<td>Late application G. S. 105-278.6 (low-or moderate income housing)</td>
</tr>
<tr>
<td>Schimmel, Christopher</td>
<td>248769</td>
<td>2019</td>
<td>78,600</td>
<td>39,300</td>
<td>(584.74)</td>
<td>Late application for exemption G.S. 105-277.1 (homestead exemption)</td>
</tr>
<tr>
<td>Sykes, Hilda</td>
<td>58513</td>
<td>2019</td>
<td>181,300</td>
<td>136,300</td>
<td>(421.06)</td>
<td>Late application for exemption G.S. 105-277.1 (homestead exemption)</td>
</tr>
<tr>
<td>Vandergrift, Willis</td>
<td>267566</td>
<td>2019</td>
<td>303,800</td>
<td>189,612</td>
<td>(1,095.51)</td>
<td>Late application for exemption G.S. 105-277.1 (homestead exemption)</td>
</tr>
</tbody>
</table>

| TOTAL                  |                |           |                | (25,995.67)    |     |                                               |

*Circuit Breaker does not result in a reduction in value. The exemption received is based on the income of the taxpayer.*

The spreadsheet represents the financial impact that approval of the requested release or refund would have on the principal amount of taxes. Approval of the release or refund of the principal tax amount also constitutes approval of the release or refund of all associated interest, penalties, fees, and costs appurtenant to the released or refunded principal tax amount.

September 12, 2019 thru October 16, 2019
Request for Approval of  
Property Tax Exemption, Exclusion or Deferral 
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 9/23/19

To Whom It May Concern:

I, (PRINT NAME) Larry Adams

wished to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 0807821D3.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:
DID NOT KNOW ABOUT AGE AND INCOME UNTIL I RECEIVED MY PROPERTY TAX STATEMENT AND READ THE REVERSE SIDE OF THE STATEMENT. I AM ON A FIXED INCOME; AND I AM 75 YEARS OLD.

How did you find out about the program(s)? READ ON REVERSE SIDE OF TAX STATEMENT

Thank you,

Larry Lee Adams

(Signature)
Request for Approval of  
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 10/14/19

To Whom It May Concern:

[Signature] Leslie Thomas Bradshaw, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9836276568. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

Unaware of deadline

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

How did you find out about the program(s)?

________________________________________________________________________

Thank you,

[Signature] Leslie Thomas Bradshaw
(Signature)
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 10/4/2019

To Whom It May Concern:

I, (PRINT NAME) CHAN, KAI man,

wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019
on Tax Abstract or Parcel Identification Number(s) (PIN) # 9799568236.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain: I was not aware of this exemption program until in June 2019 my friend in Georgia mentioned a Homestead exemption for home owners aged 65 or more in Georgia. So I searched the web and discovered NC also provide a Homestead exemption for age 65 or older homeowners. How did you find out about the program(s)? Web search

Thank you,

(Signature)
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 10-16-19

To Whom It May Concern:

I, (PRINT NAME) John Crawford, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 97279666666. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

Due to Showing Cancer, Lung, Brain

How did you find out about the program(s)?

Thank you,

[Signature]

(Signature)
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 9-17-19

To Whom It May Concern:

[PRINT NAME] Delores Bailey, Executive Director, Empowerment, Inc.

wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019

on Tax Abstract or Parcel Identification Number(s) (PIN) #
9778988271

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:
Empowerment, Inc. purchased this property on 9-19-18.
We were delayed filing because we were expecting to move a house on to the lot from Sunset Street.
We were under the impression it would be better to submit when the house was moved.
How did you find out about the program(s)? We are an affordable housing non-profit.

Thank you,

[Signature]
Delores Bailey
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: May 22, 2019

To Whom It May Concern:

I, (PRINT NAME) Delores Bailey, Executive Director EMPowerment Inc.,
wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019
on Tax Abstract or Parcel Identification Number(s) (PIN) #
978403736.022, 978403736.024.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:
Properties were closed on after January 1, 2019
Properties were transferred to EMPowerment Inc. from CASA who had the same use, affordable housing.

How did you find out about the program(s)? We are an affordable housing non-profit.

Thank you,

Delores Bailey
(Signature)
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 7/18/2019

To Whom It May Concern:

James H. Fuller Sr, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9865717663. Please note that the deadline to submit a timely application is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

I wasn't aware of the exemption deadline.

How did you find out about the program(s)?

Thank you,

James H. Fuller Sr

(Signature)
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 8/12/19

To Whom It May Concern:

I, (PRINT NAME) KEVIN WAYNE GAYLOR wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9170452-1315.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:
ON MY FIRST SUBMISSION, I SELECTED A REQUEST FOR EXCLUSION. THAT WAS A ERROR. I SENT A REVISED REQUEST FOR CIRCUIT BREAKER EXCLUSION ON 5/29/19 BUT IT DID NOT ARRIVE IN YOUR OFFICE UNTIL 6/3/19. THANKS.

How did you find out about the program(s)? YOUR WEBSITE

Thank you,

(Signature)
Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: October 14, 2019

To Whom It May Concern:

I, (PRINT NAME) Habitat for Humanity, Orange County, Inc., wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # see attached application and list of PINs.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

Various PINs that were previously tax exempt for 2018 taxes, were merged into one PIN on 4-16-18, and simultaneously split into new PINs also on 4-16-18; however, the property tax exempt status was not carried forward to the new PINs. We were not aware that the tax exempt status for the new PINs would not be carried forward from the original PINs, and are therefore requesting reinstatement of the tax exempt status for these properties.

How did you find out about the program(s)? Conversations with Shavonda McLean in the Orange County Tax Department

Thank you,

(Signature)
Habitat for Humanity, Orange County, NC

New PINs from 4-16-18 merge/split of previously tax exempt PINs

<table>
<thead>
<tr>
<th>PIN</th>
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</table>
Date: October 14, 2019

To Whom It May Concern:

I, Habitat for Humanity, Orange County, Inc., wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # see attached application and list of 25 PINs.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:
The original application for property tax exempt status for these properties was not properly requested, and I forgot to follow up.

How did you find out about the program(s)? Conversations with Shavonda McLean in the Orange County Tax Department

Thank you,

[Signature]
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Request for Approval of Property Tax Exemption, Exclusion or Deferral Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 9/08/2019

To Whom It May Concern:

I, [PRINT NAME] Jane L. Hart, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9825488113. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

I wasn't aware of the program.

How did you find out about the program(s)? Tax Office

Thank you,

[Signature]
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 6/26/2019

To Whom It May Concern:

I, (PRINT NAME) Evelyn Jennings, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9858939494. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:
My husband past Nov. 10, 2018. I only receive social security every month. I am requesting property tax exemption.

How did you find out about the program(s)? by word of mouth

Thank you,

Evelyn Jennings
(Signature)
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 6/6/19

To Whom It May Concern:

I, [PRINT NAME] Viola Delores Ramsey, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 98899917589. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

[Handwritten text]

I am alone now my husband passed 7/26/19 Moses Lee Ramsey would very much like to be approved.

How did you find out about the program(s)? ☐ Tax office

Thank you,

Viola Delores Ramsey
(Signature)
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 10-15-2019

To Whom It May Concern:

I, (PRINT NAME) Christopher Schimmel, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 984691797.

Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

I was unaware of this program until a conversation with my old friends in August 2019.

How did you find out about the program(s)? From Friends

Thank you,

Signature

FILED

OCT 15 2019

ORANGE COUNTY
TAX ADMINISTRATION
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 10-7-19

To Whom It May Concern:

I, (PRINT NAME) Hilda Sykes, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9842405885. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:
I was not aware I had to reapply after the death of my husband

How did you find out about the program(s)?

Thank you,

Hilda Sykes
(Signature)
Request for Approval of
Property Tax Exemption, Exclusion or Deferral
Due to Showing of Good Cause for Failure to Make a Timely Application

Date: 10/7/2019

To Whom It May Concern:

I, (PRINT NAME) Willis Howard Vandergrift, wish to be considered for Property Tax Exemption, Exclusion or Deferral for the tax year 2019 on Tax Abstract or Parcel Identification Number(s) (PIN) # 9868507604. Please note that the deadline to submit a timely application Deadline is June 1st of the tax year.

In accordance with North Carolina General Statute 105-282.1(a1), I submit the reason(s) set forth below for consideration as demonstration of good cause for failure to make a timely application. An untimely application approved under G.S. 105-282.1 (a1) applies only to the property taxes levied by the county or municipality in the calendar year in which the untimely application is filed. If additional space for explanation is needed, please submit an attachment with this request.

Please explain:

Because of health issues and some mandatory travel we were unable to submit the application on time. Please consider reviewing our application for approval. Thank you

How did you find out about the program(s)? At the orange county tax office

Thank you,

(Signature) W.H. Vandergrift
SUBJECT: North Carolina Governor’s Highway Safety Program: Orange County Sheriff’s Office Traffic Safety Project and Approval of Budget Amendment #2-B

DEPARTMENT: Sheriff’s Office

ATTACHMENT(S):  
Attachment 1. Traffic Safety Project Contract  
Attachment 2. Agreement of Conditions  
Attachment 3. Local Government Resolution

INFORMATION CONTACT:  
Sheriff Charles S. Blackwood, 919.245.2900  
Jennifer Galassi, Legal Advisor, 919.245.2952  
Lt. T. Brian Whitehurst, Sheriff’s Deputy and North Carolina Governor’s Highway Safety Program Triangle Region Law Enforcement Liaison, 919.245.2900

PURPOSE: To:
1) Adopt a Resolution accepting federal funding for traffic safety projects to the Sheriff’s Office;  
2) Authorize the Chair to sign the Resolution; and  
3) Approve Budget Amendment #2-B.

BACKGROUND: The North Carolina Governor’s Highway Safety Program (the “GHSP”) partners with Law Enforcement Liaisons to promote highway safety awareness and to reduce the number of traffic crashes and fatalities in the State. Law Enforcement Liaisons (“LEL”) are full time law enforcement officers located in the eleven regions in which the GHSP divides the State. An LEL serves as a coordinator and organizer for highway safety activities in his/her respective region and as liaison to the GHSP Office in Raleigh.  

Some of the duties of an LEL include:  
• promoting traffic safety measures in the region,  
• supporting and informing law enforcement agencies within those regions of current and upcoming campaigns,  
• providing information and guidance in the grant process by assisting agencies with questions, and  
• directing them to the appropriate grant manager for their region.

LELs communicate on a regular basis with the county coordinators in their region and assist with their efforts to promote activities and campaigns on the county level. “Booze It & Lose It”
and “Click It or Ticket” are well known GHSP campaigns. Additionally, LELs monitor campaign reporting in their regions and ensure all agencies are participating in the reporting of campaign statistics.

LELs are required to attend quarterly meetings held throughout the State with GHSP staff, the annual Lifesaver National Conference on Highway Safety Priorities in the spring, and assist with planning, set up, operations, and tear down of the annual North Carolina Highway Safety Symposium. To facilitate travel, training, and the other activities of the LELs, GHSP awards a grant to the employing agency of each LEL. The grant funds travel, training, and traffic safety equipment for the agency.

Lt. T. Brian Whitehurst of the Orange County Sheriff’s Office is the Law Enforcement Liaison for Region 5. The GHSP approved an application from the Sheriff’s Office’s for fiscal year 2020 in the amount of $20,000. This funding will allow the Sheriff’s Office to purchase 1) a Light Tower and Generator, including shipping; and 2) three (3) Radar, including installation and shipping, as well as fund the LEL’s travel to the required meetings, conference, and symposium.

**FINANCIAL IMPACT:** The Orange County Sheriff’s Office will receive $20,000 in grant funding. Funding comes from federal sources and requires no local cash appropriation. This Budget Amendment #2-B provides for the receipt of these grant funds.

**SOCIAL JUSTICE IMPACT:** The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

Receipt of GHSP grant funding will allow the Orange County Sheriff’s Office to advance the North Carolina Governor’s Highway Safety Program’s purpose to promote highway safety awareness and to reduce the number of traffic crashes and fatalities in the State, objectives which overlap with this Social Justice Goal.

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

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

1) Adopt the North Carolina Governor’s Highway Safety Program Local Governmental Resolution accepting federal funding for traffic safety projects to the Sheriff’s Office;
2) Authorize the Chair to sign the Resolution; and
3) Approve Budget Amendment #2-B accepting the $20,000 from federal grant funds.
North Carolina Governor's Highway Safety Program
Traffic Safety Project Contract – Form GHSP-01

SECTION A – GENERAL INFORMATION

1. Agency: ORANGE COUNTY

2. Agency Address:
SHERIFF
PO Box 8181
HILLSBOROUGH, NC 27278

3. Physical Location of Agency
106 E. Margaret Ln. Hillsborough, NC 27278

4. Contact Person for Agency:
Timothy Whitehurst

5. Telephone Number: +1 (919) 245-2900

6. Cell Phone:
336-212-0608

7. Email of Contact Person
bwhitehurst@orangecountync.gov

8. Federal Tax ID Number / Type of Agency
   Federal Tax ID Number: 56-6000327
   DUNS No.: 0-44041796
   County: ORANGE COUNTY
   Type of Agency
   C State  C Non-Profit
   G County  C Higher Education
   C Municipality  C Hospital

9. Project Year
   C New  C Continuation
   Year: C 1  C 2  C 3  C 4+

10. Allocation of Funding
    Federal % 100.00  Local % 0.00

11. Project Title: Region 5 Law Enforcement Liaison N/A

12. Budget

<table>
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<tr>
<th>Personnel Costs</th>
<th>Total Project Amount</th>
<th>Federal Amount</th>
<th>State/Local Amount</th>
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13. Specify How Non-Federal Share Will Be Provided:
N/A

Project Number: PT-20-06-14
CFDA#: 20. 600 - State and Community Highway Safety
Work Type: Law Enf. Liaison

SECTION B – DESCRIPTION OF PROJECT

Statement of Problem
   (Provide detailed information of the highway safety problems in your area to be addressed through this project. Include countywide crash data for the last three years and any other relevant information to validate the statements. For more detailed information see "How to write an effective traffic safety project" located at:
   https://connect.ncdot.gov/municipalities/Law-Enforcement/Pages/Law-Enforcement-Reporting.aspx)

A Regional Law Enforcement Liaison serves as coordinator and organizer for highway safety activities in their respective region. The GHSP supports and oversees the statewide "Booze it & Lose it" and "Click it or Ticket" programs. Coordination of these programs is accomplished by utilizing 11 regional "Law Enforcement Liaison" positions. Through the guidance and coordination efforts of the Liaisons; planning and preparation and reporting activities from the event(s) occur. Efforts to continue to promote and involve law enforcement agencies in these lifesaving endeavors are of paramount importance to this statewide program. To this end, LEIs are required to host events, attend and conduct meetings, assist County Coordinators with organizing highway safety campaigns, and encouraging agencies to report activities.

