Agenda Board of Commissioners Regular Meeting

7:00 PM February 13, 2023 Board Meeting Room, Town Hall Annex, 105 E. Corbin St.

This meeting will be live streamed on the Town of Hillsborough YouTube channel

1. Public charge



The Hillsborough Board of Commissioners pledges to the community of Hillsborough its respect. The board asks community members to conduct themselves in a respectful, courteous manner with the board and with fellow community members. At any time should any member of the board or attendee fail to observe this public charge, the mayor or the mayor's designee will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the mayor or mayor's designee will recess the meeting until such time that a genuine commitment to the public charge is observed.

2. Audience comments not related to the printed agenda

3. Agenda changes and approval

- 4. Presentations
 - A. Orange County Schools' 2021-2026 Strategic Plan

5. Appointments

- A. Parks and Recreation Appointment of Paul Weinberg for a term ending Feb. 28, 2026
- B. Parks and Recreation Appointment of David Weinberg for a term ending Feb. 28, 2026

6. Items for decision - consent agenda

- A. Minutes
 - Regular meeting Jan. 9, 2023
 - Regular meeting closed session Jan. 9, 2023,
 - Work session Jan. 23, 2023
 - Budget retreat Jan. 28, 2023
- B. Miscellaneous budget amendments and transfers
- C. Resolutions amending Fiscal Year 2022 and 2023 HOME Annual plans
- D. Interlocal agreement with Orange County to provide enforcement services under the town's nondiscrimination ordinance
- E. Ordinance amending town code to remove employment reference from the non-discrimination ordinance
- F. Resolution rescinding acceptance of Berry Brick House from 2019
- <u>G.</u> Resolution endorsing updates to the Street Standards document
- H. Professional Services Contract for RND Architects for Adron F. Thompson Facility Design
- L. Resolution appointing finance officer and deputy finance officers and designating bank depository signatories
- J. Ordinance amending town code Section 6A-12, speed limits
- K. Resolution supporting North Carolina Medicaid Expansion
- L. Resolution in support of the LGBTQ+ community

101 E. Orange St., PO Box 429, Hillsborough NC 27278 919-732-1270 | <u>www.hillsboroughnc.gov</u> | @HillsboroughGov

7. Items for decision – regular agenda

- A. Update on project close-out for Corbinton Commons
- <u>B.</u> Lawrence Road Project Proposal Update and Feedback
- C. Hot topics for work session Feb. 27, 2023

8. Updates

- A. Board members
- B. Town manager
- C. Staff (written reports in agenda packet)

9. Closed session

A. Closed session as authorized by North Carolina General Statute Section 143-318.11(a)(5) regarding property acquisition

10. Adjournment

Interpreter services or special sound equipment for compliance with the Americans with Disabilities Act is available on request. If you are disabled and need assistance with reasonable accommodations, call the Town Clerk's Office at 919-296-9443 a minimum of one business day in advance of the meeting.



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:Feb. 13, 2023Department:Community ServicesAgenda Section:PresentationsPublic hearing:NoDate of public hearing:N/A

PRESENTER/INFORMATION CONTACT

Dr. Monique Felder, Superintendent, Orange County Schools

ITEM TO BE CONSIDERED

Subject: Orange County Schools' 2021-2026 Strategic Plan

Attachments:

Provide brief title here. List and number if more than one attachment.

Summary:

Dr. Felder has requested 20 minutes to share the new strategic plan for information.

Financial impacts:

Staff recommendation and comments:

Action requested: Receive report.



1



2



OUR VISION Preparing every learner for lifelong service and success.

OUR MISSION

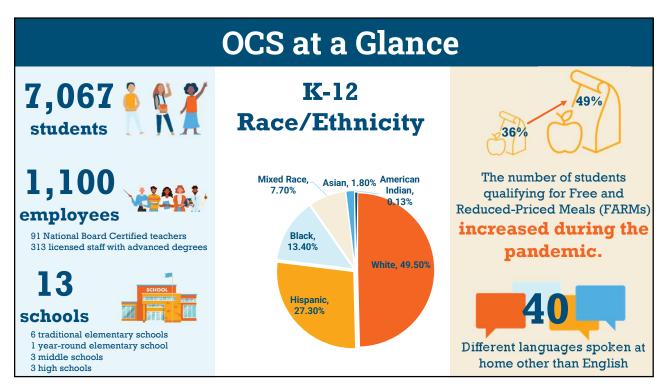
Orange County Schools' mission is to educate students in a safe, inclusive environment where we engage, challenge and inspire them to reach their maximum potential.

ENGAGE. CHALLENGE. INSPIRE.

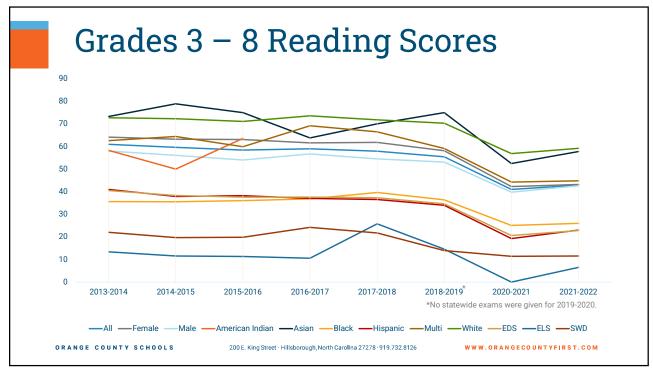
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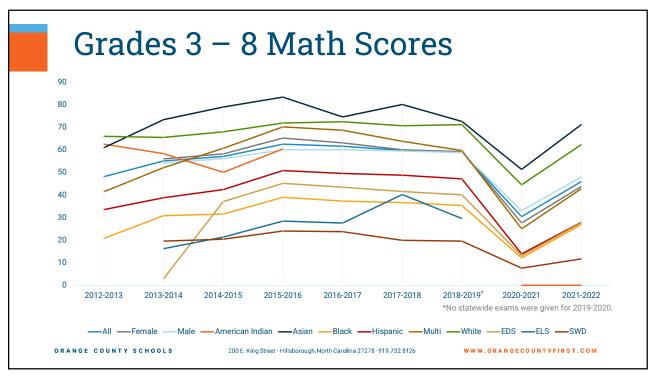


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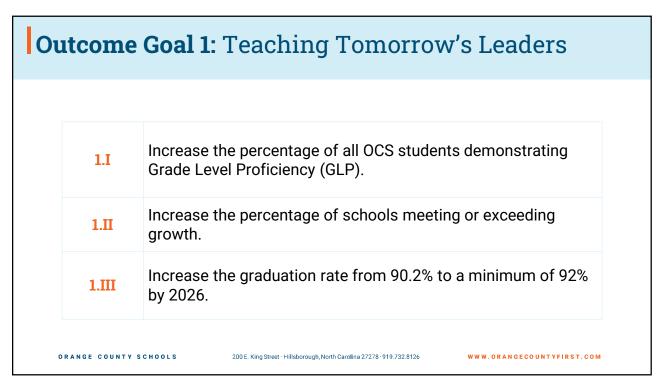














WHY IS OUTCOME GOAL1 IMPORTANT?

OCS is using the Multi-Tiered System of Support (MTSS) framework to enable each and every learner to excel by:

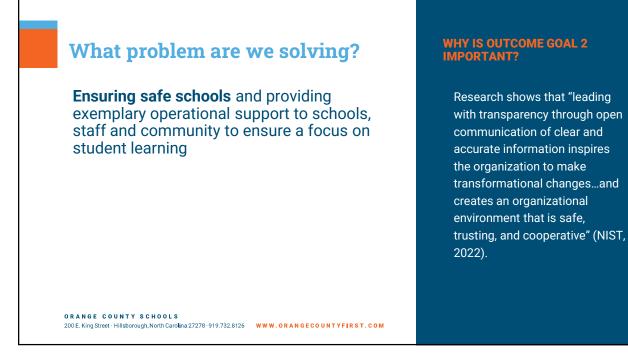
- having access to and benefiting from rigorous, culturally responsive curriculum and instruction that is research- and evidence-based,
- in classrooms where they are valued, and
- have a sense of belonging and are expected to achieve at high levels in order to prepare them for college, career and civic engagement.

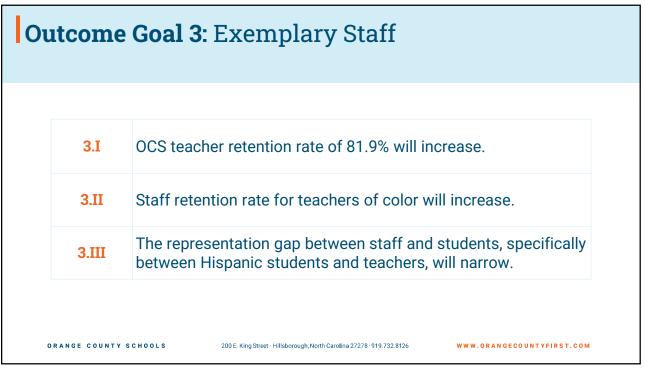
Many studies have shown that using MTSS school-wide can sustain high academic performance and have a positive effect on students' behavior (Schumann et al., 2020).





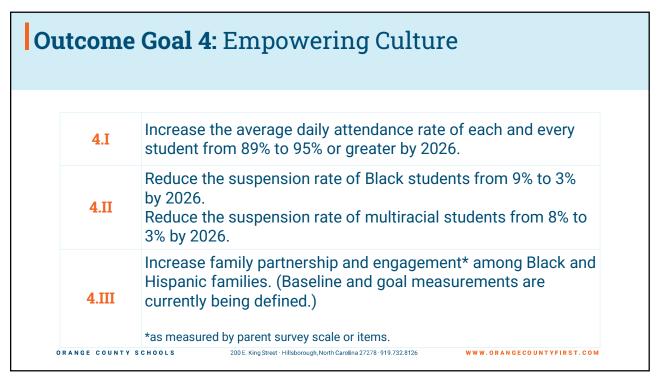
14











What problem are we solving?

Increasing parent/family engagement, especially among historically marginalized families

WHY IS OUTCOME GOAL 4 IMPORTANT?

Cumulative evidence from several decades of research points to several benefits of family involvement for children's learning, including "helping children get ready to enter school, promoting their school success and preparing youth for college and career" (Harvard University, 2006).

ORANGE COUNTY SCHOOLS 200E. King Street · Hillsborough, North Carolina 27278 · 919.732.8126 WWW. ORANGECOUNTYFIRST. COM

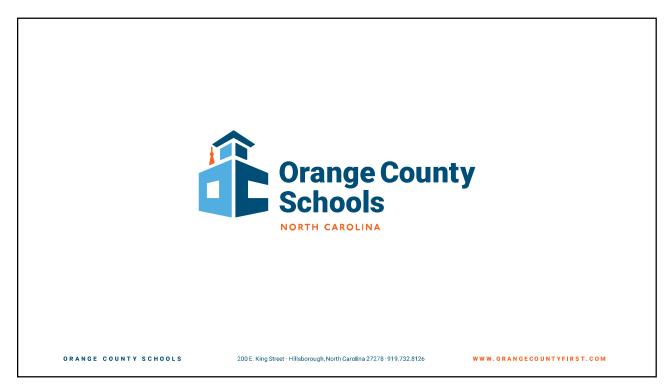


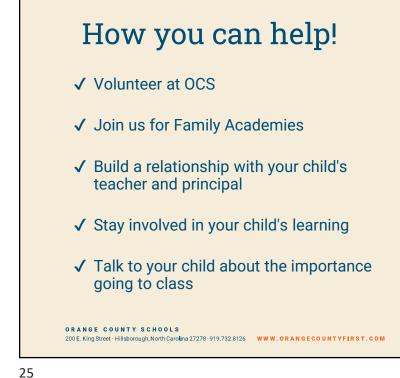






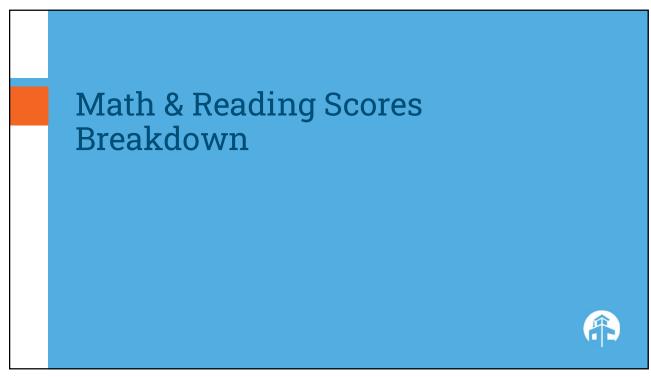


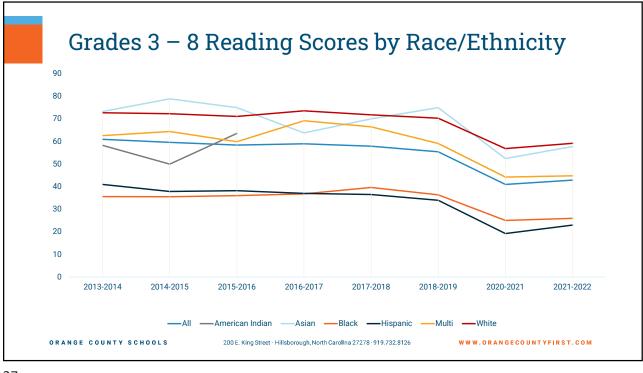


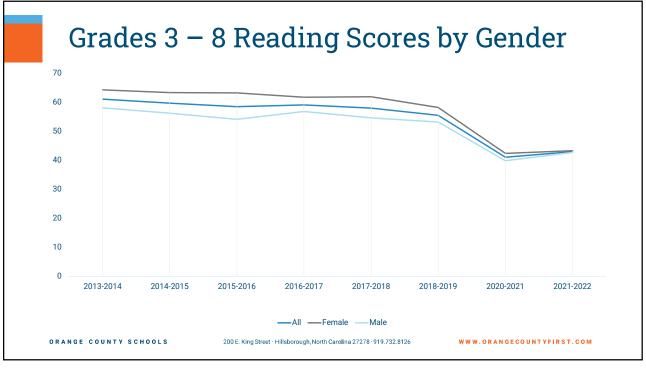


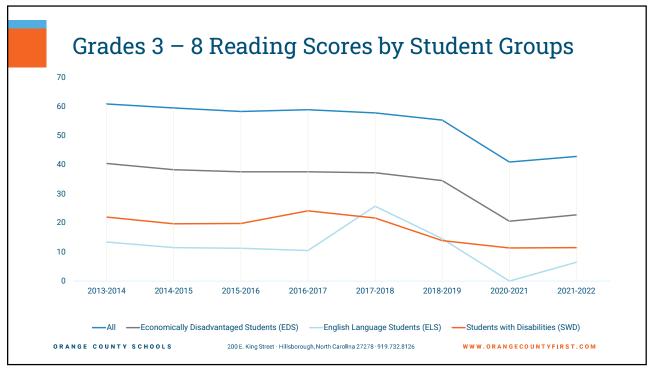
STAY IN TOUCH

- Check out our website
 <u>https://www.orangecou</u>
 <u>ntyfirst.com/</u>
- Like us on Facebook OrangeCountySchools/
- Follow us on Twitter @OrangeCoSchools
- Sign up for text messages from your school

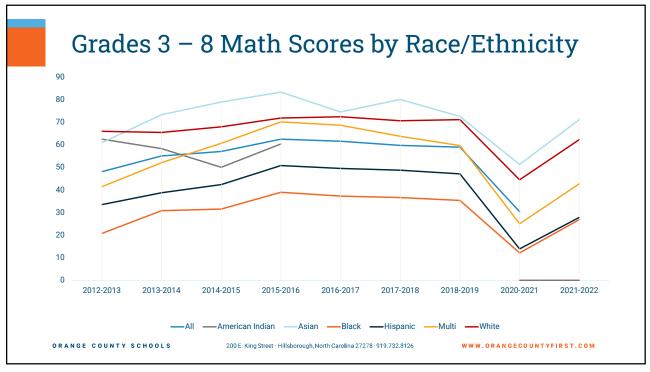


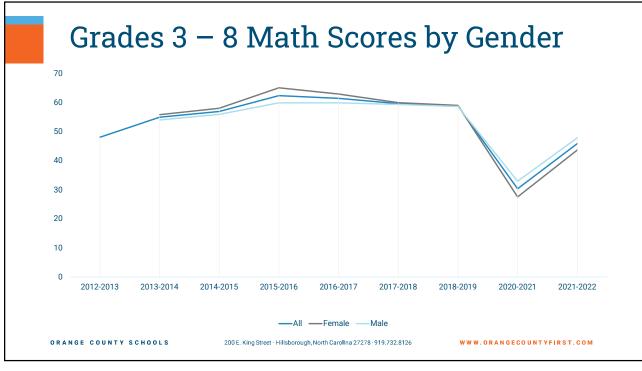




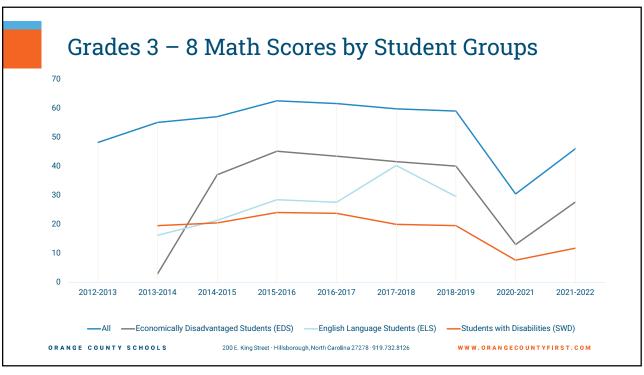














Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:Feb. 13, 2023Department:Public Space and SustainabilityAgenda Section:AppointmentsPublic hearing:NoDate of public hearing:N/A

PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space and Sustainability Manager

ITEM TO BE CONSIDERED

Subject: Parks and Recreation – Appointment of Paul Weinberg for a term ending Feb. 28, 2026

Attachments:

Volunteer application for Paul Weinberg

Summary:

Paul Weinberg has volunteered to serve a term of three years on the Hillsborough Parks and Recreation Board fulfilling the dedicated role for a senior member.

Financial impacts:

None

Staff recommendation and comments: None

Action requested:

Consider appointment of Paul Weinberg as a member of the Parks and Recreation Board whose term will expire on Feb. 28, 2026.



Appointed Boards Application

If you are a Town of Hillsborough resident and willing to volunteer your time and expertise to your community, please complete this form. Volunteers for the Parks and Recreation Board must be at least 13 years old, and volunteers for all other boards must be at least 18 years old.

The town strives to reflect the diversity of its residents in the makeup of its boards. Demographics and residence location are considered during the appointment process.

First name (required): PAUL

Last name (required): WEINBERG

Home address (required): 413 Botan Way Street Address Line2 Zip Code27278

Home phone number: 2039175778 (cell)

Work phone number:

Email address (required): P_weinberg@msn.com

Place of employment: Retired

Job title:

Birth date (required): Oct. 15, 1944

Gender (required): Male

Ethnic origin (check all that apply) (required): White

First choice (required): Parks and Recreation Board

Second choice (required): Water and Sewer Advisory Committee

Third choice (required): None

Reasons for wanting to serve (required): Some of the recreation facilities are underutilized because we are not targeting the appropriate age groups.

Have you served or are you currently serving on a town board? If so, which ones and when? (required)? No

Relevant work, volunteer or educational experience (required): BS in Chemical Engineer from Northeastern University (1967) During my college years, I worked for a small papermill in the city of Boston. One of my functions/ responsibilities was making about 7 million gallons of water a day. I spent much of my career in sales and marketing of specialty petroleum products to a wide variety of industrial companies.

How are you connected to Hillsborough (live, work, play, shop, own property) (required)?

Own a home in Waterstone Estates

Have you reviewed the Vision 2030 plan, and what are your thoughts about it (required)? Yes.

The plan is fairly comprehensive. Some of the goals, especially the traffic one for Churton Street needs more immediate attention. 2030 which is now only 7 years away, progress/ actions need to be underway for many of the goals, so they have a shot at being implemented.

Have you reviewed other town documents (budget, strategy map, small area plans), and what are your thoughts about them?

I reviewed the water quality report and was pleased to see the Town was recognized for providing excellent quality water to the community. Water quality/ safe drinking water is under appreciated and taken for granted by most residents.

What challenges do you see the town facing that could be addressed by the board or boards on which you wish to serve (required)?

Better utilization of Cates Creek Park by the residents of both the Cadence apartment complex and Waterstone residents

How did you hear about this opportunity (required)? Other

Check the box to confirm (required):



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:Feb. 13, 2023Department:Public Space and SustainabilityAgenda Section:AppointmentsPublic hearing:NoDate of public hearing:N/A

PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space and Sustainability Manager

ITEM TO BE CONSIDERED

Subject: Parks and Recreation – Appointment of David Weinberg for a term ending Feb. 28, 2026

Attachments:

Volunteer application for David Weinberg

Summary:

David Weinberg has volunteered to serve a term of three years on the Hillsborough Parks and Recreation Board fulfilling the dedicated role for a teen member.

Financial impacts:

None

Staff recommendation and comments: None

Action requested:

Consider appointment of David Weinberg as a member of the Parks and Recreation Board whose term will expire on Feb. 28, 2026.



Appointed Boards Application

If you are a Town of Hillsborough resident and willing to volunteer your time and expertise to your community, please complete this form. Volunteers for the Parks and Recreation Board must be at least 13 years old, and volunteers for all other boards must be at least 18 years old.

The town strives to reflect the diversity of its residents in the makeup of its boards. Demographics and residence location are considered during the appointment process.

First name (required): David

Last name (required): Weinberg

Home address (required): 108 Aurora Rd

Home phone number: 9193604220

Work phone number:

Email address (required): jenweinberg@yahoo.com

Place of employment:

Job title:

Birth date (required): Nov. 27, 2008

Gender (required): Male

Ethnic origin (check all that apply) (required): White

First choice (required): Parks and Recreation Board

Second choice (required): Planning Board

Third choice (required): Orange County Climate Council

Reasons for wanting to serve (required):

Prioritizing a basketball court for Cates Creek Park. I am 14 and live in Waterstone with my family.

Have you served or are you currently serving on a town board? If so, which ones and when? (required)? No

Relevant work, volunteer or educational experience (required): Play basketball at A L Stanback (varsity); will be going to Cedar Ridge in August 2023. 4.0 GPA.

How are you connected to Hillsborough (live, work, play, shop, own property) (required)?

Live in Waterstone with my family (7 years).

Have you reviewed the Vision 2030 plan, and what are your thoughts about it (required)?

Yes, the Parks and Recreation Section. I found many of the "planned" parks and trails to be encouraging; however, I'm curious of their timelines (between now-2030). I think there are other ideas that should be considered if there are to be 40-80,000 more persons in our community. There will likely be teenagers who want to do more than walk on trails.

Have you reviewed other town documents (budget, strategy map, small area plans), and what are your thoughts about them?

I have not

What challenges do you see the town facing that could be addressed by the board or boards on which you wish to serve (required)?

Community - bringing people together. A large number of basketball hoops are in driveways in Waterstone & other neighboring communities indicating a significant interest in basketball. The park is within easy walking distance of a few neighborhoods. The town should anticipate good utilization of a basketball court.

How did you hear about this opportunity (required)? Other

Check the box to confirm (required): ✓



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:	Feb. 13, 2023
Department:	Town Clerk
Agenda Section:	Consent
Public hearing:	No
Date of public hearing:	N/A

PRESENTER/INFORMATION CONTACT

Town Clerk Sarah Kimrey

ITEM TO BE CONSIDERED

Subject: Minutes

Attachments:

- 1. Regular meeting Jan. 9, 2023
- 2. Regular meeting closed session Jan. 9, 2023
- 3. Work session Jan. 23, 2023
- 4. Budget retreat Jan. 28, 2023

Summary:

None.

Financial impacts: None.

Staff recommendation and comments:

Approve minutes as presented.

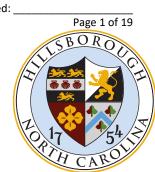
Action requested:

To approve minutes of the Board of Commissioners regular meeting Jan. 9, 2023, regular meeting closed session Jan. 9, 2023, work session Jan. 23, 2023, and budget retreat Jan. 28, 2023.

Jan. 9, 2023 Board of Commissioners Regular Meeting Approved:

Minutes Board of Commissioners Regular Meeting

7 p.m. Jan. 9, 2023 Board Meeting Room, Town Hall Annex, 105 E. Corbin St.



- Present: Mayor Jenn Weaver and commissioners Mark Bell, Robb English, Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd
- Staff: Planning and Economic Development Manager Shannan Campbell, Administrative Services Director Jen Della Valle, Assistant Town Manager and Community Services Director Matt Efird, Stormwater and Environmental Services Manager Terry Hackett, Police Chief Duane Hampton, Assistant Town Manager and Community Services Director Margaret Hauth, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Town Manager Eric Peterson, Communications Specialist Cheryl Sadgrove and Utilities Director Marie Strandwitz

Opening of the meeting

Mayor Jenn Weaver called the meeting to order at 7:01 p.m.

- 1. Public charge Mayor Weaver did not read the public charge.
- 2. Audience comments not related to the printed agenda There was none.

3. Agenda changes and approval

The following changes were requested:

- Add item 4.A National Mentoring Month proclamation
- Add item 9.A Closed session as authorized by North Carolina General Statute Section 143-318.11(a)(3) to consult with the town attorney in order to preserve the attorney-client privilege (current litigation – RIMA, LLC)
- Add item 9.B Closed session as authorized by North Carolina General Statute Section 143-318.11(a)(3) to consult with the town attorney in order to preserve the attorney-client privilege (potential litigation – Radius Pizzeria)

A motion was made to approve the agenda as amended.

Motion made by Commissioner Kathleen Ferguson, seconded by Commissioner Mark Bell. Voting Yea: Commissioners Bell, Robb English, Ferguson and Matt Hughes, Absent: Evelyn Lloyd.

4. Presentations

A. Mentoring month proclamation (added)

The mayor read a proclamation declaring January as National Mentoring Month. Attrayus Goode of MENTOR North Carolina received the proclamation and thanked the board for support of mentors.

Lloyd joined the meeting at 7:13 p.m.

B. Employee Service Milestone Awards

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The town manager gave a presentation on the service milestone award recipients for 2022. Employees are recognized for every five years of service with a coin and \$75.

- 5 years of service Plant Maintenance Mechanic I Dennis Apple, Police Sgt. Heather Blackwell, Stormwater Program Coordinator Heather Fisher, Senior Communications Specialist Cheryl Sadgrove and Utility Systems Mechanic II Thomas Smith
- 10 years of service Stormwater and Environmental Services Manager Terry Hackett and Water Plant Operator I Curtis Watkins
- 15 years of service Budget Director Emily Bradford, Wastewater Plant Operator II Jeff Davis and Senior Planner Tom King
- 20 years of service Water Plant Superintendent Nathan Cates, Police Sgt. Tim Corbett, Billing and Customer Service Supervisor Linda Daye and Utility Maintenance Supervisor Al Robertson
- 25 years of service Fleet Mechanic Darren Koch and Town Manager Eric Peterson
- C. Stormwater Program Update
 - Stormwater and Environmental Services Manager Terry Hackett gave a brief update on the town's stormwater program. He noted:
 - The state will conduct a routine audit of the town's stormwater permitting program this year.
 - The Upper Neuse River Basin Association is expected to make recommendations for updating the Falls Lake Rules later this year. Data from monitoring indicates that Falls Lake is in better shape than was thought. Also, the data shows that Hillsborough only accounts for 1 to 2 percent of the nutrient load reaching Falls Lake.
 - The Stormwater and Environmental Services division will request an increase in the stormwater fee this year to cover the rising cost of materials and the need to create a new stormwater position.

5. Appointments

- A. Planning Board Re-appointment of Frank Casadonte with term ending Jan. 31, 2026
- B. Planning Board Appointment of John Giglia with term ending April 30, 2025
- C. Water and Sewer Advisory Committee Appointment of Grace Beeler as an In-Town Member
- D. Water and Sewer Advisory Committee Appointment of Eric Raznick as an Out-of-Town Member

A motion was made to approve appointments as presented.

Motion made by Commissioner Ferguson, seconded by Commissioner Hughes. Voting Yea: Commissioners Bell, English, Ferguson, Hughes and Lloyd.

6. Items for decision – consent agenda

- A. Minutes
 - Joint public hearing Oct. 20, 2022
 - Regular meeting Dec. 12, 2022
 - Regular meeting closed session Dec. 12, 2022
 - Regular meeting June 14, 2021 (amended)
- B. Miscellaneous budget amendments and transfers
- C. 2023 Board of Commissioners meeting schedule amendment
- D. Classification and pay amendments

A motion was made to approve the consent agenda as presented.

Motion made by Commissioner Ferguson, seconded by Commissioner Bell. Voting Yea: Commissioners Bell, English, Ferguson, Hughes and Lloyd.

Page 3 of 19

7. Items for decision - regular agenda

A. Town code amendments related to appointed board procedures – adoption and discussion

Assistant Town Manager and Community Services Director Margaret Hauth reviewed the changes that the board had requested to the Code of Ordinances regarding the appointed boards. The board voted to approve the recommended changes, which included:

- Adding language that appointees serve at the pleasure of the board with the exception of one board for which a state statute dictates a member can only be removed for cause.
- Specifying that members of the Parks and Recreation Board should live within a park district.
- Removing language about ex officio positions. It was noted that only the Tourism Board designates a seat to a commissioner in the code. The board included in their motion the conversion of existing liaison commissioner positions to voting members on the Parks and Recreation Board and the Water and Sewer Advisory Committee.
- Reviewing defining language on boards to determine what should be included in the code.

Hauth plans to meet with support staff and each appointed board to review needed updates to rules of procedures for the appointed boards and to streamline stated responsibilities in the code.

A motion was made to adopt town code amendments as presented.

Motion made by Commissioner Hughes, seconded by Commissioner Ferguson. Voting Yea: Commissioners Bell, English, Ferguson, Hughes and Lloyd.

B. NC League of Municipalities legislative policy goals for the 2023-2024 biennium

The board selected 10 of the 16 proposed policy goals to serve as the North Carolina League of Municipalities' agenda for the 2023-2024 legislative biennium. The goals are described in more depth in the agenda packet and included:

- Expand federal and state resources for affordable housing.
- Create an adequate and permanent funding stream for local infrastructure.
- Allow municipalities to use local resources and capabilities to expand broadband access in their communities through innovative partnerships.
- Expand state transportation funding streams for construction and maintenance for municipal and state-owned secondary roads.
- Support integrated and multi-modal transportation solutions.
- Increase state funding for public transportation operations.
- Provide state assistance for yearly financial audits, ensuring that an adequate number of auditors is available.
- Update annexation petition thresholds to make voluntary annexations easier to initiate.
- Provide authority to municipal water systems to recoup costs of clean-up from polluters.
- Provide local revenue options beyond property tax.

A motion was made to appoint Commissioner Ferguson as Hillsborough's North Carolina League of Municipalities voting delegate.

Motion made by Commissioner Hughes, seconded by Commissioner Bell. Voting Yea: Commissioners Bell, English, Ferguson, Hughes and Lloyd.

C. Hot topics for work session Jan. 23, 2023

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The board expects to receive an annual transportation planning report from the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, an update on the future train station project and information about alternative transportation funding.

8. Updates

- Board members
 Board members gave updates on the committees and boards on which they serve.
- B. Town manager There was none.
- C. Staff (written reports in agenda packet) There was none.

A motion was made to move to closed session at 8:19 p.m.

Motion made by Commissioner Bell, seconded by Commissioner Lloyd. Voting Yea: Commissioners Bell, English, Ferguson, Hughes and Lloyd.

- 9. Closed Session
 - A. Closed session as authorized by North Carolina General Statute Section 143-318.11(a)(3) to consult with the town attorney in order to preserve the attorney-client privilege (current litigation RIMA, LLC)
 - B. Closed session as authorized by North Carolina General Statute Section 143-318.11(a)(3) to consult with the town attorney in order to preserve the attorney-client privilege (potential litigation Radius Pizzeria)

A motion was made to return to open session at 9:49 p.m.

Motion made by Commissioner Bell, seconded by Commissioner Lloyd. Voting Yea: Commissioners Bell, English, Ferguson, Hughes and Lloyd.

10. Adjournment

Mayor Weaver adjourned the meeting at 9:49 p.m.

Respectfully submitted,

Sarah Kimrey Town Clerk Staff support to the Board of Commissioners



PROCLAMATION Declaring January as National Mentoring Month

Page 5 of 19 PROCLAMATION #20230109-4.A

WHEREAS, National Mentoring Month brings awareness to the importance of quality mentoring that promotes healthy relationships and communication, positive self-esteem, emotional well-being, and growth of a young person and their relationships with other adults; and

WHEREAS, the Town of Hillsborough honors volunteer mentors who support young people by showing up for them every day and demonstrating their commitment to helping them thrive; and

WHEREAS, mentoring programs like Fathers on the Move, Beyond Expectations; and capacity-building agencies like Youth Mentoring Collaborative make our communities and our state stronger by driving impactful relationships that increase social capital for young people and provide invaluable support networks; and

WHEREAS, during the COVID-19 pandemic, mentoring programs across the state stepped up to fill gaps for young people and families, connecting them with resources despite physical distancing; and

WHEREAS, Healing-Centered Mentoring[™] provides a pathway to promote mental wellness, increase access to evidence-based mental wellness skills training, and reduce structural barriers to mental health services; and

WHEREAS, mentoring plays a pivotal role in career exploration and supports workforce development by helping young people set career goals, equipping mentors with the skills needed to support the professional growth of young people, and driving positive outcomes for communities across the state;

NOW, THEREFORE, I, Jenn Weaver, mayor of the Town of Hillsborough, do hereby proclaim January as National Mentoring Month in the Town of Hillsborough.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 9th day of January in the year 2023.



Jenn Weaver, Mayor Town of Hillsborough

Approved: _____ Page 6 of 19

FY 2022-2023

TOWN OF HILLSBOROUGH BUDGET CHANGES REPORT

DATES: 01/09/2023 TO 01/09/2023

	DEFEDENCE	CHANGE	DATE	<u>USER</u>	ORIGINAL	BUDGET	AMENDED
	<u>REFERENCE</u>	<u>NUMBER</u>	<u>DATE</u>	USER	<u>BUDGET</u>	<u>CHANGE</u>	BUDGET
GF Continge	10-00-9990-5300-000 CONTINGENCY ency To cover public hearing signs	28098	01/09/2023	EBRADFORI	300,000.00	-2,200.00	40,762.00
Admin. Services	10-10-4200-5100-020 SALARIES To cover contract website maintenance	28019	01/09/2023	EBRADFORI	902,888.00	-2,100.00	900,788.00
Admin. Services	10-10-4200-5300-140 TRAVEL/VEHICLI To cover monthly vehicle allowance ad		NT 01/09/2023	JFernandez	4,200.00	1,800.00	6,000.00
Admin. Services	10-10-4200-5300-458 DATA PROCESSIN To cover contract website maintenance			EBRADFORI	36,673.00	2,100.00	45,887.38
Admin. Services	10-10-4200-5300-540 INSURANCE To cover invoices of property & liabilit	ties 34123	01/09/2023	JFernandez	341,400.00	6,500.00	351,222.00
Admin. Services	10-10-4200-5300-570 MISCELLANEOUS To cover monthly vehicle allowance ad To cover invoices of property & liabilit	ljus 28095		JFernandez JFernandez	31,253.00 31,253.00	-1,800.00 -6,500.00	24,953.62 18,453.62
Financial Services	10-10-4400-5100-020 SALARIES To cover audit prep fees and future cha	rge 28099	01/09/2023	JFernandez	338,398.00	-75,000.00	263,398.00
Financial Services	10-10-4400-5300-459 C.S./ACCOUNTIN To cover audit prep fees and future cha			JFernandez	25,200.00	75,000.00	245,324.16
Planning	10-10-4900-5300-330 SUPPLIES - DEPA To cover public hearing signs	RTMENTAL 28097	01/09/2023	EBRADFORI	1,800.00	2,200.00	2,300.00
Facility Mgmt.	10-10-5000-5300-145 MAINTENANCE - To cover generator maintenance To cover generator repair		01/09/2023	EBRADFORI EBRADFORI	201,896.00 201,896.00	-1,674.00 -869.00	200,222.00 199,353.00
Facility Mgmt.	10-10-5000-5300-158 MAINTENANCE - To cover generator maintenance To cover generator repair	EQUIPMEN 28018 28081	01/09/2023	EBRADFORI EBRADFORI	$0.00 \\ 0.00$	1,674.00 869.00	1,674.00 2,543.00
Police	10-20-5100-5300-470 HIRING SELECTIO To cover hiring selection for BLET boo To cover current and anticipated hiring	oks 28080	01/09/2023	JFernandez JFernandez	3,400.00 3,400.00	700.00 2,500.00	7,950.00 10,450.00
Police	10-20-5100-5300-570 MISCELLANEOUS To cover hiring selection for BLET boo		01/09/2023	JFernandez	3,500.00	-700.00	2,680.00
Police	10-20-5100-5300-730 DRUG ENFORCEM To cover current and anticipated hiring	MENT OPER.			5,000.00	-2,500.00	2,250.00
WWTP	30-80-8220-5300-165 MAINTENANCE - For replacement of safety rails at WWT			JFernandez	4,000.00	2,000.00	6,000.00
WWTP	30-80-8220-5300-323 SUPPLIES - CHEM For replacement of safety rails at WWT		01/09/2023	JFernandez	92,500.00	-2,000.00	90,250.00
						0.00	

APPROVED: 5/0

DATE: 1/9/23 Sman E Kiminey VERIFIED:

JFernandez fl142r03

Jan. 9, 2023 Board of Commissioners Regular Meeting Approved:

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Meeting Schedule: 2023 BOARD OF COMMISSIONERS

Meetings start at 7 p.m. in the Board Meeting Room of the Town Hall Annex, 105 E. Corbin St., unless otherwise noted. Times, dates and locations are subject to change.