The Orange County Sheriff's Office has continued to see an increase in speeding violations. The majority of enforcement taking place on major roadways due to their high crash volume, speeding continues to be a leading cause of crashes within our county.
With funding for three additional RADARS, more officers can be placed in areas to combat this concern. Our hope is that more enforcement leads to less crashes.

With the addition of a light tower, our intention is to conduct and assist with nighttime seatbelt and checking station operations. Additionally, the light tower would be made available throughout Region 5 for any agency to use for their night time operations as well.

**To be completed by law enforcement agencies seeking first year grant:**

Provide the agency's number of sworn officers 105

Does the agency currently have a dedicated traffic or DWI unit? Yes ☐ No ☒

If a dedicated traffic or DWI unit exists, how many officers are assigned to the unit?

For applicants requesting enforcement grants, please provide the following county fatality rankings:

*Information can be located at:*

https://connect.ncdot.gov/municipalities/Law-Enforcement/Pages/Law-Enforcement-Reporting.aspx

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<td>Unrestrained Fatality Ranking:</td>
<td>47</td>
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<tr>
<td>Speed Related Fatalities:</td>
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<td>Other Applicable Rankings: (Specify)</td>
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As part of this project all law enforcement agencies must enter traffic enforcement citations data of their agency for the past three years.

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<td>2018</td>
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**Goals and Objectives** *(Provide at least one SMART (Specific, Measurable, Attainable, Realistic and Timely) goals and objectives. For more detailed information see “How to write an effective traffic safety project” located at:)*

https://connect.ncdot.gov/municipalities/Law-Enforcement/Pages/Law-Enforcement-Reporting.aspx

Goal #1: Promote highway safety within Region 5 with increased efforts to raise seatbelt use above 92.5% by September 30, 2020. Raise the law enforcement agency participation rate in Region 5 from the 2017-2018 average of 77.8% to an average of 85% reporting in Region 5 by September 30, 2020.

Objectives: 1. Conduct a minimum of four Law Enforcement County Coordinator (LECC) meetings to discuss current highway safety activities, GHSP issues, training opportunities, and legal updates and concerns.

2. Gather LECC monthly reports, awarding 25 GHSP STEP system credits for Coordinators each month they submit one.

3. Compile a quarterly regional report for GHSP that includes a summary of the reports from the LECC's and the activities by the RLEL.

4. Promote night time seatbelt initiatives, GHSP campaigns and events within Region 5.

5. Host annual "Kick Off" event meetings to set agendas, coordinate quarterly meetings and provide information flow regarding GHSP campaigns.

Goal #2:

Objectives:

Goal #3:
Objectives:

Below are the 5-year goals of the NC Governor's Highway Safety Program (GHSP). To be eligible for funding, your traffic safety project should match one or more of the GHSP goals. Check all that apply.

- Reduce NC's traffic-related fatalities by 25% from the 2008-2012 average of 1,317 to 988 by 2020.
- Reduce NC's alcohol-related fatalities by 35% from the 2008-2012 average of 386 to 251 by 2020.
- Reduce NC's unrestrained fatalities by 30% from the 2008-2012 average of 407 to 285 by 2020.
- Reduce NC's speed-related fatalities by 25% from the 2008-2012 average of 479 to 359 by 2020.
- Reduce NC's young driver-involved fatal crashes by 30% from the 2008-2012 average of 196 to 137 by 2020.
- Reduce NC's motorcycle fatalities by 25% from the 2008-2012 average of 177 to 133 by 2020.
- Increase NC's seat belt usage rate 4.4 percentage points to 95% by 2020.

### Personnel Costs

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**Total Salaries Cost:**

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<tr>
<td>10</td>
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</table>

**Total Fringe Benefits Cost:**

**Total Personnel Costs:**

### Contractual Services

<table>
<thead>
<tr>
<th>#</th>
<th>Contractual Service To Be Provided</th>
<th>Cost</th>
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</thead>
<tbody>
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<td></td>
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<td>2</td>
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### Commodity Costs

<table>
<thead>
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<th>Commodity</th>
<th>Cost</th>
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<tbody>
<tr>
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<td>Total Contractual Services</td>
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### Other Direct Costs

<table>
<thead>
<tr>
<th>#</th>
<th>Equipment</th>
<th>Quantity</th>
<th>Cap Amount</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Light Tower and Generator-Includes shipping</td>
<td>1</td>
<td>$8,000.00</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>2</td>
<td>Radar-Includes installation and shipping</td>
<td>3</td>
<td>$2,500.00</td>
<td>$7,500.00</td>
</tr>
<tr>
<td></td>
<td>Total Equipment Cost</td>
<td></td>
<td></td>
<td>$15,500.00</td>
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</table>

# Other Items and Equipment Direct Cost: *(Cost Limited to Less Than $5000 Per Item)*
<table>
<thead>
<tr>
<th>Indirect Costs</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>#</td>
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<td>3</td>
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<td>4</td>
<td></td>
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</tbody>
</table>

**Total Indirect Costs**

**SECTION D: SCHEDULE OF TASKS BY QUARTERS**

List the schedule of tasks by quarters, referring specifically to the objectives in Section B. Tasks should be a bulleted list of activities to be performed in each quarter.

**Conditions for Enforcement Projects Only**

By checking this box, the above agency agrees to the terms below as additional activities to be performed as part of this project:

- A minimum of one (1) nighttime and one (1) daytime seat belt initiative per month;
- A minimum of one (1) impaired driving checkpoint per month;
- A minimum of 50% of seat belt initiatives must be conducted at night between the hours of 7:00 p.m. and 7:00 a.m.;
- Participation in all "Click it or Ticket" and "Booze It & Lose It" campaigns;
- Participation in any event or campaign as required by the GHSP;
- Attempt to utilize one of the Forensic Tests for Alcohol Branch’s Mobile Breath Alcohol Testing (BATMobiles) units during at least one of the impaired driving checkpoints.

**First Quarter (October, November, December)**

- Attend all GHSP meetings and events.
- Conduct a minimum of one county coordinator meeting.
- Meet with a minimum of three non-participating/reporting agencies within the Region.
- Collect monthly LECC reports and compile into the regional quarterly report.
- Attend and/or conduct a minimum of two night time seat belt initiatives.
- Conduct/provide support for a minimum of 3 presentations using the DWI Simulator
- Conduct/provide support for a minimum of 2 presentations using the Convincer

**Second Quarter (January, February, March)**

- Attend all GHSP meetings and events.
- Conduct a minimum of one county coordinator meeting.
- Meet with a minimum of three non-participating/reporting agencies within the Region.
- Collect monthly LECC reports and compile into the regional quarterly report.
- Attend and/or conduct a minimum of two night time seat belt initiatives.
- If requested, provide GHSP with grant application information regarding agencies in their region.
- Conduct/provide support for a minimum of 3 presentations using the DWI Simulator
- Conduct/provide support for a minimum of 2 presentations using the Convincer

**Third Quarter (April, May, June)**

- Attend all GHSP meetings and events.
- Conduct a minimum of one county coordinator meeting.
- Meet with a minimum of three non-participating/reporting agencies within the Region.
- Collect monthly LECC reports and compile into the regional quarterly report.
- Attend and/or conduct a minimum of two night time seat belt initiatives.
- If requested, provide GHSP with grant application information regarding agencies in their region.
- Conduct/provide support for a minimum of 3 presentations using the DWI Simulator
- Conduct/provide support for a minimum of 2 presentations using the Convincer
Fourth Quarter (July, August, September)
• Attend all GHSP meetings and events.
• Conduct a minimum of one county coordinator meeting.
• Meet with a minimum of three non-participating/reporting agencies within the Region.
• Collect monthly LECC reports and compile into the regional quarterly report.
• Attend and/or conduct minimum two night time seat belt initiatives.
• Conduct/provide support for a minimum of 3 presentations using the DWI Simulator
• Conduct/provide support for a minimum of 2 presentations using the Conviner

AGENCY AUTHORIZING SIGNATURE
☐ I have read and accept terms and conditions of the grant funding and attached the Grant Agreement. The information supplied in this application is true to the best of my knowledge.

Name: ___________________________ PIN __________ Date: Oct 10, 2019

Note:
1. Submitting grant application is not a guarantee of grant being approved.
2. Once form has been submitted, it cannot be changed unless it has a status of "Return".
North Carolina Governor’s Highway Safety Program
Agreement of Conditions

This Agreement is made by and between the North Carolina Department of Transportation, hereinafter referred to as the “Department”, to include the Governor’s Highway Safety Program, hereinafter referred to as “GHSP”; and the applicant agency, for itself, its assignees and successors in interest, hereinafter referred to as the “Agency”. During the performance of this contract, and by signing this contract, the Agency agrees as follows:


1. Equal Opportunity/Nondiscrimination. The Agency will agree to comply with all Federal statutes and implementing regulations relating to nondiscrimination concerning race, color, sex, religion, national origin, handicaps, and age. These include but are not limited to:
   (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252);
   (b) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601)
   (c) Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686);
   (d) Non-Discrimination in Federally-assisted programs of the United States Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (49 CFR Part 21), hereinafter referred to as "USDOT", as amended;
   (e) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended, and 49 CFR Part 27; and
   (f) The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et seq.);
   (g) The Civil Rights Restoration Act of 1987, (Pub. L. 100-209);
   (h) Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189) and 49 CFR parts 37 and 38;
   (i) Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations;
   (j) Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency


3. Federal Grant Requirements and Contracts. The Agency shall comply with the following statutes and implementing regulations as applicable:
   (a) Highway Safety Act of 1966 (23 U.S.C. Chapter 4 -), as amended;
   (b) Sec. 1906, Pub. L.109-59, as amended by Sec. 4011, Pub. L. 114-94;
   (c) Uniform Procedures for State Highway Safety Grant Programs (23 CFR part 1300);
   (d) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 1201);
   (e) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200) and all other relevant Federal regulations covering the Highway Safety Program;
   (f) NHTSA Highway Safety Grant Funding Guidance, as revised, July 2015 (www.nhtsa.gov) and additions or amendments thereto.

4. Political Activity (Hatch Act) The Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

5. Lobbying.
   (a) Certification Regarding Federal Lobbying. The undersigned certifies, to the best of his or her knowledge and belief, that:
      (i) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
(iii) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(iii) The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

(b) **Restriction on State Lobbying.** None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

6. **Audits.**

(a) **Audit Required.** Non-Federal entities that expend $750,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the provisions of 2 CFR, Subpart F, §200.500. Guidance on determining Federal awards expended is provided in 2 CFR, Subpart F, §200.502.

(b) **Single Audit.** Non-Federal entities that expend $750,000 or more in a year in Federal awards shall have a single audit conducted in accordance with 2 CFR, Subpart F, §200.501, except when they elect to have a program-specific audit conducted in accordance with 2 CFR, Subpart F, §200.501, paragraph (c).

(c) **Non-Governmental Entities.** Non-governmental entities (not-for-profit and for-profit entities) must adhere to North Carolina General Statute 143C-6.22 and 09 NCAC Subchapter 03M.

7. **Instructions for Lower Tier Certification.**

(a) By signing and submitting this proposal, the prospective lower tier participant (the Agency) is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1200.

(b) The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

(c) The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(d) The terms covered transaction, civil judgement, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR Part 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

(e) The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred,
suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

(f) The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1200.

(g) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (https://www.sam.gov/).

(h) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

(i) Except for transactions authorized under paragraph 7(e) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies including suspension or debarment.

(j) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions.

(i) The prospective lower tier participant (the Agency) certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any Federal department or agency.

(ii) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participants shall attach an explanation to this contract proposal.

8. **Buy America Act.** The Agency and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

9. **Prohibition On Using Grant Funds To Check For Helmet Usage.** The Agency and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

10. **Conditions for State, Local and Indian Tribal Governments.** State, local and Indian tribal government Agencies shall adhere to the standards established by 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments and additions or amendments thereto, for principles for determining costs applicable to grants and contracts with state, local and Indian tribal governments.

11. **Conditions for Institutions of Higher Education.** If the Agency is an institution of higher education, it shall adhere to the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations and 2 CFR 220 Cost Principles for Educational Institutions for determining costs applicable to grants and contracts with educational institutions.
12. Conditions for Non-Profit Organizations. If the Agency is a non-profit organization, it shall adhere to
the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and
Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations and 2
CFR Part 230 Cost Principles for Non-Profit Organizations for determining costs applicable to grants and
contracts with non-profit organizations.

13. Conditions for Hospitals. If the Agency is a hospital, it shall adhere to the standards established by 2
CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher
Education, Hospitals, and Other Non-Profit Organizations.

B. General Provisions

1. Contract Changes. This document contains the entire agreement of the parties. No other contract, either
oral or implied, shall supercede this Agreement. Any proposed changes in this contract that would result
in any change in the nature, scope, character, or amount of funding provided for in this contract, shall
require a written addendum to this contract on a form provided by the Department.

2. Subcontracts Under This Contract. The Agency shall not assign any portion of the work to be
performed under this contract, or execute any contract, amendment or change order thereto, or obligate
itself in any manner with any third party with respect to its rights and responsibilities under this contract
without the prior written concurrence of the Department. Any subcontract under this contract must include
all required and applicable clauses and provisions of this contract. Subcontracting does not relieve the
Agency of any of the duties and responsibilities of this agreement. The subcontractor must comply with
standards contained in this agreement and provide information that is needed by the Agency to comply
with these standards. The Agency must submit any proposed contracts for subcontracted services to the
Governor's Highway Safety Program for final approval no less than 30 days prior to acceptance.

3. Solicitation for Subcontracts, Including Procurements of Materials and Equipment. In all
solicitations, either by competitive bidding or negotiation, made by the Agency for work to be performed
under a subcontract, including procurements of materials or leases of equipment, each potential
subcontractor or supplier shall be notified by the Agency of the Agency's obligations under this contract.
Additionally, Agencies making purchases or entering into contracts as provided for by this contract must
adhere to the policies and procedures of 2 CFR Part 200 and North Carolina General Statute 143-128.4.
Historically underutilized business defined; statewide uniform certification as it pertains to Historically
Underutilized Businesses.

4. Incorporation of Provisions in Subcontracts. The Agency shall include the provisions of section A-1
through A-13 of this Agreement in every subcontract, including procurements of materials and leases of
equipment, unless exempted by the regulations, or directives issued pursuant thereto. The Agency shall
take such action with respect to any subcontract or procurement as the Department, the State of North
Carolina, hereinafter referred to as the “State”, the National Highway Traffic Safety Administration,
hereinafter referred to as "NHTSA", or the Federal Highway Administration, hereinafter referred to as
"FHWA", may direct as a means of enforcing such provisions including sanctions for noncompliance.
Provided, however, that in the event the Agency becomes involved in, or is threatened with, litigation with
a subcontractor or supplier as a result of such direction, the Agency may request the Department or the
State to enter into such litigation to protect the interests of the Department or the State. In addition, the
Agency may request the NHTSA or FHWA to enter into such litigation to protect the interests of the
United States.

5. Outsourcing. All work shall be performed in the United States of America. No work will be allowed to be
outsourced outside the United States of America.

6. Property and Equipment.
(a) Maintenance and Inventory. The Agency shall maintain and inventory all property and equipment
purchased under this contract.
(b) Utilization. The property and equipment purchased under this contract must be utilized by the
Agency for the sole purpose of furthering the traffic safety efforts of the Agency for the entire useful
life of the property or equipment.
(c) Title Interest. The Department and NHTSA retain title interest in all property and equipment
purchased under this contract. In the event that the Agency fails or refuses to comply with the
provisions of this Agreement or terminates this contract, the Department, at its discretion, may take
either of the following actions:
(i) Require the Agency to purchase the property or equipment at fair market value or other mutually
agreed to amount; or

Page 4
(ii) Require the Agency to transfer the property or equipment and title of said property or equipment, if any, to the Department or to another Agency, as directed by the Department.

(d) Non-expendable Property. Non-expendable property is defined as property or equipment having a value of $5000 or more with a life expectancy of more than one year. Non-expendable property purchased under this contract cannot be sold, traded, or disposed of in any manner without the expressed written permission of the Department.

7. Educational or Other Materials. If allowed, any educational or other materials developed using funds from this contract must be reviewed and approved by the GHSP prior to their production or purchase. The cost of these materials is generally limited to a maximum of $5.00 per item. The purchase of promotional items and memorabilia are not an allowable cost.

8. Review of Reports and Publications. Any reports, papers, publications, or other items developed using funds from this contract must be reviewed and approved by the GHSP prior to their release.

9. Reimbursement.
   (a) General. Payments are made on a reimbursement basis. There is no schedule of advance payments. Only actual allowable costs are eligible for reimbursement. Claims for reimbursement must be made a minimum of quarterly and no more than once a month via the Grants Management System. Claims for reimbursement not made within the three month threshold are subject to denial. The itemized invoice shall be supported by documentation of costs as prescribed by the Department. Reimbursements will not be processed if other required reports are incomplete or have not been submitted. Failure to submit complete reports by the required deadline may result in denial of reimbursement.
   (b) Approval. The Governor’s Highway Safety Program and the Department’s Fiscal Section shall approve the itemized invoice prior to payment.
   (c) Unapproved Costs. Any rejected or unaccepted costs shall be borne by the Agency. The Agency agrees that in the event the Department determines that, due to Federal or State regulations that grant funds must be refunded, the Agency will reimburse the Department a sum of money equal to the amount of Federal and State participation in the rejected costs.
   (d) Final Claims for Reimbursement. Final claims for reimbursement must be received by the GHSP within 30 days following the close of the approved contract period. Project funds not claimed by this date are subject to reversion.
   (e) Expiring Funds Under This Contract. Under no circumstances will reimbursement be made for costs incurred prior to the contract effective date or after the contract ending date.

10. Project Costs. It is understood and agreed that the work conducted pursuant to this contract shall be done on an actual cost basis by the Agency. The amount of reimbursement from the Department shall not exceed the estimated funds budgeted in the approved contract. The Agency shall initiate and prosecute to completion all actions necessary to enable the Agency to provide its share of the project costs at or prior to the conclusion of the project.

11. Program Income. The Agency shall account for program income related to projects financed in whole or in part with federal funds in accordance with 2 CFR 200.307. Program income earned during the contract period shall be retained by the Agency and deducted from the federal funds committed to the project by the GHSP unless approved in advance by the Federal awarding agency as an addition to the project. Program income must be accounted for separately and the records made available for audit purposes.

12. Project Directors. The Project Director, as specified on the signature page of this Agreement, must be an employee of the Agency or the Agency’s governing body. Any exception to this provision must have the expressed written approval of GHSP.

13. Reports Required.
   (a) Quarterly Progress Reports. Unless otherwise directed, the Agency must submit Quarterly Progress Reports to the GHSP, on forms provided by the Department, which reflect the status of project implementation and attainment of stated goals. Each progress report shall describe the project status by quarter and shall be submitted to GHSP no later than fifteen (15) days after the end of each quarter. If the Agency fails to submit a Quarterly Progress Report or submits an incomplete Quarterly Progress Report, the Agency will be subject to having claims for reimbursement withheld. Once a Quarterly Progress Report that substantiates adequate progress is received, cost reimbursement requests may be processed or denied at the discretion of GHSP.
   (b) Final Accomplishments Report. A Final Accomplishments Report must be submitted to the GHSP within fifteen (15) days of completion of the project, on forms provided by the Department, unless otherwise directed. If the Agency fails to submit a Final Accomplishments Report or submits an
incomplete Final Accomplishments Report, the Agency will be subject to having claims for reimbursement withheld. Once a Final Accomplishments Report that substantiates adequate progress is received, claims for reimbursement may be processed or denied at the discretion of GHSP.

(c) Audit Reports. Audit reports required in Section A-6 above shall be provided to the Department within thirty (30) days of completion of the audit.

   (a) General. All out-of-state travel funded under this contract must have prior written approval by the Governor's Highway Safety Program.
   (b) Requests. Requests for approval must be submitted to the GHSP, on forms provided by the Department, no less than thirty (30) days prior to the intended departure date of travel.
   (c) Agency Travel Policy Required. For Agencies other than state agencies, out-of-state travel requests must include a copy of the Agency's travel policy, to include allowances for lodging, meals, and other travel-related expenses. For state agencies, maximum allowable subsistence is limited to the prevailing per diem rates as established by the North Carolina General Assembly.
   (d) Agenda Required. Out-of-state travel requests must include a copy of the agenda for the travel requested.

15. Conditions for Law Enforcement. In addition to the other conditions provided for in this Agreement, grants to law enforcement agencies are subject to the following:
   (a) Certifications Required.
      (i) In-car Camera or Video System. For any in-car camera or video system purchased under this contract, it is required that the operator of that equipment has successfully completed Standardized Field Sobriety Testing training (SFST). A copy of this certificate must be filed with GHSP prior to reimbursement of in-car camera or video systems.
      (ii) Radar. For any radar equipment purchased under this contract, it is required that the operator of that equipment has successfully completed Radar Certification Training. A copy of this certificate must be filed with GHSP prior to reimbursement of radar equipment.
      (iii) Alcohol Screening Devices. For any preliminary alcohol screening devices purchased under this contract, it is required that the operator of that equipment has successfully completed the Alcohol Screening Test Device training offered by the Forensic Test for Alcohol Branch.
   (b) Report Required - Monthly Enforcement Data Report. In addition to the reports mentioned above, law enforcement agencies engaging in enforcement activities must submit a Monthly Enforcement Data Report on the form provided by the Department no later than fifteen (15) days after the end of each month. If the Agency fails to submit a Monthly Enforcement Data Report or submits an incomplete Monthly Enforcement Data Report, the Agency will be subject to having cost reimbursement requests withheld. Once a Monthly Enforcement Data Report that substantiates adequate progress is received, cost reimbursement requests will be processed. The agency head must sign the form. However, the agency head may assign a designee to sign the form by providing written signature authority to the GHSP.

   (a) Resolution Required. If the Agency is a local governmental entity, a resolution from the governing body of the Agency is required on a form provided by the Department.
   (b) Resolution Content. The resolution must contain a commitment from the governing body to provide the local funds as indicated in this contract. Additionally, the resolution is required even if the funding is one hundred percent from federal sources, as it serves as recognition by the governing body of federal funding for purposes of Section A-6 above.

17. Seat Belt Policy and Use. Agency must adopt and enforce a seat belt use policy required for all seating positions unless exempted by state law.

18. Text Messaging Policy. Agency must adopt and enforce a policy banning text messaging while driving unless exempted by state law.

19. Prohibited Interests. No member, officer, or employee of the Agency during his or her tenure, and for at least one (1) year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof or therefrom.

   (a) Federal Funding. The Agency agrees and understands that continuation of this project with Federal funds is contingent upon Federal funds being appropriated by the United States Congress specifically for that purpose. The Agency further agrees and understands that in the event funds originally
appropriated by Congress for these grants are subsequently reduced by further acts of Congress, funding to the Agency may be proportionately reduced.

(b) State Funding. The Agency agrees and understands that continuation of this project with funds from the State of North Carolina is contingent upon State funds being appropriated by the General Assembly specifically for that purpose. The Agency also agrees that any state funds received under this contract are subject to the same terms and conditions stated in this Agreement.

21. Performance. All grants provided by the Governor's Highway Safety Program are performance-based and, as such, require that continual progress be made toward the reduction of the number and severity of traffic crashes. Any agency, whose performance is deemed unsatisfactory by the GHSP, shall be subject to the sanctions as provided for in this contract. Additionally, unsatisfactory performance shall be cause for the Department to reduce or deny future funding.

22. Resolution of Disputes. Any dispute concerning a question of fact in connection with the work not disposed of by contract by and between the Agency and the Department, or otherwise arising between the parties to this contract, shall be referred to the Secretary of the North Carolina Department of Transportation and the authorized official of the Agency for a negotiated settlement. In any dispute concerning a question of fact in connection with the project where such negotiated settlement cannot be resolved in a timely fashion, the final decision regarding such dispute shall be made by the Secretary of the North Carolina Department of Transportation, with the concurrence of the Federal funding agency, and shall be final and conclusive for all parties.

23. Department Held Harmless.
   (a) For State Agencies. Subject to the limitations of the North Carolina Tort Claims Act, the Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.
   (b) For Agencies Other Than State Agencies. The Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.

24. Records Access and Retention. The Agency shall provide all information and reports required by the regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department, the State, NHTSA, or FHWA, as appropriate, to be pertinent to ascertain compliance with such regulations, orders and instructions. Furthermore, the Agency shall maintain such materials during the contract period, and for five (5) years from the date of final payment from the Department or until all audit exceptions have been resolved, for such inspection and audit. Where any information required of the Agency is in the exclusive possession of another who fails or refuses to furnish this information, the Agency shall so certify to the Department, State, NHTSA, or FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information. Pursuant to N.C.G.S. §147-64.7, the Department, the State Auditor, appropriate federal officials, and their respective authorized employees or agents are authorized to examine all books, records, and accounts of the Agency insofar as they relate to transactions with any department, board, officer, commission, institution, or other agency of the State of North Carolina pursuant to the performance of this Agreement or to costs charged to this Agreement.

25. Sanctions for Non-Compliance. The applicant Agency agrees that if it fails or refuses to comply with any provisions and assurances in this contract, the Department may take any or all of the following actions:
   (a) Cancel, terminate, or suspend this contract in whole or in part;
   (b) Withhold reimbursement to the Agency until satisfactory compliance has been attained by the Agency;
   (c) Refrain from extending any further funding to the Agency under this contract with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency;
   (d) Refer the case to the United States Department of Justice for appropriate legal proceedings.

   (a) By the Department. For noncompliance with any of the said rules, regulations, orders or conditions, due to management deficiencies or criminal activity this contract may be immediately canceled, terminated, or suspended in whole or in part by the Department. For noncompliance not indicative of management deficiencies or criminal activity the Department shall give sixty (60) days written notice
to take corrective action. If the Agency has not taken the appropriate corrective action after sixty (60) days the Department may cancel, terminate, or suspend this contract in whole or in part.

(b) **By mutual consent.** The Agency or the Department may terminate this contract by providing sixty (60) days advanced written notice to the other party.

(c) **Unexpended funds.** Any unexpended funds remaining after cancelation or termination will revert to the Department.

27. **Completion Date.** Unless otherwise authorized in writing by the Department, the Agency shall commence, carry on, and complete the project as described in the approved Highway Safety Project Contract by September 30 of the Federal fiscal year for which it was approved.

28. **E-Verify requirements.** If this contract is subject to NCGS 143-133.3, the contractor and its subcontractors shall comply with the requirements of Article 2 of Chapter 64 of the NC General Statutes.

29. **Certification of Eligibility Under the Iran Divestment Act.** Pursuant to G.S. 147-86.59, any person identified as engaging in investment activities in Iran, determined by appearing on the Final Divestment List created by the State Treasurer pursuant to G.S. 147-86.58, is ineligible to contract with the State of North Carolina or any political subdivision of the State. The Iran Divestment Act of 2015, G.S. 147-55 et seq. requires that each Agency, prior to contracting with the State certify, and the undersigned Agency Authorizing Official on behalf of the Agency does hereby certify, to the following:

(a) that the Agency is not now and was not at the time of the execution of the Contract dated below identified on the Final Divestment List of entities that the State Treasurer has determined engages in investment activities in Iran;

(b) that the Agency shall not utilize on any contract with the State agency any subcontractor that is identified on the Final Divestment List; and

(c) that the undersigned Agency Authorizing Official is authorized by the Agency to make this Certification.

30. **Agency Fiscal Year.** The end date for the Agency’s fiscal year is **June 30, 2020**

31. **Signature.** By signing below, the Agency agrees to adhere to the terms and conditions of this Agreement.

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<tr>
<th>AGENCY PROJECT DIRECTOR</th>
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<td>NAME</td>
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<td>Timothy B. Whitehurst</td>
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North Carolina Governor's Highway Safety Program
LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the Orange County Sheriff's Office (herein called the "Agency")

(The Applicant Agency)

has completed an application contract for traffic safety funding; and that

Orange County Board of Commissioners

(The Governing Body of the Agency)

__________________________ (herein called the "Governing Body") has thoroughly considered the problem

identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE Orange County Board of Commissioners

(Governing Body)

IN OPEN MEETING ASSEMBLED IN THE CITY OF Hillsborough, NORTH CAROLINA,

THIS 7th DAY OF November, 2019, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and

2. That Sheriff Charles Blackwood

(Name and Title of Representative)

is authorized to file, on behalf of the Governing Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of $20,000

(Federal Dollar Request) to be made to the Governing Body to assist in defraying the cost of the project described in the contract application; and

3. That the Governing Body has formally appropriated the cash contribution of $0

(Local Cash Appropriation) as required by the project contract; and

4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and

5. That certified copies of this resolution be included as part of the contract referenced above; and

6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by ______________________________________

(Chairperson/Mayor)

ATTESTED BY ____________________________

(Clerk)

SEAL

DATE ____________________________

Rev. 7/11
SUBJECT: Modifications to the Board of County Commissioners’ “Rules of Procedure” for Meeting Classifications and Clarification on Public Comments at BOCC Meetings

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):
1. Excerpt from Draft October 3, 2019 BOCC Minutes
2. BOCC Meeting Types
3. BOCC Rules of Procedure with Changes

INFORMATION CONTACT:
David Hunt, 919-245-2126
John Roberts, 919-245-2318

PURPOSE: To approve modifications and/or additions to the BOCC “Rules of Procedure” to change the reference for formal meetings that generally occur twice a month from “Regular Meetings” to “Business Meetings”, and clarify opportunities for public comment at BOCC meetings.