The public will be able to view and listen to regular meetings and work sessions via live streaming video on the town's YouTube channel.

Regular meetings

Regular meetings typically occur the second Monday of the month.

Jan. 9		Aug. 14
Feb. 13		Sept. 11
March 13		Oct. 9
April 10		Nov. 13
May 8	With budget presentation	Dec. 11
June 12	Tentative budget adoption	

Work sessions

Work sessions typically occur the fourth Monday of the month. The board generally does not make decisions or receive public comment at work sessions.

	May 30	Budget workshop, if needed
Budget retreat, 9 a.m. to 2:30 p.m.	June 26	Budget adoption, if needed
	Aug. 28	With joint WSAC meeting
	Sept. 25	
With State of the Town Address	Oct. 23	
Budget workshop, public hearing	Nov.27	
	With State of the Town Address	Budget retreat, 9 a.m. to 2:30 p.m.June 26Aug. 28Sept. 25With State of the Town AddressOct. 23

Joint public hearings

Joint public hearings with the Planning Board typically occur the third Thursday of a month.

Jan. 19	July 20
April 20	Oct. 19

Joint meetings

Meetings with the Water and Sewer Advisory Committee are planned biannually. The Orange County Assembly of Governments typically meets in January.

<mark>Jan. 24</mark>	Assembly of Governments	Feb. 2	Water and Sewer Advisory Committee
	Whitted Human Services Center		
	<mark>300 W. Tryon St. — CANCELED</mark>		

101 E. Orange St., PO Box 429, Hillsborough, NC 27278 | 919-732-1270 www.hillsboroughnc.gov | @HillsboroughGov



Approved: _____

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							1 466 0 01 10
			Reg		-Law Enforce	ment) Positions	
Salary				FLSA			
Grade	Minimum	Midpoint	Maximum	Status	Class Code	Classification	
1	34,205	44,467	54,728				
2	35,915	46,690	57,465	N	201	ADMINISTRATIVE SUPPORT SPECIALIST	
2	35,915	46,690	57,465	N	201	METER SERVICES TECHNICIAN	
2	33,313	40,000	57,405		202		
3	37,711	49,024	60,338	N	302	EQUIPMENT OPERATOR I	
3	37,711	49,024	60,338	N	303	UTILITY MAINTENANCE TECHNICIAN I	
4	39,597	51,476	63,355	Ν	401	CUSTOMER SERVICE REPRESENTATIVE	
4	39,597	51,476	63,355	Ν	402	UTILITY MAINTENANCE TECHNICIAN II	
4	39,597	51,476	63,355	Ν	403	WASTEWATER PLANT OPERATOR I	
4	39,597	51,476	63 <i>,</i> 355	Ν	404	WATER PLANT OPERATOR I	
_							
5	41,576	54,049	66,522	N	502		
5	41,576	54,049	66,522	N	503	SENIOR ADMINISTRATIVE SUPPORT SPECIALIST	
5	41,576	54,049	66,522	N	504		
5 5	41,576	54,049	66,522	N	505 506	WASTEWATER PLANT OPERATOR II	
Э	41,576	54,049	66,522	N	500	WATER PLANT OPERATOR II	
6	43,655	56,752	69,848	N	605	ACCOUNTS PAYABLE TECHNICIAN	
6	43,655	56,752	69,848	N	601	PLANNING TECHNICIAN	
6	43,655	56,752	69,848	N	602	PLANT MAINTENANCE MECHANIC I	
6	43,655	56,752	69,848	N	604	UTILITY SYSTEMS MECHANIC I	
	-,	, -	,				
7	45,838	59,589	73,341	Ν	706	ACCOUNTING TECHNICIAN	
7	45,838	59,589	73,341	Ν	701	CREW LEADER/EQUIPMENT OPERATOR III	
7	45,838	59 <i>,</i> 589	73,341	Ν	702	PLANT MAINTENANCE MECHANIC II	
7	45,838	59 <i>,</i> 589	73,341	N	703	UTILITY SYSTEMS MECHANIC II	
7	45,838	59 <i>,</i> 589	73,341	N	704	WASTEWATER PLANT OPERATOR III	
7	45,838	59,589	73,341	N	705	WATER PLANT OPERATOR III	
_							
8	48,130	62,569	77,008	N	801	FLEET MECHANIC	
8	48,130	62,569	77,008	N	802		
8	48,130	62,569	77,008	Ň	803	UTILITY SYSTEMS MECHANIC III	
9	50 536	65,697	80,858	Е	901	BILLING & CUSTOMER SERVICE SUPERVISOR	
9	50,536 50,536	65,697	80,858	N	902	METER SERVICES SUPERVISOR	
9	50,536	65,697	80,858	N	903	UTILITIES INSPECTOR	
9	50,536	65,697	80,858	E	904	PUBLIC WORKS SUPERVISOR	
10	53,063	68,982	84,901	Ν	1001	BACKFLOW/FOG SPECIALIST	
10	53,063	68,982	84,901	Ν	1002	CHIEF WASTEWATER PLANT OPERATOR	
10	53,063	68,982	84,901	Ν	1003	COMMUNICATIONS SPECIALIST	
10	53,063	68,982	84,901	Ν	1004	FACILITIES COORDINATOR	
10	53,063	68,982	84,901	Ν	1005	OPERATOR IN RESPONSIBLE CHARGE	
11	55,716	72,431	89,146	E	1101	PLANNER	
				_			
12	58,502	76,053	93,604	E	1201	BUDGET & MANAGEMENT ANALYST	
12	58,502	76,053	93,604	E	1202	FINANCIAL ANALYST	
12 12	58,502	76,053 76,053	93,604	E	1203 1204	FLEET MAINTENANCE SUPERVISOR	
12	58,502 58,502	76,053	93,604 93,604	E	1204	HUMAN RESOURCES ANALYST MANAGEMENT ANALYST	
12	58,502	76,053	93,604	N	1205	STORMWATER PROGRAM COORDINATOR	
12	58,502	76,053	93,604	N	1200	WASTEWATER LABORATORY SUPERVISOR	
12	58,502	76,053	93,604	N	1208	SENIOR COMMUNICATIONS SPECIALIST	
	50,002	. 0,000	50,001				

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10 72,110 32,415 110,770 C 1001 WHENTERN SOLEMINER CONTRACTOR 17 74,665 97,065 119,465 E 1701 PUBLIC WORKS MANAGER 17 74,665 97,065 119,465 E 1702 STORMWATER & ENVIRONMENTAL SERVICES MANAGER 17 74,665 97,065 119,465 E 1703 UTILITY SYSTEM SUPERINTENDENT 18 78,399 101,918 125,438 E 1801 ASSISTANT FINANCE DIRECTOR 18 78,399 107,014 131,710 E 1901 INFORMATION TECHNOLOGY MANAGER 20 86,434 112,365 138,295 E 2001 BUDGET DIRECTOR 20 86,434 112,365 138,295 E 2003 HUMAN RESOLICES MANAGER 20 86,434 112,365 138,295 E 2003 HUMAN RESOLICES MANAGER 20 86,434 112,365 138,295 E 2003 HUMAN RESOLICES MANAGER 20 86,434 112,365 138,295 E 2005 PUBLIC SPACE & SUSTAINABILITY MANAGER	16	71 110	92,443	113,776	E	1601	WATER PLANT SUPERINTENDENT
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22 95,294 123,882 152,470 23 100,059 130,076 160,094 24 105,062 136,580 168,099 E 2401 ADMINISTRATIVE SERVICES DIRECTOR 24 105,062 136,580 168,099 E 2402 ASSISTANT TOWN MANAGER/COMMUNITY SERVICES DIRECTOR	20	86,434	112,365	138,295	E	2006	DEPUTY UTILTIES DIRECTOR - WATER TREATMENT
23 100,059 130,076 160,094 24 105,062 136,580 168,099 E 2401 ADMINISTRATIVE SERVICES DIRECTOR 24 105,062 136,580 168,099 E 2402 ASSISTANT TOWN MANAGER/COMMUNITY SERVICES DIRECTOR	21	90,756	117,983	145,210			
24 105,062 136,580 168,099 E 2401 ADMINISTRATIVE SERVICES DIRECTOR 24 105,062 136,580 168,099 E 2402 ASSISTANT TOWN MANAGER/COMMUNITY SERVICES DIRECTOR	22	95,294	123,882	152,470			
24 105,062 136,580 168,099 E 2402 ASSISTANT TOWN MANAGER/COMMUNITY SERVICES DIRECTOR	23	100,059	130,076	160,094			
	24	105,062	136,580	168,099	E	2401	ADMINISTRATIVE SERVICES DIRECTOR
24 105,062 136,580 168,099 E 2403 FINANCE DIRECTOR	24	105,062	136,580	168,099	E	2402	ASSISTANT TOWN MANAGER/COMMUNITY SERVICES DIRECTOR
	24	105,062	136,580	168,099	È	2403	FINANCE DIRECTOR
25 110,315 143,409 176,504 E 2501 UTILITIES DIRECTOR	25	110,315	143,409	176,504	E	2501	UTILITIES DIRECTOR

Sworn Law Enforcement Officer Positions							
Salary			Ť	FLSA			
Grade	Minimum	Midpoint	Maximum	Status	Class Code	Classification	
100	45,138	58,679	72,220	Ν	100	POLICE OFFICER TRAINEE	
102	51,912	67,485	83,059	Ν	102	POLICE OFFICER/POLICE OFFICER FIRST CLASS	
201	54,508	70,860	87,212	Ν	203	SENIOR POLICE OFFICER	
202	57,233	74,403	91,573	Ν	204	POLICE CORPORAL	
303	59,619	77,505	95,390	Ν	304	MASTER POLICE OFFICER	
402	65,730	85,449	105,168	Ν	405	POLICE SERGEANT	
502	72,467	94,207	115,947	Е	507	POLICE LIEUTENANT	
601	83,700	108,809	133,919	Е	606	POLICE MAJOR	
701	105,062	136,580	168,099	Е	707	CHIEF OF POLICE	

Jan. 9, 2023 Board of Commissioners Regular Meeting Approved:

> Page 10 of 19 ORDINANCE #20230109-7.A



ORDINANCE Amending Town Code Chapters 2, 3, 6, and 8A To Consolidate and Organize Appointed Board Information

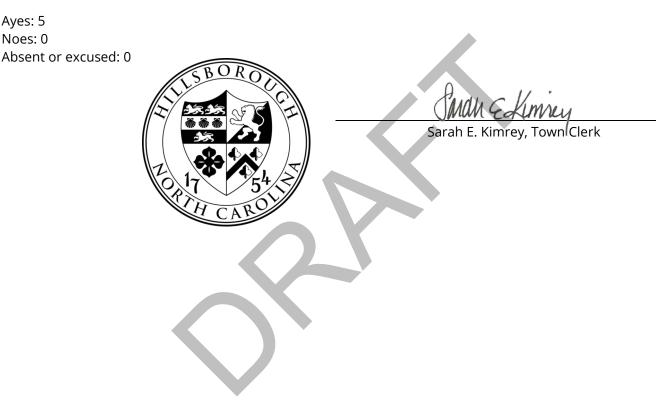
The Hillsborough Board of Commissioners ordains:

- Section 1. Section 2-32 of the Town Code is renamed "Filling unexpired terms on the Board of Commissioners" and the existing language is replaced to read as follows:
 - (1) When a vacancy occurs on the Board of Commissioners, the members shall discuss the process to recruit and fill the term at the board meeting as soon after the vacancy is announced or occurs as possible.
 - (2) The process must be approved by a majority vote of the board members.
- Section 2.Relocate Section 3-29, Park Naming Procedure, to Section 3-52 in Article VII, Recreation.
Designate sections 3-53 through 3-59 as reserved.
- Section 3. Create Chapter 3, Article VIII, Appointed Boards, Task Forces, and Authorities, covering Sections 3-60 through 3-79, attached for clarity.
- Section 4. Renumber Section 3-21, Planning Board; Section 3-22, Board of Adjustment, and Section 3-23, Historic District Commission as 3-64, 65, and 66, respectively.
- Section 5. Renumber Section 3-24, Tree Board, as 3-67. Delete cross reference to Section 7-36(c) and relocate that language, with amendments, to Section 3-67 as shown in the attached Article VIII.
- Section 6. Delete current sections 3-25, Cable Television Committee; 3-26, Occoneechee Mountain Park Committee; and 3-27, Hillsborough Cemetery Committee.
- **Section 7.** Renumber Section 3-28, Parks and Recreation Board to Section 3-68, with amendments reflected in the attached Article VIII. Designate Sections 3-21 through 3-40 as reserved.
- Section 8. Add Section 3-69, Water and Sewer Advisory Committee, as detailed in the attached Article VIII.
- Section 9. Add Section 3-70, Tourism Board, as detailed in the attached Article VIII. The language reformats and replaces existing section 3-60 through Section 3-62.
- Section 10. Add Section 3-71, Tourism Development Authority, as detailed in the attached Article VIII. The language reformats and moves existing Sections 8A-5, 8A-6, and 8A-7 into Chapter 3, Article VIII;

Page 11 of 19

- ORDINANCE #20230109-7.A Section 11. Rename Chapter 3, Article IX, Tourism Board to Article IX, Miscellaneous. Relocate Section 3-52 through 3-57 to this article and number appropriately. Designate Section 3-86 and 3-99 as reserved.
- Section 12. The amended language of Article VIII, Appointed Boards, Task Forces, and Authorities, and Article IX, Miscellaneous are attached for clarity
- **Section 13.** All provisions of any town ordinance in conflict with this ordinance are repealed.
- **Section 14.** This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 9th day of January in 2023.



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Approved: ____

ORDINANCE #20230109-7.A ARTICLE VIII. APPOINTED BOARDS, TASK FORCES, AND AUTHORITIES

Sec. 3-60 General

The Board of Commissioners may appoint volunteer boards to conduct portions of public business or to advise the board on items within their authority. An appointed board is expected to continue as described in this section unless eliminated by a majority vote of the Board of Commissioners. Appointed boards shall have a town staff support person who shall help organize the meeting schedule, maintain member lists, update public information regarding the board, prepare agendas and minutes, assist with advertising open positions and other duties to ensure proper function and that board actions are carried forth.

The Tourism Board and the Tourism Development Authority were created through local bills approved by the state legislature concurrent to enacting the prepared food and beverage tax and occupancy tax, respectively. If language or requirements in this section differ from the specific language in the local law, the local law will control.

The Board of Commissioners may also appoint task forces or study commissions to address short term or topic specific research. Such groups shall be established by resolution with a specific charge and an anticipated sunset date. The sunset date for any short-term committee may be extended by the board. The board may establish new appointed boards to continue the work of short-term committees upon a majority vote. This code must be amended to reflect any new committee without a sunset date.

Sec. 3-61 Recruitment and appointment

The designated staff support person for any town appointed board will be responsible for overseeing recruitment, appointment, and orientation of the members of the board they support.

Recruitment may be done through website advertising and notices, public advertising, membership committees or active boards and commissions, and other sources.

Appointment and reappointment items will appear on Board of Commissioners agendas for formal action. New appointees and reappointed members will take an oath of office before the town clerk or a notary public.

Sec. 3-62 Routine orientation for appointees.

The following orientation materials will be provided to each volunteer: board roster, town organizational chart including the advisory boards, the rules of procedure for their board, the current strategic and comprehensive plans for the town, and other support documents or maps relevant to that board. Staff will arrange for the administration of the new member's oath of office, go over the orientation materials, and answer procedure and policy questions as needed, prior to the new member's first meeting as a board member.

New appointees are encouraged to attend a Board of Commissioners meeting within six months of appointment to any appointed board.

Sec. 3-63 Regular attendance a pre-requisite for continuing service.

Attendance at regularly scheduled board meetings is critical to continued membership on a board.

Staff shall notify any board member who misses one-third of regular meetings within any twelve-month period that regular attendance is required, and future absences may impact continued participation.

Any board member who misses half of regular meetings within any twelve-month period will be notified by staff that their term has been automatically ended.

Board members are eligible for re-appointment consistent with term limits for their board. Attendance records shall be provided with any re-appointment request to the board of commissioners.

Sec. 3-64. Members serve at the pleasure of the Town Board.

Members serve at the pleasure of the Town Board and may be removed upon a vote of the Town Board in open session. However, members of the Tourism Board may only be removed for cause, also requiring a vote of the Town Board in open session. Similarly, the two volunteers the Planning Board makes from among its members to other boards, serve at the pleasure of the Planning Board and could be removed from the other boards upon a vote of the Planning Board.

Sec. 3-65. Compensation.

Board members serve without compensation. Members of the Tourism Development Authority may be compensated, at the discretion of the Town Board and consistent with the local bill creating the Authority. The town may pay for training deemed necessary or advisable for volunteer service. The town may reimburse members for travel to training events required for their membership.

Sec. 3-66 Planning Board.

There shall be a Planning Board, the establishment, powers, and duties of which are provided for in the Hillsborough Unified Development Ordinance.

Sec. 3-67. Board of Adjustment.

There shall be a Board of Adjustment, the establishment, powers, and duties of which are provided for in the Hillsborough Unified Development Ordinance.

Sec. 3-68. Historic District Commission.

There shall be a Historic District Commission, the establishment, powers, and duties of which are provided for in the Hillsborough Unified Development Ordinance.

Sec. 3-69. Tree Board.

There shall be a Tree Board, the establishment, powers, and duties of which are provided for as follows.

- (a) Powers and duties. The Tree Board shall serve as an advisory board to the Board of Commissioners with the following duties and responsibilities:
 - (1) To hear all requests by Hillsborough residents and/or owners of property within the town for planting, maintenance, and removal of town trees. The Board of Commissioners maintains the

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ORDINANCE #20230109-7.A

right to review any such requests and the trees in question in determining whether to grant such requests.

- (2) To facilitate the planting, growth, protection, and recommended removal of trees within the town.
- (3) To foster education and communication among the citizens of Hillsborough that would provide the needed protection of trees and to coordinate active measures to support their health and growth within the town.
- (4) To conduct, every two years, a periodic safety audit of existing town trees for the purpose of determining needed pruning and tree removal. Between audits, members should report such needs as they detect them.
- (5) To investigate available grants, loans, or contributions from other governmental agencies, public or private corporations, or individuals and to recommend the expenditure of any proceeds toward the accomplishment of the tree board's purposes.
- (6) To establish guidelines for the selection and placement of trees on town property, which guidelines should be maintained as a separate document.
- (7) To coordinate, insofar as appropriate, its purposes with those of the town Parks and Recreation Board, the Historic District Commission, and other town and county agencies.
- (8) To submit an annual report to the Board of Commissioners.
- (9) To create and promote an active urban forestry education program for all citizens of the town.
- 10) To offer advice, when possible, to owners and developers of private property within town limits on the preservation of existing trees.
- (11) To advise the town on the planting, pruning, maintenance, and removing of trees on town property.
- (12) Residents of Hillsborough and/or property owners desiring to have a tree planted on town property shall obtain approval of the Tree Board.
- (b) Membership. The Tree Board shall consist of seven regular members. The Tree Board may determine the need for ex officio members to provide expertise. No more than three ex officio members may be appointed at any time.
- (c) Appointment. Members shall be appointed by the Board of Commissioners. Ex officio members may be appointed as necessary by a majority of Tree Board members.
- (d) Term of office. The terms of the regular members shall be staggered so that no more than three members' terms expire during the same year. In the event that a vacancy occurs during the term of any member, a successor shall be appointed by the town board for the unexpired portion of the term. Members shall serve a maximum of two consecutive three-year terms.
- (e) Staff. The Public Space and Sustainability division shall provide staff support to the Tree Board.
- (f) Meetings. All meeting shall be open to the public. The board shall adopt and publish a regular meeting schedule of not less than four meeting per calendar year.

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ORDINANCE #20230109-7.A (g) Quorum. Four regular members shall constitute a quorum of the Tree Board. This number may be adjusted for vacancies. Staff and ex officio members are not qualified to vote.

(h) Rules of Procedure. The board shall adopt rules of procedure for the conduct of its meetings. Rules of procedure shall be consistent with the procedural requirements of state law.

Sec. 3-70. Parks and Recreation Board.

There shall be a Parks and Recreation Board, the establishment, powers, and duties of which are provided for as follows.

- (a) Powers and duties. The board shall be responsible for implementing the Parks and Recreation Master Plan adopted by the Board of Commissioners and master plans for specific facilities adopted by the Parks and Recreation Board. This general charge includes, but is not limited to, the following duties:
 - (1) Cooperate with Orange County to facilitate shared use and responsibility for publicly owned land.
 - (2) Concentrate on developing parks and recreation facilities that can be programmed for use by others.
 - (3) Coordinate with other town committees on items of mutual interest.
 - (4) Recommend funding priorities for parks and recreation projects to the town board.
- (b) Membership. The Parks and Recreation Board shall consist of no more than 12 members.
- (c) Appointment. The town board shall select members appoint 11 residents of the Parks and Recreation Board from as many-different park districts as shown in the master park and recreation plan as is practicable. One seat on the Parks and Recreation board shall be reserved for a member who is 13 to 19 years old on the date of their appointment and one seat shall be reserved for a member who is over 55 years old on the date of their appointment. One seat member shall be a representative from the Hillsborough Planning Board, selected by that board. A member of the Orange County Parks and Recreation Council may serve as an ex officio member.
- (d) Terms. Board members shall serve for three-year staggered terms, with the opportunity for reappointment for a second full term. After serving two complete terms and any partial term, a member shall be ineligible for reappointment until one calendar year has expired. Four members shall initially be appointed for three-year terms, four with two-year terms, and four with one-year terms.
- (e) Staff. The Public Space and Sustainability division shall provide staff support to the Parks and Recreation Board.
- (f) Meetings. All meeting shall be open to the public. The board shall adopt and publish a regular meeting schedule of not less than four meeting per calendar year.
- (g) Quorum. A majority of appointed seats shall constitute a quorum. This number may be adjusted for vacancies. Staff and ex officio members are not qualified to vote.
- (h) Rules of Procedure. The board shall adopt rules of procedure for the conduct of its meetings. Rules of procedure shall be consistent with the procedural requirements of state law.

Page 16 of 19 ORDINANCE #20230109-7.A

Sec. 3-71. Water and Sewer Advisory Committee

There shall be a water and sewer advisory committee, the establishment, powers and duties of which are provided for as follows.

- (a) Powers and duties. The general charge includes, but is not limited to, the following duties:
 - (1) Receive updates regarding key operational, policy, and financial issues facing the Water & Sewer Enterprise Fund.
 - (2) Request information from staff to stay informed and knowledgeable regarding key issues, concerns, and opportunities facing the Water & Sewer Fund.
 - (3) Offer recommendations to the town board regarding general operational, financial, public information, and other management issues affecting the of the Water & Sewer Fund.
 - (4) The committee will not make recommendations regarding individual personnel matters (e.g., hiring, firing, and disciplinary issues) within the Water & Sewer Fund.
 - (5) The committee will not make recommendations on how to perform projects, their priority, or which consultant or contractor is hired within the Water & Sewer Fund.
- (b) Membership. The committee will consist of between 6-8 members. The town will strive to maintain an even balance between in-town and out-of-town water/sewer customers, or as close as is reasonable possible.
- (c) Terms. Committee Members will serve staggered four-year terms, with the opportunity for reappointment for a second full term. After serving two complete terms and any partial term, a member shall be ineligible for reappointment until one calendar year has expired.
- (e) Staff. The Utilities Administrative division shall provide staff support to the water and sewer advisory committee.
- (f) Meetings. All meeting shall be open to the public. The board shall adopt and publish a regular meeting schedule of not less than four meeting per calendar year.
- (g) Quorum. A majority of appointed seats shall constitute a quorum. This number may be adjusted for vacancies. Staff and ex officio members are not qualified to vote.
- (h) Rules of Procedure. The board shall adopt rules of procedure for the conduct of its meetings. Rules of procedure shall be consistent with the procedural requirements of state law.

Sec. 3-72. Tourism Board.

- (a) Powers and Duties. The Tourism Board shall promote tourism within the Town of Hillsborough, subject to the provisions of chapter 449 of the 1993 Session Laws and the provision of this article.
- (b) Membership. There is hereby established a Hillsborough Tourism Board composed of nine members appointed by the Board of Commissioners. One individual may be selected to represent more than one of the four groups or organizations listed in this section:
 - (1) One member shall be a member of the Board of Commissioners.

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ORDINANCE #20230109-7.A

- (2) One member shall be a member of the Hillsborough Area Chamber of Commerce and shall be chosen by the Board of Commissioners from nominees submitted by the board of directors of the Hillsborough Area Chamber of Commerce.
- (3) One member shall be chosen by the town board from nominees submitted by the Alliance for Historic Hillsborough, Inc.
- (4) Four members shall be owners or operators of restaurants in Hillsborough that are affected by the prepared food and beverage tax. (i.e., if a restaurant owner were nominated by the Chamber of Commerce, his selection would satisfy the representation criteria for two of the groups listed in this section).
- (5) At-large members to bring the total to nine. The at-large members shall either reside within the town, own property within the town, or have a principal place of employment within the town.
- (c) Terms. Members of the Tourism Board shall serve two-year staggered terms. Initially, five members shall be appointed for two-year terms, beginning January 1, 1994. Members may continue to serve until their successors are appointed and qualified, even if this extends their terms. A vacancy shall be filled for the unexpired term of the member whose seat has become vacant. Members who are selected to represent one of the four groups specified in subsection (b) of this section may continue to serve their full terms regardless of whether they continue to be affiliated with the organization or group they originally represented. Members may be appointed to three successive two-year terms. Following service for three successive two-year terms, a member may not be reappointed until an interval of at least two years has passed.
- (d) Meetings. The board shall meet at least quarterly on call of the chair or of any three members. All meetings shall be administered in accordance with the Open Meetings Law.
- (e) Quorum. A quorum for the board shall consist of five members if there are no vacant seats, four members if there are one or two vacant seats, and three members if there are three or more vacant seats. All actions of the board shall be taken by majority vote, a quorum being present.
- (f) Rules of Procedure. The board shall adopt rules and regulations governing its procedures not inconsistent with the provisions of this article.
- (g) The board shall receive from the town the net proceeds of the prepared food and beverage tax and, after deducting the cost of its annual audit, shall allocate the remaining proceeds to be used for the purposes listed below. The board shall allocate proceeds each year for purposes stated in both subsections (1) and (2) below. The purposes are:
 - (1) To provide visitor services, including any of the following:
 - a. Operation of a center where visitors can be provided with information about the community, about facilities and businesses in it, and points of historical or cultural interests.
 - b. Production and distribution of a free directory of restaurants to include the name, address, and phone number of each restaurant in the town.
 - c. Production and distribution of pamphlets, film clips, and other informational materials on the community.
 - d. Advertising the town and publicizing special events in it.

- e. Doing market research pertaining to tourism.
- f. Responding to mail and telephone inquiries submitted by visitors or potential visitors.
- g. Providing other services to visitors designed to make their stay pleasant and instructive.
- (2) To provide facilities, programs, and services designed to attract tourists to the town.
- (h) The town board retains its authority to establish minimum or maximum allocations of proceeds for specific purpose, provided, however, that the town board may not authorize the use of the tax proceeds for any purpose other than those provided in subsections (g)(1) and (g)(2) of this section.
- (k) The board may expend funds only for a public purpose, and all funds derived from the prepared food and beverage tax shall be received, held, appropriated, disbursed, and accounted for in accordance with the provisions of the Local Government Budget and Fiscal Control Act. Provided, however, that the Tourism Board shall not purchase any real property, nor shall it spend more than \$5,000 for any purpose stated in subsection (g)(2) above except with the town board's prior approval.
- (I) The board shall report quarterly and at the close of the fiscal year to the Board of Commissioners on its receipts and expenditures for the preceding quarter and fiscal year in such detail as the town board may require.

Sec. 3-73. Tourism Development Authority: Appointment and membership.

- (a) The Tourism Development Authority is hereby created, which shall be a public authority under the Local Government Budget and Fiscal Control Act.
- (b) Membership. The Tourism Development Authority shall consist of three members appointed by the Board of Commissioners, two of whom shall also be members of the Tourism Board. Members need not reside within the town, but at least one-third of the members must be individuals who are affiliated with businesses that collect the tax in the town, and at least three-fourths one-half of the members must be individuals who are currently active in the promotion of travel and tourism in the town.
- (c) Terms. Members shall be appointed for terms of one year. The initial terms of all appointees shall expire on January 31 of the year that follows the initial appointments. Subsequent terms shall run from February 1 of one year to January 31 of the following year. Vacancies shall be filled for the remainder of the unexpired term. Members may be appointed to up to six consecutive one-year terms.

Sec. 3-74. Meetings of Tourism Development Authority.

- (a) The Tourism Development Authority shall meet as necessary to carry out its powers and duties as specified below. All meetings shall be held in conformity with the Open Meetings Law.
- (b) A quorum for the Tourism Development Authority shall consist of three members, except that if one seat is vacant, a quorum shall consist of two members. All actions of the Tourism Development Authority shall be taken by majority vote, a quorum being present.
- (c) Upon the initial appointment of members to the Tourism Development Authority and upon the commencement of each new term, the Board of Commissioners shall appoint one member to serve as chair of the Tourism Development Authority during that term. If a vacancy occurs during a term, the

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ORDINANCE #20230109-7.A board shall designate another member to serve as chair for the remainder of that term. The chair may take part in all deliberations and vote on all issues.

Sec. 3-75. Powers and duties of the Tourism Development Authority.

- (a) The Tourism Development Authority shall expend the net proceeds of the tax levied under Chapter 8A for the purposes provided in section 8A-4. The authority shall promote travel, tourism, and conventions in the town, sponsor tourist-related events and activities in the town, and finance tourist-related capital projects in the town. The town's finance officer shall serve ex officio as the finance officer for the Tourism Development Authority.
- (b) The Tourism Development Authority shall report quarterly and at the close of the fiscal year to the board of commissioners on its receipts and expenditures for the preceding quarter and for the year in such detail as the board may require.
- (c) The Tourism Development Authority may not, without the prior approval of the town board, purchase any real estate, nor may it spend more than \$5,000 for any item covered by section 8A-4 without the prior approval of the town board.

Secs. 3-76 – 3.79. Reserved.

ARTICLE IX. MISCELLANEOUS

Sec. 3-80. Oaths and bonds of officers and employees.

Sec. 3-81. Absences or disabilities.

Sec. 3-82. Automatic resignation when appointees no longer qualify.

Sec. 3-83. Disposal of surplus personal property of the town.

Sec. 3-84. Manager's authority to purchase apparatus, supplies, materials or equipment.

Sec. 3-85. Malt beverages, unfortified wine, fortified wine and mixed beverages on Sunday mornings.

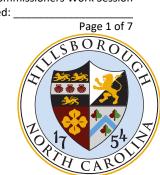
Secs. 3-86—3-99. Reserved.

This is just a rearrangement – no change to the text of Article IX

Jan. 23, 2023 Board of Commissioners Work Session Approved:

Minutes Board of Commissioners Work Session

7 p.m. Jan. 23, 2023 Board Meeting Room, Town Hall Annex, 105 E. Corbin St.



- Present: Mayor Jenn Weaver and commissioners Mark Bell, Robb English, Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd
- Staff: Interim Finance Director Melissa Bishop, Budget and Management Analyst Josh Fernandez, Assistant Town Manager and Community Services Director Margaret Hauth, Town Clerk and Human Resources Technician Sarah Kimrey, Town Manager Eric Peterson and Senior Communications Specialist Cheryl Sadgrove

Opening of the work session Mayor Jenn Weaver called the meeting to order at 7 p.m.

2. Agenda changes and approval

- Add item 5.E Approval of Cherry Bekeart contract amendment for FY21 audit services
- Add item 5.F Budget amendment and capital project ordinance amendment to cover Valley Forge inspection and monitoring

Motion: Commissioner Mark Bell moved to approve agenda as amended. Commissioner Kathleen Ferguson seconded.

Vote: 3-0. Absent: Commissioners Matt Hughes and Evelyn Lloyd.

3. Presentations

A. Fiscal Year 2021 Audit and Annual Financial Report

April Adams, certified public accountant and assurance partner from Cherry Bekeart Accounting Firm, presented the FY21 Audit and Annual Financial Report.

B. Metropolitan Planning Organization (MPO) 2021-2022 Annual Report

Executive Director Doug Plachcinski presented the Durham, Chapel Hill, Carrboro (DCHC) MPO 2021-2022 Annual Report.

Lloyd joined the meeting at 7:07 p.m.

Hughes joined the meeting at 7:23 p.m.

4. Appointments

- A. Tourism Board Appointment of Eryk Pruitt with a term ending Jan. 9, 2025
- B. Tourism Development Authority Appointment of Victoria Pace with a term ending Jan. 31, 2024
- C. Tourism Development Authority Re-appointment of Dani Black with a term ending Jan. 31, 2024

Motion: Hughes moved to approve all appointments. Ferguson seconded. Vote: 5-0.

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5. Items for decision - consent agenda

- A. Miscellaneous budget amendments and transfers
- B. 2022 Annual Community Development Block Grant-Coronavirus Program Report
- C. Update on future train station planning
- D. Ordinance amending town code to clarify the status of town board members on appointed boards
- E. Approval of Cherry Bekeart contract amendment for FY21 audit services (added item)
- F. Budget amendment and capital project ordinance amendment to cover Valley Forge inspection and monitoring (added item)

Motion:Hughes moved to approve all items on the amended consent agenda. Ferguson seconded.Vote:5-0.

6. In-depth discussion and topics

Discussion of staff recommendation for pursuing federal funding for local projects

Assistant Town Manager and Community Services Director Margaret Hauth noted that staff recommends preparing to apply for federal grants for construction of the Ridgewalk greenway in the next fiscal year.

7. Committee updates and reports

Board members gave updates on the committees and boards on which they serve.

8. Adjournment

Mayor Weaver adjourned the meeting at 7:54 p.m.