BACKGROUND: At the September 10, 2019 work session, the Board had a brief discussion related to public comments occurring at work sessions.

At the September 17, 2019 Regular Board Meeting, a request was made by a member of the public that the Board consider providing the opportunity for public comments at all BOCC meetings.

At the October 3, 2019 work session, the BOCC instructed the County Attorney to develop proposed language modifying the Board’s “Rules of Procedure” to clarify public comment at meetings. An excerpt from the draft October 3rd meeting minutes is attached for reference as Attachment 1.

Staff’s research on this topic led to some confusion regarding the term “regular meeting”. Per North Carolina General Statutes, a “regular meeting” classification is based on notification timelines, and all BOCC meetings announced when an annual meeting calendar is approved could be considered “regular meetings”. As used by the Orange County Board of Commissioners, a “Regular Meeting” is the formal business meeting generally held twice a month. To reduce confusion, it is proposed that the BOCC amend its Rules of Procedure to change the reference of the formal meeting from “Regular Meeting” to “Business Meeting”. (See Attachment 2)

One of the challenges to the meeting name change is the number of areas and documents that reference “Regular Meetings”. This could include approved calendars, advisory board by-laws,
Orange County Unified Development Ordinance, etc. If the Board moves forward with the change, staff recommends that the action include changing all formal meeting references going forward from “Regular Meeting” to “Business Meeting”.

This also impacts the terminology used in the Rules of Procedure. Changes to the Rules of Procedure to elaborate on public comment would also include the use of the term “Business Meeting”.

North Carolina General Statute 153A-52.1 establishes a baseline for public comment at BOCC meetings. The statute requires the BOCC to “provide at least one period for public comment per month at a regular meeting of the board.” Orange County far exceeds this baseline and also exceeds what is provided by many other counties.

The current Rules of Procedures for the Board of County Commissioners, Rule 9, “Public Comment for Items not on the Printed Agenda”, provides the opportunity for public comment on any topic at the beginning of all Regular Meetings (proposed to change to “Business Meeting”) under Item #2. Speakers are required to sign up to speak, and are allowed three minutes each after being recognized by the Board Chair.

There is no current specific written policy regarding public comment at non-Business BOCC meetings. However, the Board’s general practice for more than 20 years has been that non-Business BOCC meetings are opportunities for Board members to study, discuss and evaluate issues among themselves, with governing boards from other jurisdictions, and with staff. Since those non-Business Meetings by practice have rarely incorporated actual decisions made by the Board, opportunities for public comment have been focused on Business Meetings when the Board is specifically considering decisions on respective issues.

Attachment 3 provides the Board’s Rules of Procedure with the County Attorney’s proposed language modifying the Board’s “Rules of Procedure” to clarify public comment at meetings.

This proposed language addresses Business Meetings as referenced/newly-titled above, as well as the public comment framework for all other Board meetings. Those other Board meetings include, but are not necessarily limited to:

- Work Sessions
- Budget Work Sessions
- Budget Public Hearings
- Annual Board Retreats
- Joint Meetings with the Fire Chiefs’ Council
- Joint Meetings with the Schools
- Assembly of Governments
- Any Other Joint Meetings
- Legislative Breakfasts
- Special Meetings (i.e. – public hearing on economic development and decision)
- Meetings Specifically for Closed Session Matters (must be started in open session)

**FINANCIAL IMPACT:** There is no financial impact associated with discussion of this issue.

**SOCIAL JUSTICE IMPACT:** The following Orange County Social Justice Goal is applicable to this item:
• **GOAL: ENABLE FULL CIVIC PARTICIPATION**
  
  Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

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

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

1) approve changing all references to the Board’s formal meetings from “Regular Meeting” to “Business Meeting” going forward; and

2) approve the modifications to the Rules of Procedure as submitted by the County Attorney in Attachment 3 clarifying opportunities for public comment at Board meetings.
Attachment 1
Excerpt from BOCC Draft Work Session Minutes from 10/3/19

The Board met to discuss potential changes to the Board’s current framework regarding public comments at BOCC meetings.

Chair Rich said this issue was brought up by Earl and a resident at a recent meeting. John Roberts said it came up because a lot of false information was being spread that the Board of County Commissioners was talking about things behind closed doors, which was not true. An item was just opened for discussion, and no vote was taken. The public does have an opportunity to give their comments at a public hearing, and the Board allows public comment at all regular meetings. Work session discussions are intended to be continued to another time.

Commissioner Marcoplos said that a Work Session is not a private meeting. The public can attend and listen. Commissioner Price said the booklet already says that. Can we just add to what’s in the book to explain we are not conducting regular business?

Chair Rich said the consensus seems to be to bring this topic back to a regular meeting with some proposed wording to manage expectations. John Roberts said he will put it on an agenda and allow for public comment, and will make the desired changes.

Bonnie Hammersley said she was reminded that this wasn’t only regarding a public work session, but also other types of meetings. Greg Wilder said there are different types of meetings. We have special sessions, meetings with other jurisdictions, the retreat, legislative breakfasts and other types. The petition says all types of meetings.

Commissioner Dorosin said I think it should apply for all types of meetings except regular meetings. We have plenty of other regular meetings per month. Any other types of meetings besides regular meetings are like work sessions.

Commissioner Price asked can we add a section on when public comment is allowable? Commissioner Dorosin said we need a section describing work sessions are and why.

Commissioner Price said there is already a section, but it’s not as descriptive as you’re talking about. I agree with what you’re saying, but don’t know if we need to spell out public comment in each type of meeting.

Commissioner Dorosin said I believe we need to state what a work session is. Bonnie Hammersley said Commissioner Dorosin’s suggestion of putting something at the top of the agenda that it’s not an opportunity for public comment is good.

Commissioner Dorosin – I would have the language “Work Sessions are designed to xxx”, and address no public comment. If we spell it out, people will better understand. We can use boilerplate language and change the only date when the next public comment is available.

Chair Rich asked if we need to have a definition for AOG meetings. The two categories are regular and work sessions (all others are work sessions). We need to clarify this here.

Greg Wilder said that the statement that the Board doesn’t make decisions at work sessions is not totally correct, and you occasionally vote. John Roberts will need to figure out the best way to word this.

Commissioner Dorosin said the AOG is not a voting situation; it’s just a type of agreement.

Commissioner Bedford said at joint meeting, votes are possible. Bonnie Hammersley said you can vote at any meeting that has a quorum, and not have to bring it back. Even at budget time, the final vote is not concrete until it’s a final vote when the budget is approved. Otherwise, it’s an unofficial vote. This is related to official votes.

Chair Rich said John will come up with language and we will discuss it at a regular meeting.
Attachment 2

BOCC Meeting Types

The following is offered for clarification based on the BOCC discussion at the 10/3/19 Work Session, Item #1, “Public Comments at BOCC Meetings”. Items printed below are either directly from or paraphrasing information from “Open Meetings and Local Governments in North Carolina” (Bluestein and Lawrence) from the UNC School of Government and their interpretation of North Carolina General Statues.

Official Meeting – An official meeting occurs whenever a majority of the members of a public body gather together in order to

- Conduct a hearing
- Participate in deliberation
- Vote
- Or otherwise transact public business

Notice Requirements for Official Meetings –

The law delineates four categories of meetings – regular, special, emergency and recessed – and establishes different notice requirements for each type.

(These four categories are based on a notification timeline. The categories are not dependent on the content, format or process method of the meeting.)

Notice Requirements

- Regular Meeting – 10 days before the first meeting, usually submitted annually
- Change in Regular Meeting – at least 7 days prior to the changed meeting
- Special Meeting – 48 hours prior to the meeting, must list topics
- Emergency Meeting – immediate decision needed, cannot wait 48 hours, notify local news outlets that requested notice
- Recessed Meeting – a recessed meeting is essentially noticed at the time of recess when the time and place is announced (in open session) of when the meeting will resume.

Use of the Term Regular Meeting

A regular meeting is typically a business meeting held at regular times such as the first Tuesdays of each month.
In Orange County there are 40 – 50 BOCC meetings a year. For the purpose of fulfilling open meeting law requirements, all of these meetings are considered “regular” meetings and officially noticed with the approval of the annual meeting calendar.

Causing confusion in the terminology, Orange County refers to the twice a month formal business meetings as Regular Meetings. In addition to these meetings, the BOCC also conducts the following types of scheduled meetings.

- Work Sessions
- Budget Work Sessions
- Budget Public Hearings
- Annual Board Retreats
- Joint Meetings with the Fire Chiefs’ Council
- Joint Meetings with the Schools
- Assembly of Governments
- Any Other Joint Meetings
- Legislative Breakfasts
- Special Meetings (i.e. – public hearing on economic development and decision)
- Meetings Specifically for Closed Session Matters (must be started in open session)

By law, the BOCC can vote and make decisions at any of these duly noticed meetings. In practice, the BOCC tries to only vote on decisions at the “Regular” meetings usually held twice a month. (There have been occasions at Work Sessions where the BOCC took an official vote and made decisions on time sensitive items.)

The current discussion before the BOCC is whether to add a time for public comment at all BOCC meetings.

In researching this topic there was some confusion as to the term “regular meeting”. Per NCGS, a “regular meeting” classification is based on notification timelines and all BOCC meetings announced when a yearly calendar is approved could be considered regular meetings. As used by the Orange County Board of Commissioners, a “Regular Meeting” is the formal business meeting usually held twice a month. To reduce confusion, it is proposed that the BOCC change the reference of the formal meeting from “Regular Meeting” to “Business Meeting”.

Per the Board’s request to offer an explanation and reasoning on public comments only at Business Meetings, the County Attorney offers the attached modifications to the “Rules of Procedure for the Board of County Commissioners”.

Additional wording has been suggested for Rule 6. Regular and Special Meetings, section (d) Work Sessions, Committee Meetings or other Informal Meetings, as follows:

Work sessions include regular work sessions, budget work sessions, joint meetings with other governmental entities, and other meetings not scheduled as “business meetings.”
All work sessions are open to the public and the public is invited to attend and observe work sessions. Public comment is generally not permitted at work sessions for several reasons: (1) Work sessions are, by design, intended to be informal meetings to allow back and forth discussion between and among board members; (2) For the most part items presented at work sessions for board discussion, are items that are in the early stages of development, are items for which county staff need direction from the Board of Commissioners, or generally are not ready for formal presentation and decision; (3) Except in emergency circumstances final and binding votes on work session agenda items are not conducted at work sessions; and (4) Except as noted above all work session agenda items are brought forward for final and binding votes at Board business meetings at which public comment is sought and encouraged.

Also, under Rule 9. Public Comments – Items Not on the Printed Agenda, the County Attorney has added the following:

As noted above public comment is not accepted at work sessions but only at business meetings. North Carolina law requires local governments to schedule one public comment period at one regular meeting one time per month. Orange County far exceeds this mandate and schedules a public comment period at all of its business meetings during which the public may comment on any topic. Further the public is invited to comment separately on each item on a business meeting agenda.

This is offered for approval by the BOCC.
Rules of Procedure for the Board of County Commissioners

Adopted - May 2002
Amended - July 2018
Printed - July 2018
Principles of Parliamentary Law

• Justice and courtesy for all
• Majority rules
• Right of the minority to be heard
• Protection of the rights of the individual and the absentee
• Consideration of one thing at a time
• Maintain order
• Expedite business
• Partiality to no one
Rules of Procedure
for the
Board of County Commissioners

Table of Contents

Preface and Acknowledgements .................. 4
Introduction ................................................... 5
I. Applicability.................................................. 6
II. Open Meetings............................................... 7
III. Organization of the Board ......................... 10
IV. Regular and Special Meetings ..................... 11
V. Agenda .......................................................... 14
VI. Conduct of Debate ...................................... 17
VII. Quorum and Other Rules ......................... 25

Orange County, North Carolina
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Rules of Procedure for the Board of County Commissioners

Introduction

These rules of procedure were designed for use by a North Carolina board of county commissioners. Essentially, the rules are a modified version of Robert’s Rules of Order, Revised. Robert’s Rules is intended to guide the deliberations of a large legislative body; consequently, it is not always appropriate for a small governing board, which can afford to proceed with much less formality. Another valuable resource consulted for this revision of the rules was Mason’s Manual of Legislative Procedure. Mason’s Manual is intended primarily for state legislatures, but its extensive discussion of the basic principles of parliamentary law and procedure is valuable for local governing boards as well.

These rules apply to all meetings of the Orange County Board of Commissioners at which the Board is empowered to exercise any of the executive, administrative or legislative powers conferred on it by law.

The North Carolina law (G.S. 153A-41) permits a board of county commissioners to adopt its own rules of procedure if these conform to “generally accepted principles of parliamentary procedure” and do not conflict with applicable law. Mason’s Manual suggests that parliamentary law affecting the work of a board of county commissioners can be summarized in ten basic principles:

1. The board can take only those actions that it has authority or jurisdiction to take. A corollary of this principle is that the board’s action, to be valid, must not violate any applicable law or constitutional provision. This is simply another manifestation of the familiar legal doctrine that a unit of local government has only those powers conferred on it by law or necessarily implied from some specific grant of power.

2. The board must meet in order to act. Under North Carolina law, the powers conferred on the county governing board are exercised by the county board of commissioners as a group, not its individual members. Therefore, the group must meet in order to act.
3. **All board members must receive proper notice of meetings.** Since all members are equally entitled to participate in board meetings, each member must be properly notified of the place, time, and purpose of meetings.

4. **The board may act only with a quorum.**

5. **There must be a question before the board on which it can decide.** Except when electing their own officers or balloting for appointments, legislative bodies proceed by voting **yes** or **no** on specific proposals put forward by one or more members. Each member has a right to know at all times what question is before the board and what effect a yes or no vote would have on that question.

6. **There must be opportunity for debate.** The very nature of a deliberative body requires that members share information and opinion about matters before the board.

7. **Questions must be decided by vote.** Legislative bodies do not decide matters by discussing them until a consensus emerges.

8. **Votes are decided by majority.** Usually only a simple majority of votes cast suffices, but the board’s rules or an applicable law may sometimes require an extraordinary majority.

9. **There must be no fraud, trickery, or deception in the board’s proceedings.**

10. **The board’s rules of procedure must be applied consistently.**

Most of the following rules have been modified to suit local needs and customs. The comments following the rules note when rules state procedures required by law (North Carolina General Statutes, hereinafter cited as G.S.).

### I. Applicability

**Rule 1. Applicability of Rules.** These rules apply to all meetings of the Board of Commissioners of Orange County at which the board is empowered to exercise any of the executive, quasi-judicial, administrative, or legislative powers conferred on it by law.