Respectfully submitted,

Sarah Kimrey Town Clerk Staff support to the Board of Commissioners

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Approved:

FY 2022-2023

TOWN OF HILLSBOROUGH BUDGET CHANGES REPORT

DATES: 01/23/2023 TO 01/23/2023

<u>REFERENCE</u>	CHANGE <u>NUMBER</u>	DATE	<u>USER</u>	ORIGINAL <u>BUDGET</u>	BUDGET <u>CHANGE</u>	AMENDED <u>BUDGET</u>
Admin. 10-10-4200-5300-474 RECRUITMENT Services To cover ATM & FD relocation expense	es 34139	01/23/2023	EBRADFORI	6,000.00	67,500.00	73,500.00
Planning10-10-4900-5100-020 SALARIES To move costs to exp accounts	34142	01/23/2023	EBRADFORI	416,690.00	67,500.00	484,190.00
Planning10-10-4900-5100-021 PERSONNEL EXPA To cover ATM & FD relocation expense To move costs to exp accounts		01/23/2023	EBRADFORI EBRADFORI	135,000.00 135,000.00	-67,500.00 -67,500.00	67,500.00 0.00
Planning 10-10-4900-5300-110 TELEPHONE/INTE To move costs to exp accounts	ERNET 34144	01/23/2023	EBRADFORI	840.00	770.00	1,610.00
Planning 10-10-4900-5300-140 TRAVEL/VEHICLE To move costs to exp accounts	E ALLOTME 34145		EBRADFORI	0.00	2,100.00	2,100.00
Planning 10-10-4900-5300-600 PERSONNEL EXP To move costs to exp accounts	ANSION - OF 34143		EBRADFORI	2,870.00	-2,870.00	0.00
Police 10-20-5100-5300-145 MAINTENANCE - To cover an overage and future expense			JFernandez	36,613.00	-500.00	36,878.00
Police 10-20-5100-5300-161 MAINTENANCE - To cover an overage and future expense		01/23/2023	JFernandez	1,000.00	500.00	4,000.00
Admin. 30-80-7200-5300-571 SAFETY AWARDS Enterprise To cover safety awards.	PROGRAM 34134	01/23/2023	JFernandez	0.00	3,651.21	3,651.21
W&S 30-80-9990-5300-000 CONTINGENCY Contingency To cover safety awards.	34135	01/23/2023	JFernandez	400,000.00	-3,651.21	269,378.79
Storm- water 35-30-5900-5300-570 MISCELLANEOUS To cover safety awards.	5 34138	01/23/2023	JFernandez	24,874.00	-307.31	24,336.69
Storm- 35-30-5900-5300-571 SAFETY AWARDS water To cover safety awards.		01/23/2023	JFernandez	0.00	307.31	307.31

APPROVED: 5/0

Sman Eckiminey DATE: 1/23/23 VERIFIED:

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NORTH CAROLINA DEPARTMENT OF COMMERCE **STATE ADMINISTERED COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

2022 ANNUAL PERFORMANCE REPORT COVER PAGE

Grantee Name:	Town of Hillsborough					
Grant Number:	20-V-3528					
Grants Managemen	t Representative:	Margaret Hauth				
Grantee Address:		P.O. Box 429, Hillsborough, NC 27278				
Preparer Informat	tion					
Name:		Margaret Hauth				
Address:	P.O. Box 429, Hillsboroug	h, NC 27278				
Telephone Number:		919-296-9471				
Email Address:		margaret.hauth@hillsboroughnc.gov				
Local Government l	Primary Contact:	Margaret Hauth				
Phone Number:		919-296-9471				
Email:		margaret.hauth@hillsboroughnc.gov				

The Annual Performance Report (APR) is required by 4 NCAC 19L.1101. One original signed hardcopy of this report must be submitted to NC Commerce by Tuesday, January 31, 2023 at 5:00 pm. Newly required, 2022 APR Excel file must be emailed to compliance@commerce.nc.gov (not a scan copy, the actual Excel file). Grantees are still required to mail a hard copy to NC Commerce. The grant recipient's Board Designated Representative certifies on this signatory Cover Page that all the Data in the APR Report are true and correct to the best of her/his knowledge and belief. DocuSign is not permitted.

Jenn Weaver, Mayor
Typed Name of Authorized Representative
Duri GIGNO
Signature and Date of Authorized Representative

	NC COMMERCE - RU	RAL DEVELOPMENT (OFFIC	CE USE ONLY
Documents Included:				
Cover Page		MWBE HUD 2516		(Formerly Contractor Info. Form)
Main Summary		Fair Housing Report		
Activity Indicators		LAP Report		
Other Indicators		Section 3 Report		
		Section 504 Report		

Jan. 23, 2023 Board of Commissioners Work Session Approved:

> Page 5 of 7 ORDINANCE #20230123-5.D



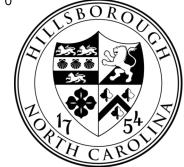
ORDINANCE Amending Town Code Chapter 3 To Clarify Status of Town Board Members on Appointed Boards

The Hillsborough Board of Commissioners ordains:

- Section 1. Section 3-70(c) is amended by adding "One member shall be a town board member" as the second sentence.
- Section 2. Section 3-70(d) is amended by adding "The town board and Planning Board members are not subject to term limits as those appointments are tied to service on other boards" as the second sentence.
- Section 3. Section 3-71(b) is amended by adding "One member shall be the Mayor Pro Tem of the Board of Commissioners" as the last sentence.
- Section 4. Section 3-71(c) is amended by adding "The town board member is not subject to term limits as the appointment is tied to service as Mayor Pro Tem" as the last sentence.
- Section 5. Section 3-72(c) is amended by adding "The town board member is not subject to term limits as the appointment is tied to service on the town board" at the end of the section
- Section 6. Section 3-73(b) is amended by adding "One member shall be the town board member who also serves on the Tourism Board. That service qualifies that individual as being active in the promotion of travel and tourism in town" at the end of the section.
- Section 7. Section 3-73(c) is amended by adding "The town board member is not subject to term limits as the appointment is tied to service on the Tourism Board" at the end of the section.
- Section 8. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 23rd day of January in 2023.

Ayes: 5 Noes: 0 Absent or excused: 0



Sarah E. Kimrey, Town Clerk

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FY 2022-2023

TOWN OF HILLSBOROUGH BUDGET CHANGES REPORT

DATES: 01/23/2023 TO 01/23/2023

	HANGE J <u>MBER</u>	DATE	<u>USER</u>	ORIGINAL <u>BUDGET</u>	BUDGET <u>CHANGE</u>	AMENDED <u>BUDGET</u>
10-00-3900-3900-000 FUND BALANCE APP To cover Valley Forge inspection/monitor	ROPRIA 34179		EBRADFORI	743,482.00	6,238.00	2,038,712.39
10-00-9990-5300-000 CONTINGENCY To cover Valley Forge inspection/monitor	34178	01/23/2023	EBRADFORI	300,000.00	-40,762.00	0.00
10-71-5600-5982-002 TRANSFER TO GEN C To cover Valley Forge inspection/monitor	CAP IMPI 34180	ROV FUND 01/23/2023	EBRADFORI	100,000.00	47,000.00	147,000.00
60-11-3870-3870-404 TRANSFER FROM GF To cover Valley Forge inspection/monitor			EBRADFORI	878,180.00	47,000.00	925,180.00
60-11-5600-5700-718 VALLEY FORGE RD - To cover Valley Forge inspection/monitor	CONSTR 34177	UCTION AD 01/23/2023	OMIN EBRADFORI	62,000.00	47,000.00	109,000.00
					106,476.00	

APPROVED: 5/0

DATE: 1/23/23	A. 11 .
VERIFIED:	Sman Eckimicy

Page 7 of 7 ORDINANCE #20230123-5.F



ORDINANCE Capital Project Amendment

Valley Forge Road Street & Stormwater Project

The Hillsborough Board of Commissioners ordains that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby amended:

Section 1. Revenues anticipated to be available to the town to complete the project are hereby amended as follows.

General Capital	<i>Current Budget</i> \$1,203,917	+/- \$47,000	<i>Amended Budget</i> \$1,250,917
Improvement Fund Valley Forge			

Section 2. Amounts appropriated for the capital project are hereby amended as follows.

	Current Budget +/-	Amended Budget
General Capital Improvement Fund	\$1,203,917 \$47,000	\$1,250,917
Valley Forge		

Section 3. Copies of this ordinance should be furnished to the clerk, budget officer and finance officer to be kept on file by them for their direction in carrying out this project.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 23rd day of January in 2023.

Ayes: 5 Noes: 0 Absent or excused: 0



Sarah E. Kimrey, Town Clerk

Jan. 28, 2023 Board of Commissioners Budget Retreat Approved:

Minutes Board of Commissioners Budget Retreat

9 a.m. Jan. 28, 2023 Board Meeting Room, Town Hall Annex, 105 E. Corbin St.



- Present: Mayor Jenn Weaver and commissioners Mark Bell, Robb English, Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd
- Staff: Planning and Economic Development Manager Shannan Campbell, Administrative Services Director Jen Della Valle, Assistant Town Manager and Community Services Director Matt Efird, Budget and Management Analyst Josh Fernandez, Environmental Engineering Supervisor Bryant Green, Stormwater and Environmental Services Manager Terry Hackett, Police Chief Duane Hampton, Assistant Town Manager and Community Services Director Margaret Hauth, Town Manager Eric Peterson, Utilities Director Marie Strandwitz, Public Space and Sustainability Manager Stephanie Trueblood and Communications Manager Catherine Wright

1. Opening of the budget retreat

Mayor Jenn Weaver called the meeting to order at 9:01 a.m.

2. Agenda changes and approval

The mayor returned to this item after Item 3A. There were no changes.

3. In-depth discussion and topics

A. Financial Overview

Town Manager Eric Peterson presented the overview. He provided a look at the budget and financial plan todo list for fiscal years 2024-26, including continuing to look at employee compensation and how the town compares with other jurisdictions. He noted that compensation will be a high priority item for Orange Rural Fire Department, which will affect the town's contractual allocations to the agency's budget.

Peterson said Hillsborough has had 40 to 50% growth in the last five years. He said the City of Salisbury also has experienced much growth and learned from leaders in Concord and Kannapolis that the biggest worry connected to growth is debt. He said financial information from Fiscal Year 2022 would be sent to auditors the following week. Return of that audit and the recent completion of the FY2021 audit will provide a clearer picture for decision making in building the upcoming budget. The manager said he thinks the town will end up with some flexibility in decision making because of the care it took in limiting expenditures during the COVID-19 pandemic. He said there is a long to-do list but only so much money. While he believes leaders will be able to say yes to many requests, help will be needed in determining strategic noes.

The manager reminded the board about how much growth would be needed to pay for one full-time employee as well as two sets of debt service retirements that are approaching and the opportunity to determine how funds freed from those completed projects could be budgeted.

B. Strategic Plan Update

Administrative Services Director Jen Della Valle provided the update virtually, presenting different aspects of the plan, which is still in progress, and gathering feedback.

Departmental workload template

Page 2 of 5

Della Valle presented a template for visualizing a department's workload, noting it is intended to give the board context of what departments have on their plates amid discussions of new goals. She said the Administrative Services Department was used in the example and the finalized template would be rolled out to all departments. Della Valle said the plan is to update the workload document throughout the year. She said the Strategic Plan is a three-year plan, but opportunities to update the plan will be given after it is adopted. She walked the board through the document, noting it provides space to list the priorities for each division within a department and the rough percentage of time expected to be spent on priorities and daily work. Additional space is included to list items that are important but that staff members have no capacity to work on. She said the template does not list the daily work in an effort to not clutter the document. She reminded the board of a past exercise to determine core services across the town, noting that document was about eight pages. Board members expressed approval of the template and information contained.

Focus areas of plan

Della Valle noted changes made to the plan's focus areas, including:

- Moving resiliency from the sustainability focus area to the community safety focus area.
- Adding an equity objective to the community safety focus area.
- Adding two initiatives to the economic vitality focus area regarding developing a survey for applicants of select planning processes and regarding translating key business documents and implementing a system for returned documents to be translated for staff.

Planning and Economic Development Manager Shannan Campbell noted desired changes to the economic vitality focus area, including:

- Rewording Objective 1 to make it broader.
- Perhaps adding an initiative on workforce development to aid female and minority-owned businesses.

She said she would send her thoughts to the Administrative Services director. Board members expressed approval for the changes.

Equity objective in community safety focus area

Della Valle reminded the board that a member had wanted to see an equity objective added to community safety. She asked the board to discuss the objective and provided guiding questions.

Commissioner Kathleen Ferguson asked to return to the departmental workload template regarding the listing of performance data as an item under the Administrative Services Department's list of items for which it has no capacity. She said she wanted to ensure performance data is being tracked for the items the town already has said it wants to achieve. Della Valle said the plan is to incorporate data when reviewing the Strategic Plan and Comprehensive Sustainability Plan, which is also still in progress. She said there is additional performance data desired that the department is not able to work on.

Commissioner Robb English asked what the stay interviews are on the list of no capacity items. Della Valle explained that exit interviews are done with departing employees to learn from their experience with the town. Stay interviews are for active employees at various times of the year to determine how they are doing and what keeps them working for the town. She said the interviews help in supporting employees and retention. She also noted that guidance indicates they should not be tied to performance reviews. English noted the importance of employee engagement and stay interviews to help with long-term retention and employee performance and well-being. Della Valle said departments may be doing stay interviews informally but this would be a formal process rolled out by the Human Resources Division. There was discussion among board members and staff about wellness activities the town does, whether supervisors are providing real-time feedback, whether stay questioning is embedded in performance reviews, the types of questions asked

Page 3 of 5

in stay interviews, and whether the questions include professional development. There were suggestions to include 360 evaluations to evaluate the supervisor, department and town in addition to the employee. Commissioner Mark Bell asked whether the board will be asked to review departmental workload documents and their progress and how management will know that the forms are being properly used. The town manager said that there will be check-ins with the board throughout the year and that the templates will make it easy for staff to update and check priorities and to ask the board which priorities should be set aside if there is a desire to add priorities.

Peterson also noted that employees have a series of questions that they respond to each year in their performance evaluations. He said the operations team spent months on changing the mid-year evaluation to provide a check-in on key items but to be lean, practical and flexible. He said the Police Department does quarterly evaluations.

Discussion returned to the equity objective for the Strategic Plan's community safety focus area. Board members confirmed they still want the objective added. Bell noted that embedding equity throughout the organization is listed in the focus area on service excellence. Della Valle said her understanding is the added objective would focus on community safety. Commissioner Matt Hughes said he had suggested the objective because people might want to see what is being done specifically on community safety and equity.

Board members were asked to consider the following guiding questions:

- If you are to imagine a community in which there is equity in community safety, what does that community look like? Can you describe it in a sentence or words?
- When discussing community safety for this objective, what is the scope for the purposes of the Strategic Plan?
- Thinking of the community we envisioned and the scope that is set, what does success look like in three years?

Answers included:

- Ensuring the whole community is meaningfully engaged, with public listening, public meetings, and public feedback received and with purposeful goals, tasks and strategies that can be measured.
- Ensuring every neighborhood feels safe for those living in and passing through; people who live, work and play in town feel comfortable with law enforcement interaction; mobility is safe regardless of available transportation or physical abilities; and race and physical abilities are not factors in safety. Success would be moving in a positive direction in all neighborhoods and moving toward making the town more accessible to everyone.
- Ensuring anyone in town feels Hillsborough is safe, trustworthy and just, with town services looked at through this lens and a success score over 85% initially but ideally 100%.
- Providing high quality services to everyone with a focus on inclusivity and community connectivity in how people move around and get their information, with the bike-pedestrian infrastructure especially important. High service provision includes ensuring that public spaces, parks and greenways meet the needs of everyone, that law enforcement engages with everyone in a consistent, respectful way regardless of background or experience, that policies are enforced consistently throughout town; and that public engagement includes all staff being approachable, people feeling safe to bring the town their concerns and issues, and the town listening and making changes if needed. Success would be making progress in three years.

A 30-minute lunch break was taken.

Sustainability focus area

Public Space and Sustainability Manager Stephanie Trueblood provided an update of the Comprehensive Sustainability Plan that is being worked on and noted the differences between a strategic plan and

Page 4 of 5

comprehensive plan, explaining a comprehensive plan details best practices — what must be done, what should be done and what could be done — and a strategic plan is the "shall do" plan. She said the comprehensive plan is intended to include goals, strategies and actions within the town's sphere of influence. Trueblood noted the draft implementation matrix for the plan's climate and sustainability chapter is in the board's retreat agenda packet and the dark green coloring signifies initiatives that staff think the board will want staff to focus on in the next three years. She said the board's priorities will be added to the Strategic Plan in the sustainability focus area. That plan will be updated with check-ins throughout the year and the board can then determine other priorities to implement from the comprehensive plan.

Key priorities were discussed, including facility development with sustainability and climate initiatives; rightsizing fleet vehicles and evaluating fleet purchases from financial and energy standpoints; and continuing analysis with regional partners on suitable electric vehicle charging sites and types. Board members expressed approval of the key priorities and noted:

- A desire for staff to consider opportunities for micro-transit at facilities, such as cargo e-bikes.
- A need to think about the infrastructure that would be needed to charge town vehicles at employee homes and whether plug-in hybrid vehicles could be an option.

It was noted that the goal is to be flexible enough to pivot on priorities as needed depending on conditions and opportunities that arise.

C. Capital and Other Major Requests Discussion

Budget and Management Analyst Josh Fernandez led the discussion, asking for the board's thoughts on the list of capital and other key requests. Two board members noted difficulty in prioritizing without information on plans for revenue bonds or the timing for debt service to end on other projects.

Della Valle noted the process is still in its early stages. The list is everything requested by departments, but staff do not currently have projections related to revenue, know the funding options to develop the financial plan or how to bundle items together. The administrative services director said budget staff would return to the board with a recommended plan. At this stage, staff members are seeking guidance on whether anything is missing from the list and seeking any specific questions board members have on the requests or any data they would like to see for a particular project.

Ferguson noted the Fairview community has a large number of requests. Staff noted that the Public Space and Sustainability Division is already working on a number of those requests, such as the addition of a bus stop, and that the requests are not capital requests. It was noted that the provision of funding for improvements to the community center in Fairview had been delayed until completion of the FY2021 audit.

Board members noted a desire to have the skate park built earlier than FY2025 if possible. There was discussion on funding options and whether to seek contributions, such as from the county, for the skate park. The manager noted contributions would be welcome if other entities desire but using staff time to seek contributions for a project of the park's scale would delay the project.

The planning and economic development manager asked whether the board still wanted to allocate the same amount of funding to affordable housing as to sustainability efforts. Board members affirmed that desire. It was clarified that funding would be incrementally increased until the equivalent of 2 cents of property tax revenue is appropriated annually to cover existing and additional affordable housing items.

Stormwater fee increase request

Stormwater and Environmental Services Manager Terry Hackett said his division is proposing raising stormwater fees to primarily raise funds for a new position. He said the Public Works Division is responsible for maintaining the stormwater system and an increased stormwater allocation is needed to allow additional

Page 5 of 5

people to be hired and equipment to be purchased for future needs. An additional employee is needed in the Stormwater and Environmental Divisions due to the number of stormwater devices throughout town, which is expected to reach 150, and the need to be on site for stormwater construction projects.

English noted a desire for increased educational opportunities and information to the public on where stormwater funds go.

- Restarting Intern and Fellowship Program Discussion
 The town manager noted staff wanted to check in with the board on restarting the program. Board members confirmed approval.
- **3.** Adjournment The budget retreat adjourned at 1:03 p.m.

Respectfully submitted,

Sarah Kimrey Town Clerk Staff support to the Board of Commissioners



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:Feb. 13, 2023Department:AdministrationAgenda Section:ConsentPublic hearing:NoDate of public hearing:N/A

PRESENTER/INFORMATION CONTACT

Emily Bradford, Budget Director

ITEM TO BE CONSIDERED

Subject: Miscellaneous budget amendments and transfers

Attachments:

Budget Changes Report

Summary:

To adjust budget revenues and expenditures, where needed, due to changes that have occurred since budget adoption.

Financial impacts:

As indicated by each amendment.

Staff recommendation and comments:

To approve the attached list of budget amendments and transfers.

Action requested:

Consider approving budget amendments and transfers.

TOWN OF HILLSBOROUGH BUDGET CHANGES REPORT

DATES: 02/13/2023 TO 02/13/2023

	REFERENCE	CHANGE <u>NUMBER</u>	DATE	<u>USER</u>	ORIGINAL <u>BUDGET</u>	BUDGET <u>CHANGE</u>	AMENDED <u>BUDGET</u>
GF - Fund Bal	10-00-3900-3900-000 FUND BALANCI ance To cover P3 Cost Analysis.	E APPROPRIA 34184		JFernandez	743,482.00	4,500.00	2,043,212.39
Financial Services	10-10-4400-5100-010 OVERTIME COM To cover yr-end overages	IPENSATION 34191	02/13/2023	EBRADFORI	4,000.00	4,000.00	8,000.00
Financial Services	10-10-4400-5100-020 SALARIES To integrate Personnel Exp funds	34193	02/13/2023	EBRADFORI	338,398.00	123,801.00	387,199.00
Financial Services	10-10-4400-5100-021 PERSONNEL EX To integrate Personnel Exp funds	PANSION - SA 34192		EBRADFORI	127,801.00	-127,801.00	0.00
Financial Services	10-10-4400-5300-110 TELEPHONE/INT To cover yr-end overage	TERNET 34195	02/13/2023	EBRADFORI	840.00	1,160.00	2,000.00
Financial Services	10-10-4400-5300-459 C.S./ACCOUNTI To cover yr-end overage	NG ASSISTAN 34196		EBRADFORI	25,200.00	5,430.00	250,754.16
Financial Services	10-10-4400-5300-600 PERSONNEL EX To integrate Personnel Exp funds	PANSION - O 34194		EBRADFORI	6,590.00	-6,590.00	0.00
Public Space	10-10-6300-5300-145 MAINTENANCE To cover Maint-Ground expenses	- BUILDINGS 34181		EBRADFORI	21,700.00	-5,000.00	16,700.00
Public Space	10-10-6300-5300-154 MAINTENANCE To cover Maint-Ground expenses	- GROUNDS 34182	02/13/2023	EBRADFORI	239,356.00	5,000.00	244,356.00
Streets	10-30-5600-5300-080 TRAINING/CON To cover training	F./CONV. 27940	02/13/2023	EBRADFORI	2,000.00	1,600.00	3,600.00
Streets	10-30-5600-5300-330 SUPPLIES - DEPA To cover training	ARTMENTAL 34198	02/13/2023	EBRADFORI	29,500.00	-1,600.00	22,900.00
Special Appropria	10-60-6900-5300-475 C.S./UTILITY AN ationsTo cover P3 Cost Analysis.	ALYSIS 34183	02/13/2023	JFernandez	5,000.00	4,500.00	9,500.00
Admin. of Enterp	30-80-7200-5300-560 SERVICE MILES rise To cover Service Milestone Awards	TONE RECOO 34155		EBRADFORI	0.00	225.00	225.00
Admin. of Enterpi	30-80-7200-5300-570 MISCELLANEOU rise To cover Safety Awards	US 34159	02/13/2023	EBRADFORI	167,002.00	-38.00	166,964.00
Admin. of Enterpr	30-80-7200-5300-571 SAFETY AWARD ise To cover Safety Awards	OS PROGRAM 34157		EBRADFORI	0.00	463.00	4,114.21
Admin. of Enterpr	30-80-7200-5300-580 CUSTOMER SER ^{ise} To cover Service Milestone Awards To cover Safety Awards	VICE & INNO 34156 34158	02/13/2023	ARD EBRADFORI EBRADFORI	4,000.00 4,000.00	-225.00 -425.00	3,775.00 3,350.00
Utilities Admin.	30-80-7220-5100-020 SALARIES To cover vehicle allotment	34161	02/13/2023	EBRADFORI	333,476.00	-1,700.00	331,776.00
Utilities Admin.	30-80-7220-5300-140 TRAVEL/VEHICI To cover vehicle allotment	LE ALLOTME 34160		EBRADFORI	3,900.00	1,700.00	5,600.00
Utilities Admin.	30-80-7220-5300-320 SUPPLIES - OFF To cover metal detector for utilities in		02/13/2023	JFernandez	750.00	-1,500.00	2,090.87
Utilities Admin.	30-80-7220-5300-330 SUPPLIES - DEPA To cover workwear order. To cover metal detector for utilities in	34185		JFernandez JFernandez	500.00 500.00	-20.00 1,500.00	480.00 1,980.00
Utilities Admin.	30-80-7220-5300-350 UNIFORMS	•	-		-		
Aunini.	JFernandez f1142r03	(02/06/2023	11:49:49AM			Page 1 of 2 59

TOWN OF HILLSBOROUGH BUDGET CHANGES REPORT

DATES: 02/13/2023 TO 02/13/2023

	<u>REFERENCE</u> To cover workwear order.	CHANGE NUMBER 34186	<u>DATE</u> 02/13/2023	<u>USER</u> JFernandez	ORIGINAL <u>BUDGET</u> 200.00	BUDGET <u>CHANGE</u> 20.00	AMENDED <u>BUDGET</u> 420.00
Billing & 3 Collections	30-80-7240-5100-010 OVERTIME COMP To cover overtime	ENSATION 34162	02/13/2023	EBRADFORI	2,000.00	2,000.00	4,000.00
Billing & 3 Collections	30-80-7240-5300-334 DEPT SUPP-METE To cover overtime	R READING 34163		EBRADFORI	125,000.00	-2,000.00	154,327.69
WFER 3	30-80-8130-5300-152 AQUATIC WEED C To cover TAWMSP dues To cover dam inspection fees	CONTROL 34169 34170		EBRADFORI EBRADFORI	8,500.00 8,500.00	-500.00 -3,000.00	16,376.55 13,376.55
WFER 3	30-80-8130-5300-153 DAM INSPECTION To cover dam inspection fees	& EVALUA 34171		EBRADFORI	12,000.00	3,000.00	21,000.00
WFER 3	30-80-8130-5300-921 WATER QUALITY To cover TAWMSP dues	MONITORII 34168		EBRADFORI	24,000.00	500.00	24,500.00
WW 3 Collection	30-80-8200-5300-310 GASOLINE To cover off-road diesel used in equipm	en 34153	02/13/2023	JFernandez	20,535.00	3,150.00	23,685.00
WW 3 Collection	30-80-8200-5300-330 SUPPLIES - DEPAR To cover off-road diesel used in equipm		02/13/2023	JFernandez	60,000.00	-3,150.00	57,590.00
Storm- 3 Water	35-30-5900-5300-140 TRAVEL/VEHICLE To cover vehicle allotment	ALLOTME 34164		EBRADFORI	14.00	275.00	289.00
Storm- 3 Water	35-30-5900-5300-560 SERVICE MILESTO To cover service milestone awards	ONE RECOC 34165		EBRADFORI	0.00	150.00	150.00
Storm- 3 Water	35-30-5900-5300-570 MISCELLANEOUS To cover milestone award & veh allotm		02/13/2023	EBRADFORI	24,874.00	-425.00	23,911.69
Valley (Forge Rd	60-11-3870-3870-250 TRANSFER FROM To adj to actual			RGE EBRADFORI	325,737.00	-325,737.00	0.00
Valley (Forge Rd	60-11-3870-3870-404 TRANSFER FROM To adj to actual	GF-VALLE 34175		EBRADFORI	878,180.00	325,737.00	1,250,917.00
Valley (Forge Rd	60-11-5600-5700-727 VALLEY FORGE R To cover overage	D - INFRAS 34173		EBRADFORI	1,128,817.00	-1,561.50	1,127,255.50
Valley 6 Forge Rd	60-11-5600-5700-781 VALLEY FORGE R To cover overage	D - MISCEL 34172		EBRADFORI	13,100.00	1,561.50	14,661.50
						9,000.00	

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Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date: Department: Agenda Section: Public hearing: Date of public hearing: Feb. 13, 2023 Community Services Consent No

PRESENTER/INFORMATION CONTACT

Margaret Hauth, Assistant Town Manager

ITEM TO BE CONSIDERED

Subject: Resolutions amending Fiscal Year 2022 and 2023 HOME Annual plans

Attachments:

- 1. Resolution amending the FY23 HOME annual plan
- 2. Resolution amending the FY22 HOME annual plan

Summary:

The annual plan for the FY23 HOME program needs amendment to make one project more general. The original application was to acquire a specific rental property, but the county allocated local funds to keep this project on schedule and it is no longer using HOME funds.

The HOME-ARP funds are also be allocated to a general purpose to maintain flexibility. As these funds were awarded in FY22, it is the FY22 plan that needs to be amended.

Orange County is the lead entity for these programs. The town participated through the Local Government Affordable Housing Collaborative.

Financial impacts:

None. The FY23 match remains unchanged. The HOME-ARP program has no local match.

Staff recommendation and comments:

Action requested: Approve both resolutions.



RESOLUTION Amending the Fiscal Year 2023 Program Annual Plan for Orange County, North Carolina

WHEREAS, the Hillsborough Board of Commissioners, as a member of the Orange County HOME Consortium, approved the FY23 Annual Action Plan on June 13, 2022; and

WHEREAS, EmPOWERment, Inc. is no longer able to use the awarded funds for the original purpose from their application received and evaluated prior to plan approval; and

WHEREAS, the Orange County HOME Consortium members have identified an alternate HOME eligible CHDO project to recommend for funding, requiring an amendment to the FY23 HOME Investment Partnership Program Annual Plan;

NOW, THEREFORE, be it resolved the Hillsborough Board of Commissioners the following Amended FY23 HOME Investment Partnership Program Annual Plan to be carried out by the members of the Orange County HOME Consortium:

Homebuyer Assistance

Funds will be allocated to Orange County Habitat for Humanity to provide down payment assistance. Funded amount: \$167,241

Funds will be allocated to the Community Empowerment Fund for an IDA Program. Funded amount: \$90,000

Housing Rehabilitation/Preservation

Funds will be allocated to Rebuilding Together of the Triangle to purchase replacement manufactured homes for (2) two Orange County property owners. Funded amount: \$150,000

Rental Acquisition

Funds will be allocated to EmPOWERment, Inc. to acquire affordable rental property. Funded amount: \$150,000

Program Administration

BE IT FURTHER RESOLVED, that the town manager is hereby designated as the authorized representative of the town to act in connection with the submission of these plans, to act in connection with the HOME Program, and to provide such additional information as may be required by the U.S. Department of Housing and Urban Development.

\$44,350

Approved this 13th day of February of the year 2023.

Seal

Jenn Weaver, Mayor Town of Hillsborough

NOW THEREFORE BE IT ORDAINED by the Town Board of Commissioners that this resolution is effective upon approval. Upon motion of Commissioner ______, seconded by Commissioner ______, the foregoing resolution was adopted this the ___ day of _____, 2023.

I, Sarah E. Kimrey, Interim Town Clerk for the Town of Hillsborough, North Carolina, DO THEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on ______, 2023.

WITNESS my hand and seal of said County, the ___ day of _____, 2023.

Sarah E. Kimrey, Town Clerk



RESOLUTION Amending the Fiscal Year 2022 HOME Investment Partnership Program Annual Plan

WHEREAS, on May 10, 2021 the Board of Commissioners approved the FY22 HOME Investment Partnership Program Annual Plan to be carried out by the members of the Orange County HOME Consortium; and

WHEREAS, in September 2021 the U.S. Department of Housing and Urban Development (HUD) notified the Consortium of an additional one-time award of HOME Investment Partnership American Rescue Plan Program (HOME-ARP) funding in the amount of \$1,371,401 to reduce homelessness and increase housing stability; and

WHEREAS, HUD requires a HOME-ARP Allocation Plan be submitted for the funding as an amendment to the FY22 HOME Investment Partnership Program Annual Plan; and

WHEREAS, Orange County conducted extensive county-wide community engagement and needs analysis to identify priority uses for the funds;

NOW, THEREFORE, be it resolved by the Hillsborough Board of Commissioners that the following HOME-ARP Allocation Plan is approved and submitted to HUD as an Amendment to the FY22 HOME Investment Partnership Program Annual Plan to be carried out by the members of the Orange County HOME Consortium:

Eligible Use	Amount
Affordable Housing Rental Development	\$1,165,691
Administration (15% of HOME-ARP, per statute)	\$ 205,710
Total HOME-ARP Funds	\$1,371,401

BE IT FURTHER RESOLVED, that the board authorizes this amended plan to be incorporated into the Annual Update to the 2020-2024 Consolidated Plan, for submission to the U.S. Department of Housing and Urban Development.

Approved this 13th day of February of the year 2023.

Seal

Jenn Weaver, Mayor Town of Hillsborough NOW THEREFORE BE IT ORDAINED by the Town Board of Commissioners that this resolution is effective upon approval. Upon motion of Commissioner ______, seconded by Commissioner ______, the foregoing resolution was adopted this the ___ day of ______, 2023.

I, Sarah E. Kimrey, Interim Town Clerk for the Town of Hillsborough, North Carolina, DO THEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on ______, 2023.

WITNESS my hand and seal of said County, the ___ day of _____, 2023.

Sarah E. Kimrey, Town Clerk



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date: Department: Agenda Section: Public hearing: Date of public hearing: Feb. 13, 2023 Community Services Consent No

PRESENTER/INFORMATION CONTACT

Margaret Hauth, Assistant Town Manager

ITEM TO BE CONSIDERED

Subject: Interlocal agreement with Orange County to provide enforcement services under the town's nondiscrimination ordinance

Attachments:

Draft agreement

Summary:

This agreement is proposed so that Orange County Equity and Inclusion Department staff will investigate and take appropriate action when complaints are received under the town's non-discrimination ordinance (Town Code 5-11). The Human Resources Division will provide oversight for this agreement. The town will establish an annual budget to support this activity.

Financial impacts: Budget will need to be developed.

Staff recommendation and comments:

Action requested: Approve agreement. **North Carolina**

Orange County

INTERLOCAL AGREEMENT BETWEEN ORANGE COUNTY AND TOWN OF HILLSBOROUGH FOR INVESTIGATION AND ENFORCEMENT OF COMPLAINTS UNDER THE TOWN'S NON-DISCRIMINATION ORDINANCE TO BE PERFORMED BY THE ORANGE COUNTY EQUITY AND INCLUSION DEPARTMENT

This is an Interlocal Agreement, made and entered into by and between Orange County, (hereinafter referred to as "County"), and the Town of Hillsborough, (hereinafter referred to as "Town"), (collectively referred to as "Parties") shall have an effective date as of the date on which it is executed by County.

WHEREAS, this Agreement is entered into pursuant to North Carolina General Statutes §§ 160A-11 et seq, which authorize the Town and the County to enter into such agreements.

WHEREAS, County has a staff experienced in handling injury claims due to various types of discrimination in its Equity and Inclusion Department, and

WHEREAS, the Town desires to contract for this expertise in handling claims under its non-discrimination ordinance (Town Code 5-11(a) et seq); and

WHEREAS, County, is willing to perform such services pursuant to the terms and conditions hereafter set forth.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth, County and Town agree as follows:

ARTICLE 1 – SCOPE OF SERVICES

1.1. Beginning on the first of the month immediately following execution of this agreement by both parties, Town hereby authorizes the County to investigate complaints received under the town's non-discrimination ordinance made against places of public accommodation within the town limits of Hillsborough following the process described in the Town's non-discrimination ordinance (Town Code Section 5-11(a) et seq; the "NDO").

1.2. The County shall perform the above Services through Human Relations Commission and Department of Equity and Inclusion, or any successor division/department that the County Manager may designate.

1.3 The County shall apply the investigation and enforcement provisions established by the

Section 6, Item D.

Town's NDO to any complaint received or referred to them alleging discrimination at places of public accommodation located within the town limits of Hillsborough.

ARTICLE 2 – RESPONSIBILITIES OF TOWN OF HILLSBOROUGH

2.1 The Town will amend its Code of Ordinances to identify Orange County as the contracted investigation and enforcement party under the town's NDO.

2.2 The Town will determine an annual budget for supporting the investigation and enforcement of claims and communicate that figure to Orange County after the adoption of the annual budget but before the beginning of the fiscal year.

2.3 The Town assigns the Human Resource Division to be the primary contact for persons claiming injury under the NDO, for coordination with the Orange County Equity and Inclusion Department, and for financial monitoring under this agreement. The Town shall forward all complaints it receives under its NDO to the County within five (5) business days of receipt by the Town of any such complaint.

2.4 The Town will monitor available budget alongside work undertaken by Orange County to pro-actively determine whether the available budget is adequate to pay for services actually incurred and anticipated for the fiscal year. In the event that the available budget appears to be inadequate at any point in the fiscal year, the Town will determine whether additional resources will be budgeted, in consultation with the County.

2.5 The Town will train appropriate staff on the routing of inquiries relating to this ordinance to support a trauma-informed approach for those claiming injury.

ARTILCE 3 – RESPONSIBLITIES OF ORANGE COUNTY

3.1 The County will receive, investigate, and enforce the provisions of the Hillsborough nondiscrimination ordinance for all cases made against places of public accommodation located within the town limits of Hillsborough.

3.2 The County will coordinate with Town staff regarding case load and resources needed to carry out this agreement.

ARTICLE 4 – COMPENSATION

4.1. The Town agrees to reimburse the County at the current hourly rate, including benefits, for the Civil Rights Specialist for time spent receiving, investigating, and enforcing claims under the NDO.

4.2 The County will communicate any work done under this agreement at least quarterly to the Town Human Resource Division. In the event that the available budget appears to be inadequate at any point in the fiscal year, the County staff will consult with Town staff to estimate

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need and identify options for the Town's consideration.

4.3 The County will invoice the Town for any work done under this agreement no later than May 1 for work completed within the fiscal year. If work is on-going during the billing period, the County and Town staff will agree on invoicing as the year-end approaches. More frequent billing is acceptable.

4.4 The payment agreement in paragraph 4.1, 4.2, and 4.3 is considered the base agreement and is subject to change upon agreement by the Town Manager and County Manager if a deviation is needed to continue the agreement.

ARTICLE 5 – EFFECTIVE DATE AND TERM OF INTERLOCAL AGREEMENT

5.1. This Agreement shall become effective upon execution by the BOTH PARTIES and shall continue in full force and effect until midnight, June 30, 2028, unless sooner terminated by either party as provided for herein. The Interlocal Agreement will automatically renew for three (3) additional five-year terms unless either party notifies the other party in writing of its intention not to renew at least 180 days prior to expiration of the then-current term.

5.2. This Agreement shall remain in full force and effect until it expires or through the termination date or any extended termination date, as set forth above or in Article 8 – Termination below.

5.3 The County will begin taking actions under this agreement on the first day of the month immediately following execution of this agreement by both parties.

ARTICLE 6 – GOVERNMENTAL IMMUNITY

The Town will indemnify and hold the County harmless from all claims, demands or actions whatsoever arising from the County's provision of services under this Agreement unless the same results from the intentional or grossly negligent conduct of the County. It is the intent of this Section that the Town indemnifies the County to the fullest extent permitted by law.

ARTICLE 7 – INSURANCE

The County and the County's employees performing services pursuant to this Agreement are insured to the extent permitted by law. The parties acknowledge and represent that the Agreement does not create an obligation on part of the County to insure the Town or employees of the Town for actions relating to or undertaken in accordance with this Agreement.

ARTICLE 8 – TERMINATION

Either party may terminate this Interlocal Agreement, with or without cause, by providing notice to the other party of termination in writing at least 180 days prior to the effective

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date of termination. This Interlocal Agreement may also be terminated by court order upon the finding that there has been substantial breach of this Interlocal Agreement by the non-complaining party so as to entitle the complaining party to be relieved of its obligations under this Interlocal Agreement.

ARTICLE 9 – NOTICES

Any and all notices given or required under this Agreement shall be in writing and may be delivered in person or by United States mail, postage prepaid, first class and certified, return receipt requested, addressed as follows:

To County:	Bonnie Hammersley		
	Orange County Manager		
	P.O. Box 8181		
	Hillsborough, N.C. 27278		

- With copy to: Dr. Shameka Fairbanks Orange County Chief Equity Officer P.O. Box 8181 Hillsborough, N.C. 27278
- To Town: Hillsborough Town Manager P.O. Box 429 Hillsborough, N.C. 27278
- With copy to: Hillsborough Human Resources Manager P.O. Box 429 Hillsborough, N.C. 27278

ARTICLE 10 – MISCELLANEOUS PROVISIONS

10.1. ASSIGNMENT: County shall perform the selected Services provided for in this Agreement exclusively and solely for the Town which is a party to this Agreement. Neither party shall have the right to assign their rights or obligations pursuant to this Agreement.

10.2. WAIVER: The waiver by either party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement shall not be construed as a waiver of any future or continuing similar or dissimilar failure.

10.3. SEVERABILITY: The invalidity of any provision of this Agreement shall in no way affect the validity of any other provision.

10.4. ENTIRE AGREEMENT: It is understood and agreed that this Agreement incorporates and includes all prior negotiations, agreements or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements or understandings

concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations of agreements, whether oral or written.

10.5. MODIFICATION: It is further agreed that no modifications, amendments or alterations in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

10.6. CHOICE OF LAW; WAIVER OF JURY TRIAL: Any controversies or legal disputes arising out of this transaction and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the State courts of the State of North Carolina, seated at Orange County, North Carolina, and governed by the laws of the State of North Carolina. To encourage prompt and equitable resolution of any litigation that may arise hereunder, each party hereby waives any rights it may have to a trial by jury of any such litigation and will submit to bench trial.

10.7. DRAFTING: This Agreement has been negotiated and drafted by all parties hereto and shall not be more strictly construed against any party because of such party's preparation of this Agreement.

10.8. RECORDING: This Agreement may be recorded in the public records of Orange County and of the Town of Hillsborough, in accordance with the North Carolina General Statutes.

[SIGNATURE PAGE TO FOLLOW]

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SIGNATURE PAGE

IN WITNESS WHEREOF, the parties hereto have made and executed this Interlocal Agreement Between Orange County and Town of Hillsborough for selected Services to be Performed by the Orange County Equity and Inclusion Department on the respective dates under each signature: Orange County through its Board of County Commissioners, signing by and through its County Manager, and the Town, signing by and through its Town Manager.

ATTEST:
Laura Jensen, Clerk to the Board Orange County Board of Commissioners
ATTEST:
Sarah E. Kimrey, Town Clerk
John Roberts, County Attorney
Robert Hornik, Hillsborough Town Attorney
the manner required by the Local Government

Melissa Bishop, Interim Finance Director, Hillsborough

Interlocal Agreement between Orange County and Town of Hillsborough for Non-Discrimination Ordinance Investigation and Enforcement October X, 2022

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Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date: Department: Agenda Section: Public hearing: Date of public hearing: Feb. 13, 2023 Community Services Consent No

PRESENTER/INFORMATION CONTACT

Margaret Hauth, Assistant Town Manager

ITEM TO BE CONSIDERED

Subject: Ordinance amending town code to remove employment reference from the non-discrimination ordinance

Attachments:

Ordinance

Summary:

This ordinance removes reference to employment from the non-discrimination ordinance in town code Section 5-11. In working with Orange County on an enforcement agreement, we discovered local ordinances are prohibited from addressing employment matters.

Financial impacts:

Staff recommendation and comments:

Action requested: Approve ordinance.



ORDINANCE Amending Town Code Section 5-II Removing Employment References from the Non-Discrimination Provisions

The Hillsborough Board of Commissioners ordains:

Section 1.	Section 5-11.a is amen	ded by removing "a	ind in employment" fr	om the section heading.
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Section 2. Section 5-11.a.c, "Discrimination in employment prohibited," is deleted.

Section 3. Section 5-11.a.d, "Penalties and enforcement," is hereby amended to add paragraph 3 as follows:

(3) Complaints under this section will be referred to Orange County, under an interlocal agreement, for investigation and enforcement action consistent with the Orange County Civil Rights Ordnance found at Orange County Code of Ordinances Sections 12-16 through 12-21, as it may be amended from time to time.

- **Section 4.** Section 5-11.a.d is renumbered to 5-11.a.c to reflect the deletion shown in Section 2 of this ordinance.
- **Section 5.** This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 13th day of February in 2023.

Ayes: Noes: Absent or excused:

Sarah E. Kimrey, Town Clerk



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date: Department: Agenda Section: Public hearing: Date of public hearing: Feb. 13, 2023 Community Services Consent No

PRESENTER/INFORMATION CONTACT

Margaret Hauth, Assistant Town Manager

ITEM TO BE CONSIDERED

Subject: Resolution rescinding acceptance of Berry Brick House from 2019

Attachments:

- 1. Resolution
- 2. 2019 resolution

Summary:

In 2019, the town board adopted a resolution conditionally accepting the future gift of the Berry Brick House on West Queen Street from the current owners. Following up on the closed session discussion from October 2022, staff is suggesting a resolution to rescind that approval and decline the offer due to non-alignment with core town activities. The property owner and their legal counsel are aware of this agenda item.

Financial impacts:

Staff recommendation and comments:

Action requested: Approve resolution.



RESOLUTION Rescinding Acceptance of the Berry Brick House

WHEREAS, the Berry Brick House on West Queen Street is an architecturally historic property, owned and occupied by Ken and Linda Ostrand; and

WHEREAS, the Ostrands offered to donate the Berry Brick House to the Town of Hillsborough at whatever time in the future they are no longer able to live there, to ensure the preservation of this historic site and for the community to use the house as an artist-in-residence program; and

WHEREAS, the town board conditionally accepted this offer on Nov. 12, 2019, as documented in a resolution; and

WHEREAS, the Ostrands subsequently entered a preservation agreement with the Historic Preservation Foundation of North Carolina regarding the Berry Brick House and its surroundings; and

WHEREAS, the preservation agreement places significant restrictions and protections on this architecturally historic property consistent with the Ostrands' goals while also allowing their intention for community use of the house for an artist-in-residence program; and

WHEREAS, ownership of historically significant properties and making them available for public use is not a central function or responsibility for the Town of Hillsborough and the preservation easement addresses the town's interests in the long-term preservation of the structure as a resource in its locally designated historic district;

NOW, THEREFORE, be it resolved by the Hillsborough Board of Commissioners, the previous conditional acceptance of the generous gift by the Ostrands is respectfully rescinded. The Board of Commissioners expresses its deep appreciation for the faith and trust the Ostrands exhibited in the town's ability to carry out their wishes for the property. The Board of Commissioners also stands ready to cooperate with the current and any future owner of the property to implement the goals of community access to this resource in a manner consistent with the town's responsibilities.

Approved this 13th day of February in the year 2023.

Jenn Weaver, Mayor Town of Hillsborough RESOLUTION SUPPORTING ACCEPTANCE OF THE BERRY BRICK HOUSE

TOWN OF HILLSBOROUGH

WHEREAS, the Berry Brick House on West Queen Street is an architecturally historic property, owned and occupied by Ken and Linda Ostrand, who received an award from the Hillsborough Historic District Commission for their restoration and renovation of the home; and

WHEREAS, the Ostrands have offered to donate the Berry Brick House to the Town of Hillsborough at whatever time in the future they are no longer able to live there, to ensure the preservation of this historic site and for the community to use the house as an artist-in-residence program; and

WHEREAS, restrictions on use of the property are minimal, specifically that the property would not be sub-divided or sold, and that it would be used for an artist-in-residence function, artist very broadly defined; and

WHEREAS, the Ostrands desire to leave the house specifically to the town rather than a non-profit organization, given the town's continuity as an entity is more assured. As the town does not provide arts programing resources (and is unlikely to do so in the future), it is assumed the town would make the property available to one or more partner organizations in exchange for running a suitable artist-in-residence program and maintaining the property; and

WHEREAS, the Hillsborough Arts Council (HAC) is interested in taking the lead in this regard at whatever future time the house would become available. While acknowledging there are many unknowns that cannot reasonably be addressed until a future time, the HAC is enthusiastic in this opportunity; and

NOW, THEREFORE, BE IT RESOLVED, the Hillsborough Board of Commissioners supports acceptance of the property from the Ostrands when and how they deem it best to convey it to the Town of Hillsborough. The board authorizes the town manager, town attorney, and mayor to proceed with appropriate due diligence and legal document execution. Included in the due diligence, as deemed appropriate and mutually desired, letters of understanding between the town and the Hillsborough Arts Council.

Approved this <u>12th</u> day of <u>November</u> 20<u>19</u>



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Tom Stevens, Mayor Town of Hillsborough



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date: Department: Agenda Section: Public hearing: Date of public hearing: Feb. 13, 2023 Community Services Consent No

PRESENTER/INFORMATION CONTACT

Margaret Hauth, Assistant Town Manager

ITEM TO BE CONSIDERED

Subject: Resolution endorsing updates to the Street Standards document

Attachments:

- 1. Redline version of impacted portions of the Street Standards
- 2. Resolution

Summary:

Staff are proposing three updates to the street standards document:

- 1) Updating the traffic impact analysis for new development to reflect new review processes.
- 2) Adding camera inspection to requirements for stormwater infrastructure.
- 3) Updating the street light section to align with the board's direction during recent discussions about accepting non-standard lighting.

Financial impacts:

Staff recommendation and comments:

Additional amendments will be forthcoming following the adoption of the Comprehensive Sustainability Plan to align these standards with the plan recommendations. These updates were time sensitive.

Action requested:

Adopt resolution endorsing updates to the Street Standards document.

Traffic Impact Analysis (TIA)

A Traffic Impact Analysis (TIA) is a document that analyzes the impacts that a proposed development will have on the nearby transportation network, primarily due to increased traffic generated by the development. The TIA will identify necessary improvements to the transportation network in order to ensure that the new development does not adversely impact traffic flow and congestion. The TIA is generally performed by an engineer hired by the developer and is reviewed by the Town for approval. Any study requiring NCDOT concurrence must be prepared in accordance with the current NCDOT Congestion Management Capacity Analysis Guidelines.

The threshold for developments requiring the completion of a Traffic Impact Analysis is whether the development will generate 800 or more vehicle trips on an average weekday and requires a special use permit from the town. The following table provides guidelines for the types of developments that will generally rise above this threshold and require completion of a TIA.

Any project of a smaller size seeking a special use permit, site plan, major subdivision, or conditional zoning may be required to have a traffic analysis completed if 1) 75 percent or more of the properties being notified of the project public hearing are already developed and the property is not located within a development governed by a master plan or 2) a majority of the properties being notified of the project public hearing category than the site requesting development <u>or 3) staff or NCDOT identify potential negative impacts to nearby intersections with high crash rates, significant turning movement delays, or level of service concerns.</u>

Land Use	Size of Development		
Single-family Residential	75 units		
Apartments	110 units		
Condominiums/Townhouses	130 units		
Mobile Home Parks	150 units		
General Retail	4,000 square feet		
Fast Food Restaurant	2,000 square feet		
Gas Station/Convenience Store	Service for 6 or more vehicles concurrently		
Bank	3,000 square feet		
Hotel/Motel	130 rooms		
General Office	50,000 square feet		

Estimated TIA Requirement Thresholds¹

¹ Estimated using *ITE Trip Generation*, 7th Edition. Fitted curve equations were used where available (all except fast food restaurant, day care center, and school, which use average rates). General retail is based on the Shopping Center category since a general retail category is not available in the manual.

□ The developer/contractor must offer infrastructure to the town within 30 days of the final certificate of occupancy being issued. For phased projects, this can occur within 30 days of the final certificate of occupancy being issued within that phase. The town may not accept infrastructure still subject to construction damage and may defer any offer until construction is complete.

□ The inspection is required to review streets, sidewalks, stormwater infrastructure, and accessibility requirements. <u>Hillsborough utilities staff must participate in the inspection to verify continued</u> compliance with utility acceptance issues. Any items noted by utilities staff that impact streets, sidewalks, stormwater infrastructure or accessibility requirements must be corrected prior to acceptance of those items.

□ Town staff will inspect trees and landscaping, signage, and pavement markings for plan compliance

4. Before Final Acceptance of a Public Street or Sidewalk:

Developer must provide certification of plan compliance (Engineer must sign and seal document)

□ Developer must provide certification of ADA compliance (Engineer must sign and seal document)

 \Box Developer must provide certification that all roads are constructed to NCDOT and Town of Hillsborough standards (Engineer must sign and seal document)

Developer must clean and conduct video assessment installed stormwater drainage lines/pipes located in the public right of way in accordance with the Town of Hillsborough Stormwater Video CCTV Requirements in Appendix D of the street standards.

 \Box All change orders must be documented and reported to town

 \Box Scaled as-built drawings must be provided to the town showing all utilities and total linear footage of streets and sidewalks (hard copy and electronic copies)

□ As-built stormwater infrastructure information must be submitted electronically in accordance with the current version of The Town of Hillsborough As-Built Submittal Requirements document.

 \Box Substantial completion certificate must be provided to town

 \Box Inspection reports must be provided to town

 \square Schedule of values for road and sidewalk construction costs must be provided to town

□ Maintenance agreements must be in place (landscaping, custom signage etc.)

 \Box Compliance with checklists must be established

 \Box Easements and plats must be recorded

□ A written offer of dedication (notarized) from the property owner is submitted. Once all required documentation is received, staff will place the request on the next town board agenda as a consent agenda item with a resolution documenting acceptance. Only after town board action is the infrastructure accepted by the town. Staff has no authority to accept dedications.

5. Warranty Period:

 \Box One-year warranty period begins once the Town Board accepts streets

 \Box A street infrastructure warranty inspection will occur ten months after street acceptance. A punch list of items to be repaired will be provided to the developer/owner.

The types of trees permitted are governed by the Town of Hillsborough, as well as the NCDOT (on stateowned roadways). A list of recommended and prohibited trees may be found in the Hillsborough Unified Development Ordinance Administrative Manual at

https://www.hillsboroughnc.gov/government/departments-and-divisions/planning/unifieddevelopment-ordinance.

Street Lighting

Street lighting must be provided along all new or improved streets <u>within the town limits</u>. <u>Proposed</u> <u>development outside the city limits that are not seeking annexation are not subject to these standards</u>. Lights should be provided at all intersections, and at least every 175 feet along a street. On multi-lane boulevards, lights should be provided along both sides of the street. LED fixtures are required.

Location and purpose

Poles must be located within the public street right of way if the town is to accept responsibly for the lights. Poles must be located so the light form the fixture predominately lights the traveld portion of the roadway. Typically, this requires placement between the roadside and sidewalk. Poles installed behind the sidewalk must be evaluated by the town prior to installation to determine if the location is adequate for future acceptance. Poles installed behind a sidewalk or otherwise oriented to not illuminate the roadway may not be accepted by the town at the time of street dedication.

Currently wattage choices are 50 & 70 watts and are generally most appropriate in residential and commercial settings respectively. In all situations, 3000 kelvin color temperature is the town standard. The town and developer will cooperatively make the wattage choice before installation to best suit everyone's purposes. Developers will be responsible for the cost of operating this lighting—the Town will take over the operating costs for lighting on public streets upon final street acceptance. The Town will only take on operating costs (electricity) of lights that use standard cobra flat lens design provided by the electric utility; operating costs (electricity) and special pole fees of any other style of street lighting (including the Traditional or Sanibel designs shown below) will be the ongoing responsibility of the developer, property owner, or homeowners' association (as applicable). The following three designs are recommended for use as street lights in the Town.

Standard fixture

The micro roadway LED fixture, type II, 50-watt, 3000 K is the town's standard road fixture. Installation with underground service on a wood pole is preferred. Applicants may upgrade the pole to style A, provided they arrange to pay all the full additional cost with the electric provider prior to acceptance by the town.

Applicants may also select another fixture type, provided they arrange to pay all the full additional cost with the electric provider prior to acceptance by the town OR they clearly inform buyers within the development that the town will not accept dedication of the fixtures and full responsibility for lighting will remain a responsibility of the property owners association.

<u>Process</u>

Duke Energy is the primary electric provider in the town's jurisdiction although some areas are served by Piedmont Electric. While only Duke Energy is referred to in the following paragraphs, the same process is required if Piedmont Electric is the provider.

Duke Energy will design and install street lighting upon request. During project review, applicants should discuss lighting with public works staff so the town can support the preparation of a design by Duke. The applicant is responsible to begin this process in adequate time to have a design ready for their construction drawing review. Once the design (layout and fixture selection) has been approved by the town during construction drawing review phase, the applicant will enter into a private three-year Outdoor Lighting agreement with Duke Energy, consistent with town requirements. Hillsborough requires the applicant to pay Duke Energy up front any additional costs above those for standard street lights on standard wooden poles. A fully signed copy of the lighting agreement must be returned to the town so staff can release the work order for construction by Duke Energy.

At the end of the three-year term for the OL contract, the developer will need to submit a request to the town to take over the monthly operation cost of the street lighting. This should generally coincide with street dedication. If funding is available, the town will enter into a public lighting (PL) service agreement with Duke Energy to take over the monthly operation costs of the public street lighting. If this occurs, the applicant's and property owners association's responsibility for the public street lighting will end at that time.

If this process is not followed or the town does not accept the lights for some reason, the applicant and/or the property owner association will remain responsible for public street lighting until it is accepted by the town.



Cobra Flat Lens



- Traditional



Sanibel LED

Signage & Street Naming

All signs placed along streets must conform to the requirements of the Manual on Uniform Traffic Control Devices (MUTCD), which can be found at <u>http://mutcd.fhwa.dot.gov/</u>. Customized signs that differ from the standard street signs used within the Town of Hillsborough are permitted, but must conform to MUTCD requirements, which can also be found in <u>Appendix C</u>. The developer, property

Appendix D – Stormwater Video CCTV Requirements

General Requirements

Prior to acceptance of any development with public storm drainage infrastructure, the utility contractor shall arrange a camera inspection of all public storm drainage lines with a 3rd party camera service and then coordinate the results with the Public Works Manager. Any discrepancies found in violation of these Specifications shall be repaired to the satisfaction of the Public Works Manager prior to acceptance by the Town of Hillsborough (Town).

When inspection indicates possible excessive deflection in CPP, CSP, or CAP, the contractor shall complete a deflection test by mandrel using a rigid device approved by the Public Works Manager. The mandrel size shall be clearly labeled and shall be sized so as to provide a diameter of at least 95% of the inside pipe diameter. If deflection exceeds 5%, the pipe shall be evaluated to determine what corrective measures are required.

Video Assessment and Cleaning

As a final measure required for acceptance the contractor/developer shall clean and televise all newly installed public stormwater drainage lines. Standards to be followed include:

- a) Clean/televise stormwater drainage lines installed from the upstream to downstream manhole/catch basin with no reverse setups or cutaways.
- b) Throughout shooting, the camera shall be panned and tilted for a complete view of the line.
- c) Lighting shall be adequate to view the entire storm drain line from beginning to end. Lighting for the camera shall be sufficient to yield a clear picture of the entire periphery of the pipe.
- d) The camera shall be advanced at a uniform rate not to exceed 20 feet per minute that allows a full and thorough inspection of the new storm drain line.
- e) The camera shall be a color, pan and tilt camera capable of producing a five-hundred-line resolution picture. The picture quality shall be acceptable and sufficient to allow a complete inspection with no lapses in coverage.
- f) The length of the storm drain line shall be measured and recorded on the video screen. The distance counter shall be calibrated before shooting the inspection video.
- g) The contractor/developer shall clean the storm drain lines ahead of video inspection with a high-velocity water jet. All construction debris shall be collected in the downstream manhole and shall not be released into the storm drain system.
- h) The Town shall be present throughout the cleaning and televising of the storm drain lines to verify that the video work complies with the Specifications. The camera operator shall stop, reverse, pan, and tilt the camera to view any area of interest during the inspection as directed from the Town. The video inspection shall take place within 2-hours of cleaning operations as witnessed by the Town.

- i) It is recommended that site grading and all utilities be installed and complete prior to final inspection to ensure that damages to the storm drain lines do not occur. Damages found after final inspection would requiring re-inspection by the Town.
- j) The video inspection shall be submitted to the Town on a CD/DVD and formatted with software compatible and readable by the Town. The Town shall not be responsible for purchasing additional software necessary to view the CD/DVD.
- k) Prior to submitting the CD/DVD to the Town, the contractor/developer shall label the CD/DVD with the following information:
 - Name of the Project/Development.
 - Name and contact information of responsible party.
 - Date of televising.
 - Manhole identification as shown on the design plans.



RESOLUTION Endorsing Updates to Street Standards Document

WHEREAS, the Board of Commissioners endorsed the Street Standards document on July 28, 2014; and

WHEREAS, the document has been updated to align with changes to traffic impact study requirements related to development review processes; and

WHEREAS, the document has been undated to clarify that utility staff be included in final public works inspection to in the acceptance checklist; and

WHEREAS, the document has been updated to add a requirement for camera/video inspection of stormwater infrastructure in the public right of way to the acceptance checklist and inspection requirements as appendix D; and

WHEREAS, the document has been updated to clarify requirements for street lights and street light acceptance;

NOW, THEREFORE, be it resolved the Hillsborough Board of Commissioners hereby endorses the updated Street Standards document as a current reflection of requirements, standards, and processes related to improvements in public rights of way and for the traveling public. The changed pages are attached to this resolution.

Approved this 13th day of February 2023.

Jenn Weaver, Mayor Town of Hillsborough



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:	Feb. 13, 2023
Department:	Utilities
Agenda Section:	Consent
Public hearing:	No
Date of public hearing:	N/A

PRESENTER/INFORMATION CONTACT

Utilities Director, K. Marie Strandwitz, PE

ITEM TO BE CONSIDERED

Subject: Professional Services Contract for RND Architects for Adron F. Thompson Facility Design

Attachments:

- 1. Draft contract with RND Associates
- 2. Request for Qualifications for Adron F. Thompson Facility Design

Summary:

In 2019, the town requested qualifications to perform a feasibility analysis and concept plan for the Adron F. Thompson facility, which houses the collection and distribution system staff. The facility is very old, the front half being the original 1936 water filtration plant for the town. The back half is a modular addition. The facility is in dire need of updating for safety, accessibility, and staff comfort. For example, there is only one functional bathroom for 15 staff. The feasibility study is attached. RND Associates was selected to complete this study. In 2022, the town issued a request for qualifications (attached) for the design of the facility generally in accordance with the study recommendations. RND Associates was again selected for this work from the review committee out of two submittals. Since it has been a few years since the feasibility study, and costs have escalated and town needs have changed (for example, needing a bit more space for staff), the town is breaking the consultant work into three phases. Phase I, the subject of this request, is to truly solidify the design scope so the town is not paying for design work it is unclear if it wants. Phase II, full design, and Phase III, bid and construction phase oversight, will be presented as amendments to this first contract.

Financial impacts:

The town's procurement policy requires the board approve any contract over \$30,000. The overall design through construction work with architectural firm RND Associates is expected to be approximately \$350,000 in total. Phase I work is \$58,000. The town has \$250,000 already in its approved budget for design work. The FY24 budget includes the anticipated excess needs for Phases II and III.

Staff recommendation and comments:

This project has been in the capital plan for several years. The Department is excited to embark on the design phase with the selected architect.

Action requested:

Approve the town manager to execute the Phase I contract when acceptable to the consultant and town attorney.



REQUEST FOR QUALIFICATIONS Professional Architectural Services For Design, Bid and Construction Oversight

of Renovation/Addition to Water/Sewer Facility

Issued By:	Utilities Department	
Issue Date:	August 08, 2022	
Pre-Submittal Meeting	August 22, 2022, at 10:00 A.M. Adron F. Thompson Water/Sewer Facility 715 Dimmocks Mill Road in Hillsborough	
Questions Due Date:	August 26, 2022	
Direct Inquiries to:	Civil Engineering Technician Tyler Freeman, EIT tyler.freeman@hillsboroughnc.gov	
Responses to Questions:	August 31, 2022	
Qualifications Due Date:	September 6, 2022 by 2:00 P.M.	
Delivery of Submissions:	By Mail: Town of Hillsborough Attn: Tyler Freeman, EIT, Civil Engineering Technician PO Box 429 Hillsborough, NC 27278 <i>In Person:</i> Town of Hillsborough Utilities Department 105 E. Corbin St. Hillsborough, NC 27278	
Interviews (if any)	Week of September 12 th	
Expected Selection	September 16, 2022	

GENERAL OVERVIEW

Introduction

In accordance with North Carolina General Statute 143-64.31, the Town of Hillsborough ("town") requests statements of qualifications (SOQ) from professional, qualified firms experienced in the design, bid and construction oversight of municipal buildings and retrofit of spaces for municipal use that can develop a full design for the town staff who oversee the wastewater collection and water distribution systems (C&D staff).

Background

Hillsborough, the county seat of Orange County, has a population of approximately 9,600 people. It is a small town with a big history. The downtown historic district, listed on the National Register of Historic Places, features more than 100 homes, churches and buildings from the 18th and 19th centuries. The existing facility that houses the C&D staff is the original Town of Hillsborough water treatment plant, constructed in 1936. It is located at 715 Dimmocks Mill Road along the Eno River. A new water treatment plant was constructed adjacent to the existing in the early 1970s and the original plant became office, storage, and shop space for other town staff such as the C&D staff.

The facility was renamed the Adron F. Thompson Water/Sewer Facility after a former beloved employee. It consists of the original water plant building with cement flooring, a bathroom, and a few small rooms as well as a subsequent addition of a large rear space consisting of a kitchen, bathroom, small office, and open meeting area. There are two floors to the original building. The lower level has a welding shop and space formerly used as an office. Staff has had to piecemeal together offices, shelving, and storage. The building is adjacent to the storage yard and the public works building. The storage is used for staff vehicles, pipe, parts, stone and gravel, and other utility-related items by both the Utilities Department and Public Works Division. The 100-year floodplain encroaches into the site parcel, which could be a limiting factor on any building addition and storage areas. Original drawings of the front part of the building are available upon request. In 2019, a feasibility study was conducted to assess the design options and constraints to updating the Adron F. Thompson Water/Sewer Facility. See Appendix A for the study.

The public works buildings and staff will eventually move to another site due to the floodplain.

Project Description

The project entails gathering information from the former feasibility study on the design options, needs, and constraints for the proposed renovated facility and incorporating any newly desired features or needs since that time. The consultant will design the facility for reuse and a layout to accommodate current staff needs for workspace, along with additional spaces for at least four additional administrative level personnel, space for filing, eating, welding, parts storage, and restrooms while preserving the original façade and features of the 1936 building. Desired are a full design plan, specifications and model covering all necessary trades and elements (architectural, structural, electrical, plumbing, landscaping, mechanical, grading, etc.) to move to permitting, bidding and construction along with costs and other information.

The town expects to start construction in Fiscal Year 2024.

SCOPE OF SERVICES

The minimum scope of professional services will involve preliminary design concept confirmation and amendments, design phase, construction documents, bidding/negotiation and construction phase services, which shall include:

- A. Evaluating the existing building through use of the feasibility study to assess design options for renovation with the objective of maintaining its historical value in the original part while also designing around potential structural, environmental, plumbing, and electrical issues.
- B. Meet with the town to confirm the feasibility study and any changes or amendments thereto.
- C. Design with the current issues and needs of the space. For example, the study identified lead and asbestos in certain features. The windows will need to be replaced and updated. The current facility is on a septic system, yet sewer could be extended across the neighboring water treatment plant site, which would involve civil engineering.
- D. Develop full facility design and construction drawings, showing exterior appearance, site plan layout, floor plan, out buildings, parking, interior features, landscaping details, specifications, and notes. The selected firm shall anticipate submitting two designs with varying options for final selection by the town. The selected firm should also anticipate minor changes to the design recommended by the town before final acceptance. Accompanying the design drawings should be a memo detailing expected costs and a detailed schedule with estimated months to construct, including with regulatory, building and zoning permitting and other approvals. The memo and design should address the following:
 - a. Design to address the amended increase of at least four administrative personnel, existing staff needs, and necessary facility updates as outlined in the feasibility study.
 - b. Sustainable and green building practices that the design incorporated.
 - c. ADA compliance.
 - d. Existing flood plain restrictions and how the design works within those constraints.
 - e. IT infrastructure needs for workstations and for group training and building security.
 - f. Confirmation of permitting and approvals needed for the project indicating entity, estimated fee, approval time as these may have changed since the feasibility study.
 - g. An overall estimated construction schedule.
 - h. Provide ideas for construction sequencing and the temporary housing of town staff during the renovations.

- E. Develop with town input, proposed interior finishes and exterior appearance of buildings. This may include some interior design consultation and specification of new furnishings, paint, wall coverings, and appliances.
- F. Prepare a project manual for bidding, including front end administrative documents, bid procedures and form, and all technical specifications with attached drawings and any studies and findings pertinent to a contractor.
- G. Assist with gaining all permits and approvals necessary for the project that are not contractor responsibility. This would include preparing permit applications, supporting documents, additional information response narrative and plan and specification revisions to gain approvals.
- H. Assist with bidding the project by advertising, maintaining the bidders list, holding the pre-bid meeting, preparing meeting notes, responding to bid phase questions through issuance of addendums, review and certification of bids, recommendation of award, preparation, and distribution of conformed issued for construction documents.
- I. Provide construction management and observation of the project, which may include organizing progress meetings, preparing notes, evaluating all submittals, answering requests for information (RFIs), issuing change orders, addressing site and contractor issues, liaising with town staff on various matters, reviewing and processing pay applications, monitoring the construction schedule, interpreting the specifications and drawings, performing walk throughs, ensuring punch list items are addressed, and generally helping the project be executed in accordance with the issued design documents through completion.
- J. Prepare final as-built record drawings and site survey, ensure all permits are certified and closed out, provide all operation and maintenance manuals, product warranty information, spare parts, final information about all interior and exterior features (vendor, style, model, color, etc.).
- K. If desired by the town, obtain any environmental or historical preservation certifications on its behalf.
- L. Assist in an open house/ribbon cutting event once complete, if requested.

SUBMITTAL INSTRUCTIONS AND REQUIREMENTS

Pre-Submittal Meeting

A pre-submittal meeting will be held at the time and place listed on the cover sheet. Attendance at the meeting is strongly encouraged but not mandatory. The meeting will include a tour of the site.

Instructions

Interested firms are invited to submit their qualifications for consideration. The submittal should contain, at a minimum, the information requested in "Submittal Requirements" below. Firms shall submit four paper copies and one digital copy clearly marked "SOQ – Design, Bid and Construction Oversight of Renovation/Addition to Water/Sewer Facility," to the attention of Civil Engineering Technician Tyler Freeman, EIT, no later than the date and time and at the address listed on the cover sheet.

The submittal deadline is absolute. SOQs received after the due date and time will not be accepted or considered and will be returned to the sender without review. Prospective firms and individuals must select a method of delivery that ensures the SOQ will be delivered to the correct location by the due date and time.

The RFQ may be downloaded from the Town of Hillsborough web page or provided upon request by sending an email to tyler.freeman@hillsboroughnc.gov. Note that failure to notify the town that you have downloaded an RFQ will preclude you from receiving updates or amendments, if issued, which may devalue your SOQ. Questions regarding this RFQ may be directed to the civil engineering technician, in writing only, via the above email. The question and response deadline are per the Schedule in Table 1-1. Responses will be posted to the bid section of the town's website.

Local, minority, female owned, and small businesses are encouraged and invited to submit proposals.

Submittal Requirements

Any firm that would like to be considered for this project must submit the following information as part of its SOQ:

- 1. **Cover Letter.** A signed cover letter from a principal in the firm expressing interest in the project and certifying that enough resources in personnel, equipment, and time are available and can be committed to this project. The letter should provide contact information including office address, telephone and email for whom the town should communicate with about the SOQ.
- 2. **Firm Profile.** A firm profile providing a description and location of the firm and identifying the legal entity that would enter into a contract with the Town of Hillsborough, the name and title of the person authorized to enter into an agreement, and the names and contact information of any proposed subconsultant or minority, women and small business enterprise (MWSBE) firms.
- 3. **Organizational Chart.** An organizational chart identifying key members of the proposed team, their responsibilities/titles, résumés/biographies, and experience with this type of project, including subconsultant firms. Keep résumés to a two-page limit.

- 4. **Approach.** Discussion of your firm's general approach to the project. Specifically address the areas of project team leadership, communication, cost control, schedule, and quality standards. Indicate a general timeline for each step to develop the design, plans, and associated costs.
- 5. **Project Profiles.** Listing of three relevant municipal building renovation projects containing work comparable to the scope of the work listed above that have been completed within the last five (5) years. For each project, include the facility name and owner; brief description of the project; the role your firm played in the project; size in square feet.
- 6. **References.** Three references from recent municipal clients involved in a similar project.
- 7. Schedule. An anticipated design schedule, through permitting/approvals and bidding.
- 8. **Example.** An example of the type of design plan(s) that would be produced for the town. These can be on a USB or DVD.
- 9. **Presentation.** The SOQ shall be bound and tabbed to the sections above (except for the cover letter). The minimum font size shall be 11 point. Fees will be negotiated as a part of the contract negotiation process after a firm is selected.

Evaluation Criteria

The town will establish an evaluation committee to review each qualification package. Qualification packages will be evaluated on the firms' ability to meet the requirements of this RFQ. Specific evaluation criteria include:

- The firm's experience in providing similar services for similar projects
- Firm's approach to communication with clients
- Clearly established capacity to complete scope of work in accordance with the proposed schedule
- Qualifications and abilities of key subconsultants and individuals identified in the SOQ
- References
- Reputation and distinction of the firm, subconsultants and key individuals in their practice area and its applicability to this project
- Adherence to the submittal requirements
- Familiarity and experience with the town
- Resident versus non-resident firm

Interviews

At the sole discretion and option of the town, oral interviews may be conducted with one or more firms to assist in the selection process.

ADDITIONAL INFORMATION

Public Records

- a. Upon receipt by the Town of Hillsborough, your SOQ is considered a public record except for material that qualifies as "Trade Secret" information under N.C. General Statue 66-152 or 132-1.2. Your SOQ will be reviewed by the selection committee, as well as other staff and members of the general public who submit a public record request. To properly designate material as a trade secret under these circumstances, each firm must take the following precautions: (a) any trade secrets submitted by a firm should be submitted in a separate, sealed envelope marked "Trade Secrets Confidential and Proprietary Information Do not disclose Except for the Purpose of Evaluating this Qualifications Package," and (b) the same trade secret/confidentiality designation should be stamped on each page of the trade secret materials contained in the envelope.
- b. In submitting an SOQ, each firm agrees that the Town of Hillsborough may reveal any trade secret materials contained in the SOQ to all staff and town officials involved in the selection process and to any outside consultant or other third parties who serve on the selection committee. Furthermore, each firm agrees to indemnify and hold harmless the town and each of its officers, employees and agents from costs, damages, and expenses incurred in connection with refusing to disclose any material that the firm has designated as a trade secret. Any firm that designates its entire qualifications package as a trade secret may be disqualified from the selection process.

Conditions, Clarifications and Reservations

- a. The town reserves the sole discretion and right to (1) reject any or all responses, (2) waive informalities in a response, (3) select a firm that has submitted a fully responsive SOQ and that is determined by the town to be a professional, qualified firm to be in the best interest of the town, or (4) take whatever action or make whatever decision it determines to be appropriate.
- b. The town assumes no obligation in this general solicitation of SOQs and all costs and expenses of responding to this request shall be borne by the interested firms or individuals.
- c. It is federal and town policy to prohibit discrimination against any person or business in pursuit of these opportunities based on race, color, sex, religion, national origin, age, disability, or veteran status.
- d. There is no minority or disadvantaged business firm goal for this project, although these firms are encouraged to apply.
- e. The selected firm will present its version of a contract for review and approval by the town attorney.