Comment: On the whole, rules of procedure of a governing board are intended to govern formal meetings of the board where it will exercise any of its executive and legislative powers. These rules fulfill that purpose and also are designed to ensure board compliance with the Open Meetings Law, G.S. 143-318.9 through 318.18, which applies to any gathering of a majority of
the board to discuss public business. The rules also apply to informal work sessions or committee meetings where public business is discussed but no official action is taken.

II. Open Meetings

Rule 2. Meetings to be Open. (a) It is the public policy of North Carolina and of Orange County that the hearings, deliberations, and actions of this board and its committees be conducted openly.

(b) Except as otherwise provided in these rules and in accordance with applicable law, each official meeting of the Orange County Board of Commissioners shall be open to the public and any person is entitled to attend such meeting.

Comment: See G.S. 143-318.10(a).

(c) For the purposes of the provisions of these rules concerning open meetings, an official meeting of the board is defined as any gathering together at any time or place or the simultaneous communication by conference telephone or other electronic means of a majority of board members for the purpose of conducting hearings, participating in deliberations, or voting upon or otherwise transacting public business within the jurisdiction, real or apparent, of the board.

Comment: See G.S. 143-318.10(d). The Open Meetings Law provides that a social meeting or other informal assembly or gathering together of the members of the board does not constitute an official meeting unless it is “called or held to evade the spirit and purposes” of the laws requiring meetings to be open.

Rule 3. Closed Sessions. (a) Notwithstanding the provisions of Rule 2, the board may hold a closed session for the reasons listed below. It is the policy of the state of North Carolina that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a session is required:

1. To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United
States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.

2. To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.

3. To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.

4. To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

5. To establish, or to instruct the public body’s staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

6. To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance,
character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.

G.S. 143-318.11 Page 2

7. To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct.

8. To formulate plans by a local board of education relating to emergency response to incidents of school violence or to formulate and adopt the school safety components of school improvement plans by a local board of education or a school improvement team.

9. To discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and to receive briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken or to be taken to respond to such activity.

(b) The board may go into closed session only upon a motion made and duly adopted at an open meeting. This motion must cite one or more of the permissible purposes listed in subsection (a) of this rule. In addition, a motion to go into closed session pursuant to Rule 3 (a)(1) must state the name or citation of the law that renders the information to be discussed privileged or confidential, and a motion to go into closed session pursuant to Rule 3 (a)(3) must identify the parties in each existing lawsuit, if any, concerning which the board expects to receive advice during the closed session.

(c) The board shall determine who shall attend the closed session. The county manager, county attorney and clerk to the board shall attend all closed sessions unless otherwise determined by the board. The board shall determine other necessary attendees as the facts and the circumstances dictate. With respect to a closed session to consult with the county attorney or another attorney employed by or retained by the county, in order to preserve the attorney-client privilege between the attorney and the board, the board shall not permit a person to attend the closed session if that person’s attendance would defeat the attorney-client privilege.
(d) The board shall conclude a closed session and return to open session upon a motion made and adopted to do so.

III. Organization of the Board

Rule 4. Organizational Meeting. The board shall hold an organizational meeting at its regular meeting place at 7:00 p.m. on the first Monday in December of each year. The former chair shall call the meeting to order and shall preside until a chair is elected. The agenda shall be as follows: (1) special recognition of any outgoing commissioners, (2) taking and subscribing the oath of office by the newly elected members of the board, (3) election of a chair and vice-chair, (4) designation of voting delegate for all NCACC and NACo meetings, (5) seating arrangement and (6) appointment of the manager, clerk and county attorney. The bonds of the Register of Deeds and the Sheriff shall be approved as part of the consent agenda.

Comment: This rule incorporates the requirements of G.S. 153A-26 concerning the times for organizational meetings and the qualifications of new members and the requirements of G.S. 153A-39 concerning the election of the chair and the vice-chair, G.S. 161-4 (for the Register of Deeds), G.S. 162-9 (for the Sheriff), require the board to approve the bonds of these officials.

G.S. 153A-26 provides that the oath of office is that prescribed by Article VI, Section 7, of the North Carolina Constitution (see also G.S. 11-6 and G.S. 11-7) and may be administered by any person authorized by law to administer oaths. The written statement of the oath shall be signed by each new member and filed with the clerk to the board. The statute also provides that a new member who cannot be present at the organizational meeting may take and subscribe the oath later.

Rule 5. Election of the Chair. The chair of the board shall be elected annually for a term of one year and shall not be removed from the office of chair unless he or she becomes disqualified to serve as a member of the board.

Comment: G.S. 153A-39 provides for the election of a chair and states that he or she is chosen “for the ensuing year.”
IV. Regular and Special Meetings

Rule 6. Regular and Special Meetings.

(a) **Regular Meetings.** The board usually holds a regular meeting on the first and third Tuesday of each month in accordance with the “Board Calendar of Meetings” approved by the board. All meetings shall begin at 7:00 p.m. unless otherwise noted on the “Calendar of Meetings.” The board may change the place or time of any meeting listed on the approved “Calendar of Meetings” by a majority vote, and have it posted and noticed no less than seven days before the change takes effect. A notice shall be filed with the clerk to the board and posted, online, on the principal bulletin board of the county, and at or near the regular meeting place, and notices shall be sent to all persons who have requested notice of special meetings of the board.

(b) **Special Meetings.** The chair or a majority of the members of the board may at any time call a special meeting of the board by signing a notice stating the time and place of the meeting and the subjects to be considered. The person or persons who call the meeting shall cause the notice to be posted on the principal bulletin board of the county, located at the Link Government Services Center in Hillsborough, and at or near the meeting place, and delivered to the chair and all other board members or left at the usual dwelling place of each member at least 48 hours before the meeting. In addition, the notice shall be mailed or sent by e-mail to individual persons and news media organizations who have requested such notice as provided in subsection (e), below. Only those items of business specified in the notice may be transacted at a special meeting, unless all members are present or those who are not present have signed a written waiver.

A special meeting may also be scheduled by vote of the board in open session during another duly called meeting. The motion calling for a special meeting shall specify its time, place, and purpose. At least 48 hours before the meeting, the notice shall be posted on
the principal bulletin board of the county and at the regular meeting place, and delivered to all board members not present at the meeting at which the special meeting was called. Only items of business specified in the motion calling for the special meeting may be transacted at a special meeting called in this matter unless all members are present and the board determines in good faith at the meeting that it is essential to discuss or act on the additional item immediately.

Comment: See G.S. 153A-40(a) and G.S. 143-318.12(b)(2).

(c) Emergency Meetings. The chair or a majority of board members may at any time call an emergency meeting of the board by signing a written notice stating the time and place of the meeting and the subjects to be considered. Written or oral notice of the meeting shall be given to each board member and to each news organization that has filed a written emergency meeting notice request with the clerk to the board, and whose request includes that organization’s telephone number. Only business connected with the emergency may be considered at an emergency meeting.

(d) Work Sessions, Committee Meetings or other Informal Meetings. The chair or a majority of the board members may schedule work sessions, committee meetings or other informal meetings of the board or of a majority of its members at such times and concerning such subjects as may be established by the board. The times and subject matter may be established by resolution or order of the board. A schedule of any such meetings that are held on a regular basis shall be filed in the same place and manner as the schedule of regular meetings. Work sessions and other informal official meetings not held regularly are subject to the same notice requirements as special board meetings. Work sessions include regular work sessions, budget work sessions, joint meetings with other governmental entities, and other meetings not scheduled as “regular business meetings.” All work sessions are open to the public and the public is invited to attend and observe work sessions. Public comment is generally not permitted at work sessions for several reasons: (1) Work sessions are, by design, intended to be informal meetings to allow back and forth discussion between and among board members; (2) For the most part items presented at work sessions for board discussion, are items that are in the early stages of development, are items for which county staff need direction from the Board of
Commissioners, or generally are not ready for formal presentation and decision; (3) Except in emergency circumstances final and binding votes on work session agenda items are not conducted at work sessions; and (4) Except as noted above all work session agenda items are brought forward for final and binding votes at Board regular business board meetings at which public comment is sought and encouraged.

(e) **Sunshine List.** Any individual person and any newspaper, wire service, radio station, and television station may file with the Clerk to the Board of Commissioners a written request for notice of all special meetings of the board. These are meetings not listed on the regular “Calendar of Meetings.” Orange County maintains an online list service in which anyone may add their email address to receive meeting notices at no charge.
Comment: The Open Meetings Law requires that any “official meeting” at which a majority of the board deliberates on public business must be open to the public and notice must be given. The last sentence of the rule embodies that principle. The rule goes beyond the Open Meetings Law in requiring a published schedule of work sessions or committee meetings held on a regular basis.

G.S. 143-318.13(a) provides that if the board holds any regular, special, emergency, or other official meeting by use of conference telephone or other electronic means, the clerk shall provide a location and means whereby members of the public may listen to the meeting and notice of the meeting shall specify that location.

**Rule 7. Location of Meetings.** All meetings shall be held within the boundaries of Orange County except as otherwise provided herein.

1. A joint meeting with the governing board of any other political subdivision of this state or any other state may be held within the boundaries of either subdivision as may be stated in the call of the meeting. At any such joint meeting, the board reserves the right to vote separately on all matters coming before the joint meeting.

2. A special meeting called for the purpose of considering and acting upon any order or resolution requesting members of the General Assembly representing all or any portion of this county to support or oppose any bill pending in the General Assembly or proposed for introduction therein may be held in Raleigh or such other place as may be stated in the call of the meeting.

3. A meeting may be held in connection with a retreat, forum, or similar gathering solely for the purpose of providing members of the board with general information relating to the performance of their public duties.

4. A meeting may be held while in attendance at a convention, association meeting, or similar gathering solely to discuss or deliberate the board’s position concerning convention resolutions, elections of association officers, and similar issues that are not legally binding upon the board or its constituents.
Comment: See G.S. 153A-40(c). That statute also speaks of two other categories of gatherings that may be held outside the boundaries of the county: retreats, and meetings with the legislative delegation representing the county in the General Assembly. The statute expressly forbids the board to take any official action at any such meetings, so they are not mentioned in the proposed rule. However, such meetings are covered by the Open Meetings Law if a majority of the board is present and “deliberates” on public business.

V. Agenda

Rule 8. Agenda. (a) The county manager shall prepare the agenda for each regular, special and emergency meeting subject to review and approval by the chair and vice-chair. A request to have an item of business placed on the agenda must be received by 12:00 noon, Monday of the week prior to the meeting. Any Board member may petition the Board to have an item placed on the agenda.

(b) The agenda packet for regular meetings shall include the agenda document, any proposed ordinances or amendments to ordinances, and supporting documentation and background information relevant to items on the agenda. A copy of the agenda packet shall be provided to each member of the board at least ninety-six hours before the meeting. Documents in the agenda packet, if not previously available for public inspection, shall become so when packets have been provided to each board member or left at his or her usual dwelling. Copies shall be available for members of the public in the clerk’s office and at the Orange County Main Public Library. The agenda is also published on the county’s web site, orangecountync.gov.

For all other meetings (special, work sessions, etc.) a copy of the agenda and attachments shall be available to members of the public on the Orange County website prior to the meeting (usually 48-72 hours before the meeting).

The clerk’s office shall post agendas for regular meetings, public hearings and work sessions on the county’s website within 24 hours after they are distributed to the Board of Commissioners by the county manager’s office.
(c) The board may, by approval of a majority of its members, i.e. an affirmative vote equal to a quorum, add an item at the meeting that is not on the agenda.

Comment: Because of the increased volume and complexity of the matters they must consider, nearly all boards use an agenda. Some boards use an agenda only to organize the material they must consider and to give themselves an opportunity to study the issues before they meet. These boards generally allow last-minute additions to the agenda by general consent. This rule takes that approach. Other boards use their agenda to control the length of their meetings. Often a board that uses its agenda for this purpose will hold a work session before the regular meeting to ask questions and thoroughly explore the proposals that must be voted on at the regular meeting. Generally these boards take a stricter approach and do not allow late additions to the agenda unless an emergency exists.

Rule 9. Public Comments - Items Not on the Printed Agenda. The county manager shall include on the agenda of each regular meeting a time for comments or questions from members of the public in attendance. The chair will first recognize individuals or groups who have signed up to be heard, and then may recognize others, subject to available time. Speakers will be allowed three minutes each up to an hour total. After the hour set aside for public comments has expired, the chair will recognize further speakers only upon motion duly made and adopted. As noted above public comment is not accepted at work sessions but only at regular business meetings. North Carolina law requires local governments to schedule one public comment period at one regular meeting one time per month. Orange County far exceeds this mandate and schedules a public comment period at all of its regular business meetings during which the public may comment on any topic. Further the public is invited to comment separately on each item on a regular business meeting agenda.

Petitions/Resolutions/Proclamations and other similar requests submitted by the public will not be acted upon by the Board of Commissioners at the time presented. All such requests will be referred for Chair/Vice Chair/Manager review and for recommendations to the full Board at a later date regarding a) consideration of the request at a future regular Board meeting; or b) receipt of the request as information only. Submittal of information to the Board or receipt of information by the Board does not constitute approval, endorsement, or consent.
Comment: The board may decide as a matter of general policy to set aside part of each meeting for individuals or groups to address the board. The rule allows any individual or group to get on the agenda but lets the board decide whether there is time to hear its comments.
Rule 10. Order of Business.

(a) Regular Meetings. For all regular meetings, items shall be placed on the agenda as listed below:

1. Additions or Changes to the Agenda
   *Public Charge*
2. Public Comments (Limited to One Hour)
3. Announcements and Petitions by Board Members (Three Minute Limit Per Commissioner)
4. Proclamations/Resolutions/Special Presentations
5. Public Hearings
6. Regular Agenda
7. Reports
8. Consent Agenda
   * Removal of Items from Consent Agenda
   * Approval of Remaining Consent Agenda
   * Discussion and Approval of the Items Removed from the Consent Agenda
9. County Manager’s Report
10. County Attorney’s Report
11. Appointments
12. Information Items
13. Closed Session
14. Adjournment

If there is no objection, the chair may call items in any order most convenient for the dispatch of business. The meeting will end at 10:30 p.m. unless there is a majority vote of the Board to continue beyond that time.

(b) Order of Business for Public Hearings

1. Opening Remarks from the Chair
2. Public Charge
3. Public Hearing Items
4. Adjournment

(c) Public Charge. A public charge may be read at each meeting to set the tone for civil decorum. The public charge is placed on the agenda immediately after item 1, “Additions or Changes to the Agenda” and it shall read:
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.