APPENDIX A

FEASIBILITY STUDY

The Town of Hillsborough

Adron F. Thompson Water/Sewer Facility: Feasibility Study









Utilities Department

K. Marie Strandwitz Utilities Director 10.04.2019



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Design Team

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Coulter Jewell Thames – Civil Engineers

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Town of Hillsborough Adron F. Thompson Water/Sewer Facility Fooribility Study



1. Introduction

RND Architects was selected to assist the Town of Hillsborough with a Feasibility Study to evaluate the renovation potential of the Adron F. Thompson Water Treatment Plant buildings and site located at 715 Dimmocks Mill Road in Hillsborough, North Carolina. The facility, which is situated on a 13.5-acre parcel on the south side of Dimmocks Mill Road, is bound on the east and north by residential property. The Eno River forms the southern boundary and the land falls off from the elevation at Dimmocks Mill to the river. The Town of Hillsborough owns the property that borders this parcel to the west which includes Kings Grant Park.

The site is occupied by several structures, the most significant of which is a masonry building originally constructed in 1936. The facility, which was once the Town of Hillsborough's water treatment plant, is a wonderful example of the simplified Art Deco Style of architecture that has remained largely unchanged, with the exception of a wood- framed addition to the rear. The Art Deco style is characterized by simple forms which are mostly vertical in nature and punched window openings. This style was used extensively from 1925 to 1940, and the buildings were embellished with hard-edged, low-relief designs, geometric shapes, and stylized floral and sunrise patterns like those exhibited above the windows of the Adron F. Thompson Building.

The facility was replaced in 1970's by the current water treatment plant located on the same parcel to the east of the Adron F. Thompson Building. After the new facility was constructed, the original the building was repurposed into office space for the Utilities Department. Today, the building houses the Town of Hillsborough's Wastewater Collection and Water Distribution Staff as well as storage supplies and materials for this department.

In the 1990's, a wood-framed addition was added to the building to provide additional office space. The site also contains various pole barn structures used for equipment storage and a one-story masonry building located to the south of the parcel which is used for the Public Works Department. Because this building is located within the 100-year floodway, we understand the Town plans to demolish this structure. Finally, there is a mobile office trailer used by Public Works that will be removed.



2. Executive Summary

The Town of Hillsborough's Adron F. Thompson Water Treatment Plant Buildings and Site will clearly accommodate the potential improvements requested by the Utilities Department without significant challenges. The continued use and modernization of the Historic Water Treatment Plant as office space further preserves an architecturally significant structure for the town. The later addition, although not historic nor architecturally significant, can be easily enlarged to accommodate future growth and address existing deficiencies. The proposed addition's architectural style should be reserved and vernacular as to not detract from the more significant water treatment plant structure.

The existing site is large enough to house all requested program spaces in a logical arrangement, even with the restrictions to new development in the flood plain which bisects the site. By reconfiguring the site with thoughtfully arranged structures, Town staff will be able to invest more time in completing work orders and maintaining on the Town's infrastructure rather than repairing equipment affected by the elements.

We understand the Town will remove the existing Public Works buildings located in the flood plain and encourage this action to protect the water shed of the Eno River and promote water quality. We support this effort because the structures are within the floodplain and do not contribute to the historic nature of the site. By eliminating these buildings and relocating the Public Works department off site, the Utilities staff could utilize the entire yard and make better use of the available space.

The provided renderings and cost estimates communicate these planned improvements. These materials will aide Town staff in prioritizing the scope of work and in and securing funding for any and all portions of the development plan.

The cost of the entire recommended solution exceeds that which was verbally communicated to the Design Team. As a result, the full realization of this recommended plan may be phased over time and a prioritization exercise may be beneficial to determine which components should be immediately addressed and which may be delayed until additional funding is available.



3. Existing Conditions - Summary

Currently, the Utilities Department Site and Public Works Department share their site. We understand Public Work's plan to vacate the property and relocate to other facilities. The site consists of five distinct structures, the largest of which is the Adron F. Thompson Building. This building houses the Utilities Department's storage and staff. The historic structure is not conditioned for summer occupancy as it only has supplemental heating and cooling by small units.

There is an existing wood-framed, metal panel roof and siding pole barn used for storage. It has roll-up doors, a lean-to shed for storage, and is heated by a small electric heater. This building will continue to be used for storage in the future and will have additional structures added on to it to create more space.

An relocated equipment shed on the property shelters equipment from the elements. However, it is not adequately sized to cover all the equipment.

The Public Works Facility also consists of a masonry building located in the flood plain and a temporary modular office trailer that was installed on the fence line between the equipment yard and the adjacent current water treatment facility. Both structures are planned for removal.

See further detailed evaluations of the Utilities Department facilities, including the existing electrical, plumbing and mechanical systems in Edmondson Engineers' document attached as **Appendix A**.

Structural

Original Building – Based upon our initial observations, the original historic masonry structure is sound and would allow for the conditioning and renovation of the space to be more efficiently used as offices on the upper level and storage on the lower level. There are some indications that exterior brick has moved in areas, but this appears to be minimal and not an active issue.

Original Addition – The existing wood-framed addition is sound and a good candidate for improvement as shown in the proposed floor plans and exterior renderings, with the exception of the metal post and expanded metal deck egress stair. Because this element was constructed with marginally sized steel structural members, it does not meet current code for guard and handrails. In response, we propose a replacement with a new stair to provide a better egress solution for the expanded facility.



Building Envelope

Roof

Original Water Treatment Building – The owner advised the roof on the original water treatment plant was recently replaced and no leakage is present. We recommend this roof be maintained and left in place until repairs or replacement are needed. The owner shall inspect the building for signs of deterioration which can lead to moisture infiltration and compromises to the integrity of the masonry structural walls.

Original Addition – The current asphalt single roof on the existing addition shall be removed and replaced with a metal standing seam roof. This replacement will outlast the asphalt shingle roof and provide unity and cohesiveness to the site.

Exterior Walls

Original Water Treatment Building – Exterior walls shall be cleaned of existing lead-based paint and sealed with a permeable sealer on interior. The importance of energy efficiency shall be secondary to that of maintaining the interior brick façade finish to preserve the original character of the building. Though this may lead to higher energy consumption when the building is conditioned, this decision was weighed carefully by the design team.

Original Addition – New spray insulation should be added to existing walls by removing the interior finish and spraying the wood stud wall cavities. Existing siding will be and replaced with continuous foam insulation panels and cement board siding.

Windows

Original Water Treatment Building - New steel windows shall be installed in the original openings to mimic the lite's original pattern, while providing more efficient openings for the renovated facility. Although new steel windows are more expensive than other replacement options, it is important the replacement closely mimics the original design's intent in order to honor the historic value of the existing building. The goal is that visitors will have difficulty determining whether the new windows are the original single-pane steel framed windows or replicas.

Original Addition – The office and training space windows of the addition are small and located such that there is little opportunity for natural light into the space. These windows shall be removed, and the openings enlarged to increase natural light. These new openings should be similar in size to the original building openings, but they will be more efficient, operable, dual-paned, fiberglass-framed windows rather than steel to reduce the cost. Because the addition's aesthetic was not designed to mimic the original structure, it is not recommended the new windows match any of its features other than the size and lite arrangement.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Foosibility Study



Interior Environment

Original Water Treatment Building - The existing interior exhibits wood paneled walls with intricate wood trim that formed the original offices in the Northwest side of the structure. The wood walls should be preserved in the renovation. The remainder of the space is exposed painted masonry walls that are deteriorating. The paint shall be removed, and a new moisture permeable coating applied that will allow moisture to exit the walls without peeling the new coating. The existing window openings in the rear of the building were boarded up when the office addition was constructed. These shall be opened back up to allow the two buildings to relate to one another. The floor has two levels, with the higher level 6" above the concrete floor due to the elevation of the original trough structure. The concrete floor is in good shape and can be reused without coverings in the renovation. The raised floor is comprised of plywood and should be changed to a more durable flooring product in the renovation. The ceilings are the underside of the roof deck which creates acoustic issues that can be resolved by introducing sound absorbing ceiling elements in between structural members.

Original Addition – The office addition is comprised of a large office training room with an integral break area. A restroom and an office located on the west side with a step down floor. The interior floor of the large open office room is 1 foot higher than the original Water Treatment plant floor surface. The wood framed floor structure is covered with a low-cost vinyl flooring product that is not ideal for the current use. The paneled walls and painted paneled ceilings do not provide acoustic properties that are desirable in an office environment. The ceiling is low and surface mounted lighting does not provide light suited for the multipurpose use of this space. Overall the space is functional but could be improved greatly with new finishes and more windows into the space.

Accessibility

Original Water Treatment Building - The current Adron F. Thompson facility is not accessible. The front entrance needs a ramp to allow access. There are multiple distinct floor levels in the facility and no ramps that connect these levels. The accessibility challenges shall be corrected in the renovation.

Original Addition – The office addition exhibits multiple floor levels and the existing restroom is lower than the main level and does not have the required accessible components like grab bars or accessible fixtures.

Emergency Egress

Original Water Treatment Building - The current Adron F. Thompson facility has two exits allowing occupants to egress through the front door or downstairs to the lower level and out on either side of the building through exterior doors to grade. This arrangement is code compliant and shall remain in the renovation.

Original Addition – The office addition also has two exits, one through the Main Level of the Water Treatment Plant building and the other through an exterior door that leads to a metal egress deck and stair. This metal structure is marginal for structural stability and is not code compliant for guard or handrails and shall be replaced in the renovation.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Foosibility Study



4. Hazardous Materials

Matrix Health & Safety Consultants, LLC performed a hazardous materials assessment that included an asbestos-containing material and limited lead-based paint survey. Matrix also performed an inventory of equipment assumed to contain mercury, a PCB that would require universal waste disposal in accordance with the EPA. The hazardous materials identified at the subject facility are summarized below.

Asbestos Survey Results

respectos survey results		
MATERIAL	GENERAL LOCATION	TYPE AND PERCENTAGE OF
		ASBESTOS PRESENT
Window Caulking	Interior Original Structure	3% Chrysotile
		-
Flashing Mastic	Exterior Basement Rear Left	3% Chrysotile
	Original Structure	-
Door Caulking	Original Structure	2% Chrysotile
8		

Analysis Method: EPA 600/R-93/116 Method using Polarized Light Microscopy

Lead-Based Paint Survey Results - Exterior

COMPONENT	SUBSTRATE	COLOR	LOCATION	LEAD	CONDITION
				CONTENT	
				(mg/cm2)	
Window Sash	Metal	Black and	Original	1.0 - 1.1	Deteriorated
		Green	Structure		
Exterior Railing	Metal	Gray	D Right	1.8	Deteriorated
Door Header	Metal	Green	Original	2.6	Deteriorated
			Structure		

Lead-Based Paint Survey Results - Basement Workshop - Interior

Mena Phoen I have b	Bend Dused I and Suffey Results Dusement (Forkshop Interior						
COMPONENT	SUBSTRATE	COLOR	LOCATION	LEAD	CONDITION		
				CONTENT			
				(mg/cm2)			
Stair Tread	Concrete	Gray	C/D Corner	3.5	Deteriorated		
Railing	Metal	Black	C/D Corner	1.4	Deteriorated		

Lead-Based Paint Survey Results - Parts Room - Interior

COMPONENT	SUBSTRATE	COLOR	LOCATION	LEAD CONTENT (mg/cm2)	CONDITION
Window Sash	Metal	Green	B Left	1.0	Deteriorated
Railing	Metal	Gray	D Center	10.2	Deteriorated
Stair Tread	Concrete	Gray	D Center	1.7	Deteriorated

MERCURY AND PCB CONTAINING EQUIPMENT RESULTS

BALLAST BATTERIES		BULBS	MERCURY	
38	0	76	0	

Matrix recommends these materials and equipment be properly abated or removed and legally disposed of as part of any renovation to the Adron F. Thompson facility.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Fooribility Study



5. Owner Program

The Design Team's first task was to identify and develop the Owner's Project Requirements that would guide the study's decision making. Joel Lashley Reported the following list of items in an e-mail dated 4/10/2019. RND added explanatory text in blue after each item.

- 1. Locker room with showers (Inside Adron F. Thompson Facility)
- 2. Restroom with urinals and multiple stalls (Inside Adron F. Thompson Facility)
- 3. Break room with Polar Pop Machine (Inside Adron F. Thompson Facility)
- 4. Room with cubicles for the field employees (Inside Adron F. Thompson Facility)
- 5. Two more offices (Inside Adron F. Thompson Facility)
- 6. Supply room (Inside Adron F. Thompson Facility)
- 7. Stock room and storage for supplies (Inside Adron F. Thompson Facility)
- 8. Bigger parking lot. (at front and rear of Adron F. Thompson Facility)
- 9. Welding shop with a mechanics bay (on equipment yard @ Adron F. Thompson Facility)
- 10. Heated garage for vac truck (on equipment yard @ Adron F. Thompson Facility)
- 11. Lean-to for all equipment (on equipment yard @ Adron F. Thompson Facility)
- 12. Cover over the rock pile (on equipment yard @ Adron F. Thompson Facility)
- 13. Wash pit (on equipment yard @ Adron F. Thompson Facility)
- 14. Heat & AC (Original Historic Adron F. Thompson Facility)

The program above and conversations with Town staff centered around the Town of Hillsborough's continued growth. To keep pace with its expansion, the Town needs to maintain its utilities and modernize its existing facilities to be more efficient and adaptable to future staff and equipment increases.

RND Architects and its consultants created a conceptual site plan and floor plans to identify locations for these improvements. In addition, costs estimates were developed for each item to assist in funding requests for future budget cycles.



6. Preliminary Assessment of Owner's Development Objectives

The Design Team evaluated the Owner's Development Objectives which were reported in the form of verbal discussions with Utilities Director, Marie Strandwitz, The RFQ for Professional Architectural Services dated February 20, 2019, as well as e-mail and on-site correspondences with Joel Lashley (Utility Systems Supervisor). After analyzing the owner's development intentions, the requested program was deemed attainable and the site and existing buildings were found to be suitable for modifications, growth and development without significant challenges. RND Architects is a strong proponent of adaptive re-use practices because it offers more sustainable solutions than new construction projects. Furthermore, RND recognizes the value of historic properties and applauds the Town for its desire to preserve the building as a functioning part of the Town's services.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Foosibility Study



7. Site Evaluation / Context Description

The 13.5 Acre site, (PIN number 9864237369), is valued at \$472,500.00. It is in the HI - Hillsborough Extra Territorial Zoning Jurisdiction and is part of the Lower Eno Unprotected. The topography falls gently from North to South down to the Eno River. Much of the site is located inside the 100-year and 500-year floodplain. Paved areas off Dimmocks Mill Road provide parking and circulation on this site. The existing buildings' arrangement has evolved over time without a comprehensive plan for the site. The current building locations will not impede the continued use of the proposed site. The existing access to the site from Dimmocks Mill Road presents several challenges which are addressed in the proposed site plan. We understand that the Town of Hillsborough will remove the existing masonry buildings in the floodplain.

The site has been thoroughly evaluated through observations and surveys. Physical characteristics, utilities, access, circulation, and parking were investigated. Codes, regulations, and ordinances were reviewed in relation to the proposed project, and recommendations for proposed improvements have been provided to assist the Owner in proceeding with the desired improvements.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Foombility Study



8. Identification of Environmental Requirements

Environmental requirements associated with the proposed project include the protection of the adjacent stream, its buffers and floodway, and the associated floodplain. Protection of these areas has been described as needed in the recommendations, including avoidance of construction as practical, avoidance of piped discharges, and avoidance of wastewater facilities in these areas.

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9. Historic Resource Inventory

The original water treatment plant building is the most structure significant on the site. It is our belief this building should be retained and renovated for use by the Utilities Department offices and storage. The facility has the potential to be modernized and improved without compromising the character of the original structure.

Another historic structure on the property is a pump house on the southeast edge of the utilities yard near the Eno River. Though not currently in use, this building was critical to the original operation of the water treatment plant. As such, this structure should be preserved and maintained by the Town as long as it is economically feasible. Though this secondary structure is not addressed in this study, it is recommended the Town actively works to stabilize and preserve the historic integrity of this structure.



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10. Sustainable Solutions

The redevelopment of the Adron F. Thompson site includes renovations to several existing structures, as well as the construction of new additions. These improvements will present the Town with a number of opportunities to incorporate sustainable practices into the planned modifications. The two most promising sustainable design elements for this property are;

A. **Solar Panels:** Solar collection for site electricity that is either ground or building mounted. The incorporation of Photo Voltaic Panels is attractive for this site because panels are a highly visible affirmation of the Town's commitment to sustainability. Given the open space surrounding the Adron F. Thompson Building and the the ground tanks between the new wastewater treatment plant, ground-mounted panels would also be less costly to utilize. The additional roof area for equipment sheds on the site may also afford the possibility of roof-mounted panels which would not interfere with the Adron F. Thompson Facility's aesthetics.

This method of sustainable building practice offers the most benefits for this site because the system is scalable. It can power small items or contribute to the power supply of the entire site. Though cost estimates for a solar collection system are not included in this report, it would be beneficial to further investigate its potentials in the ensuing design process.

B. Rainwater Collection: Rooftop rainwater collections are another common practice for municipalities seeking sustainable, eco-friendly building solutions. Rainwater collection reduces runoff volume and improves water quality. To effectively capture this water for redistribution, a collection must capture up to 25% of the water from impervious or hard surfaces. This water is then filtered and reused in the building's sustainable water system or released into a public wastewater treatment facility.

In the case of the Adron F. Thompson facility, a rainwater collection system could make good use of the many roofs on the site. Metal roofs often provide the most effective surface for this purpose because of their anti-microbial paint systems. In order to establish rainwater collection, a roof must be able to withstand the weight of heavy rain or snow and there must be an easy path for the water to flow. The roof's material must endure all weather conditions and provide a smooth surface that is easy to clear of debris and dust. Asphalt, slate or tile roofs can be used as rainwater collection catchments. However, metal is the preferred roofing material due to the potential for metal to limit contaminants that may grow on the material itself. Metal roofs are often coated in anti-microbial paint systems which repel debris.

Because a roof's slope determines the speed of rainwater runoff, sloped roofs were designed over the offices and equipment sheds to aide rainwater collection. A steeply sloped roof will shed water quickly and can efficiently removing debris and prevent stagnant water buildup.

The potential efficiency of the proposed Water Catchment system can be determined by using the following formula:

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Fooribility Study



Harvested Water (gallons) = Catchment Area (sq. ft.) x rainfall depth (inches) x 0.623 (conversion factor)

A detailed study would need to be performed to identify this project site's capacity based on annual rainfall amounts, the demand based on restroom usage, and estimations for the number of vehicles washed. However, by incorporating a system to reclaim water from run-off and use it for purposes where potable water is not required is attractive, especially given the Utilities Department Wastewater Collection and Water Distribution Staff is housed within this building.

A system of run-off water collection from each rooftop on the site would involve a large groundmounted storage tank on the lower portion of the property, or a below-ground tank for purposes water collection and holding. Water would then be pumped to the point of use location, such as in a building for toilets or at the Vehicle Wash Pit. Ideally, collection tanks would be located such that drain lines from each roof would drain to the tank using gravity.

This type of system is best suited for a facility with a very large roof area. Given this site has several smaller roofs, the infrastructure needed to support a rainwater collection system becomes costly and may have a limited return on investment.

C. Limiting Impervious Surfaces and Located Development out of the Floodplain: As much as practical, the Town of Hillsborough should strive to protect floodplains and limit development on this parcel to outside the 100-year flood line to improve water quality and mitigate flood damage. This decision to move all new development outside this floodplain and encourage the relocation of the existing material storage areas outside the floodplain will also protect wildlife habitats and sensitive natural areas that are adjacent to the Eno River.

We have mitigated the extent of impervious surfaces used for parking by utilizing gravel parking instead of pavement. This will allow the Town to manage watershed supply areas and protect the water quality of the Eno River. Water from the Eno River flows into Falls Lake which is a regional water supply. From there, it flows into the Neuse River and then the Albemarle-Pamlico Sound before emptying into the ocean. Hillsborough should endeavor to maintain or improve the water quality of the Eno River by promoting clean water and less pollutant run-off. This is the least costly sustainable practice and its benefits will be realized throughout the life of the site.

D. Increasing the amount of Natural Light in Facility: RND Architects strives to maximize natural light in every project. Natural light reduces reliance on electricity and promotes employee well-being. We have incorporated large windows and skylights into the design where possible to flood interior spaces with natural lighting throughout the day.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Foombility Study



11. Conceptual Renderings / Drawings

RND Architects and its consultants have developed a conceptual Site plan of the Adron F. Thompson parcel with the desired improvements to facilitate future growth of the Utilities Division. This site plan, though thoughtfully designed, may not the exact the configuration of the final plan developed for the project. However, the plan incorporates each of the Owner's project requirements and the study graduates to a design project, the site plan shall be re-evaluated to align with the stated budget and owner requirements to ensure project success.

Additionally, we have provided a conceptual floor plan of the Adron F. Thompson facility with the desired addition to facilitate future growth of the Utilities Division. This floor plan is not intended to be the final plan for construction, but it incorporates the Owner's project requirements, program and scope. When this study graduates to a design project, the program and interior spaces shall be re-evaluated to align with the stated budget and owner requirements to ensure project success.

RND Architects has also developed several exterior renderings; a rendered site plan, rendered Level 1, and Lower Level floor plans of the Adron F. Thompson Facility and Site to illustrate the conceptual plans addressing the town's desired program. These renderings may not reflect the final design solutions to be expected once the town initiates a design project, but rather these provide conceptual views of the program requirements and allow the town to plan for the implementation of improvements on this site.



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RENDERING: **SITE PLAN** Hillsborough Water Treatment Facility Feasibility Study





SEWER PUMP STATION

BUILDING RENOVATION / ADDITION

LEGEND





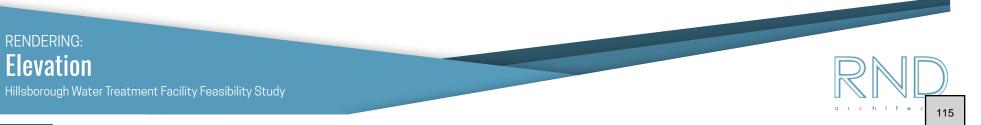
FLOORPLAN: LEVEL 1 Hillsborough Water Treatment Facility Feasibility Study



FLOORPLAN:







Section 6, Item H.



RENDERING: View of Addition Southwest



RENDERING: View of Addition Northeast





View of Addition Northwest



12. Description of Proposed Improvements and Estimate of the Cost of the Work

We have summarized all proposed improvements and provided estimates of the cost for each scope component identified below. The estimates shall be viewed as costs to complete the scope item if this were a single project. If multiple scope items are combined into one project, the Town of Hillsborough would realize savings from economy of scale. The higher the cost of the proposed project, the more of a savings is realized due to the economy of scale.

We understand that all desired scope items from the owner's program would exceed the amount discussed initially when identifying the owner's program for this project. It is our recommendation that the Town of Hillsborough Utilities Department along with Town Administration, select the most immediate needs and develop a budget to address these needs in a Phased approach to this site.

The numbered Scope items below correspond to the Site Plan and the Site Plan with Costs Legends allowing easy identification and cross referencing of the scope items.

- 1. Adron F. Thompson Building Renovation / Addition includes the following prices as one scope item not broken down per item below.
 - Renovation of Historic 1936 Structure of the Adron F. Thompson Water Treatment Facility

 upgrade existing building to conditioned space, new service, lights, etc. plumbing upgrades in lower level. One of the most expensive items for this portion of the scope would be to install new thermal performance steel windows that replicate the existing single pane steel windows. This is estimated at \$130,000 for the existing openings. While this expense is costly, the benefit of maintaining the overall Art Deco appearance of the facility to preserve the Architectural heritage of the Town is paramount.

\$ 360,000

Building Renovation of the existing wood framed Addition to the Structure of the Adron
 F. Thompson Water Treatment Facility – upgrade existing building to new floor plan, new service lighting. Plumbing, HVAC, Electrical.

\$ 145,000

c. Approximately 2,000 sf addition (1,000 sf on ground floor for storage and 1,000 sf on level 1 for office space. New HVAC, plumbing for addition. Proposed Addition – We propose the new office and storage addition to be a wood-framed structure to match the existing office addition. The lower level walls would be masonry and brick veneer. The proposed addition will have a standing seam metal roof that matches the new roof on the original addition and other roofs on the site. The windows in the addition will match the proposed replacements for the original addition.

\$ 420,000



d. **New generator and ATS**. – Propose a new diesel 80kW generator with a belly tank with an Automatic Transfer Switch located inside the building.

\$ 50,000

e. New Electrical service for Renovated & New Building – The study identified the need to provide a new electrical service to provide a modern and reliable source of power to the improved facility. Rework of the electrical service is anticipated to relocate the existing meter to side of the building with a new service entrance into the basement level. It is desired the power company secondary be routed underground from the pole to the new meter location.

\$ 20,000

f. Hazardous Materials Abatement - The study identified the presence of asbestos containing materials, lead based paint and ballasts that contain PCB. We have included the entire report to this document as Appendix B. The lead on the windows would be handled as part of asbestos disposal except for any windows that may be repurposed. The estimate does include costs for removal of lead-based paint using blasting or chemical stripping on a few repurposed windows and the concrete stair treads.

\$ 25,000

2. Welding & Vehicle Maintenance Shop - One Story Pole Barn Addition to existing Pole barn onsite. Use: Welding Shop and Vehicle Maintenance. Provide Heat for Shop. No A/C. Power for equipment and possibly a vehicle lift. The addition of a new welding structure to the pole barn is recommended as the western most end of the pole barn will provide for a pull through bay for vehicle maintenance and welding and will extend an existing structure rather than creating a new stand-alone structure.

\$ 96,000

3. Vacuum Truck Storage - Enclose the existing metal building storage shed structure that is used for storage of equipment with new wall and roof panels to provide a permanent interior storage of the Town's Vacuum Truck, which is one of the costliest assets in the department. Provide convenience outlets in the space. Provide power operated roll-up door. Provide lighting on exterior of building. Vacuum truck needs to be plugged in to maintain readiness of truck. The existing structure shall have new purlins and exterior wall panels, replace the existing roof panels with new, provide a personnel door and a large roll-up door added to the North end to provide a secure enclosure for the valuable asset.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Fooribility Study



4. Equipment Shed Pole Barn - New 30' x 100' Pole barn #1. Not fully enclosed. Provide lighting and convenience outlets in building. Provide water source at this location. Provide lighted sign on exterior wall near entrance. Provide exterior lights around perimeter of building. Cost includes the replacement of a fenced gate at the building to provide security to the Equipment yard. Due to the proximity of this new structure to the existing Pole Barn it is recommended that this shed be used for smaller equipment or equipment that is not on trailers as the required room for vehicle turning to back a trailer into the bays is not available.

\$ 225,000

5. **Equipment Shed Pole Barn** - 30' x 100' Pole barn #2. Not fully enclosed. Provide lighting and convenience outlets in building. Provide water source at both ends. Provide exterior lights around perimeter of building. Cost includes the replacement of a fenced gate at the building to provide security to the Equipment yard.

\$ 218,000

6. Equipment Yard – Largely this component already exists on the site however with the addition of several of the items on this list, this component may require additional gravel to augment the current surfaces and additional lighting to provide security and ease of use by town staff early in the am or late in the afternoons when light levels are low due to seasonal sunrise and sunset times. We assume that all site security lighting will be provided by / leased from Duke Energy so initial costs are not provided in the estimate below. The town would lease the lighting through their rates paid monthly for the service to the site. The cost below reflects the additional gravel to be spread out on the site to provide a reliable and uniform surface for the use of the site.

\$ 18,000

7. Covered Storage over Crush & Run Bulk Materials Pile – The owner desires to place a roof structure to cover the crush and run storage pile. This pile is currently located inside the 100-year floodplain and inside the floodway. This structure should be created by using a high bay metal pre-engineered building structural system, metal roof panels and partial wall panels to provide cover, while allowing flood waters to migrate through the structure. Provide lighting under shed and security lighting around structure.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility



8. Enlarge Rear Gravel Parking Lot - The Existing Equipment Yard near the Public Works Building is proposed to be used for employee parking as the existing parking along Dimmocks Mill Road to the West of the front parking lot will be used for the new equipment sheds and landscaping required by the town ordinance. This lot will remain gravel and will not be striped or otherwise marked for vehicle spaces. There is room for approximately 16 spaces in this area. Provide security lighting (Duke Energy)

\$ 10,000

9. Enlarging the Front Parking Lot – Existing parking lot is used for staff to park in the mornings where staff gather to begin the day and, in the afternoon, when they report after completing their work orders. The existing lot is not large enough to accommodate expansion in the Utilities Department which will follow the expansion of the Town and population. New asphalt paved surfaces shall be created by creating a modular masonry retaining wall to allow engineered fill to be placed creating an enlarged, level parking lot off Dimmocks Mill. New sidewalks shall be created allowing staff to access the building. A van accessible parking space and an accessible ramp is added to the facility providing full accessibility to the renovated facility. Fencing shall be replaced with a decorative fence in this area to maintain security of the site. There are no sidewalks required along the Dimmocks Mill Road frontage for the improvements proposed. This area of Dimmocks Mill Road is not shown as a sidewalk priority area in the adopted Community Connectivity Plan. Relocated power poles and Site Lighting by Duke Energy.

\$ 120,000

10. Equipment Yard Entrance - New concrete paved vehicular entrance to Equipment Yard is proposed as we understand that the existing driveway to the Equipment Yard is very difficult for deliveries from tractor trailers and other large trucks to enter and can be tight for town vehicles pulling trailers to enter and exit. To remedy this, there should be a new reinforced concrete entrance created to the east of the current entrance. This new entrance should be used for all large vehicles entering and exiting the site. The new entrance will be between the two new equipment sheds and provide a second gated location for access to the site. The existing driveway should be retained for personal vehicles and access to the lower level of the Adron F. Thompson Building.

\$ 25,000



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11. Vehicle / Equipment Wash Pit – Create a new wash pit for Vehicles used in the daily execution of the work and maintenance of the town's water lines to be cleaned. The Vehicle / Equipment Wash has been located outside the 100-Year Floodplain. A grease trap with sediment trap (oil & Water Separator) is included with this item. We do not plan for it to discharge to the river, as to do this we would need an individual NPDES permit because the state and EPA consider wash water as wastewater. We propose to have this structure plumbed to the sanitary sewer and would tie into the Sewer Pump Station to discharge the wastewater. The cost indicated does not incorporate any sustainable measures such as using collected and stored rainwater for vehicle and equipment washing. The rooftop area on this site would make it difficult to generate the required capacity to justify the installation of a collection system for this use. Provide security lighting (Duke Energy) at this element for use at early morning and late afternoon hours.

\$ 20,000

12. Sewer Pump Station – A new wastewater pumps station is proposed to convey wastewater to the public sewer on the eastern side of the site. Per NC requirements, the preliminary site selection is not in the 100-Year Floodplain and is not within 100' of the public water facilities on the site. The force main to the Public Sewer on the eastern side of the site is approximately 700' away and is located a minimum of 50' from the Public Water facilities s required by state regulations. The Pump Station will be provided power from the New Main Service to the Facility and new Security Lighting using Duke Energy poles shall be provided within close proximity of the pumps station.

	\$ 87,500
TOTAL CONSTRUCTION COST OF ALL SCOPE ITEMS ABOVE	
	\$ 2,114,500

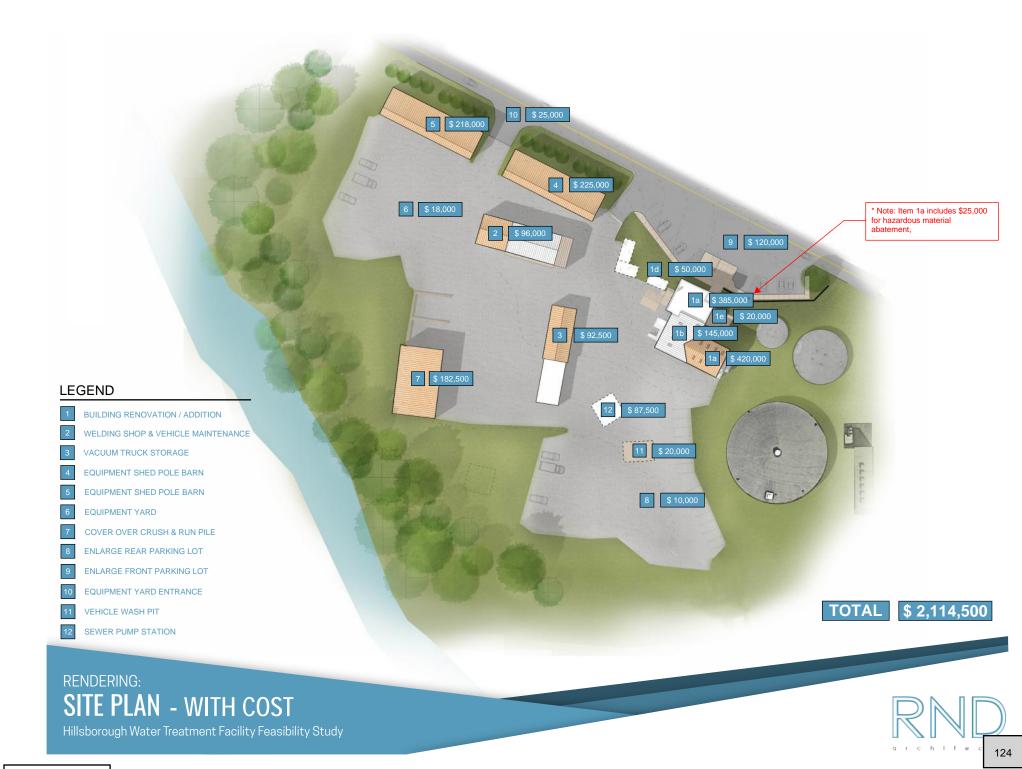
As stated above, if multiple items are selected for a single project, The Town of Hillsborough should expect a reduction in the total costs proportionate to the size of the project. If the owner selected two items to complete together, the savings may only amount to 1 or 2% reduction from the totaled amount, however if the owner selects all scope items, a savings of 8% to 10% may be expected.

A Contingency amount for any construction project should be figured in at 5% minimum to cover unexpected costs. When working with soils near an existing river, there is the potential for existing soils to require augmentation to achieve bearing capacity for structures and parking areas. If the project were completed as the entire scope, a \$105,000 contingency should be expected.

Design Fees for the construction portion of the project should be factored in and typically range from 8% to 12% of the expected construction cost for public ally bid municipal projects of this scope. In this case a design fee ranging from \$170,000 to \$250,000 shall be expected.

Lastly, if the projects are not funded until future calendar years, it is wise to also include escalation in the amount of 5% per year. If economic conditions change drastically from what is seen today this may be adjusted up or down as required.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Fooribility Study



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13. Permitting Required for Conceptual Plans

Building Permits - All improvements proposed require the Town to bid the project to follow state law for contracting. The chosen design team for the project would assist the town with preparation of Construction Documents which can then be bid and permitted through the Town of Hillsborough and Orange County Planning and Inspections Department. Once a permit is issued for construction

Stormwater - Hillsborough's require stormwater control measures for anything that includes 10,000 square feet or more of new impervious surfaces. With the recommended development and the planned relocation of the Public Works facilities, the site development is not expected to increase over 10,000 square feet of new impervious surface. We understand that converting existing gravel equipment yard areas to asphalt or new buildings is not "new" impervious. Based on this expectation, a stormwater management plan for new impervious would not be required.

Construction in Floodplain Permit - The addition of Wall panels to the existing storage shed to house the Vacuum Truck and the addition of the Structure to cover the Crush & Run Materials Pile would require a permit to be issued from the NC DENR for this development as it occurs in the floodplain. The structures would be designed to allow water to migrate through the building rather than destroy it when and if this area floods. The floor of the vacuum truck storage shed should be elevated if possible, above the Base Flood Elevation (BFE) and flood vents used to allow water to filter through the building.

Hillsborough's Unified Development Ordinance Requirements - Dimmocks Mill Road is classified as a Residential Collector in Hillsborough's adopted Street Design Standards and is classifies as a Local Road by NCDOT. Section 6.5.4.4 of Hillsborough's UDO states a buffer is not required when a non-residential parcel is adjacent to an arterial or collector street. Since the Town says it's a collector, then no buffer is required along the street frontage. However, UDO Section 6.10.3.8 requires a 10-foot wide planted setback around the parking perimeter. Three-foot high opaque screening of parking (fencing or landscaping) is required when adjacent to streets & residentially used property.