VI. Conduct of Debate

Rule 11. Powers of the Chair. The chair shall preside at all meetings of the board if he or she is present. If the chair is absent, the vice-chair shall preside. If both the chair and vice-chair are absent, another member designated by vote of the present board members shall preside. A member must be recognized by the presiding officer in order to address the board. The chair shall have the following powers:

1. To rule on points of parliamentary procedure, including the right to rule out of order any motion patently offered for obstructive or dilatory purposes;
2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
3. To entertain and answer questions of parliamentary law or procedure;
4. To call a brief recess at any time;
5. To adjourn in an emergency.

A decision by the presiding officer under any of the first three powers listed above may be appealed to the board upon motion of any member. Such a motion is in order immediately after a decision under those powers is announced and at no other time.
The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

Comment: The chair normally presides at board meetings. In his or her absence, the vice-chair, if there is one, presides. If there is no vice-chair, or if both the chair and vice-chair are absent, the board typically selects a temporary presiding officer.

The board may choose whether the chair always votes or votes only to break a tie. Someone who is temporarily presiding in the chair’s place is still a full member of the board and thus entitled to make motions and to vote.

The chair or anyone presiding in the chair’s place has substantial procedural powers, but those powers are not absolute. Under this rule and Rule 15, any board member is entitled to make a motion to appeal to the other members concerning the presiding officer’s decisions on motions, decorum in debate and most other procedural matters.

There are two exceptions to this right of appeal. A chair or other presiding officer may adjourn without the board’s vote or appeal in an emergency, and he or she may also call a brief recess without a vote at any time, when necessary to “clear the air” and thus reduce friction among the members.

**Rule 12. Presiding Officer when the Chair is in Active Debate.** If the chair wishes to become actively engaged in debate on a particular proposal, he or she shall designate another board member to preside. The chair shall resume the duty to preside as soon as action on the matter is concluded.

Comment: Good leadership depends, to a certain extent, on not taking sides during a debate. On a small board this may not always be feasible or desirable; yet an unfair advantage accrues to the side whose advocate controls access to the floor. This rule is designed to ensure evenhanded treatment to both sides during a heated debate. Ordinarily the chair should call on the vice-chair to preside if he or she finds it necessary to step aside.

**Rule 13. Action by the Board.** The board shall proceed by motion. Any member, including the chair, may make a motion. If two or more Commissioners speak at the same time to make a motion (or second), the chair shall determine, for purposes of recording action for the minutes, which name the clerk shall use.
Comment: The chair may make motions, or the chair may invite another member to make a motion by saying “The chair will entertain a motion that...”

**Rule 14. Second Required.** A motion shall require a second, followed by discussion and/or comments and a vote.

Comment: The philosophy underlying the requirement of a second is that if a proposal is not supported by at least two members, it is not worth the time it would take to consider the matter. A second does not necessarily mean that a member agrees with the motion, but that the member wishes the matter open to discussion. A second allows the matter to be discussed further.

**Rule 15. One Motion at a Time.** A member may make only one motion at a time.

**Rule 16. Substantive Motion.** A substantive motion is out of order while another substantive motion is pending.

Comment: This rule sets forth the basic principle of parliamentary procedure: distinct issues are considered and dealt with one at a time, so a new proposal may not be put forth until action on the preceding one has been concluded.

*Robert’s Rules of Order* does not refer to substantive motions as such; instead it uses such adjectives as “main” or “principal.” Here, a substantive motion is any motion other than the procedural motions listed in Rule 19. The possible subject matter of a substantive motion coexists with the board’s legal powers, duties, and responsibilities. Indeed, since Rule 13 provides that the board shall proceed by motion, the substantive motion is the board’s exclusive mode of action. The procedural motions detailed in the following rules set forth the board’s various options in disposing of substantive motions.

**Rule 17. Adoption by Majority Vote.** A motion shall be adopted if approved by a majority of the votes cast, a quorum being present, unless an extraordinary majority is required by these rules or the laws of North Carolina. A majority is more than half. A quorum is a majority of the actual membership of the board, including any vacant seats. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.
Rule 18. Debate. The chair shall state the motion and then open the floor to debate, presiding over the debate according to these general principles:

1. The member making the motion or introducing the ordinance, resolution, or order is entitled to speak first.
2. A member who has not spoken on the issue shall be recognized before someone who has already spoken.
3. To the extent possible, the debate shall alternate between opponents and proponents of the measure.

Rule 19. Procedural Motions. (a) In addition to substantive proposals, the procedural motions listed in subsection (b) of this rule, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption.

Comment: This rule substantially departs from Robert’s Rules of Order. Each procedural motion in Robert’s Rules of Order was reviewed to determine whether it was appropriate for use by a small board; substantial modifications and deletions were the result. The following enumeration of procedural motions is exhaustive; if a procedural option is not on the list, it is not available.

(b) In order of priority (if applicable), the procedural motions are:

Comment: While a substantive motion is out of order if another substantive motion is pending, several procedural motions can be entertained in succession without necessarily disposing of the immediately pending one. The order of the list below establishes which procedural motion yields to which—for example, a move to defer consideration (6) may be made while a move to refer to committee (9) is pending because (6) ranks higher on the list.

1. To Appeal a Procedural Ruling of the Presiding Officer. A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the board as specified in Rule 11. This appeal is in order immediately after
such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer and the motion, if timely made, may not be ruled out of order.

Comment: Rule 11 allows the ruling of the presiding officer on certain procedural matters to be appealed to the board. This appeal must be made as soon as the presiding officer’s decision is announced, so this motion is accorded the highest priority. See Rule 11 and its comment for further discussion of this motion.

2. *To Adjourn.* The motion may be made at the conclusion of action on a pending matter; it may not interrupt deliberation of a pending matter.

Comment: This motion differs from the *Robert’s Rules of Order* motion in several respects. In *Robert’s Rules of Order*, it is not debatable or amendable and can be made at any time, even interrupting substantive deliberations. In view of the small number of members and the available procedures to limit debate, this rule allows debate and amendment of the motion to adjourn but allows the motion to adjourn only when action on a pending matter is over. The motion to defer consideration or to postpone to a certain time or day may be used if the board wants to adjourn before completing action on a matter.

3. *To Take a Recess.*

Comment: *Robert’s Rules of Order* does not allow debate on this motion, but since the number of members is small and procedures to limit debate are available, this rule allows debate on the motion. As in *Robert’s Rules of Order*, the motion is in order at any time. Note that under Rule 11, the chair also has the power to call a brief recess.

4. *To Call to Follow the Agenda.* The motion must be made at the first reasonable opportunity or it is waived.

Comment: This motion differs from the call for the orders of the day in *Robert’s Rules of Order*: it may be debated and must be made when an item of business that deviates from the agenda is proposed or the right to insist on following the agenda is waived for that item.
5. **To Suspend the Rules.** The motion requires a vote equal to a quorum.

Comment: This motion differs from *Robert’s Rules of Order* in that it is debatable and amendable and the number of necessary votes is a quorum rather than two-thirds. Thus if a board has seven members, four members (a quorum) must vote for the motion; if only four members are present at a particular meeting, all four must vote for the motion in order to adopt it. This motion is in order when the board wishes to do something that it may legally do but cannot without violating its own rules. The procedure will pose some problems for a three-member board, as it can be used to prevent one member from participating in the board’s deliberations. Frequent use of the motion to prevent one member from presenting proposals to the board or from speaking on an issue before the board is of doubtful legality. A three-member board may decide to require a unanimous vote to suspend the rules.

6. **To Divide a Complex Motion and Consider it by Paragraph.** This motion is in order whenever a member wishes to consider and vote on subparts of a complex motion separately.

Comment: This motion is the same as the division of a question and consideration by paragraph in *Robert’s Rules of Order* except that it is debatable.

7. **To Defer Consideration.** The board may defer a substantive motion for later consideration at an unspecified time. A substantive motion that has been deferred expires 100 days thereafter, unless a motion to revive consideration is adopted.

Comment: This motion, which replaces the motion to lay on the table in *Robert’s Rules of Order*, was renamed to avoid confusion. It allows the board temporarily to defer consideration of a proposal. It differs from *Robert’s Rules of Order* in that it may be debated and amended, and in that a motion that has been deferred dies if it is not taken up by the board (via a motion to revive consideration) within one hundred days of the vote to defer consideration. (In *Robert’s Rules of Order* a motion laid on the table dies at the end of the particular session of the assembly.) One hundred days is the suggested period of time for deferring consideration because it is also the time within which a proposed ordinance must be enacted (see Rule 27).

8. **To Call the Previous Question.** The motion is not in order until there has been a debate and every member has had one opportunity to speak.
Comment: This motion differs from the motion in *Robert's Rules of Order*. The *Robert's Rules of Order* motion is always in order, is not debatable or amendable, and requires a two-thirds vote for adoption. Thus, it may be used to compel an immediate vote on a proposal without any debate on the issue. Such a device may be necessary to preserve efficiency in a large assembly, but with a small board, a minimum period of debate on every proposal that comes before the board strikes a better balance between efficiency and effective representation by all board members. Since every member will have an opportunity to speak, the debate may be ended by a majority vote.

9. *To Postpone to a Certain Time or Day.*

Comment: This motion allows the board to defer consideration to a specified time or day and is appropriate when more information is needed or the deliberations are likely to be lengthy.

10. *To Refer a Motion to a Committee.* The board may vote to refer a substantive motion to a committee for its study and recommendations. Sixty days or more after a substantive motion has been referred to a committee, the introducer of the substantive motion may compel consideration of the measure by the entire board, whether or not the committee has reported the matter to the board.

Comment: This motion is identical with the motion of the same name in *Robert's Rules of Order* except that the introducer's right to compel consideration by the full board after a specified period of time prevents using the motion to defeat a proposal by referring it to a committee that intends to take no action on it. If the board does not use committees, this rule is unnecessary.

11. *To Amend.* An amendment to a motion must be pertinent to the subject of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend. There may be an amendment to the motion and an amendment to an amendment, but no further amendments. Any amendment to a proposed ordinance shall be reduced to writing. A vote on a motion to amend a motion may be
regarded as a vote on the motion as amended if that is determined to be the intent of the board.

Comment: This motion is identical to the motion of the same name in *Robert's Rules of Order* except for the requirement for written amendments to proposed ordinances.

12. *To Revive Consideration.* The motion is in order at any time within one hundred days of a vote deferring consideration of it. A substantive motion on which consideration has been deferred expires one hundred days after the deferral, unless a motion to revive consideration is adopted.

Comment: This motion replaces the motion to take up from the table in *Robert's Rules of Order* and was renamed in order to avoid confusion. This motion may be debated and amended; the motion in Robert's Rules of Order may not. If the motion to revive consideration is not successful within 100 days of the original deferral date, the substantive motion expires. The subject matter of the motion may be brought forward again by a new motion.

13. *To Reconsider.* The board may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side (the majority, except in the case of a tie; in that case the "nos" prevail) and only at the meeting during which the original vote was taken, including any continuation of that meeting through recess to a time and place certain. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting. If a member wishes to reverse an action taken at a previous meeting, he or she generally may make a new motion having the opposite effect of the prior action.

Any new motion having the opposite effect of the prior action that is related to the board issuing or not issuing a permit may be considered only where new evidence is presented to the board concerning the permit and all pertinent ordinance requirements, substantive and procedural, including those related to public hearings, have been met. Any new motion having the opposite effect of the prior action that relates to an ordinance may only be considered consistent with pertinent ordinance requirements, substantive and procedural, including those related to public hearings.
Comment: According to Robert’s Rules of Order, the motion may be at the same meeting or on the next legal day and may interrupt deliberation on another matter. The rule does not allow reconsideration of a vote once the meeting adjourns. A member wishing to reverse an action taken at a previous meeting may make a motion or introduce a new ordinance having the opposite effect, consistent with public hearing requirements of North Carolina Law.

14. To Prevent Reconsideration for Six Months. The motion shall be in order immediately following the defeat of a substantive motion, and at no other time. The motion requires a vote equal to a quorum and is valid for six months or until the next regular election of county commissioners, whichever occurs first.

Comment: This clincher motion prevents the same motion from being continually introduced when the subject has been thoroughly considered. Because this motion curtails a member’s right to bring a matter before the board, a vote equal to a quorum is required. As with every other motion, a clincher may be dissolved by a motion to suspend the rules. Six months is merely a suggested time; the board may shorten or lengthen the time as it sees fit. In order to give a new board a clean slate, the motion is not effective beyond the next regular election.

Rule 20. Renewal of Motion. A defeated motion may not be renewed at the same meeting.

Rule 21. Withdrawal of Motion. A motion may be withdrawn by the introducer at any time before it is amended or before the chair puts the motion to a vote, whichever occurs first.

Comment: Robert’s Rules of Order provides that once a motion has been stated by the chair for debate, it cannot be withdrawn without the assembly’s consent. Such a procedure is unnecessary for a small board.

VII Quorum and Other Rules

Rule 22. Duty to Vote. It is the duty of each member to vote unless excused by a majority vote according to law. The board shall excuse members from voting on matters involving their own financial interest or official conduct as provided by law. A
member who wishes to be excused from voting shall so inform the chair, who shall take a vote of the remaining members. No member shall be excused from voting except in cases involving conflicts of interest, as defined by the board or by law, or the member’s official conduct, as defined by the board. In all other cases, a failure to vote by a member who is physically present in the meeting, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote.

Comment: G.S. 153A-44 provides that board members have a duty to vote, but does not state the remedy for failure to do so. Many boards record all members as voting yes on any matter put to vote unless members audibly vote no. A few boards reverse the presumption and record members as voting no unless they audibly vote yes.

Rule 23. Prohibition of Secret Voting. No vote may be taken by secret ballot. If the board decides to vote by written ballot, each member shall sign his or her ballot and the minutes shall record the vote of each member. These ballots shall be retained and made available for public inspection until the minutes of that meeting have been approved, at which time they may be destroyed.

Comment: See G.S. 143-318.13(b)

Rule 24. Action by Reference. The board shall not deliberate, vote, or otherwise act on any matter by reference to an agenda or document number unless copies of the agenda or documents being referenced are available for public inspection at the meeting and are so worded that people at the meeting can understand what is being discussed or acted on.

Comment: See G.S. 143-318.13(c).

Rule 25. Introduction of Ordinances, Resolutions, and Orders. A proposed ordinance shall be deemed introduced at the first meeting at which it is on the agenda and actually considered by the board and its introduction shall be recorded in the minutes.

Comment: G.S. 153A-45 provides that an ordinance may not be finally adopted at the meeting at which it is introduced except by unanimous vote. The definition of introduction therefore is im-
Rule 26. Adoption, Amendment, or Repeal of Ordinances. To be adopted at the meeting where first introduced, an ordinance or any action with the effect of an ordinance, or any ordinance amending or repealing an existing ordinance (except the budget ordinance, a bond order, or other ordinance requiring a public hearing before adoption), must be approved by all members of the board of commissioners. If the proposed measure is approved by a majority of those voting but not by all members of the board, or if the measure is not voted on at the meeting where introduced, it shall be considered at the next regular meeting of the board. If the proposal receives a majority of the votes cast at the next meeting or at a meeting within 100 days of being introduced, it is adopted.

Adoption of Ordinances, Resolutions, Proclamations and Orders. A motion shall be adopted by a majority of the votes cast for any and all resolutions, proclamations and orders. The vote shall express the sense of the board on a question or issue brought before it and shall serve as an official declaration of a particular state of fact or circumstance.

Comment: See G.S. 153A-45. See also G.S. 153A-46 for requirements for granting franchises.

Rule 27. Quorum. A majority of the board membership shall constitute a quorum. The number required for a quorum is not affected by vacancies. If a member has withdrawn from a meeting without being excused by majority vote of the remaining members present, he or she shall be counted as present for the purposes of determining whether a quorum is present. The board may compel the attendance of an absent member by ordering the sheriff to take the member into custody.

Comment: See G.S. 153A-43. Compelling the attendance of a member by ordering the sheriff to take the person into custody is an extraordinary remedy intended for use when a member obstinately refuses to attend meetings for the purpose of preventing action on a proposal. If the board contemplates using this power,
it should give the absent members notice that their attendance is required by the majority and may be compelled in this manner.

**Rule 28. Public Hearings.** Public hearings required by law or deemed advisable by the board shall be advertised per legal requirements and staff shall set forth the subject, date, place, and time of the hearing as well as any rules regarding the length of time allotted to each speaker and designating representatives to speak for large groups. At the appointed time, the chair shall call the hearing to order and preside over it. When the allotted time expires, or earlier, if no one wishes to speak who has not done so, the presiding officer shall entertain or make a motion to end the hearing or adjourn the public hearing to another board meeting, or vote on the item. The board shall thereafter resume the regular order of business.

Anyone wishing to speak during a public hearing must first provide his or her name and address to the clerk.

Comment: G.S. 153A-52 provides that public hearings may be held anywhere within the county and gives the board authority to adopt rules governing the hearings.

**Rule 29. Quorum at Public Hearings.** A quorum of the board shall be required at all public hearings required by law.

Comment: G.S. 153A-52 implies that a quorum of governing board members is necessary for a public hearing by providing that a hearing shall be deferred to the next regular meeting if a quorum is not present at the originally scheduled time. However, if the board decided to hold a public hearing not required by law to gather a consensus of public opinion on an issue, the hearing could be held at several different sites, with a few members at each site.

**Rule 30. Minutes.** Minutes shall be kept of all board meetings. Minutes will be presented to the board on the regular meeting agenda. Substantive changes, including changes in content, will be made in open session. Other changes may be provided to the clerk. The exact wording of each motion and the results of each vote shall be recorded in the minutes. On the request of any board member the board shall be polled by name on any vote.
Minutes of closed sessions will be presented to the board during a closed session held under G.S. 143-318.11(a)(1). Motion to go into closed session should state that one purpose of the session is “to prevent the disclosure of information that is made privileged or confidential by G.S. 143-318.10(e).”

Minutes and general accounts of closed sessions shall be considered sealed automatically. Closed session records shall be unsealed by board action if and when the closed session’s purpose would no longer be frustrated by making these records public.

Comment: See G.S. 143-318.10(d) and the discussion of minutes in Bonnie E. Davis, *Handbook for North Carolina County Commissioners, second edition, revised*, by Joseph S. Ferrell (Chapel Hill, N.C.: Institute of Government, 1985). G.S. 143-318.11(d) provides that minutes and other records made of a closed session may be withheld from public inspection as long as such inspection would frustrate the purpose of the closed session.

**Rule 31. Appointments.** The board shall make appointments to covered advisory boards and committees as provided in the Orange County Board of County Commissioners Advisory Board Policy and associated board-specific policies and as that Policy and associated policies may be amended from time to time.

**Rule 32. Amendment of the Rules.** These rules may be amended at any regular meeting or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of these rules or an amendment thereof shall require an affirmative vote equal to a quorum.

Comment: Local boards may generally amend their rules of procedure whenever they choose, unless a statute or rule of the body that created the particular board provides otherwise. To ensure that any amendments adopted reflect the will of the board majority, a vote equal to a quorum is required to approve the amendment.

**Rule 33. Reference to Robert’s Rules of Order.** To the extent not provided for in, and not conflicting with the spirit of, these rules, the chair shall refer to *Robert’s Rules of Order* to resolve procedural questions.
Comment: *Robert’s Rules of Order* was designed to govern a large legislative assembly, and many of its provisions may be inappropriate for small boards. Nevertheless, it is the best source of Parliamentary procedure; care should simply be taken to adjust *Robert’s Rules of Order* to meet the needs of small governing boards.

**Rule 34. The Clerk to the Board shall be the Sole County Officer Responsible for Presenting Documents to the Chair for Signature.** The clerk shall review all such documents with the county manager and county attorney before they are presented to the chair for execution.

**Rule 35. The Chair shall be the Spokesperson for the Board.** The chair shall be the official spokesperson for the board. In the chair’s absence, the vice-chair shall be spokesperson. In the absence of the chair and vice-chair, the most senior BOCC member will be the spokesperson. This follows the standard hierarchy of board leadership. The chair may designate a board representative to speak at events where a speaker has been requested to represent the BOCC.
SUBJECT: Budget Amendment #2-C – Approval of an Intermediate Budget for the Link Government Services Center Remediation Project

DEPARTMENT: County Manager

ATTACHMENT(S): INFORMATION CONTACT:

Travis Myren, 919-245-2308
Steve Arndt, 919-245-2658
Gary Donaldson, 919-245-2453

PURPOSE: To approve a budget amendment totaling $975,000 to fund an intermediate budget for the Link Government Services Center Remediation Project. The intermediate budget would fund the temporary relocation of building occupants while a final project scope is approved and completed.

BACKGROUND: The Link Government Services Center has experienced long term water infiltration into the building envelope. A remediation project has been planned, and the project has been let for bid twice. The first set of bids was deemed non-responsive because the apparent low bidder declined to share information with the County that would have been necessary to complete a comprehensive analysis of the bid. As a result, all bids were rejected on September 5, 2019, and the bid specifications were modified to require the missing information as a condition of the bid.

The second set of bids was received on September 25, 2019. However, these bids were also rejected to afford the apparent low bidder an opportunity to establish a joint venture as a way to comply with the bid requirements.

On October 20, 2019, moderate rainfall occurred at the Link Center and resulted in visible quantities of water penetrating the interior of the building. During this same time, indoor air quality tests began to indicate higher levels of biological contaminants compared to identical tests taken throughout the prior year. These changing conditions warranted a root cause analysis to confirm that the scope of the remediation project would correct the deficiencies that were allowing the additional water penetration.

On October 24, 2019, an architect and building engineer performed a series of investigative demolition cuts into the building’s cavity wall. According to the architect’s report, these cuts
revealed, “…a critical element of the building envelope, the continuous sheathing, was in fact, not continuous.” The architect and engineer further reported that, “The breeches were irregular enough to confidently say that a contractor would not be able to find all breeches and seal them to prevent future water intrusion without removing all of the brick and cast stone.” The scope of the current remediation project that was bid on two previous occasions does not include this additional scope of work which would add to the projected cost and duration of the project and may approach the cost and duration of new construction.

The architect who is contracted to work on the Link Remediation Project is scheduled to present findings to the Board of Commissioners at the November 19, 2019 meeting. At that time, the architect will also present options to proceed, including the probable costs and duration for each option.

As these options are evaluated and implemented, both an industrial hygienist and an occupational health professional who have been working with the County on this project have advised relocating the building occupants on a short but reasonable timeline.

Budget Amendment #2-C provides an intermediate budget of $975,000 to relocate the Link Government Services Center building occupants for the remainder of FY 2019-20. Of this total amount, $127,000 in PAYGO funds will be redirected from two projects in the FY2019-20 Capital Budget to the Asset Management Services operating budget to fund operational costs related to rent, utilities, and maintenance. These capital projects will now be funded with debt proceeds.

The remaining remediation related costs of $848,000 will be budgeted in the Link Center Remediation Capital Project. This increase will be debt financed. Additional funds needed beyond FY 2019-20 will be included in future fiscal year budget appropriations.

Upon approval of this budget amendment, the current Link Center occupants will be relocated to four different locations:

- The Public Defender’s Office is being relocated to a leased building at 115 E. King Street.
- Finance and Administrative Services, Public Affairs, the Arts Commission Director, and the Risk Manager will be relocated to a leased facility at 405 Meadowlands Drive.
- The Homeless Services Coordinator will move to existing office space in the Housing and Community Development Department.
- The remaining occupants, the County Manager’s Office and the Clerk’s Office, will move to the Whitted Building.

The leased facilities and the Whitted facility will be modified to accommodate a long term relocation.

This budget amendment amends the following Link Center Remediation Capital Project, as well as the Court Street Annex and Equipment & Vehicles Capital Project Ordinances:
Link Center Remediation Capital Project ($848,000) - Project #10069
Revenues for this project:

<table>
<thead>
<tr>
<th></th>
<th>Current FY 2019-20</th>
<th>FY 2019-20 Amendment</th>
<th>FY 2019-20 Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative Financing</td>
<td>$178,000</td>
<td>$848,000</td>
<td>$1,026,000</td>
</tr>
<tr>
<td>Total Project Funding</td>
<td>$178,000</td>
<td>$848,000</td>
<td>$1,026,000</td>
</tr>
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</table>

Appropriated for this project:

<table>
<thead>
<tr>
<th></th>
<th>Current FY 2019-20</th>
<th>FY 2019-20 Amendment</th>
<th>FY 2019-20 Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional Services</td>
<td>$117,000</td>
<td>$110,000</td>
<td>$227,000</td>
</tr>
<tr>
<td>Construction</td>
<td>$61,000</td>
<td>$738,000</td>
<td>$799,000</td>
</tr>
<tr>
<td>Total Costs</td>
<td>$178,000</td>
<td>$848,000</td>
<td>$1,026,000</td>
</tr>
</tbody>
</table>

Court Street Annex Capital Project - Project #10004
Revenues for this project:

<table>
<thead>
<tr>
<th></th>
<th>Current FY 2019-20</th>
<th>FY 2019-20 Amendment</th>
<th>FY 2019-20 Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative Financing</td>
<td>$168,600</td>
<td>$20,000</td>
<td>$188,600</td>
</tr>
<tr>
<td>From General Fund</td>
<td>$20,000</td>
<td>($20,000)</td>
<td>$0</td>
</tr>
<tr>
<td>Total Project Funding</td>
<td>$188,600</td>
<td>$0</td>
<td>$188,600</td>
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</table>

Appropriated for this project:

<table>
<thead>
<tr>
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<th>Current FY 2019-20</th>
<th>FY 2019-20 Amendment</th>
<th>FY 2019-20 Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional Services</td>
<td>$17,500</td>
<td>$0</td>
<td>$17,500</td>
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<tr>
<td>Equipment</td>
<td>$46,100</td>
<td>$0</td>
<td>$46,100</td>
</tr>
<tr>
<td>Construction</td>
<td>$125,000</td>
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<td>$125,000</td>
</tr>
<tr>
<td>Total Costs</td>
<td>$188,600</td>
<td>$0</td>
<td>$188,600</td>
</tr>
</tbody>
</table>

Equipment & Vehicles Capital Project - Project #30010
Revenues for this project:

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<tr>
<th></th>
<th>Current FY 2019-20</th>
<th>FY 2019-20 Amendment</th>
<th>FY 2019-20 Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative Financing</td>
<td>$2,083,423</td>
<td>$107,000</td>
<td>$2,190,423</td>
</tr>
<tr>
<td>From General Fund</td>
<td>$107,000</td>
<td>($107,000)</td>
<td>$0</td>
</tr>
<tr>
<td>NCDOT Funds</td>
<td>$349,627</td>
<td>$349,627</td>
<td>$349,627</td>
</tr>
<tr>
<td>Total Project Funding</td>
<td>$2,540,050</td>
<td>$0</td>
<td>$2,540,050</td>
</tr>
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</table>

Appropriated for this project:

<table>
<thead>
<tr>
<th></th>
<th>Current FY 2019-20</th>
<th>FY 2019-20 Amendment</th>
<th>FY 2019-20 Revised</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicles</td>
<td>$2,540,050</td>
<td>$0</td>
<td>$2,540,050</td>
</tr>
<tr>
<td>Total Costs</td>
<td>$2,540,050</td>
<td>$0</td>
<td>$2,540,050</td>
</tr>
</tbody>
</table>

FINANCIAL IMPACT: This budget amendment would add $848,000 to the FY2019-20 Capital Budget, and move $127,000 from the Transfer to County Capital function of the FY 2019-20 General Fund to the Asset Management Services Budget as an intermediate step toward a full remediation of the Link Government Services Center. The intermediate budget would fund the
temporary relocation of building occupants for FY 2019-20 while a final project scope is approved and completed.

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

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impacts are applicable to this item

- RESULTANT IMPACT ON NATURAL RESOURCES AND AIR QUALITY
  Assess and where possible mitigate adverse impacts created to the natural resources of the site and adjoining area. Minimize production of greenhouse gases.

- ENVIRONMENTALLY PREFERABLE PURCHASING
  Promote the use of chemicals, materials, equipment, and systems which are officially recognized as to minimize environmental impacts.