The above requirements are not meant to be all inclusive or exhaustive of the permitting required for the project to be realized as conceived. The chosen Design Team will have to evaluate each scope item and identify permitting and Ordinance requirements for each specific item to ensure compliance.



14. Accessibility Compliance

RND Architects has proposed a fully accessible facility. Although the Existing Building Code may be utilized if only a portion of the building were renovated to avoid the requirement to upgrade the building to full accessibility, the plan we have developed is fully accessible without a burden of massive expense to achieve full compliance. Starting at the site arrival point, we have provided a van accessible parking space. On Level 1 (upper Level) the accessible route into the Adron F. Thompson Water/Sewer begins with a proposed exterior ramp and an interior ramp to the floor level at the trough raised to the floor level of the existing addition floor level which is 12" up from the original floor level. The lower level also receives a van accessible parking spot and the route into the lower level is fully accessible. Restrooms on both levels and the showers on the upper level are provided with accessible grab bars, plumbing fixtures, floor clearances at fixtures and doors to enable these spaces to be fully compliant.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Foosibility Study



15. Recommended Next Steps

RND Architects and its team of professional design consultants has identified that the Adron F. Thompson Site and Building is a good candidate with potential to be renovated to further the town's vision as a prosperous town, filled with vitality, fostering a strong sense of community, which celebrates its unique heritage and small-town character. Hillsborough's mission states that the staff and elected officials, as stewards of the public trust who exist to make the Vision for Hillsborough a reality. We manage and provide infrastructure, resources, and services that enhance the quality of live for the living beings and land within our town.

After the town has reviewed the attached report we recommend a meeting to identify any outstanding challenges related to the implementation of the proposed development. Once comfortable that the scope is complete and thorough, we recommend that the town take steps to request funding for all or portions of the proposed development to allow the Utilities staff an efficient, safe and environmentally friendly workplace. The proposed improvements contained in this report shall be fully designed by a professional team led by an Architecture Firm experienced in municipal projects. Town leadership may take the report and its recommendations of new and improved structures for the Adron F. Thompson Site and Facility as a road map to complete site improvements. We realize that the town may not be able to fund the entire amount of planned improvements at once, however identifying the most important components will lead to a budget funding request that can be achieved without expending the entire amount.

Immediately, we support and recommend the town begin the removal of small existing masonry buildings occupied by the Town's Public Works Department which are proposed for demolition as well as a portion of the existing gravel area that falls approximately below the 520-topography line. We support this because the removal of any occupied structure and as much impervious within the regulated floodplain area on this site to improve the ecological impact from the continued use of this site as an Equipment Yard. We understand that the removal of impervious surfaces and structures within the floodplain was a key component of the restoration project that the Town is planning.

Once funding is secured, the town may elect to solicit Requests for Proposals (RFP) from qualified design teams for the realization of the improvements. This process would be similar to the process undertaken to select RND Architects and its team for this study. Many towns, cities and state government departments, after selecting a team for a feasibility study or advance planning, are able to contract directly with the same design team that provided the study as the requirement for selecting a qualified firm to provide professional services has already been met. This is most often used when the study has met or exceeded the needs of the Town and the town has become comfortable with the design team during the study process and trusts that the design and construction administration will be successful based on track records or personal experience.

Town of Hillsborough Adron F. Thompson Water/Sewer Facility Foosibility Study





TOWN OF HILLSBOROUGH, NC Adron F.Thompson Water Treatment Facility Assessment

FEASIBILITY STUDY – APPENDIX A Plumbing – Mechanical – Electrical Systems

October 4, 2019

INTRODUCTION:

A site and facility assessment was conducted by Edmondson Engineers at the Adron F. Thompson Water Treatment facility in Hillsborough. The purpose of this assessment was to determine the condition of existing Plumbing, Mechanical and Electrical Systems in the existing buildings and to provide probable budgetary cost estimates for recommended upgrades of these buildings. These assessments were for the main building and the auxiliary maintenance building which are currently the only structures with Plumbing, Mechanical or Electrical infrastructure.

Budgetary cost estimates were also determined for proposed new structures and renovated structures requiring plumbing, mechanical and electrical infrastructure to be added.

A. EXISTING BUILDINGS:

1 Main Building:

Plumbing:

- a. No plumbing on upper level of original building.
- b. Plumbing on lower level of original building needs to be completely replaced. Access and fixtures do not meet current ADA guidelines.
- c. The addition has one toilet with lavatory, floor mounted tank type water closet, shower and a washer and dryer. Additionally, there is break room sink and ice machine. Access and fixtures do not meet current ADA guidelines.
- d. A dedicated electric water heater is provided on both levels.

Mechanical:

- a. Basement of original building has gas fired unit heaters and wall mounted ventilation fan only.
- b. Upper level has window unit and minimal ducted supply from HVAC unit in addition. This equipment serves only the offices.
- c. A constant volume, single packaged DX unit with gas heat provides heating, cooling and ventilation to the existing addition.
- d. The toilet in addition has a dedicated individual exhaust fan. The toilet in the basement does not have exhaust.

Electrical:

- a. Electrical Service:
 - 1. Duke Energy overhead electrical service rated 120/240V, 200A, single phase fed from pole mounted transformer.
 - 2. Exterior meter is located on front of building adjacent to main entry door.
 - 3. Service entrance panelboard is a 40 space load center manufactured by Siemens. Located inside building near main entry.
 - 4. There are ten (10) spaces available if this panel.
 - 5. The main panel feeds a 60A subpanel installed in the addition work / break room.
 - 6. The addition sub-panel is main lug only Siemens, 12 space load center with no available space or electrical capacity.
 - 7. There is an additional small GE load center located in an office in original building.

- b. Emergency Power:
 - The building has a Kohler 30kW diesel generator which is wired directly to a 100A circuit breaker in the main electrical panel.
 - No transfer switch is provided and manual transfer is accomplished by turning off main breaker, turning on emergency breaker and starting generator. This is not a code compliant installation that should be corrected by installing a transfer switch.
- c. Wiring Methods:
 - The building is wired using a combination of rigid metallic, rigid non-metallic, EMT, MC Cable and nonmetallic cable.
- d. The building Lighting:
 - Normal Interior Lighting Surface mounted. Combination of incandescent and fluorescent strip light fixtures.
 - Normal Exterior Lighting Building Mounted, HID and decorative incandescent lantern type at main entrance.
 - Interior Emergency Lighting Battery powered, combination exit / emergency fixtures at exterior doors.
 - Exterior Emergency Lighting None at egress doors.
 - Emergency lighting is not code compliant.
- e. Telecom:
 - Wall mounted IT equipment cabinet is located in addition work / break room.
- f. Other Electrical:
 - No Fire Alarm. None required.

2 Auxiliary Maintenance Building:

Plumbing:

- a. No plumbing in building but there is one yard hydrant on exterior at east end of building.
- b. Additionally there is an air compressor with piping and air outlets under the covered exterior area on the east of the building.

Mechanical:

a. Only a small electric unit heater is provided for the space. No cooling or ventilation was observed.

Electrical:

- a. Service Entrance
 - Duke Energy electrical service rated 120/240V, 200A, single phase. Underground service from pole mounted transformer at road near main vehicle entry gate.
 - Panel and exterior meter are located on NE corner of building.
 - Service entrance panelboard is a 30 space load center manufactured by Cutler-Hammer.
 - There are nine (9) spaces available if this panel.
 - No emergency power.
- b. Wiring Methods:
 - The building is wired using a combination of EMT conduit and MC Cable.
- c. Lighting:
 - Normal Interior Lighting Overhead, open fluorescent strips.
 - Normal Exterior Lighting HID Building Mounted on end of the west end and wet rated, vapor tight fluorescent fixtures installed under the shed roof on the east end.
 - Interior Emergency Lighting Battery powered, combination exit / emergency fixtures at main door.
 - Exterior Emergency Lighting None at egress doors.
- d. Power:
 - Cord reels in ceiling
 - Receptacles spaced around perimeter of interior back and side walls.
 - Additional receptacles are installed along exterior walls.
 - Interior receptacles do not appear to be GFCI protected.
- e. Other Electrical:
 - Air Compressor disconnect on east end under shed roof
 - E-stop for fuel dispensing on post for shed on SE end.
 - No Fire Alarm (none required)
 - No Telecom
 - No Security

See pictures and additional comments below.

Main Building (Original) –Basement:

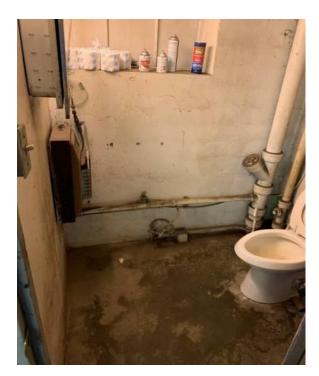


HVAC:

- Heat: Propane fired unit heaters.
- Cooling: Through wall ventilation fan.
- Toilet Exhaust: Natural

Plumbing:

- ADA Compliant: No (toilet, water cooler, utility sink).
- Water Heater: 2,000W Electric
- Gas Piping: Copper, exposed.
- Propane, forced air unit heater.
- Waste and Vent Piping: Cast Iron exposed.
- Water Piping: Copper Exposed





Main Building (Original) -Basement:



Electrical:

- Combination of obsolete incandescent and fluorescent (T12) fixtures.
- Miscellaneous Power: Wall
 mounted receptacles and cord reel
 for shop equipment and tools
- Wiring Methods: Assortment of surface mounted rigid metal conduit, EMT, flexible conduit and MC Cable.
- Emergency Lighting: One combination emergency / exit fixture. Additional emergency lighting needed.





Main Building (Original) – Upper Level:



Electrical:

- Overhead drop from Duke Energy Power Pole.
- 120/240V, 200A, 1-Phase Service
- Power Meter mounted on front of building near main entrance.
- 30kW Kohler generator with diesel base tank.
- Service Entrance Panel surface mounted near main entrance.
- 100A Generator feed directly into panelboard. Generator breaker is locked out but not interlocked with the main utility service breaker. This arrangement is not code compliant and should be corrected in the renovation.
- Wiring Methods: Assortment of surface mounted rigid metal conduit, EMT, PVC and MC Cable.
- Feeds addition (60A)





Mechanical, Plumbing, and Electrical Schematic Design Narrative Appendix A

Main Building (Original) – Upper Level:



Electrical:

- Combination of obsolete incandescent and fluorescent (T12) fixtures.
- Emergency Lighting: One combination emergency / exit fixture. Additional emergency lighting needed.
- 50A Load Center recessed in wall in office does not have code minimum clear work space.
- Exterior emergency Egress Lighting: None.
- Building has no fire alarm system.

HVAC: Minimal - Window unit for front office and ducted supply from addition for side office.

Plumbing: None



Mechanical, Plumbing, and Electrical Schematic Design Narrative Appendix A



Plumbing:

- Break Area with Sink
- Toilet with shower.
- Washer and dryer in toilet.







Plumbing:

- Piping exposed is unconditioned storage area below.
- Water Heater in Break / Multipurpose room with screen wall enclosure.
- Ice Machine in Break / Multipurpose room.





HVAC:

- 5-Ton Package Unit with electric cooling and propane heating (100,000BTU/HR).
- Unit service addition and small adjacent office in original building.
- Stand alone toilet exhaust / light combo.
- Side wall dryer vent
- Residential recirculating range hood.



Mechanical, Plumbing, and Electrical Schematic Design Narrative Appendix A

Electrical:

- 120/240V, 60A subpanel fed from main service panel in original building
- Obsolete Fluorescent Lighting
- Only one exit path marked.
- Insufficient emergency lighting
- No exterior egress emergency lighting.



Mechanical, Plumbing, and Electrical Schematic Design Narrative Appendix A

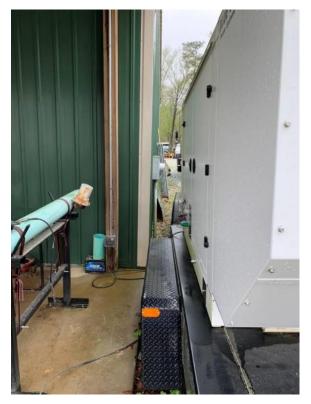


Plumbing:

- No water service inside building
- Yard hydrant on exterior at east end of building.
- Air compressor, piping and drops on exterior at east end of building.
- Fueling station emergency shut off.







HVAC:

• Minimal Heat Only. One small electric unit heater.

Electrical:

- Duke Energy 120/240V, 200A, Single-Phase electrical service.
- Service Entrance routed under ground pole line to building meter.
- Meter installed on north side of building (east end).
- 200A Load Center installed inside building directly behind meter.
- Convenience Receptacles installed on East end of building under shed roof.
- Fluorescent gasketed fixtures installed on East end of building under shed roof.







Electrical:

- 200A Load Center installed inside building directly behind meter in north east corner.
- Open lamp fluorescent shop lights
- Power: Receptacles installed along walls, Cord reels installed overhead.

HVAC:

• Minimal Heat Only. One small ceiling mounted unit heater.





Electrical:

- 200A Load Center installed inside building directly behind meter in north east corner.
- Open lamp fluorescent shop lights
- Power: Receptacles installed along walls, Cord reels installed overhead.
- Power: Receptacles installed on exterior of building on West end.
- Area light installed on West end of building. No other exterior building mounted lights. No exterior emergency egress lighting.





B. RECOMMENDATIONS:

1. Main Building:

Plumbing:

- a. Rework plumbing systems complete for new layout and additional load. Anticipated work includes:
 - New fixtures throughout,
 - New hot and cold water piping,
 - New waste and vent piping,
 - New water heating equipment,
 - Relocated ice machine. Recommend installation out of multipurpose room in exterior location to remove heat load from building.
 - Relocate laundry room.

Mechanical:

a. Original Building: Provide a new constant volume, split system single zone heat pump unit that will provide heating, cooling and ventilation to the basement and first floor spaces of the original building. The estimated cooling load for this building is 7.5 tons during typical usage. Outside air delivered to the building through the unit will be modulated with a carbon dioxide sensor to further reduce energy usage.

For the lower level office a new ductless split-system DX unit will provide heating and cooling.

- b. The existing constant volume, single packaged DX unit will provide heating, cooling and ventilation to the existing addition. Duct work will be reworked as required for the new room layout and supply and return grills will be replaced throughout. If the ceiling is opened up in the multi-purpose space, spiral duct will be considered for exposed installations.
- c. A new constant volume, split-system heat pump unit will provide heating, cooling and ventilation to the new addition.
- d. New toilets will be provided with individual exhaust fan.
- e. Ceiling-mounted fans will individually exhaust toilet and locker rooms.
- f. New laundry room dryer will be vented to outdoors.
- g. Welding Shop: New propane gas unit heater, wall mounted propeller fan for general warm weather ventilation, and an exhaust fan with capture hood for welding operations.
- h. Ceiling-mounted fans will individually exhaust toilet and locker rooms.

Electrical:

- a. The existing power demand will need to be reviewed but any additional square footage or electrical load will likely exceed the existing electrical service capacity and require a larger service.
- b. Rework of the electrical service is anticipated to relocate the existing meter to side of the building with a new service entrance into the basement level. It is desired the power company secondary be routed underground from the pole to the new meter location.
- c. Site parking lot modifications may require the existing power pole to be relocated. All service rework will need to be coordinated with Duke Energy as the design develops.
- d. The generator feeder needs to be reworked and a transfer switch installed. It is desired that a new generator be installed along with a new automatic transfer switch. The new generator would ideally be large enough to power the entire building.
- e. If the generator is used for emergency lighting a separate branch for life safety system would need to be installed to maintain separation between optional stand-by power.
- f. Battery backed up emergency fixtures are recommended. Emergency lighting needs to be installed inside and outside to bring the building into compliance with current life safety codes.
- g. Replace all existing lighting with energy efficient, dimmable LED lighting.
- h. Install occupancy sensor lighting controls to meet current energy code.
- i. Owner should consider installation of a central fire alarm system with full ADA compliant notification. However, this occupancy and building size is not required to have a fire alarm system.

2. Maintenance Building:

Plumbing:

- a. Provide yard hydrant on west end of building for pole barn addition that will be used for vehicle maintenance and welding area.
- b. Extend compressed air drop to new addition on west end of building.

Mechanical:

a. Provide additional heat in building

Electrical:

- a. Provide additional power on west end of building for welding station
- b. Provide lighting on west end of building for new pole barn addition.
- c. Replace existing lighting inside and outside of building with energy efficient LED lighting.
- d. Provide battery backed up emergency lighting inside and outside to bring the building into compliance with current life safety codes.
- e. Existing electrical service size will need to be confirmed once additional loads are know. It is anticipated that the existing service will be sufficient.



August 20, 2019

RND Architects PA 3608 University Drive Suite 204 Durham, NC 27707

Attention: Karylee Laird

Subject: Limited Survey for the Presence of Asbestos-Containing Materials and Lead-Based Paints 715 Dimmocks Mill Road Hillsborough, North Carolina Matrix Job Number: 190854

Dear Mrs. Laird:

Matrix Health & Safety Consultants, L.L.C. (Matrix) is pleased to present this report of the limited survey to identify the presence of asbestos-containing materials and lead-based paints at the referenced project. In addition, equipment assumed to contain mercury (thermostats and fluorescent bulbs), PCBs (light ballasts), and batteries (backup emergency lights and alarm systems) were also identified. This report includes a description of the scope of services performed, results of the survey, and recommendations.

PROJECT INFORMATION

Matrix understands that the subject property is scheduled for renovations in the near future. In order to determine if asbestos or lead-based paint is present at the property, Matrix performed a limited survey to identify these materials. The survey was performed on August 14, 2019 by Matrix inspector John Pearson (NC Asbestos Inspector No. 12246, NC Lead Risk Assessor 120185). Roofing of the original structure was excluded from this survey at owners request.

ASBESTOS SURVEY PROCEDURES

The survey began with a visual inspection of accessible areas for the presence of suspect asbestoscontaining materials that may be disturbed during renovation activities. Both friable and nonfriable suspect asbestos-containing materials were considered during the course of the survey.

Friable materials are those materials that can be pulverized or reduced to powder by hand pressure. A sampling strategy was determined and bulk samples of suspect ACM's were obtained. Suspect ACM's were grouped based on material homogeneity. A homogeneous area is an area which contains materials that seem by texture, color and wear to be uniform and applied during the same general time period.

Matrix Health & Safety Consultants, L.L.C. 2900 Yonkers Rd, Raleigh, NC 27604 Phone (919) 833-2520 Fax (919) 882-9926 Appendix B

In order to determine if the suspect materials documented during the survey contained asbestos, the materials were sampled and delivered to Eurofins CEI in Cary, NC for laboratory analysis. Each sample obtained was placed in a sealed container and labeled with a consecutive number, location and date. This information was logged on our Asbestos Bulk Sampling Record sheet and then sent to the laboratory. A signed chain-of-custody form is maintained with the samples until they are returned or disposed of.

ASBESTOS ANALYSIS PROCEDURES

The collected asbestos samples were analyzed using Polarized Light Microscopy (PLM) in conjunction with dispersion staining techniques using EPA Method 600/R-93/116. The bulk laboratory analysis provided the asbestos content (positive or negative), percentage of asbestos, asbestos type and identification of other non-asbestos fibers. A material is considered by the EPA to be asbestos-containing if asbestos is present in a quantity **greater than one percent** (1%). The results of the laboratory analysis are presented in the attached laboratory analytical report.

ASBESTOS SURVEY RESULTS

The following table includes the materials identified as asbestos-containing during our survey. For a list of all materials tested, please refer to the laboratory analytical report.

Aspestos Survey Results		
MATERIAL	GENERAL LOCATION	TYPE AND PERCENTAGE
		OF ASBESTOS PRESENT
Window Caulking	Interior Original Structure	3% Chrysotile
Flashing Mastic	Exterior Basement Rear Left	3% Chrysotile
	Original Structure	
Door Caulking	Original Structure	2% Chrysotile
0	U U	•

Asbestos Survey Results

Analysis Method: EPA 600/R-93/116 Method using Polarized Light Microscopy

LEAD-BASED PAINT SURVEY PROCEDURES

The lead-based paint survey began with our inspectors/risk assessors walking the subject property and documenting testing combinations and selecting test locations. The walls/sides of the property are distinguished by Side A, B, C, or D. Wall or side A is typically the side of the main entrance, then moving clockwise would be wall/side B, C, or D. After the testing strategy was determined, Matrix used an LPA-1 Lead Paint Spectrum Analyzer (XRF) to determine the lead content (mg/cm2) of painted surfaces at the subject property. For the purpose of this survey, paints with concentrations of 1.0 mg/cm2 or greater were considered lead-based paint.

Below you will find the lead-based paint results summarizing identified components with concentrations greater than or equal to 1.0 mg/cm^2 of lead. However, detectable lead quantities less than 1.0 mg/cm^2 may constitute a lead dust hazard even though it is not a lead-based paint as

defined by Federal Standards. For a list of all surfaces tested and XRF results, refer to the attached XRF Testing Report.

Lead Dased I and Sul Vey Results Exterior									
COMPONENT	SUBSTRATE	COLOR	LOCATION	LEAD	CONDITION				
				CONTENT					
				(mg/cm2)					
Window Sash	Metal	Black	Original	1.0 - 1.1	Deteriorated				
		and	Structure						
		Green							
Exterior	Metal	Gray	D Right	1.8	Deteriorated				
Railing									
Door Header	Metal	Green	Original	2.6	Deteriorated				
			Structure						

Lead-Based Paint Survey Results - Exterior

Lead-Based Paint Survey Results - Basement Workshop - Interior

	,				
COMPONENT	SUBSTRATE	COLOR	LOCATION	LEAD	CONDITION
			CONTENT		
				(mg/cm2)	
Stair Tread	Concrete	Gray	C/D Corner	3.5	Deteriorated
Railing	Metal	Black	C/D Corner	1.4	Deteriorated

Lead-Based Paint Survey Results - Parts Room - Interior

Leau Dascu I al	Lead Dased I and Survey Results I arts Room Interior										
COMPONENT	SUBSTRATE	SUBSTRATE COLOR LOCATION		LEAD	CONDITION						
				CONTENT							
				(mg/cm2)							
Window Sash	Metal	Green	B Left	1.0	Deteriorated						
Railing	Metal	Gray	D Center	10.2	Deteriorated						
Stair Tread	Concrete	Gray	D Center	1.7	Deteriorated						

RECOMMENDATIONS

The National Emissions Standard for Hazardous Air Pollutants (NESHAP) requires the removal of asbestos-containing materials prior to renovation or demolition activities, which would disturb them. Matrix recommends that asbestos-containing materials that will be disturbed during renovation/demolition be removed by a qualified asbestos abatement contractor, using North Carolina accredited personnel, in accordance with applicable federal and state regulations governing the removal of asbestos-containing materials.

Matrix recommends the following options for treatment of identified lead-based hazards or the prevention of future lead-based paint hazards. Any or all of the options listed below will reduce or eliminate the hazard.

Appendix B

Surfaces tested during the course of this inspection were considered to be "intact" to "deteriorated" condition. Surfaces in "deteriorated" condition are considered to be "lead-based paint hazards" as defined in Title X and should be addressed through abatement or interim controls.

Abatement is a measure or measures designed to permanently eliminate lead-based paint hazards.

- 1. Replacement of LBP Coated Building Components
 - a. Windows
 - **b.** Railings
- 2. Encapsulation Stair Treads and Door Headers
 - a. Liquid applied or adhesively bonded covering
 - **b.** Manufacturer must provide a 20-year warranty
 - c. Property Owner must conduct periodic visual monitoring
 - d. Certified risk assessors must approve the use of encapsulants for a specific surface.

The Occupational Safety and Health Administration (OSHA) Lead in Construction Standard (29 CFR 1926.62) states that "negative" readings (i.e. those below the HUD/EPA definition of what constitutes LBP [1.0 mg/cm2] **does not** relieve contractors from performing exposure assessments (personal air monitoring) on their employees per the OSHA Lead Standard, and should not be interpreted as lead free. Although a reading may indicate "negative", airborne lead concentrations still may exceed the OSHA Action Level or the OSHA Permissible exposure limit (PEL) depending on the work activity. Additionally, Matrix recommends that activities that cause the disturbance of lead-based paint be performed by North Carolina Certified workers and supervisors.

MERCURY AND PCB CONTAINING EQUIPMENT

Matrix performed a site survey of the subject facility to document and identify mercury and PCB containing equipment. This survey does not include laboratory analysis for identifying or quantifying PCB's and mercury in equipment. The following table lists potential sources for these substances.

BALLAST	BATTERIES	BULBS	MERCURY
38	0	76	0

MERCURY AND PCB CONTAINING EQUIPMENT RESULTS

These items should be handled and disposed of as Universal Wastes in accordance with EPA regulations.

Matrix appreciates the opportunity to have provided these services. We would be glad to discuss any of the results contained in this report, at your convenience. If there are any questions concerning this report or results, please contact us.

Sincerely, MATRIX HEALTH & SAFETY CONSULTANTS, L.L.C.

Teurse

John T. Pearson Project Manager

Attachments:

Laboratory Analysis Reports XRF Testing Data

Laboratory Analysis Reports

<u>A</u>ppendix B



August 20, 2019

Matrix Health & Safety Consultants 2900 Yonkers Road Raleigh, NC 27604

CLIENT PROJECT:715 Dimmocks Mill RoadCEI LAB CODE:B194511

CEI

Dear Customer:

Enclosed are asbestos analysis results for PLM Bulk samples received at our laboratory on August 15, 2019. The samples were analyzed for asbestos using polarizing light microscopy (PLM) per the EPA 600 Method.

Sample results containing >1% asbestos are considered asbestos-containing materials (ACMs) per EPA regulatory requirements. The detection limit for the EPA 600 Method is <1% asbestos by weight as determined by visual estimation.

Thank you for your business and we look forward to continuing good relations.

Kind Regards,

Man Sao Da

Tianbao Bai, Ph.D., CIH Laboratory Director



Appendix B

AMENDED CEI
ASBESTOS ANALYTICAL REPORT By: Polarized Light Microscopy
Prepared for
Matrix Health & Safety Consultants
CLIENT PROJECT: 715 Dimmocks Mill Road
LAB CODE: B194511
TEST METHOD: EPA 600 / R93 / 116 and EPA 600 / M4-82 / 020
REPORT DATE: 08/16/19
TOTAL SAMPLES ANALYZED: 26
SAMPLES >1% ASBESTOS: 5
Appendix B



AMENDED

Asbestos Report Summary

By: POLARIZING LIGHT MICROSCOPY

CEI

PROJECT: 715 Dimmocks Mill Road

LAB CODE: B194511

METHOD: EPA 600 / R93 / 116 and EPA 600 / M4-82 / 020

Client ID	Layer	Lab ID	Color	Sample Description	ASBESTOS %
715-1		B68288	Gray	Brick Mortar	None Detected
715-2		B68289	Gray	Brick Mortar	None Detected
715-3		B68290	Green,Tan	Window Caulking	Chrysotile 3%
715-4		B68291	Green,Tan	Window Caulking	None Detected
715-5		B68292	White,Light Gray	Drywall/Joint Compound	None Detected
715-6		B68293	White,Light Gray	Drywall/Joint Compound	None Detected
715-7		B68294A	Brown,Off-white	Floor Tile	None Detected
		B68294B	Tan	Mastic	None Detected
715-8		B68295A	Brown,Off-white	Floor Tile	None Detected
		B68295B	Tan	Mastic	None Detected
715-9		B68296A	Tan	Vinyl Flooring	None Detected
		B68296B	Yellow	Mastic	None Detected
715-10		B68297A	Tan	Vinyl Flooring	None Detected
		B68297B	Yellow	Mastic	None Detected
715-11		B68298A	Gray	Floor Tile	None Detected
		B68298B	Yellow	Mastic	None Detected
715-12		B68299A	Gray	Floor Tile	None Detected
		B68299B	Yellow	Mastic	None Detected
715-13		B68300A	Beige,Off-white	Sheet Vinyl	None Detected
		B68300B	Yellow	Mastic	None Detected
715-14		B68301A	Beige,Off-white	Sheet Vinyl	None Detected
		B68301B	Yellow	Mastic	None Detected
715-15		B68302A	Brown,Off-white	Sheet Vinyl	None Detected
		B68302B	Yellow	Mastic	None Detected
715-16		B68303A	Brown,Off-white	Sheet Vinyl	None Detected
		B68303B	Yellow	Mastic	None Detected
715-17		B68304	Black,Brown	Roofing Shingle	None Detected
715-18		B68305	Black,Brown	Roofing Shingle	None Detected
715-19		B68306	Black	Roofing Paper	None Detected
715-20		B68307	Black	Roofing Paper	None Detected

Page 1 of 2



AMENDED

Asbestos Report Summary

By: POLARIZING LIGHT MICROSCOPY

CEI

PROJECT: 715 Dimmocks Mill Road

LAB CODE: B194511

METHOD: EPA 600 / R93 / 116 and EPA 600 / M4-82 / 020

Client ID	Layer	Lab ID	Color	Sample Description	ASBESTOS %
715-21		B68308	Gray,Tan	Block Mortar	None Detected
715-22		B68309	Gray,Tan	Block Mortar	None Detected
715-23		B68310	Black	Flashing Mastic	Chrysotile 3%
715-24		B68311	Black	Flashing Mastic	Chrysotile 3%
715-25	Layer 1	B68312	White,Tan	Caulking	Chrysotile 3%
	Layer 2	B68312	Off-white,Green	Caulking	None Detected
	Layer 3	B68312	Black,Green	Caulking	None Detected
715-26	Layer 1	B68313	White,Tan	Caulking	Chrysotile 3%
	Layer 2	B68313	Off-white,Green	Caulking	None Detected
	Layer 3	B68313	Black,Green	Caulking	None Detected

AMENDED

ASBESTOS BULK ANALYSIS

By: POLARIZING LIGHT MICROSCOPY

CEI

Client: Matrix Health & Safety Consultants 2900 Yonkers Road Raleigh, NC 27604
 Lab Code:
 B194511

 Date Received:
 08-15-19

 Date Analyzed:
 08-16-19

 Date Reported:
 08-16-19

Project: 715 Dimmocks Mill Road

Client ID	Lab	Lab	NOM	N-ASBESTOS	COMPO	NENTS	ASBESTOS
Lab ID	Description	Attributes	Fibre	ous	Non-F	ibrous	%
715-1 B68288	Brick Mortar	Heterogeneous Gray Non-fibrous Bound			35% 65%	Calc Carb Silicates	None Detected
715-2 B68289	Brick Mortar	Heterogeneous Gray Non-fibrous Bound			35% 65%	Calc Carb Silicates	None Detected
715-3 B68290	Window Caulking	Heterogeneous Green,Tan Fibrous Bound			90% 7%	Caulk Silicates	3% Chrysotile
715-4 B68291	Window Caulking	Heterogeneous Green,Tan Fibrous Bound	<1%	Cellulose	95% 5%	Caulk Silicates	None Detected
715-5 B68292	Drywall/Joint Compound	Heterogeneous White,Light Gray Fibrous Bound	3%	Cellulose	77% 10% 10%	Gypsum Calc Carb Silicates	None Detected
715-6 B68293	Drywall/Joint Compound	Heterogeneous White,Light Gray Fibrous Bound	3%	Cellulose	77% 10% 10%	Gypsum Calc Carb Silicates	None Detected
715-7 B68294A	Floor Tile	Homogeneous Brown,Off-white Non-fibrous Bound			100%	Vinyl	None Detected

AMENDED

ASBESTOS BULK ANALYSIS

By: POLARIZING LIGHT MICROSCOPY

CEI

Client: Matrix Health & Safety Consultants 2900 Yonkers Road Raleigh, NC 27604
 Lab Code:
 B194511

 Date Received:
 08-15-19

 Date Analyzed:
 08-16-19

 Date Reported:
 08-16-19

Project: 715 Dimmocks Mill Road

Client ID Lab ID	Lab Description	Lab Attributes	NON-ASBESTOS COMPONENTS Fibrous Non-Fibrous			ASBESTOS %	
B68294B	68294B Mastic	Homogeneous Tan Fibrous Bound	<1%	Cellulose	95% 5%	Mastic Silicates	None Detected
715-8 B68295A	Floor Tile	Homogeneous Brown,Off-white Non-fibrous Bound			100%	Vinyl	None Detected
B68295B	Mastic	Homogeneous Tan Fibrous Bound	<1%	Cellulose	95% 5%	Mastic Silicates	None Detected
715-9 B68296A	Vinyl Flooring	Heterogeneous Tan Fibrous Bound	30% 10%	Cellulose Fiberglass	60%	Vinyl	None Detected
B68296B	Mastic	Homogeneous Yellow Fibrous Bound	<1%	Cellulose	90% 10%	Mastic Silicates	None Detected
715-10 B68297A	Vinyl Flooring	Heterogeneous Tan Fibrous Bound	30% 10%	Cellulose Fiberglass	60%	Vinyl	None Detected
B68297B	Mastic	Homogeneous Yellow Fibrous Bound	<1%	Cellulose	90% 10%	Mastic Silicates	None Detected

AMENDED

ASBESTOS BULK ANALYSIS

By: POLARIZING LIGHT MICROSCOPY

CEI

Client: Matrix Health & Safety Consultants 2900 Yonkers Road Raleigh, NC 27604
 Lab Code:
 B194511

 Date Received:
 08-15-19

 Date Analyzed:
 08-16-19

 Date Reported:
 08-16-19

Project: 715 Dimmocks Mill Road

Client ID	Lab	Lab	NON-ASBESTOS COMPONENTS				ASBESTOS
Lab ID	Description	Attributes	Fibr	ous	Non-F	ibrous	%
715-11 Floor Tile B68298A	Homogeneous Gray Non-fibrous Bound			100%	Vinyl	None Detected	
B68298B	Mastic	Homogeneous Yellow Fibrous Bound	<1%	Cellulose	90% 10%	Mastic Silicates	None Detected
715-12 B68299A	Floor Tile	Homogeneous Gray Non-fibrous Bound			100%	Vinyl	None Detected
B68299B	Mastic	Homogeneous Yellow Fibrous Bound	<1%	Cellulose	90% 10%	Mastic Silicates	None Detected
715-13 B68300A	Sheet Vinyl	Heterogeneous Beige,Off-white Fibrous Bound	40% 10%	Cellulose Fiberglass	50%	Vinyl	None Detected
B68300B	Mastic	Homogeneous Yellow Fibrous Bound	<1%	Cellulose	95% 5%	Mastic Silicates	None Detected
715-14 B68301A	Sheet Vinyl	Heterogeneous Beige,Off-white Fibrous Bound	40% 10%	Cellulose Fiberglass	50%	Vinyl	None Detected

AMENDED

ASBESTOS BULK ANALYSIS

By: POLARIZING LIGHT MICROSCOPY

CEI

Client: Matrix Health & Safety Consultants 2900 Yonkers Road Raleigh, NC 27604
 Lab Code:
 B194511

 Date Received:
 08-15-19

 Date Analyzed:
 08-16-19

 Date Reported:
 08-16-19

Project: 715 Dimmocks Mill Road

Client ID	Lab	Lab	NO	N-ASBESTOS	NENTS	ASBESTOS	
Lab ID	Description	Attributes	Fibr	ous	Non-F	ibrous	%
B68301B Mastic	Mastic Homogeneous Yellow Fibrous Bound	<1%	Cellulose	95% 5%	Mastic Silicates	None Detected	
715-15 B68302A	Sheet Vinyl	Heterogeneous Brown,Off-white Fibrous Bound	40% 10%	Cellulose Fiberglass	50%	Vinyl	None Detected
B68302B	Mastic	Homogeneous Yellow Fibrous Bound	<1%	Cellulose	95% 5%	Mastic Silicates	None Detected
715-16 B68303A	Sheet Vinyl	Heterogeneous Brown,Off-white Fibrous Bound	40% 10%	Cellulose Fiberglass	50%	Vinyl	None Detected
B68303B	Mastic	Homogeneous Yellow Fibrous Bound	<1%	Cellulose	95% 5%	Mastic Silicates	None Detected
715-17 B68304	Roofing Shingle	Heterogeneous Black,Brown Fibrous Bound	15%	Fiberglass	45% 25% 15%	Tar Gravel Calc Carb	None Detected
715-18 B68305	Roofing Shingle	Heterogeneous Black,Brown Fibrous Bound	15%	Fiberglass	45% 25% 15%	Tar Gravel Calc Carb	None Detected

AMENDED

ASBESTOS BULK ANALYSIS

By: POLARIZING LIGHT MICROSCOPY

CEI

Client: Matrix Health & Safety Consultants 2900 Yonkers Road Raleigh, NC 27604
 Lab Code:
 B194511

 Date Received:
 08-15-19

 Date Analyzed:
 08-16-19

 Date Reported:
 08-16-19

Project: 715 Dimmocks Mill Road

Client ID	Lab	Lab		N-ASBESTOS		ASBESTOS		
Lab ID	Description	Attributes	Fibr	ous	Non-	Fibrous	%	
715-19 B68306	Roofing Paper	Homogeneous Black Fibrous Bound	60% <1%	Cellulose Fiberglass	40%	Tar	None Detected	
715-20 B68307	Roofing Paper	Homogeneous Black Fibrous Bound	60% <1%	Cellulose Fiberglass	40%	Tar	None Detected	
715-21 B68308	Block Mortar	Heterogeneous Gray,Tan Fibrous Bound	<1%	Cellulose	40% 60%	Calc Carb Silicates	None Detected	
715-22 B68309	Block Mortar	Heterogeneous Gray,Tan Fibrous Bound	<1%	Cellulose	40% 60%	Calc Carb Silicates	None Detected	
715-23 B68310 Lab Notes: <i>i</i>	Flashing Mastic Analyst opinion: Contan	Heterogeneous Black Fibrous Bound hination from adjacen	<1% t mater	Fiberglass	80% 17%	Binder Calc Carb	3% Chrysotile	
715-24 B68311	Flashing Mastic	Heterogeneous Black Fibrous Bound	<1%	Fiberglass	80% 17%	Binder Calc Carb	3% Chrysotile	
715-25 Layer 1 B68312	Analyst opinion: Contan Caulking	Heterogeneous White,Tan Fibrous Bound		121	57% 40%	Calc Carb Binder	3% Chrysotile	

AMENDED

ASBESTOS BULK ANALYSIS

By: POLARIZING LIGHT MICROSCOPY

CEI

Client: Matrix Health & Safety Consultants 2900 Yonkers Road Raleigh, NC 27604
 Lab Code:
 B194511

 Date Received:
 08-15-19

 Date Analyzed:
 08-16-19

 Date Reported:
 08-16-19

Project: 715 Dimmocks Mill Road

Client ID Lab ID	Lab Description	Lab Attributes	NON-ASBEST Fibrous	NON-ASBESTOS COMPONENTS Fibrous Non-Fibrous		
Layer 2 B68312	Caulking	Heterogeneous Off-white,Green Non-fibrous Bound		90% 5% 5%	Caulk Silicates Paint	None Detected
Layer 3 B68312	Caulking	Heterogeneous Black,Green Non-fibrous Bound		95% 5%	Caulk Paint	None Detected
715-26 Layer 1 B68313	Caulking	Heterogeneous White,Tan Fibrous Bound		57% 40%	Calc Carb Binder	3% Chrysotile
Layer 2 B68313	Caulking	Heterogeneous Off-white,Green Non-fibrous Bound		90% 5% 5%	Caulk Silicates Paint	None Detected
Layer 3 B68313	Caulking	Heterogeneous Black,Green Non-fibrous Bound		95% 5%	Caulk Paint	None Detected

<u>Appendix B</u>



CEI

LEGEND:	Non-Anth	= Non-Asbestiform Anthophyllite
	Non-Trem	= Non-Asbestiform Tremolite
	Calc Carb	= Calcium Carbonate

METHOD: EPA 600 / R93 / 116 and EPA 600 / M4-82 / 020

REPORTING LIMIT: <1% by visual estimation

REPORTING LIMIT FOR POINT COUNTS: 0.25% by 400 Points or 0.1% by 1,000 Points

REGULATORY LIMIT: >1% by weight

Due to the limitations of the EPA 600 method, nonfriable organically bound materials (NOBs) such as vinyl floor tiles can be difficult to analyze via polarized light microscopy (PLM). EPA recommends that all NOBs analyzed by PLM, and found not to contain asbestos, be further analyzed by Transmission Electron Microscopy (TEM). Please note that PLM analysis of dust and soil samples for asbestos is not covered under NVLAP accreditation. *Estimated measurement of uncertainty is available on request.*

This report relates only to the samples tested or analyzed and may not be reproduced, except in full, without written approval by Eurofins CEI. Eurofins CEI makes no warranty representation regarding the accuracy of client submitted information in preparing and presenting analytical results. Interpretation of the analytical results is the sole responsibility of the client. Samples were received in acceptable condition unless otherwise noted. This report may not be used by the client to claim product endorsement by NVLAP or any other agency of the U.S. Government.

Information provided by customer includes customer sample ID, location, volume and area as well as date and time of sampling.

ANALYST: 11 Da APPROVED BY: Tianbao Bai, Ph.D., CIH McLane Brown Laboratory Director AMENDED due to Login Typographical Error -Incorrect Project Name Candace Burrus TESTING NVLAP LAB CODE 101768-0

Appendix B



CHAIN OF CUSTODY

CEI

730 SE Maynard Road, Cary, NC 27511 Tel: 866-481-1412; Fax: 919-481-1442 LAB USE ONLY:

	210
OLI LUD OCUC.	B194511
CEI Lab I.D. Range:	B68288 - B68313

COMPANY INFORMATION	PROJECT INFORMATION
CEI CLIENT #:	Job Contact: John T. Pearson
Company: Matrix Health + Safety	Email/Tel: itpo metaxhsc.com
Address: 2900 Yorkers hard	Project Name: 715 Dimmache Milhard
helid, NC 27004	Project ID#:
Email: it o D) matixhisc.com	PO #:
Tel: 919 23 63848 Fax:	STATE SAMPLES COLLECTED IN: NC

IF TAT IS NOT MARKED STANDARD 3 DAY TAT APPLIES.

		1911		TURN ARC	DUND TIME	the state of the second	
ASBESTOS	METHOD	4 HR	8 HR	1 DAY	2 DAY	3 DAY	5 DAY
PLM BULK	EPA 600			P			
PLM POINT COUNT (400)	EPA 600						
PLM POINT COUNT (1000)	EPA 600						
PLM GRAV w POINT COUNT	EPA 600	State A					
PLM BULK	CARB 435	C. R. C.					
PCM AIR	NIOSH 7400						
TEM AIR	EPA AHERA						
TEM AIR	NIOSH 7402						
TEM AIR (PCME)	ISO 10312						
TEM AIR	ASTM 6281-15						
TEM BULK	CHATFIELD						
TEM DUST WIPE	ASTM D6480-05 (2010)						
TEM DUST MICROVAC	ASTM D5755-09 (2014)						
TEM SOIL	ASTM D7521-16						
TEM VERMICULITE	CINCINNATI METHOD						
TEM QUALITTATIVE	IN-HOUSE METHOD						
OTHER:							

REMARKS / SPECIAL IN	REMARKS / SPECIAL INSTRUCTIONS:							
Relinquished By:	Date/Time	Received By:	/ Date/Time					
Ø	9.15-19 1:38	KDH	\$ 15 140					
/			4/					

Samples will be disposed of 30 days after analysis



SAMPLING FORM

CEI

COMPANY CONTACT INFORMATION	
Company: Marix Health + Sunday	Job Contact: John T. Pearton
Project Name: 715 Dinnochs Mill Roch	
Project ID #:	Tel: 9192363847

		VOLUME/	The States	Sec. Sec. Sec.
SAMPLE ID#	DESCRIPTION / LOCATION	AREA		ST
715-1 715-2	Brick Morter / Original		PLM 🗹	ТЕМ
715-3 715-4	Interior Window Coulk/Original		PLM PLM	TEM
715-5715-6	Drywall Ceiling Offices	FOOR	PLM Y	ТЕМ
715-7715-8	Parque Vin FT / Collections Original	2002	PLM 🔽	TEM
715-9 715-10	9"Marble Tile Ving Flooring Electrical Su	poly 1002	PLM 🔀	TEM
715-11 715-12	12" Gray Modeled Floor T. 1 et Mailie Breck	loc_ 1075	PLM	TEM
715-13 715-14	BrickPatton Sheet Viny / Laundry	802	PLM 🔀	TEM
715-15 715-16	Woodstip Patton BLeet Ving / Supervision Of	hec 60 ²	PLM 🔨	TEM
715-17 715-18	Roofing Shingle / Near Addition		PLM X	TEM
715-19 715-20	Roofing Paper / Rear Addition		PLM 🕥	TEM
715-21 715-22	Block Morter Basement Old Holding		PLM 🕥	TEM
715-23 715-24	Exterior Flashing Matic / Basement Original	CLAT GIN	TPLM X	TEM
718-25 718-26		20LNFT	PLM Y	TEM
	,		PLM	TEM
			PLM	TEM
			PLM	TEM
	9		PLM	TEM
			PLM	TEM

Appendix B

XRF Testing Data

<u>Appendix B</u>

Matrix Health & Safety Consultants LLC

2900 Yonkers Road Raleigh, NC 27604

INSPECTION DATE: 8/14/2019 - 8/14/2019

- INSTRUMENT TYPE: Heuresis Corp. Pb200i XRF Lead Paint Analyzer 2364
- ACTION LEVEL: 1.0 mg/cm²

STATEMENT:

 Inspection Date:
 8/14/2019 - 8/14/2019

 Action Level:
 1.0 mg/cm²

 Total Readings:
 83

 Unit Started:
 08/14/2019 12:06:04

 Unit Ended:
 08/14/2019 13:20:17

Inspection Site:

715 Dimmocks Mill Road Hillsborough, NC 27278

Read #	Result	RTA Present	COMPONEN	ITSUBSTRATE	SIDE	CONDITION	Color	Floor	ROOM	Lead (mg/cm ²)	Mode
1	Positive	Off			Calibration					1.1 mg/cm ²	Action Level
2	Positive	Off			Calibration					1.0 mg/cm ²	Action Level
3	Positive	Off			Calibration					1.0 mg/cm ²	Action Level
4	Negative	Off			Calibration					0.0 mg/cm ²	Action Level
5	Negative	Off			Calibration					0.0 mg/cm ²	Action Level
6	Negative	Off			Calibration					-0.1 mg/cm ²	Action Level
7	Negative	Off	Door	Metal	A Left	Intact	Green	First	Exterior	-0.1 mg/cm ²	Action Level
8	Negative	Off	Door Casing	Wood	A Left	Intact	White	First	Exterior	0.2 mg/cm ²	Action Level
9	Negative	Off	Railing	Metal	A Center	Deteriorated	Black	First	Exterior	0.2 mg/cm ²	Action Level
10	Positive	Off	Window Sash	Metal	A Center	Deteriorated	Green	First	Exterior	1.1 mg/cm ²	Action Level
11	Negative	Off	Railing	Metal	A Left	Intact	Green	First	Exterior	0.1 mg/cm ²	Action Level
12	Positive	Off	Window Sash	Metal	B Right	Intact	Black	First	Exterior	1.0 mg/cm ²	Action Level
13	Negative	Off	Door Casing	Metal	B Right	Intact	Gray	Basement	Exterior	0.1 mg/cm ²	Action Level
14	Negative	Off	Door	Metal	B Right	Intact	Gray	Basement	Exterior	0.1 mg/cm ²	Action Level
15	Negative	Off	Garage door	Metal	C Right	Intact	Green	Basement	Exterior	0.1 mg/cm ²	Action Level
16	Negative	Off	Column	Metal	D Center	Intact	Black	Basement	Exterior	0.1 mg/cm ²	Action Level
17	Negative	Off	Door	Metal	C Left	Intact	Green	Basement	Exterior	0.2 mg/cm ²	Action Level
18	Negative	Off	Door Casing	Metal	C Left	Intact	Green	Basement	Exterior	0.1 mg/cm ²	Action Level

 Inspection Date:
 8/14/2019 - 8/14/2019

 Action Level:
 1.0 mg/cm²

 Total Readings:
 83

 Unit Started:
 08/14/2019 12:06:04

 Unit Ended:
 08/14/2019 13:20:17

Inspection Site:

715 Dimmocks Mill Road Hillsborough, NC 27278

Read #	Result	RTA Present	COMPONEN	TSUBSTRATE	SIDE	CONDITION	Color	Floor	ROOM	lLead (mg/cm²)	Mode
19	Negative	Off	Stringer	Metal	D Right	Intact	Black	Basement	Exterior	0.2 mg/cm ²	Action Level
20	Positive	Off	Railing	Metal	D Right	Deteriorated	Gray	Basement	Exterior	1.8 mg/cm ²	Action Level
21	Negative	Off	Door Casing	Metal	D Center	Intact	Gray	Basement	Exterior	0.1 mg/cm ²	Action Level
22	Negative	Off	Door	Metal	D Center	Intact	Gray	Basement	Exterior	0.0 mg/cm ²	Action Level
23	Positive	Off	Door Header	Metal	D Center	Deteriorated	Green	Basement	Exterior	2.6 mg/cm ²	Action Level
24	Negative	Off	Window Sash	Metal	D Left	Deteriorated	Black	Basement	Exterior	0.2 mg/cm ²	Action Level
25	Negative	Off	Wall	Concrete	A-Upper	Deteriorated	Green	Basement	Worksho	ഉമ.3 mg/cm²	Action Level
26	Negative	Off	Wall	Concrete	B Right	Deteriorated	Green	Basement	Worksho	0.4 mg/cm ²	Action Level
27	Negative	Off	Wall	Concrete	C Right	Deteriorated	Green	Basement	Worksho	pp.2 mg/cm²	Action Level
28	Negative	Off	Door Casing	Wood	C Right	Deteriorated	Green	Basement	Worksho	-0.1 mg/cm ²	Action Level
29	Negative	Off	Door	Wood	C Right	Deteriorated	Gray	Basement	Worksho	ഉറെ mg/cm²	Action Level
30	Positive	Off	Tread	Concrete	C Right	Deteriorated	Gray	Basement	Worksho	3.5 mg/cm ²	Action Level
31	Positive	Off	Railing	Metal	D Left	Deteriorated	Black	Basement	Worksho	p≱.4 mg/cm²	Action Level
32	Negative	Off	Door	Metal	D Left	Intact	Green	Basement	Worksho	0.3 mg/cm ²	Action Level
33	Negative	Off	Door Casing	Metal	D Left	Intact	Green	Basement	Worksho	pp.2 mg/cm²	Action Level
34	Negative	Off	Door Casing	Wood	D Right	Deteriorated	Gray	Basement	Worksho	0.1 mg/cm ²	Action Level
35	Negative	Off	Window Sash	Metal	A Left	Deteriorated	Green	Basement	Worksho	թք.6 mg/cm²	Action
36	Negative	Off	Ceiling	Concrete		Deteriorated	Green	Basement	Worksho	0.4 mg/cm ²	Action Level

 Inspection Date:
 8/14/2019 - 8/14/2019

 Action Level:
 1.0 mg/cm²

 Total Readings:
 83

 Unit Started:
 08/14/2019 12:06:04

 Unit Ended:
 08/14/2019 13:20:17

Inspection Site:

715 Dimmocks Mill Road Hillsborough, NC 27278

Read #	Result	RTA Present	COMPONEN	TSUBSTRATE	SIDE	CONDITION	Color	Floor	ROOM	Lead (mg/cm ²)	Mode
37	Negative	Off	Wall	Concrete	D	Deteriorated	White	Basement	Worksho	p.5 mg/cm ²	Action Level
38	Negative	Off	Window Sash	Metal	D	Deteriorated	White	Basement	Worksho	0.9 mg/cm ²	Action
39	Negative	Off	Wall	Concrete	A Center	Deteriorated	Green	Basement	Worksho	p.3 mg/cm ²	Action Level
40	Negative	Off	Wall	Concrete	B Center	Deteriorated	Green	Basement	Worksho	0.4 mg/cm ²	Action Level
41	Negative	Off	Wall	Concrete	C Center	Deteriorated	Green	Basement	Worksho	₱.3 mg/cm²	Action Level
42	Negative	Off	Wall	Concrete	D Center	Deteriorated	Green	Basement	Worksho	0.3 mg/cm ²	Action Level
43	Negative	Off	Ceiling	Concrete	D Center	Deteriorated	Green	Basement	Worksho	ք.2 mg/cm²	Action Level
44	Negative	Off	Siding	Vinyl	D Right	Intact	Gray	First	Exterior	0.0 mg/cm ²	Action Level
45	Negative	Off	Facia	Aluminum	C Left	Intact	White	First	Exterior	0.0 mg/cm ²	Action Level
46	Negative	Off	Window Sash	Vinyl	C Center	Intact	White	First	Exterior	-0.1 mg/cm ²	Action Level
47	Negative	Off	Door	Aluminum	C Right	Intact	White	First	Exterior	0.0 mg/cm ²	Action Level
48	Negative	Off	Wall	Brick	A Center	Deteriorated	Green	First	Parts Room	0.4 mg/cm ²	Action Level
49	Negative	Off	Wall	Brick	B Center	Deteriorated	Green	First	Parts Room	0.6 mg/cm ²	Action Level
50	Negative	Off	Wall	Brick	C Center	Deteriorated	Green	First	Parts Room	0.4 mg/cm ²	Action Level
51	Negative	Off	Wall	Brick	D Center	Deteriorated	Green	First		0.5 mg/cm ²	Action Level
52	Negative	Off	Wall	Wood	A Left	Deteriorated	Green	First		0.1 mg/cm ²	Action Level
53	Negative	Off	Wall	Wood	A Center	Deteriorated	Dark Stain	First		0.1 mg/cm ²	Action Level
54	Negative	Off	Floor	Concrete	A Center	Deteriorated	Tan	First		0.4 mg/cm ²	Action Level

 Inspection Date:
 8/14/2019 - 8/14/2019

 Action Level:
 1.0 mg/cm²

 Total Readings:
 83

 Unit Started:
 08/14/2019 12:06:04

 Unit Ended:
 08/14/2019 13:20:17

Inspection Site:

715 Dimmocks Mill Road Hillsborough, NC 27278

Read #	Result	RTA Present	COMPONEN	TSUBSTRATE	SIDE	CONDITION	Color	Floor	ROOM	Lead (mg/cm ²)	Mode
55	Positive	Off	Window Sash	Metal	B Left	Deteriorated	Green	First	Parts Room	1.0 mg/cm ²	Action Level
56	Positive	Off	Railing	Metal	D Center	Deteriorated	Gray	First	Parts Room	10.2 mg/cm ²	Action Level
57	Positive	Off	Stair	Concrete	D Center	Deteriorated	Gray	First	Parts Room	1.7 mg/cm ²	Action Level
58	Negative	Off	Wall	Brick	A Center	Deteriorated	White	First	A Center	0.4 mg/cm ²	Action Level
59	Negative	Off	Wall	Brick	A Center	Deteriorated	White	First	A Center	0.3 mg/cm ²	Action Level
60	Negative	Off	Ceiling	Concrete	A Center	Deteriorated	Green	First	A Center	0.2 mg/cm ²	Action Level
61	Negative	Off	Wall	Brick	A Center	Intact	White	First	A/D	0.1 mg/cm ²	Action Level
62	Negative	Off	Wall	Wood	C Center	Intact	Dark Stain	First	A/D	0.1 mg/cm ²	Action Level
63	Negative	Off	Wall	Brick	D Center	Intact	White	First	A/D	0.4 mg/cm ²	Action Level
64	Negative	Off	Window Sill	Concrete	D Center	Deteriorated	Blue	First	A/D	0.4 mg/cm ²	Action Level
65	Negative	Off	Window Sash	Metal	D Center	Deteriorated	Blue	First	A/D	0.8 mg/cm ²	Action Level
66	Negative	Off	Mini-Blind	Vinyl	D Center	Deteriorated	White	First	A/D	-0.1 mg/cm ²	Action Level
67	Negative	Off	Door Casing	Wood	B Center	Intact	White	First	A/D	-0.2 mg/cm ²	Action Level
68	Negative	Off	Door	Metal	B Center	Intact	White	First	A/D	0.0 mg/cm ²	Action Level
69	Negative	Off	Ceiling	Drywall		Intact	Blue	First	A/D	0.0 mg/cm ²	Action Level
70	Negative	Off	Ceiling	Drywall		Intact	White	First	Collectio	0.0 mg/cm ²	Action Level
71	Negative	Off	Window Sash	Metal	D	Intact	Black	First	Collectio	m&1 mg/cm ²	Action Level
72	Negative	Off	Door	Wood	B Center	Intact	Clear Stain	First	Collectio	0.0 mg/cm ²	Action Level

Matrix Health & Safety Consultants LLC 2900 Yonkers Road Raleigh, NC 27604

 Inspection Date:
 8/14/2019 - 8/14/2019

 Action Level:
 1.0 mg/cm²

 Total Readings:
 83

 Unit Started:
 08/14/2019 12:06:04

 Unit Ended:
 08/14/2019 13:20:17

Inspection Site:

715 Dimmocks Mill Road Hillsborough, NC 27278

Read #	Result	RTA Present	COMPONE	NTSUBSTRATE	SIDE	CONDITION	Color	Floor	ROOMLead (mg/cm ²)	Mode
73	Negative	Off	Ceiling	Drywall		Intact	White	First	Electrical0.0 mg/cm ² Supply	Action Level
74	Negative	Off	Ceiling	Wood		Intact	White	First	Break -0.1 mg/cm ² Room	Action Level
75	Negative	Off	Mini-Blind	Vinyl	В	Intact	White	First	Break 0.0 mg/cm ² Room	Action Level
76	Negative	Off	Ceiling	Drywall		Intact	White	First	Supervis 0.2 mg/cm ² Office	Action Level
77	Negative	Off	Ceiling	Drywall		Intact	White	First	Laundry 0.0 mg/cm ²	Action Level
78	Positive	Off			Calibration				1.0 mg/cm ²	Action Level
79	Positive	Off			Calibration				1.1 mg/cm ²	Action Level
80	Positive	Off			Calibration				1.0 mg/cm ²	Action Level
81	Negative	Off			Calibration				0.0 mg/cm ²	Action Level
82	Negative	Off			Calibration				0.1 mg/cm ²	Action Level
83	Negative	Off			Calibration				0.0 mg/cm ²	Action Level

----- END OF READINGS ------

Photos



715 Dimmocks Mill Road Water Plant A Side



715 Dimmocks Mill Road Water Plant B Side



715 Dimmocks Mill Road Water Plant C Side



715 Dimmocks Mill Road Water Plant D Side



Asbestos containing window caulk between window sash and brick.

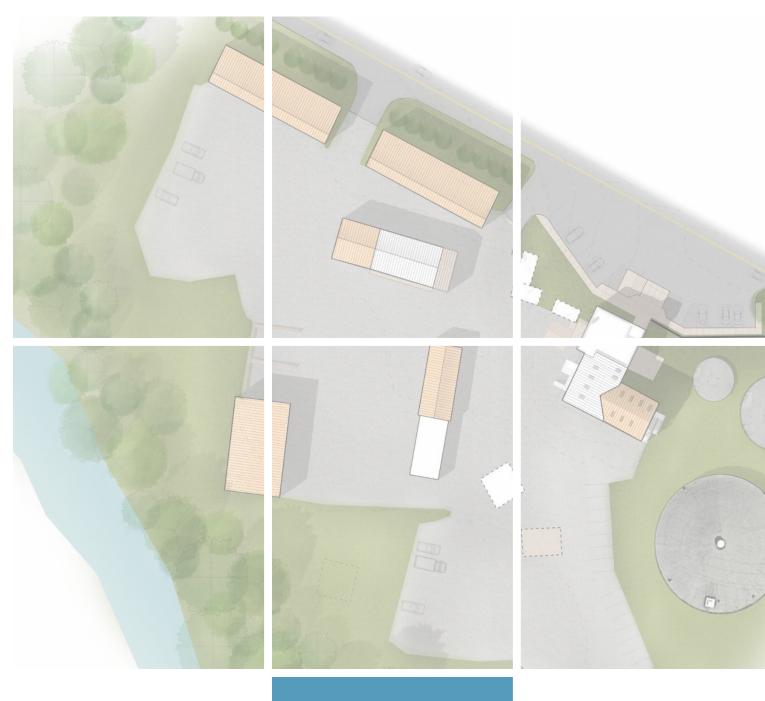


Asbestos containing flashing on C Side.



Door caulk on original brick structure.

<u>A</u>ppendix B



The Town of Hillsborough

Adron F. Thompson Water/Sewer Facility: Feasibility Study





Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:Feb. 13, 2023Department:Administrative ServicesAgenda Section:ConsentPublic hearing:NoDate of public hearing:N/A

PRESENTER/INFORMATION CONTACT

Town Manager Eric Peterson

ITEM TO BE CONSIDERED

Subject: Resolution appointing finance officer and deputy finance officers and designating bank depository signatories

Attachments:

Resolution

Summary:

North Carolina General Statute 159-24 states that each local government and public authority shall appoint a finance officer. North Carolina General Statute 159-25(b) states all checks or drafts on an official depository shall be signed by the finance officer and countersigned by another official of the local government or public authority.

Financial impacts:

None.

Staff recommendation and comments:

None.

Action requested:

To adopt the attached resolution appointing David McCole as finance officer, appointing Eric Peterson, Matt Efird, and Debra Strutz as deputy finance officers and designating bank signatories on town depositories.



RESOLUTION Appointing Finance Officer and Deputy Finance Officers and Designating Bank Depository Signatories

WHEREAS, North Carolina General Statute 159-24 states each local government and public authority shall appoint a finance officer; and

WHEREAS, the finance officer is responsible for providing financial safeguards and ensuring that all duties of the finance office are adequately and efficiently covered; and

WHEREAS, Finance Director David McCole is qualified to serve in the position of finance officer pursuant to G.S. 159-24 to carry out the duties described in G.S. 159-25; and

WHEREAS, internal controls are an integral part of the organization and this appointment will improve the segregation of duties; and

WHEREAS, G.S. 159-25(b) states all checks or drafts on an official depository shall be signed by the finance officer and countersigned by another official of the local government or public authority; and

WHEREAS, Town Manager Eric Peterson and Assistant Town Manager Matt Efird shall serve as deputy finance officers to carry out the pre-audit responsibilities described in:

- G.S. 159-25(b); checks and drafts,
- G.S. 159-28(a1); purchase orders and contracts,
- G.S. 159-28(d1); checks and drafts,
- G.S. 159-28(d2); electronic payments; and

WHEREAS, the mayor, town manager or assistant town manager are designated as bank depository signatories on all checks and drafts of the town; and

WHEREAS, Accounts Payable Technician Debra Strutz shall serve as deputy finance officer to carry out the duties described in G.S. 159-28(a1); purchase orders and contracts; and

NOW, THEREFORE, be it resolved the Hillsborough Board of Commissioners herby appoints David McCole as finance officer.

BE IT FURTHER RESOLVED, the Hillsborough Board of Commissioners herby appoints Eric Peterson, Matt Efird, and Debra Strutz as deputy finance officers.

Approved this 13th day of February in the year 2023.



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date: Department: Agenda Section: Public hearing: Date of public hearing: Feb. 13, 2023 Community Services Consent No

PRESENTER/INFORMATION CONTACT

Margaret Hauth, Assistant Town Manager

ITEM TO BE CONSIDERED

Subject: Ordinance amending town code Section 6A-12, speed limits

Attachments:

Ordinance

Summary:

The town has received complaints about speeding on Gold Hill Way and Orange Grove Street near Collins Ridge. The town has not previously assigned a speed limit to Orange Grove Street. Staff also identified other streets with posted speed limits not reflected in the code. This ordinance corrects these omissions.

Financial impacts:

Staff recommendation and comments:

Public Works strongly supports correcting these oversights. Most streets are already posted at the requested speed.

Action requested:

Adopt ordinance.



ORDINANCE Amending Town Code Section 6A Regarding Speed Limits

The Hillsborough Board of Commissioners ordains:

Speed Limit (MPH)	On Street	From	То
25	Cardinal Dr.	S. Churton St.	end
25	Cates Ct.	Murdock Rd.	end
25	College Park Rd.	Cates Creek Parkway	Waterstone Dr.
25	Daye St.	Faucette Mill Rd.	end
25	Murdock Rd.	Cardinal Dr.	Cheshire Dr.
25	Orange Grove St.	South Churton St.	552 feet east to Gold Hill Way
25	Torain St.	Lawndale Ave.	Faucette Mill Rd.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 13th day of February in 2023.

Ayes: Noes: Absent or excused:

Sarah E. Kimrey, Town Clerk



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:Feb. 13, 2023Department:Governing BodyAgenda Section:ConsentPublic hearing:NoDate of public hearing:N/A

PRESENTER/INFORMATION CONTACT

Mayor Jenn Weaver

ITEM TO BE CONSIDERED

Subject: Resolution supporting North Carolina Medicaid Expansion

Attachments:

Resolution

Summary:

People in the health insurance "coverage gap" earn too much income to qualify for Medicaid but do not earn enough to qualify for a subsidy in the private marketplace. Closing the health insurance coverage gap through expansion of Medicaid would extend affordable health insurance coverage to 7,254 people in Orange County and more than 600,000 people across the state who cannot access the health care they need.

Financial impacts:

N/A

Staff recommendation and comments: N/A

Action requested:

Adopt resolution as part of a statewide effort among local governments to endorse Medicaid Expansion.



RESOLUTION In Support of Closing North Carolina's Health Insurance Coverage Gap Through Medicaid Expansion

WHEREAS, people in the health insurance "coverage gap" earn too much income to qualify for Medicaid but do not earn enough to qualify for a subsidy in the private marketplace; and

WHEREAS, 8.9% of workers in Orange County are uninsured, according to an analysis from the Georgetown University Health Policy Institute; and

WHEREAS, closing the health insurance coverage gap through expansion of Medicaid would extend affordable health insurance coverage to 7,254 people in Orange County and more than 600,000 people across the state who cannot access the health care they need; and

WHEREAS, federal funding from taxes that North Carolinians have already paid will cover 90% of costs for states closing the health insurance coverage gap to residents who need access to affordable health insurance; and

WHEREAS, according to the North Carolina Department of Health and Human Services, Orange County had 13 deaths and 47 emergency department visits related to opioid overdose in 2019, and closing the health insurance coverage gap would provide access to behavioral health care to address the opioid epidemic; and

WHEREAS, healthy people and access to affordable health care are key to the Orange County and Hillsborough economy; and

WHEREAS, closing the health insurance coverage gap would create 629 new jobs in Orange County, drive \$141,300,000 in new business activity, and generate \$3,724,200 in new county revenue, according to an analysis by the Cone Health Foundation, the Milken Institute School of Public Health, and the Kate B. Reynolds Charitable Trust;

NOW, THEREFORE, be it resolved the Hillsborough Board of Commissioners urges the North Carolina General Assembly to close the health insurance coverage gap in North Carolina by passing Medicaid expansion.

BE IT FURTHER RESOLVED, that the Hillsborough Board of Commissioners asks the town clerk to share this resolution with Representative Allen Buansi, Representative Renée Price, Senator Graig Meyer, and all leaders of the North Carolina General Assembly.

Approved this 13th day of February of the year 2023.

Jenn Weaver, Mayor Town of Hillsborough



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:Feb. 13, 2023Department:Governing BodyAgenda Section:ConsentPublic hearing:NoDate of public hearing:N/A

PRESENTER/INFORMATION CONTACT

Commissioner Matt Hughes

ITEM TO BE CONSIDERED

Subject: Resolution in support of the LGBTQ+ community

Attachments:

Resolution

Summary:

The attached resolution is part of a statewide effort for local governments to stand in solidarity with the LGBTQ+ community, in response to anti LGBTQ+ legislation moving through the state legislature.

Financial impacts:

N/A

Staff recommendation and comments: N/A

Action requested:

To adopt resolution supporting the LGBTQ+ community and condemning violence, hatred, and discrimination against LGBTQ+ people.



RESOLUTION In Solidarity with Hillsborough's LGBTQ+ Community

WHEREAS, hate crimes targeting LGBTQ+ (lesbian, gay, bisexual, transgender, & queer) people have increased every year for the past four years; and

WHEREAS, members of the LGBTQ+ community currently experience the highest rate of hate-motivated violence among all marginalized communities in the United States; and

WHEREAS, mass shootings by domestic terrorists at LGBTQ+ gathering spaces such as Club Q and Pulse have created fear and trauma in LGBTQ+ communities across the country; and

WHEREAS, protests and demonstrations targeting drag shows and drag performers have increased dramatically over the last several years, with such protests being held in several locations in North Carolina; and

WHEREAS, there has been a sharp increase in anti-LGBTQ+ legislation in the U.S., with 233 anti-LGBTQ+ bills filed in state legislatures across the country in January 2023 alone; and

WHEREAS, a version of Florida's "Don't Say Gay" bill has been filed in the N.C. Senate this session (SB49) which would prohibit discussion of LGBTQ+ identity in most elementary school classrooms and forcibly out LGBTQ+ students to their parents; and

WHEREAS, a bill has been filed in the N.C. House this session (HB43) that would prohibit gender-affirming healthcare; and

WHEREAS, access to safe, affirming spaces and gender-affirming healthcare is critical for the mental and physical health of LGBTQ+ people and teens in particular, who are four times more likely to consider suicide than their cisgender and heterosexual peers;

NOW, THEREFORE, be it resolved that the Hillsborough Board of Commissioners affirms the full civil and human rights of our LGBTQ+ community members.

BE IT FURTHER RESOLVED, that the Hillsborough Board of Commissioners condemn all violence, hatred, and discrimination against LGBTQ+ people, including by our state's leaders and stands in opposition to HB43, SB49, and all legislation that erodes the safety, health, civil rights, and/or bodily autonomy of LGBTQ+ people, including minors.

Approved this 13th day of February in the year 2023.



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:Feb. 13, 2023Department:Community ServicesAgenda Section:RegularPublic hearing:NoDate of public hearing:N/A

PRESENTER/INFORMATION CONTACT

Margaret Hauth, Assistant Town Manager

ITEM TO BE CONSIDERED

Subject: Update on project close-out for Corbinton Commons

Attachments:

- 1. November 2023 letter
- 2. Updated punch list

Summary:

At the end of November, the Brough Law Firm sent a letter to the developer and owner of Corbinton Commons indicating the town's intention to call the performance bonds associated with the project if work to common features was not completed within 30 days. The time has passed with limited communication. The town holds bonds for: Utilities (\$5,000), Stormwater, streetlights, signs, and pavement markings (\$94,000), and streets, curbing, and sidewalks (\$163,000). The total amount is over \$300,000. The funds can only be used to correct the items they are guaranteeing and cannot be taken as a penalty. The funds may not be adequate to cover certain repair costs when compared with the relevant portion of the bond.

Staff have repeatedly provided lists of work that needs to be completed or repaired. We get minimal communication in return. The board recently authorized snow plowing in the neighborhood because of the slow project close-out. The last house was issued a Certificate of Occupancy in August 2020. It is highly unusual for close-out to take this long when there are bonds involved.

Financial impacts:

Staff recommendation and comments: We can provide more in-depth information and examples at the meeting.

Action requested: Discussion



G. Nicholas Herman Robert E. Hornik, Jr. T.C. Morphis, Jr. Albert M. Benshoff S. Ellis Hankins Kevin R. Hornik Brady N. Herman herman@broughlawfirm.com hornik@broughlawfirm.com morphis@broughlawfirm.com benshoff@broughlawfirm.com hankins@broughlawfirm.com bhornik@broughlawfirm.com

November 30, 2022

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

KEPSC Hillsborough, LLC William H. Weatherspoon, Jr., Registered Agent 3605 Glenwood Avenue Suite 480 Raleigh, NC 27612-3983

EYC Companies, LLC Ellis Y. Coleman, Registered Agent 6837 Falls of Neuse Road, Suite 208 Raleigh, NC 27615 KEPSC Hillsborough, LLC Edward Kalikow, Managing Member 7001 Brush Hollow Road Westbury, NY 11590-1743

EYC Companies, LLC Craig Ferri, Vice President of Construction 1005 St. Andrews Blvd., Unit C Charleston, SC 29407

Re: Town of Hillsborough, NC – Corbinton Commons – Outstanding Punchlist Items

To Whom It May Concern,

I am writing to you in my capacity as the Assistant Town Attorney for the Town of Hillsborough (the "Town"). This letter is intended (1) to provide a status update regarding several outstanding punchlist items that must be completed before the Town will accept dedicated public improvements or release any bonds currently held by the Town and (2) to request a specific timeline for completion of the outstanding punchlist items.

The Corbinton Commons development project was approved on May 12, 2008 when the Town of Hillsborough Board of Commissioners granted Special Use Permit # 2008-02 for the project (the "SUP"). Notably, the SUP specifies that "the Town Board of Commissioners may revoke this Special Use Permit after a finding. . . [t]hat any of the applicable requirements of Section 4 (Conditional Use Requirements) of the Zoning Ordinance or any conditions attached to the Permit or subsequent modification of the Permit have been violated." Moreover, N.C. Gen. Stat. § 160D-403 says that development approvals, such as the SUP, "*shall* be revoked for any substantial departure from the approved applicable local development regulation or any State law delegated to the local government for enforcement purposes in lieu of the State; or for false statements or misrepresentations made in securing the approval." Finally, the Town has the right

Page 1 of 3 The Brough Law Firm, PLLC | 1526 E. Franklin Street | Suite 200 | Chapel Hill, NC 27514 | broughlawfirm.com CHAPEL HILL (919) 929-3905 | CONCORD (980) 622-6440 | RALEIGH (919) 349-8988 to withhold issuance of other permits or certifications for development work undertaken under the SUP until satisfactory compliance has been achieved with respect to the current work undertaken under the SUP.