RECOMMENDATION(S): The Manager recommends that the Board approve Budget Amendment #2-C, authorize the County Manager to execute a lease for 405 Meadowlands Drive, and ratify the Manager’s signature for a lease for 115 East King Street.
## BOCC Meeting Follow-up Actions

(Individuals with a * by their name are the lead facilitators for the group of individuals responsible for an item)

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Task</th>
<th>Target Date</th>
<th>Person(s) Responsible</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/15/19</td>
<td>Review and consider request from member of the public that the County investigate the possibility of removing all gas, coal and oil investments from the retirement system portfolio for County employees</td>
<td>2/1/2020</td>
<td>Gary Donaldson</td>
<td>Staff to investigate opportunities to move forward and provide follow-up information to the Board</td>
</tr>
<tr>
<td>10/15/19</td>
<td>Review and consider a request from member of the public that the Board discuss and vote publicly on beginning all BOCC meetings with the Pledge of Allegiance</td>
<td>12/1/2019</td>
<td>Chair/Vice Chair/Manager</td>
<td>DONE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Chair/Vice Chair determined the Board should receive this petition as information</td>
</tr>
<tr>
<td>10/15/19</td>
<td>Review and consider request by Commissioner Price that the County respond to the letter received from the Northern Orange MLK Committee</td>
<td>1/1/2020</td>
<td>Chair/Vice Chair/Manager</td>
<td>DONE</td>
</tr>
<tr>
<td>10/15/19</td>
<td>Review and consider request by Commissioner Dorosin that the Board move forward, in conjunction with current budget allocations and efforts, to develop a study/plan to make all schools walkable for nearby residents with sidewalks, walking paths, bike/ped paths, etc. and enhance safety</td>
<td>2/1/2020</td>
<td>Chair/Vice Chair/Manager</td>
<td>DONE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Manager shared that Feasibility Study was already underway with info to be provided to the BOCC in Spring 2020</td>
</tr>
<tr>
<td>10/15/19</td>
<td>Review and consider request by Commissioner Dorosin that walkable schools be a topic for discussion at School Collaboration meetings</td>
<td>2/25/2020</td>
<td>Gary Donaldson Paul Laughton</td>
<td>To be scheduled for February 25, 2020 Joint Meeting with Schools</td>
</tr>
<tr>
<td>10/15/19</td>
<td>Review and consider request by Commissioner Rich that staff research and provide information and logistical needs to the Board on possibly conducting meetings at a few different/new locations around the County in the upcoming year</td>
<td>1/31/2020</td>
<td>Donna Baker</td>
<td>Staff to research other jurisdictions’ activities/ successes/challenges and provide information to the Board on opportunities</td>
</tr>
<tr>
<td>10/15/19</td>
<td>Provide additional budgetary info to the Board on the home appraisal, deconstruction costs, and other elements associated with FEMA Hazard Mitigation Grant project</td>
<td>1/31/2020</td>
<td>Kirby Saunders Dinah Jeffries</td>
<td>DONE</td>
</tr>
<tr>
<td>Meeting Date</td>
<td>Task</td>
<td>Target Date</td>
<td>Person(s) Responsible</td>
<td>Status</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------------------------------------------------------------------</td>
<td>-------------</td>
<td>-----------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>10/15/19</td>
<td>Put the FEMA Hazard Mitigation Grant application, factsheet, and website link on the County website and encourage towns to also include on their websites</td>
<td>12/1/2019</td>
<td>Kirby Saunders, Dinah Jeffries</td>
<td>To be added to County website and requests to be made to towns</td>
</tr>
<tr>
<td>10/15/19</td>
<td>Based on progress with FEMA Hazard Mitigation Grant application, bring the project back to the Board for additional review when appropriate</td>
<td>6/1/2020</td>
<td>Kirby Saunders, Dinah Jeffries</td>
<td>Project to be brought back for review when appropriate</td>
</tr>
<tr>
<td>10/15/19</td>
<td>Provide information to the Board on the Board’s opportunity, or limitations, to appoint individuals to the Nursing Home Community Advisory Committee, specifically the vacant at-large position</td>
<td>12/1/2019</td>
<td>Donna Baker, Thom Freeman</td>
<td>DONE</td>
</tr>
</tbody>
</table>
## Tax Collector's Report - Numerical Analysis

### Property Tax Collection - Tax Effective Date of Report: October 18, 2019

<table>
<thead>
<tr>
<th>Tax Year 2019</th>
<th>Amount Charged in FY 19-20</th>
<th>Amount Collected</th>
<th>Accounts Receivable</th>
<th>Amount Budgeted in FY 19-20</th>
<th>Remaining Budget</th>
<th>% of Budget Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real and Personal Current Year Taxes</td>
<td>$152,142,471.00</td>
<td>$23,513,088.79</td>
<td>$130,353,774.73</td>
<td>$152,142,471.00</td>
<td>$128,629,382.21</td>
<td>15.45%</td>
</tr>
<tr>
<td>Real and Personal Prior Year Taxes</td>
<td>$3,378,823.17</td>
<td>$388,624.30</td>
<td>$2,826,511.41</td>
<td>$1,100,000.00</td>
<td>$711,375.70</td>
<td>35.33%</td>
</tr>
<tr>
<td>Total</td>
<td>$155,521,294.17</td>
<td>$23,901,713.09</td>
<td>$133,180,286.14</td>
<td>$153,242,471.00</td>
<td>$129,340,757.91</td>
<td>15.60%</td>
</tr>
<tr>
<td>Registered Motor Vehicle Taxes</td>
<td>$3,091,724.20</td>
<td>$4,181.12</td>
<td>$10,770,627.00</td>
<td>$7,678,902.80</td>
<td></td>
<td>28.71%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tax Year 2018</th>
<th>Amount Charged in FY 18-19</th>
<th>Amount Collected</th>
<th>Accounts Receivable</th>
<th>Amount Budgeted in FY 18-19</th>
<th>Remaining Budget</th>
<th>% of Budget Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Real and Personal Current Year Taxes</td>
<td>$146,099,548.00</td>
<td>$23,123,431.67</td>
<td>$124,581,709.80</td>
<td>$146,099,548.00</td>
<td>$122,976,116.33</td>
<td>15.83%</td>
</tr>
<tr>
<td>Real and Personal Prior Year Taxes</td>
<td>$3,097,551.91</td>
<td>$429,102.38</td>
<td>$2,882,037.91</td>
<td>$1,100,000.00</td>
<td>$670,897.62</td>
<td>39.01%</td>
</tr>
<tr>
<td>Total</td>
<td>$149,197,099.91</td>
<td>$23,552,534.05</td>
<td>$127,463,747.71</td>
<td>$147,199,548.00</td>
<td>$123,647,013.95</td>
<td>16.00%</td>
</tr>
<tr>
<td>Registered Motor Vehicle Taxes</td>
<td>$3,088,610.88</td>
<td>$5,235.01</td>
<td>$10,221,001.00</td>
<td>$7,132,390.12</td>
<td></td>
<td>30.22%</td>
</tr>
</tbody>
</table>

- **2019 Current Year Overall Collection Percentage - Real & Personal**: 15.28%
- **2019 Current Year Overall Collection Percentage - with Registered Motor Vehicles**: 16.95%
- **2018 Current Year Overall Collection Percentage - Real & Personal**: 15.66%
- **2018 Current Year Overall Collection Percentage - with Registered Motor Vehicles**: 17.38%

This report has been updated as of March 2019 to include registered motor vehicle collections.
This report shows the Tax Collector's efforts to encourage and enforce payment of taxes for the fiscal year 2019-2020. It gives a breakdown of enforced collection actions by category, and it provides a year-to-date total.

The Tax Collector will update these figures once each month, after each month’s reconciliation process.

<table>
<thead>
<tr>
<th>Category</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
<th>January</th>
<th>February</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>YTD</th>
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</thead>
<tbody>
<tr>
<td>Wage garnishments</td>
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<td>5</td>
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<td>Bank attachments</td>
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<td></td>
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<td>-</td>
</tr>
<tr>
<td>Housing/Escheats/Monies</td>
<td>25</td>
<td>-</td>
<td>-</td>
<td></td>
<td></td>
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<td>25</td>
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<tr>
<td>Levies</td>
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<td>-</td>
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<td></td>
<td></td>
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<tr>
<td>NC Debt Setoff collections</td>
<td>$ 2,873.28</td>
<td>$ 3,120.65</td>
<td>$ 1,228.45</td>
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<td>$ 7,222.34</td>
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</table>
### INFORMATION ITEM - RELEASES AND REFUNDS UNDER $100

**November 7, 2019**

The spreadsheet represents the financial impact that approval of the requested release or refund would have on the principal amount of taxes. Approval of the release or refund of the principal tax amount also constitutes approval of the release or refund of all associated interest, penalties, fees, and costs appurtenant to the released or refunded principal tax amount.

<table>
<thead>
<tr>
<th>NAME</th>
<th>ACCOUNT NUMBER</th>
<th>BILLING YEAR</th>
<th>ORIGINAL VALUE</th>
<th>ADJUSTED VALUE</th>
<th>TAX</th>
<th>FEE</th>
<th>FINANCIAL IMPACT</th>
<th>REASON FOR ADJUSTMENT</th>
<th>TAX CLASSIFICATION</th>
<th>ACTION</th>
<th>Approved by CFO</th>
<th>Additional Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alford, Marcus Wayne</td>
<td>3179227</td>
<td>2018</td>
<td>2,920</td>
<td>2,829</td>
<td>94</td>
<td>11</td>
<td>Value adjustment (appraisal appeal)</td>
<td>Personal</td>
<td>RMV-VTS</td>
<td>Approve</td>
<td>10/16/2019</td>
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<tr>
<td>Baker, Michael Hastings</td>
<td>50154115</td>
<td>2019</td>
<td>10,710</td>
<td>10,781</td>
<td>395</td>
<td>26</td>
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<td>10/16/2019</td>
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<tr>
<td>Brice, Richard A III</td>
<td>244955</td>
<td>2019</td>
<td>4,085</td>
<td>-</td>
<td>(72.50)</td>
<td>72.50</td>
<td>Assessed in error (illegal tax)</td>
<td>Personal</td>
<td>RMV-VTS</td>
<td>Approve</td>
<td>10/16/2019</td>
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</tr>
<tr>
<td>Cagle, Neal Anderson</td>
<td>49832245</td>
<td>2019</td>
<td>800</td>
<td>800</td>
<td>(5.87)</td>
<td>5.87</td>
<td>*Situs error (illegal tax)</td>
<td>Personal</td>
<td>RMV-VTS</td>
<td>Approve</td>
<td>10/16/2019</td>
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<tr>
<td>Cagle, Neal Anderson</td>
<td>49832245</td>
<td>2019</td>
<td>800</td>
<td>500</td>
<td>(2.80)</td>
<td>2.80</td>
<td>Antique plate (property classification)</td>
<td>RMV-VTS</td>
<td>Approve</td>
<td>10/16/2019</td>
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<tr>
<td>Davis, Joyce Annette</td>
<td>49602291</td>
<td>2018</td>
<td>2,050</td>
<td>-</td>
<td>(5.30)</td>
<td>5.30</td>
<td>Locally charged to Alamance (illegal tax)</td>
<td>RMV-VTS</td>
<td>Approve</td>
<td>9/26/2019</td>
<td>9/26/2019</td>
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<tr>
<td>Galvis, Juan F</td>
<td>1074806</td>
<td>2019</td>
<td>3,000</td>
<td>-</td>
<td>(31.83)</td>
<td>31.83</td>
<td>Assessed in error (illegal tax)</td>
<td>Personal</td>
<td>Approve</td>
<td>10/16/2019</td>
<td>Assessed in error (illegal tax) Property located in Person County as of 6/8/2018</td>
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<tr>
<td>Glenn, Kenneth Joseph</td>
<td>49754763</td>
<td>2019</td>
<td>1,950</td>
<td>1,950</td>
<td>(44.48)</td>
<td>44.48</td>
<td>*Situs error (illegal tax)</td>
<td>RMV-VTS</td>
<td>Approve</td>
<td>10/16/2019</td>
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<tr>
<td>Golan, Robert Thomas</td>
<td>49881308</td>
<td>2018</td>
<td>630</td>
<td>830</td>
<td>(30.00)</td>
<td>30.00</td>
<td>*Situs error (illegal tax)</td>
<td>RMV-VTS</td>
<td>Approve</td>
<td>10/16/2019</td>
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<tr>
<td>Goldbeck, Debra</td>
<td>48206392</td>
<td>2018</td>
<td>4,690</td>
<td>800</td>
<td>(44.79)</td>
<td>44.79</td>
<td>Value adjustment (appraisal appeal)</td>
<td>RMV-VTS</td>
<td>Approve</td>
<td>10/16/2019</td>
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<tr>
<td>Homestead Farm Garden Designs L.L.C.</td>
<td>257016</td>
<td>2019</td>
<td>1,475</td>
<td>-</td>
<td>(23.80)</td>
<td>23.80</td>
<td>Assessed in error (illegal tax)</td>
<td>Personal</td>
<td>Approve</td>
<td>9/26/2019</td>
<td>Business closed 12/31/2019 Double billed also on account 219877</td>
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<tr>
<td>Lazarus, Kelly Jones</td>
<td>49417411</td>
<td>2019</td>
<td>3,400</td>
<td>3,400</td>
<td>(39.33)</td>
<td>39.33</td>
<td>Value adjustment (appraisal appeal)</td>
<td>RMV-VTS</td>
<td>Approve</td>
<td>9/26/2019</td>
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<td></td>
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<tr>
<td>Nalley, George</td>
<td>1073816</td>
<td>2019</td>
<td>1,099</td>
<td>-</td>
<td>(10.55)</td>
<td>10.55</td>
<td>Assessed in error (illegal tax)</td>
<td>Personal</td>
<td>Approve</td>
<td>9/26/2019</td>
<td>Double billed also on account 219877</td>
<td></td>
</tr>
<tr>
<td>Nally, George</td>
<td>1073816</td>
<td>2019</td>
<td>1,099</td>
<td>-</td>
<td>(10.55)</td>
<td>10.55</td>
<td>Assessed in error (illegal tax)</td>
<td>Personal</td>
<td>Approve</td>
<td>9/26/2019</td>
<td>Double billed also on account 219877</td>
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<tr>
<td>Riccio, Charles John</td>
<td>49899774</td>
<td>2019</td>
<td>5,070</td>
<td>500</td>
<td>(42.77)</td>
<td>42.77</td>
<td>Antique plate (property classification)</td>
<td>RMV-VTS</td>
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<td>10/16/2019</td>
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<tr>
<td>Krimmer, Dustin</td>
<td>1073189</td>
<td>2019</td>
<td>6,140</td>
<td>-</td>
<td>(63.22)</td>
<td>63.22</td>
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<td>Personal</td>
<td>Approve</td>
<td>9/26/2019</td>
<td>Double billed also on account 1007284</td>
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<tr>
<td>Krotkienko, Marone</td>
<td>3181520</td>
<td>2019</td>
<td>7,140</td>
<td>-</td>
<td>(67.60)</td>
<td>67.60</td>
<td>Assessed in error (illegal tax)</td>
<td>Personal</td>
<td>Approve</td>
<td>10/16/2019</td>
<td>*Gap bill: registered in Wake, NC but located in Person County</td>
<td></td>
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<tr>
<td>Thomspon, Matty Margaret</td>
<td>1074445</td>
<td>2019</td>
<td>950</td>
<td>-</td>
<td>(11.20)</td>
<td>11.20</td>
<td>Assessed in error (illegal tax)</td>
<td>Personal</td>
<td>Approve</td>
<td>9/26/2019</td>
<td>Double billed also on account 306517</td>
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<tr>
<td>Tilley, Jeffrey</td>
<td>49862150</td>
<td>2018</td>
<td>4,230</td>
<td>4,230</td>
<td>(29.59)</td>
<td>29.59</td>
<td>*Situs error (illegal tax)</td>
<td>RMV-VTS</td>
<td>Approve</td>
<td>10/16/2019</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Situs error: An incorrect rate code was used to calculate bill. Value remains constant but bill amount changes due to the change in specific tax rates applied to that physical location.

*Gap bill: A property tax bill that covers the months between the expiration of a vehicle's registration and the renewal of that registration or the issuance of a new registration.

Total: 801.84