To date, many required work items remain outstanding. Attached is a document, titled Corbinton Commons Final Punchlist 2/16/2022 (the "Punchlist"). The Punchlist includes outstanding work items noted by the Town's Planning and Economic Development Department, Public Works Department, and Stormwater and Environmental Services Department. The Punchlist also includes a checklist of requirements necessary prior to acceptance by the Town of all dedicated public streets and sidewalks. Separate punchlists have previously been provided by respective departments, as more fully described below.

There is no record that you ever made an end of warranty inspection request. However, Town Staff conducted an inspection of their own accord to facilitate the completion of your project. In May of 2020, Mr. Ferri was provided with a utilities-related punchlist following a warranty walkthrough conducted by Town utilities Staff. Only a few of the punchlist items have been addressed to-date. In October of 2021, Town Staff communicated additional construction-related defects discovered in the sewer system from sewer television tapes provided by EYC. To-date, those issues have not been addressed. In December of 2021, Mr. Ferri responded to Town Staff and seemingly refused to repair the construction-related sewer defects identified in Town Staff's October 2021 report and reiterated in a December 2021 email.

Additionally, in February and March of 2022, Planning Staff provided a punchlist of outstanding work items and requested that you provide a timeline for the completion of those items. To-date, Planning Staff has not received a substantive response.

Town Staff have consistently communicated to Mr. Ferri and other representatives that a number of work items remain to be completed before the Town can release various bonds currently held by the Town or accept any remaining public dedications. Moreover, failure to satisfactorily complete these items constitute violations of various provisions of the Town Code, the Unified Development Ordinance, and the SUP and may subject you to one or more Notices of Violation, civil penalties, and any other enforcement action that the Town deems necessary under the circumstances.

The Town hopes to resolve these defects amicably. To that end, the Town respectfully requests that you provide a detailed response to the Punchlist, including anticipated completion dates for all outstanding work items, within thirty (30) days of the date of this letter. If the Town has not received a satisfactory response by that date, the Town may take any action deemed appropriate, including but not limited to revocation of the SUP and calling the bonds.

Page 2 of 3 The Brough Law Firm, PLLC | 1526 E. Franklin Street | Suite 200 | Chapel Hill, NC 27514 | broughlawfirm.com CHAPEL HILL (919) 929-3905 | CONCORD (980) 622-6440 | RALEIGH (919) 349-8988 Please contact Margaret Hauth, Assistant Town Manager, at (919) 296-9471 with any questions.

Sincerely,

THE BROUGH HAW FIRM, PLLC Kevin R. Hornik

KRH:

Page 3 of 3 The Brough Law Firm, PLLC | 1526 E. Franklin Street | Suite 200 | Chapel Hill, NC 27514 | broughlawfirm.com CHAPEL HILL (919) 929-3905 | CONCORD (980) 622-6440 | RALEIGH (919) 349-8988

Corbinton Commons Final Punchlist updated 2/6/2023

Planning Punchlist- Tom King 919-296-9475 Tom.King@hillsboroughnc.gov

- The perimeter asphalt walking trail stops at the end of Market House Way. Asphalt trail needs to extend to the east property line (eastern phase) (condition of SUP & shown on approved plans).
- 2. A paved, "meandering sidewalk" with a surface material meeting NCDOT standards & serving as a walking trail must be constructed along US 70 East as shown on the approved plans. The portion on the western side of the development needs to either be completed or a financial guarantee for completion needs to be posted. A projection of the property line separating the eastern & western parcels into the US 70 East right-of-way can be used as the boundary (condition of SUP approval).
- 3. The required opaque, vegetative perimeter buffer isn't planted between the asphalt trail & exterior property lines (condition of SUP approval).
- 4. A fence with a gate needs to be installed to block neighboring views along the southwest sewer easement at Caine St <u>if approved by utilities</u> (condition of SUP approval).

Public Works Punchlist Dustin Hill 919-296-9602 Dustin.Hill@hillsboroughnc.gov

- 1. Damage to the alleys will need to be repaired consistent with on-site communication. There is some significant cracking occurring that needs fixed, there are raised manholes in some alleys that need additional asphalt.
- 2. Since so much time has lapsed an additional final walk-through inspection of all curbing, sidewalks, gutters, drains will need to take place before the town will accept these improvements.
- 3. The low spot in the southern turn of the easter alley needs to be corrected as water ponds there.



4. The attached **Final Street Acceptance Checklist** will need to be completed with a letter from the developer indicating that all checklist items are completed and a request for the town to accept the streets for maintenance.

Stormwater Punchlist Heather Fisher 919-296-9622 Heather.Fisher@hillsboroughnc.gov

- A. As-Built Plans and Certification, Site-Specific Requirements
 - 1. For the as-built plans, we require a plan sheet showing the as-built condition and key elevations of the entire stormwater system and a separate detailed as-built plan sheet of the SCM, with both cross-section and plan views and key elevations.
 - 2. The certification may be provided as a separate letter or included on the as-built plans.
 - 3. With the as-built plans and certification, please provide photos and video of the entire lengths of each outlet pipe from the riser or siphon headwall inlets to the outlets, showing all seams. This documentation should also include the riser structure showing that there are no leaks after a large rain event.
 - 4. In addition, include a statement in the certification that all structures have been inspected for leaks and/or pipe separation and that no leaks or other deficiencies were found, or similar language.
- B. Clubhouse Area
 - 1. The roof drain outflow on the northeast corner of the clubhouse is eroding the slope. Stabilize area, add protection measures, and re-vegetate.
- C. Pump Station Drive, Open Space, and Parking Area Runoff from the clubhouse parking, adjacent grass area, and alley/driveway has formed a gully on the hill above the pump station. This flow is also depositing sediment in front of the pump station and eroding an area past the pump station just before the flow enters the stream. Redirect this concentrated flow to the pond and repair gully using the following measures:
 - Re-grade open space so that runoff from the parking area and open space is directed to the berm or otherwise reaches the pond.
 - Add curbs along the driveway/alley way to direct flow to pond.





3. Repair gully, including filling and compacting as appropriate, and stabilize and revegetate area. Compost or topsoil amendment may be necessary to re-establish vegetation.

- D. Outlet Structures
 - 1. Pre-cast Riser Outlet Structure
 - Repair any leaks and provide video of riser function during the design storm event, or provide equivalent measure of functionality.
 - 2. Low flow/water quality outlet and rip rap dissipater area:
 - a. Repair deteriorated outlet pipe joint just above the scour hole.
 - b. Correct all leaks or pipe separation and provide photos or video of all seams along entire length of pipe.
 - c. Verify the scour hole matches the designed size or correct to meet plan specification.
 - 3. Overflow outlet and rip rap dissipater area:
 - Correct all leaks or pipe separation and provide photos or video of all seams along entire length of pipe.
 - 4. Water Level
 - a. The current water level is below normal pool. The SCM will not be closed out until the water level has reached the normal pool elevation per the approved plans and pond function has been demonstrated during a design storm event.





- E. Main Pool Area
 - Install aquatic plants and irrigate until established. Reference: Aquatic shelf plants are required to be planted per the State's 1999 stormwater BMP manual: <u>https://deq.nc.gov/about/divisions/energy-mineral-land-resources/energy-mineral-landpermit-guidance/stormwater-bmp-manual/archive</u> To be spaced 2 feet apart, recommended spacies are luncus effusus. Hibiscus coscineus. Carex gravi, and Sqururus.

recommended species are *Juncus effusus, Hibiscus coccineus, Carex grayi,* and *Saururus cernuus*. Evidence of plant survival and establishment will be necessary prior to close-out.
The permanent grass cover will need to be fully established on all side slopes and both sides

- of the dam prior to close-out. Re-seeding is needed near the inlet to the forebay where a significant bare area exists and along the western cut slope.
- Vegetation is currently well-maintained. If any trees or shrub seedlings establish within the SCM area, these will need to be removed by the developer prior to SCM close-out.
- F. By-pass Swale along Trail
 - Near the trail entrance, a corrugated pipe leading to the swale is broken in several places. Replace pipe with a more permanent and stable conveyance method.



Utilities – updated with walk-through 2/1/2023 – Bryant Green 919-296-9630 Bryant.Green@hillsboroughnc.gov

- A. Sewer comments:
 - 1. All manhole ring and covers need to be cleaned of residual asphalt.
 - 2. Club house and corresponding sewer connection not reflected on record drawings.
 - 3. Water diversion/speed bump in front of pumping station needs to be removed or reduced in size to allow town vehicle accessibility. Refer to stormwater comment C. The installed bump is unacceptable.



- 4. All Town side cleanouts need brass screw-type lid and precast concrete ring.
- 5. Remove asphalt from the following manholes:
 - a. SSMH-A17
 - b. SSMH-A18
 - c. SSMH-A19
- 6. Ring and cover need to be adjusted to surface course asphalt grade at the following manholes:
 - a. SSMH-A20
 - b. SSMH-A21
- Cleanout cap is upside down at the following lots:
 a. 1 and 59.
- Town cleanout cannot be located at the following lots:
 a. 10, 14, 27, 33, 44, 45, 46, 50, 51, and 62.
- Replace broken cleanout caps at the following lots:
 a. 13, 15, 35, 40, and 70.
- Cleanout needs to be raised at the following lots:
 a. 48 and 63
- 11. Relocate poorly placed cleanouts:
 - a. Lot 11 too close to driveway
 - b. Lot 56 too close to foundation
- B. Water
 - 1. All water valves boxes need to be cleaned of residual asphalt.
 - 2. Northern intersection of Market House Way and Bridge St.- Water valve group needs to be raised to surface course asphalt grade. Water line heading east has out of service hydrant and as-builts do not reflect method in which this water line was capped or if it has a blow off.
 - 3. Club house not reflected on record drawings.
 - 4. Mainline valve in front of lot 38 not reflected on record drawings.
 - 5. Cannot find blow off assembly listed on record drawings at intersection of Alley E & D and Market House Way.

- 6. Fire hydrant beside lot 35 in bridge street- Missing bolts in bonnet and isolation valve is too low.
- 7. Water valve set in front of lot 50 on Bridge street All valves are too low and need to be raised to surface course asphalt grade.
- 8. Raise the meter box at the following lots:
- a. 50, 59, and 61
- Town cannot find meter boxes at the following lots:
 a. 37, 53, and 62.
- 10. Other meter box repairs needed, by lot:
 - a. Lot 18 Broken antenna on water meter
 - b. Lot 52 meter box is broken replace
 - c. Lot 56 meter box lid warped replace
- C. Repairs needed based on CCTV review:
 - 1. A11 A101 at 62' and 141.9' Surface damage on pipe spalling and corrosion.
 - 2. A10 A9 at 9.5', 13.6' and 60.2' Damaged pipe coating.
 - 3. A17 A18 at 76.7' tap break-in/hammer tap.
 - 4. A17 A3 at 205.2' tap break-in/hammer tap.
 - 5. A4 A3 at 180.2', 194.1', 203' and 245.7' tap break-ins/hammer taps
- D. Other Comments
 - 1. The record drawings show 9 lots on the east side of Market House Way, south of Alley E, but only 8 exist onsite.
 - 2. Ponding is evident at the intersections of alleys and residential streets. Additional wedging recommended during final resurfacing to improve drainage.



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:	Feb. 13, 2023
Department:	Utilities
Agenda Section:	Regular
Public hearing:	No
Date of public hearing:	NA

PRESENTER/INFORMATION CONTACT

Utilities Director, K. Marie Strandwitz, PE Planning and Economic Development Manager, Shannan Campbell, AICP, CZO Assistant Town Manager, Matt Efird

ITEM TO BE CONSIDERED

Subject: Provide overview and garner feedback regarding action on proposed Lawrence Road development

Attachments:

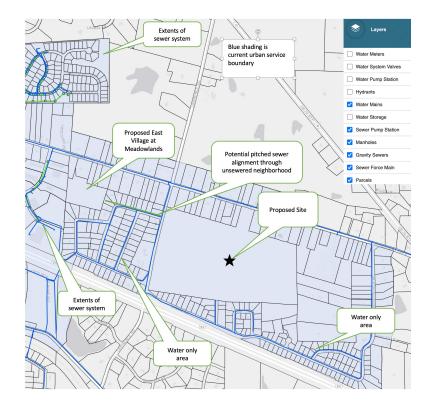
- 1. Proposed site plan
- 2. Preliminary E-mails with planning
- 3. Capacity reservation letters
- 4. Jan. 2022 courtesy review comments to County

Summary:

As early as September 2021, the planning staff was approached about development on a parcel near US70 and Lawrence Road. The planning staff responded with comments on the proposed development, which back then were primarily surrounding a proposed tennis club. In November 2021, proposed plans changed to include a charter school. In January 2022, this project was discussed in a presentation to the Board about annexation interests. Staff presented several points in the slides below at that time.

Lawrence Road Annexation Interest

Area water & sewer map



Lawrence Road Annexation Interest

Key Utilities Considerations:

- Not included in the wastewater collection system hydraulic model
- Site would need a private pumping station
- · Planned sewer route through one street in unsewered neighborhood
 - No plans to extend sewer to the entire neighborhood (availability and an equity a concern)
- · Previously suggested to Board to reduce the service area boundary to Lawrence Road
- Area is part of Durham's Teer Quarry plan (watershed protection area)
- Still awaiting Comprehensive Sustainability plan recommendations
 - o preserve capacity in Elizabeth Brady sewer basin for identified growth areas
 - o minimize new extensions that will bring pressure to develop surrounding areas
- Utilities does not support this project at this time

Key Planning Considerations:

- Parcel is non-contiguous to Town limits (satellite) and Town is limited in the total acreage permitted to annex of this type
- · Parcel is disconnected from Town in terms of any pedestrian connectivity and access
- Future Land Use Plans calls for residential as predominant land use

In February 2022, a request was made to the town to reserve capacity for a future school on this parcel pursuant to a recent state statute regarding schools and capacity. NCGS 115C-521(i) requires a town to reserve capacity upon request from a school owner for two years, if available. In March 2022, the town issued a letter to reserve 7,200 gallons per day (gpd) for a charter school. This was anticipated to be The Expedition School, which planned to move from its existing location at Eno Mill. In November 2022, the town learned that in May 2022, The Expedition

School board had voted to drop the contract for the site. Neither the applicant nor the developer informed the town of this. Upon discovering this information, the town rescinded the capacity reservation in mid-November 2022.

In late-November 2022, a new capacity request was made for a different school for 6,000 gpd. This request is purportedly related to a recent charter school approval for the West Triangle High School. The requested capacity was reserved in January 2023, retroactive to the original request date of November 30, 2022, after the request met the terms of the statute (request must come from school owner). The town has currently reserved capacity of 6,000 gpd subject to any downstream improvements that may be necessary to support the project when it comes online. All capacity reservation letters are attached for reference.

Also in November 2022, a zoning atlas amendment request was made to the county requesting a change from R-1 (rural residential) to Master Plan Development – Conditional District, a much higher density use. The current proposed project is now two charter schools (upper and lower) and recreational facilities (see attached site plan). Only a portion of the site will be served by public sewer services with the rest by proposed septic per the site plan. The town was presented the request to comment upon in accordance with our County/town courtesy review agreement. In addition to the comments to the board in January 2022 and previously made to the applicant in 2021, additional comments (attached) that have been learned and considered over last year were added. These points were also discussed in a call with the County's Development Action Committee team. Key points conveyed or pondered by the staff include:

- The town has not reserved capacity for the proposed lower school, and it has not received any request for such as a charter application has not been submitted or approved by the school authority for a lower charter school in Orange County.
 - The applicant says this will be forthcoming. The new charter school application deadline is at the end of April. Approval of such would not be until December 2023 at the earliest. An accelerated school opening could be requested for FY24. Otherwise, it would be later, if approved at all.
 - "Capacity" is not defined in the statute as only plant capacity despite a comment in the reservation letter exhibit saying so. Capacity should include that at the water and sewer plant, the conveyance pipes, and pumping stations. When we provided the original capacity reservation back for The Expedition School, it was greater than what was requested the second time, so we did grant this. However, we may not have capacity for a second school. Several other projects are in the works such as Collins Ridge, Moren parcel and those anticipated around Waterstone such as full expansion of the hospital and Durham Tech. RTLP is on the horizon as well. A detailed capacity analysis would need to be performed for additional capacity reservation.
 - The plan proposes septic fields for the recreational facilities, but it is unclear where a well would be provided. Mixing well/septic with public water and sewer on a parcel is unconventional. We have not reserved capacity for anything other than one school of 600 students with no cafeteria or gym.
 - Since reservation of the initial capacity for the high school, other out of town developments have continued to complete their concept plans that have previously been presented to the Board with favorable feedback (i.e., Capkov), that are contiguous and include more town benefit. As above, capacity in the Elizabeth Brady basin is not all realized. The Moren parcel for example is still undergoing development. Already the proposed uses are higher than we anticipated in the sewer modeling.
- The town does not have adequate fire flow to support this project. This means that the school would have to have onsite water storage and a fire system. While it is not in our purview to approve or deny such a

system, we do understand this is not desirable by the Fire Marshal or Fire Chief. The site would need to be placed on the fire department's tanker task force list and concerns have been expressed whether the onsite storage would be available or adequate due to other fire department experiences with onsite storage.

- It's possible that a very large tank would be necessary which may not be a suitable site for a school (if the tank is as large as one of the Town's, for example). There is a worksheet that can be completed to indicate necessary water supply for the site. We intend to request this from the applicant.
- The Fire Marshal has indicated that just putting the site on a tanker task force list alone is not a sole approvable reason.
- There remains concern over a public vs private sewer system and its path through unsewered areas in which the town has no immediate plans to provide sewer service.
- There remains a concern that this site is non-contiguous regarding annexation in an area that the town has not targeted for growth.
 - Although extending water and sewer requires a voluntary request for annexation, it is unclear if annexation is beneficial to the town. Charter schools do not pay property taxes. We are unclear about the ownership entity of the other proposed uses. At this point, annexation does not seem positive for the town because it is not clear about the ownership of the remainder of site and whether any taxes would be paid. NCGS 115C-521 regarding water and sewer services to charter schools indicate no contract for the erection of a school building can be made unless the site is owned in fee simple by the local board of education. The site currently is not owned by a local board of education and this matter is outstanding.
 - If the town granted annexation of this site prior to RTLP (which is expected and desired within five years of its construction), it would exceed its limit to grant a non-contiguous annexation to RTLP. A town's non-contiguous annexation acreage (in total, not just per project) cannot exceed ten percent of the size of the town's existing corporate limits. The RTLP project is a long-standing project where annexation is beneficial to the town.
 - At one point, and as proposed in the draft Comprehensive Sustainability Plan (Plan), staff mentioned to the board about eliminating the eastern service area "leg" from the water and sewer boundary area. The Plan, its draft imminent, will recommend areas to preserve, sustain and grow and suggests a shrunken service boundary.
 - If annexation is not beneficial, there is no need to extend sewer service to the site that would cause additional operation and maintenance needs for the town. Town code indicates the town is not obligated to extend water and sewer to out of town parcels. NCGS 115C-521(i) is unclear whether a reservation of capacity is a willingness to serve regardless of the method of extending public services to the site or related to development details. Staff would want this question answered before it went for final approval to the County.

Financial impacts:

While the developer will bear the cost of extending water and sewer for the project, if approvable, the project will certainly bring requests for new connections to such infrastructure, especially if the sewer is routed through only a portion of other offsite areas. With the needs and focus on taking care of what we have, the town has not planned and is not financially prepared to extend sewer service to other areas that lie in between this non-contiguous project and current sewered areas, which is within Meadowlands business park.

Staff recommendation and comments:

All the above notes indicate that staff has significant concerns as to whether this project is supportable or beneficial for the town from a planning and utilities perspective, including lesser points than outlined above (e.g., traffic, connectivity, stormwater). Despite relaying such concerns to the county and applicant, not reserving capacity for one of the proposed schools, and our belief that the rezoning request application lacks significant information, the county has pressed with a neighborhood meeting announcement for Feb. 15 and plans to follow with a public hearing in the coming months.

Action requested:

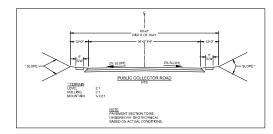
Provide feedback and determine if the Board would like to provide a formal written stance regarding the project for the County's public hearing on the proposed rezoning, which is scheduled for April at the earliest, and such comments will be included in the Board of County Commissioners agenda to decide if the project moves forward.

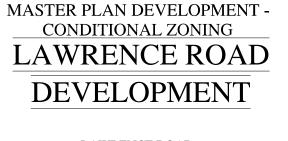
SHEET INDEX

EXISTING CONDITIONS PLAN C-2 SITE PLAN C-3 UTILITY MASTER PLAN C-4 - C LANDSCAPE & TREE PROTECTION PLAN C-9

PROJECT NOTES:

- 1. THIS DEVELOPMENT SHALL BE SUBJECT TO ALL APPLICABLE USE STANDARDS DETAILED IN ARTICLE 6 AND ALL APPLICABLE DEVELOPMENT STANDARDS DETAILED IN ARTICLE 6 OF THE LATEST VERSION OF THE ORINGE COUNTY UNFIED DEVELOPMENT ORDINANCE.
- 2. THE LOWER SCHOOL (K-6) EXPECTED STUDENT POPULATION IS 800 STUDENTS. THE HIGH SCHOOL EXPECTED STUDENT POPULATION IS 500 STUDENTS. EMPLOYEE POPULATION AT THE LOWER SCHOOL IS EXPECTED TO BE 40 STAFF. THE HIGH SCHOOL EMPLOYEE POPULATION IS EXPECTED TO BE 40 STAFF. THE SCHOOLS WILL LIKELY GENERATE APPROXIMATELY 1,723 NEW TRIPS ON A TYPICAL WEEKDAY, WITH APPROXIMATELY 728 NEW TRIPS DURING THE SCHOOL PM PEAK HOUR
- DENT CAPACITY, NCDOT MSTA CALCULATIONS STATE THAT THE K-4 SCHOOL SHOULD PROVIDE ENOUGH STORAGE TO ACCOMMODATE A QUEUE LENGTH OF UPPER SCHOOL A QUEUE LENGTH OF 2318 FEET, QUEUE LENGTH PROVIDED ON THIS PLAN EXCEED THOSE RECOMMENDATION WITH THE USE OF PARALLEL SHOWN ON THE STRE PLAN, SHEET C-3.
- 5. THE SCHOOLS WILL STAGGER THEIR OPERATIONS BY 30-45 MINUTES TO ALLOW MAXIMUM UTILIZATION OF THE PLANNED STACKING LANES. FOR THE LOWER SCHOOL PARENTS WILL UTLIZE A ONE-WAY FLOW PATTERN WITH THE PRIMARY INBOUND PARENT DRIVENAY TO THE WEST OF THE SCHOOLS AND WILL EXIT TO THE EAST OF THE BULDINGS.
- 7. FOR THE HISH SCHOOL, PARENTS WILL UTILIZE A ONE-WAY FLOW PATTERN WITH THE PRIMARY INBOUND PARENT DRIVEWAY TO THE WEST OF THE SCHOOLS AND WILL EXIT TO THE WEST OF THE HIGH SCHOOL BUILDING, STUDENT DRIVERS WILL ENTER THE RIGHT SCHOOL DRIVEWAY AND PARK IN THE PARKING LOT TO THE SOUTH OF THE SCHOOL
- 8. PARENTS WHO NEED ADDITIONAL TIME DURING LOADING OPERATIONS WILL BE DIRECTED TO PARK IN THE VISITORISHORT-TERM PARKING AREA JUST NORTH OF EACH SCHOOL. 9, IT IS ANTICIPATED THAT FIVE (5) - SEVEN (7) VEHICLES WILL ENTER AND EXIT THE SINGLE STACKED LOADING ZONES AT ANY GIVEN TIME,
- 10. CURRENT PLANS DO NOT CALL FOR ANY BUSES TO SERVE EITHER SCHOOL.
- 11. THE PM PEAK HOUR OF THE RECREATIONAL PORTION WILL LIKELY OCCUR TOWARDS THE END OR AFTER THE ADJACENT STREET PEAK HOUR. THEREFORE, IT IS ANTICIPATED THAT ONLY A PORTION OF THE PM PEAK HOUR TRIPS BELOW WOULD OVERLAP WITH THE ADJACENT STREET PEAK HOUR.
- TARE 1 IN THE TRAFFIC ASSESSMENT PROVIDED BY RIMLEY HORN INCLUDED WITH THIS SUBMITTAL SHOWS THAT THE RECREATIONAL PORTION OF SITE (INCLUDING TENNIS CLUB, BASEBALL FILLDS, SOFTBALL FIELDS, PLAYARCHINGS AND SANTE PARK) WOULD LIKELY GENERATE APPROXIMATELY 850 NEW TRIPS ON A TYPICAL WEEKDAY, WITH APPROXIMATELY TO NEW TIRES DURING THE PAIR PEAK HOURD GENERATOR.
- 13. SEE PRELIMINARY SIA FOR STORMWATER CALCULATIONS.

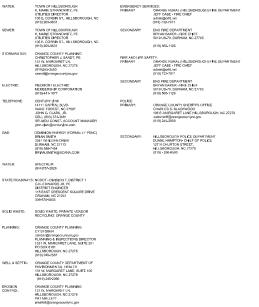




LAWRENCE ROAD HILLSBOROUGH, NC 27278

SUBMITTAL #1 NOVEMBER 4, 2022 SUBMITTAL #2 DECEMBER 2, 2022





GAS:



PARCELS PIN: 9883194355 DB 5509 PG 448

PROPOSED ZONING : MPD-CD
84.9 ACRES

SITE INFORMATION		
CONTACT:	LAWRENCE ROAD PARTNERS, LLC JAMES PARKER, JR, 320 EXECUTIVE COURT HILLSBOROUGH, INC 272728	
PARCEL ID:	9883194355	
TOTAL LAND AREA:	84.5 AGRES	
PROPERTY ADDRESS:	LAWRENCE ROAD	
JURISDICTION: STATE:	ORANGE COUNTY NORTH CAROLINA	
ZONING:	MPD-CD	
CURRENT USE: NEW USE:	VACANT RECREATIONAL FACILITY SCHOOLS - PREPARATORY	
WATERSHED: RIVER BASIN	LOWER ENO PROTECTED NEUSE RIVER BASIN	
TOTAL NUMBER OF LOTS: AVG. LOT SIZE:	3 LOTS 1,208,612.0 SF (27.70 AC)	
PUBLIC ROADS: PRIVATE ROADS:	± 2,443 LF ± 4,452 LF	
BUILDING SETBACK FRONT SETB SIDE SETBAC REAR SETBAC	ACR: 40' CK: 40'	
BUILDING HEIGHT M	IAX.: 60"	
	334,000 SF 271,142 SF 113,278 SF 113,278 SF LECTOR ROME, SS,840 SF WYDUG AREA: 802,817 SF (81,82 AC) [16,73 % OF TOTAL LAND AREA)	
WATER & SEWER:	TOWN OF HILLSBOROUGH	



7 5 4

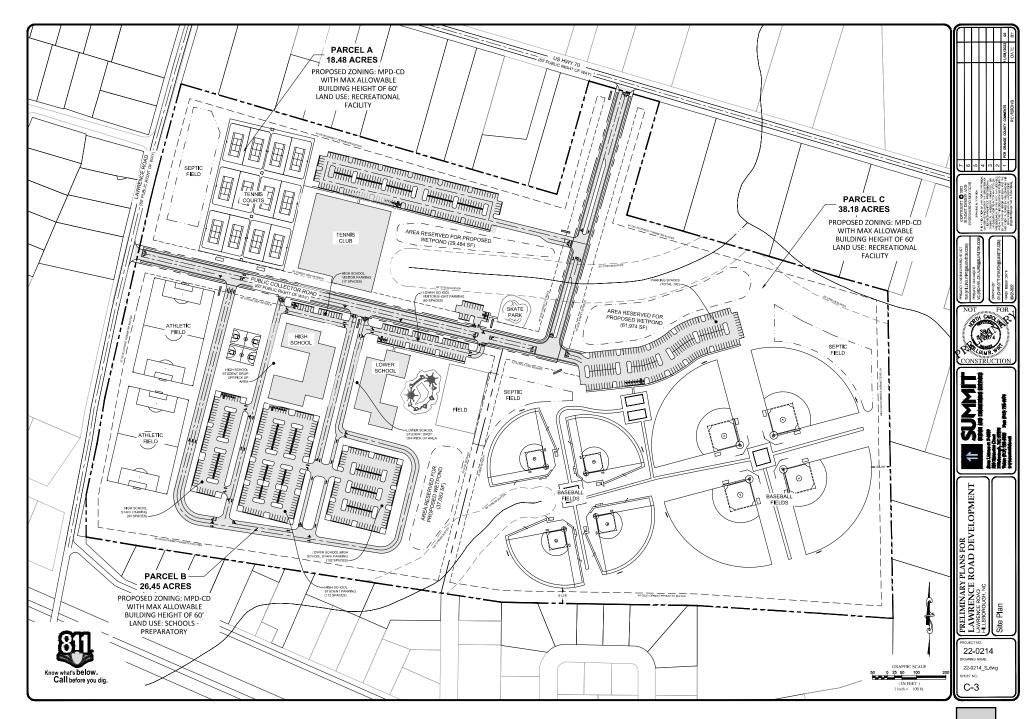


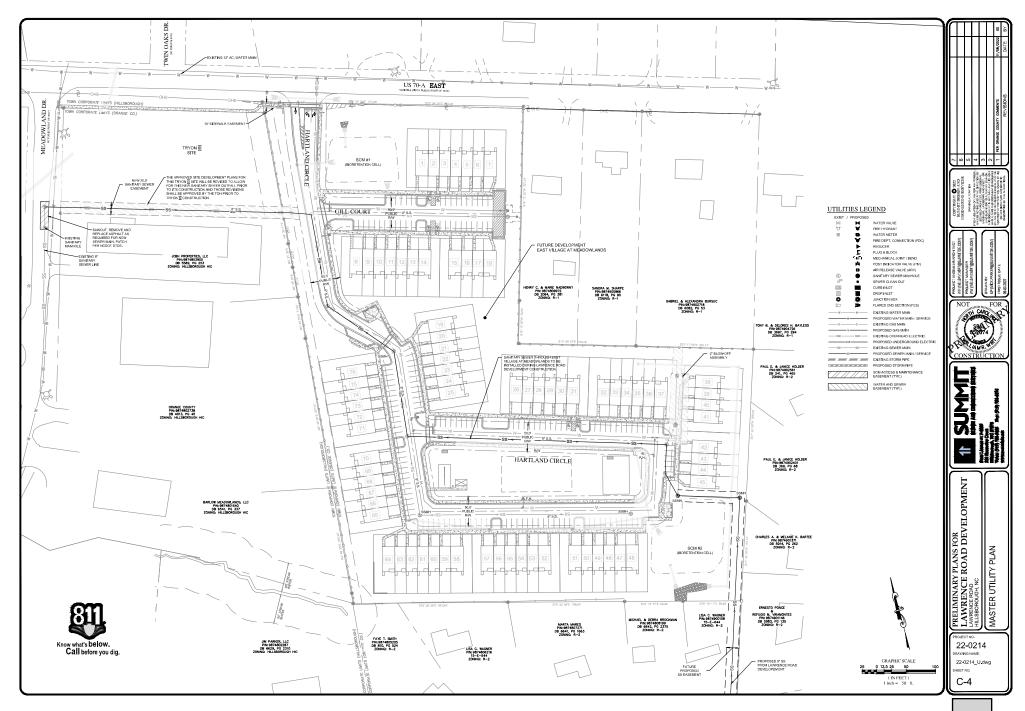
CONTRACTOR SHALL NOTIFY 'NC811' (811) OR (1-800-53-4849) AT LEAST 3 FULL BUSINESS DAYS PROR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTHITLE LOCATED. CONTRACTOR SHALL CONTACT ANY LOCAL UTLITES THAT PROVIDE THAP (SOCIE) AND LOCATOR SERVICES INDEPENDENT OF 'NC811', REPOR THAT (SOCIE) AND IS TO THE ENGINEER IMMEDIATELY.

SHEET

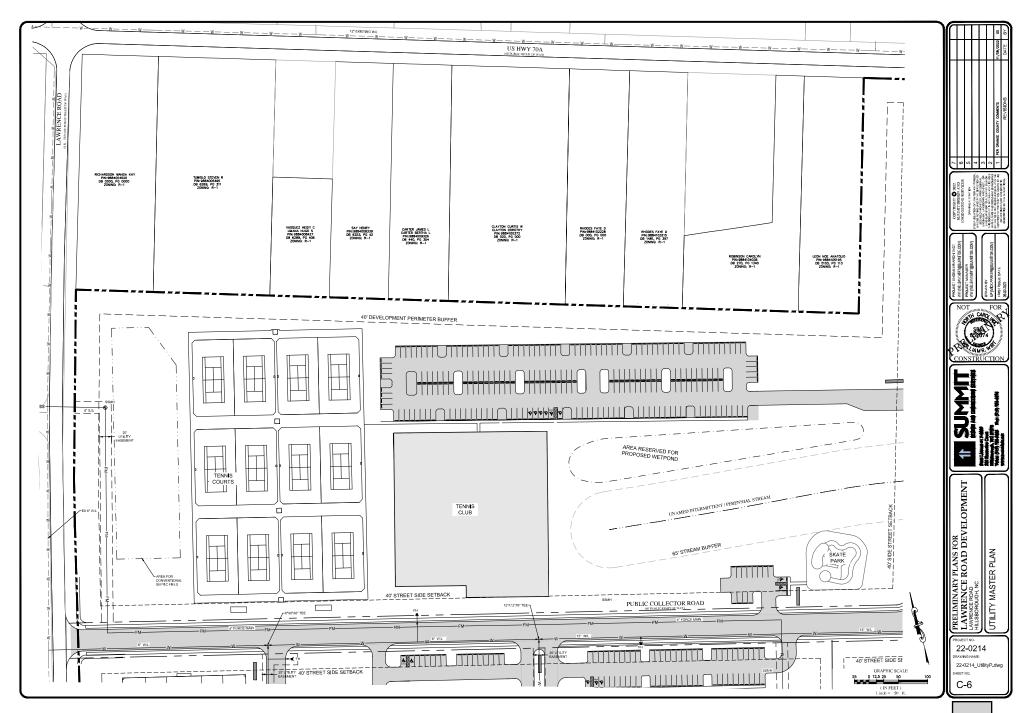
COVER

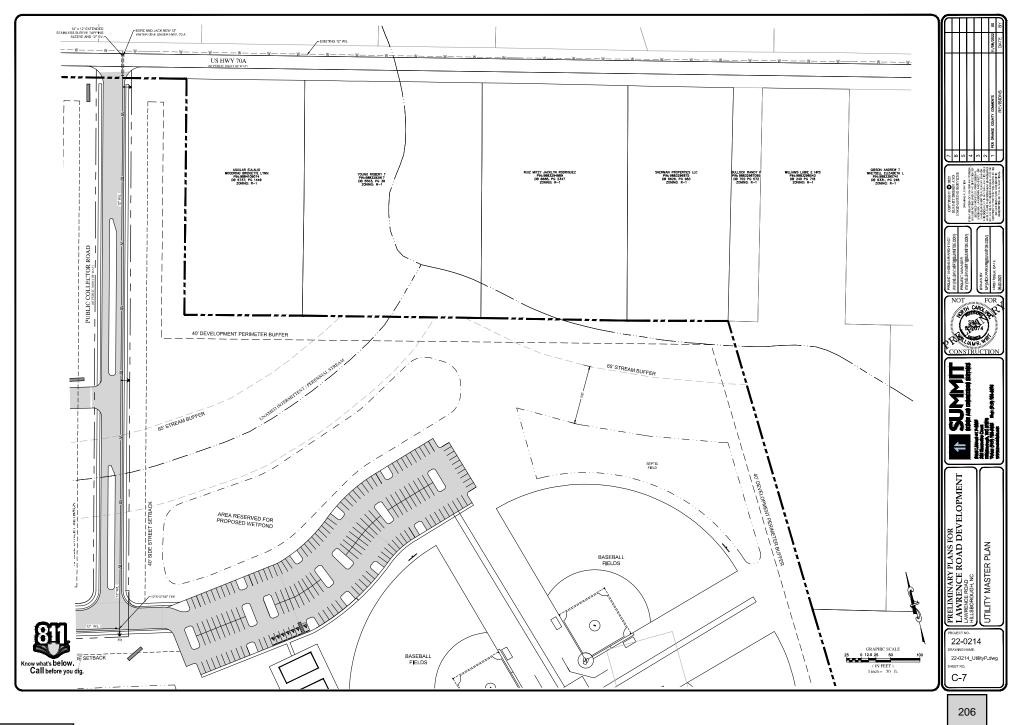




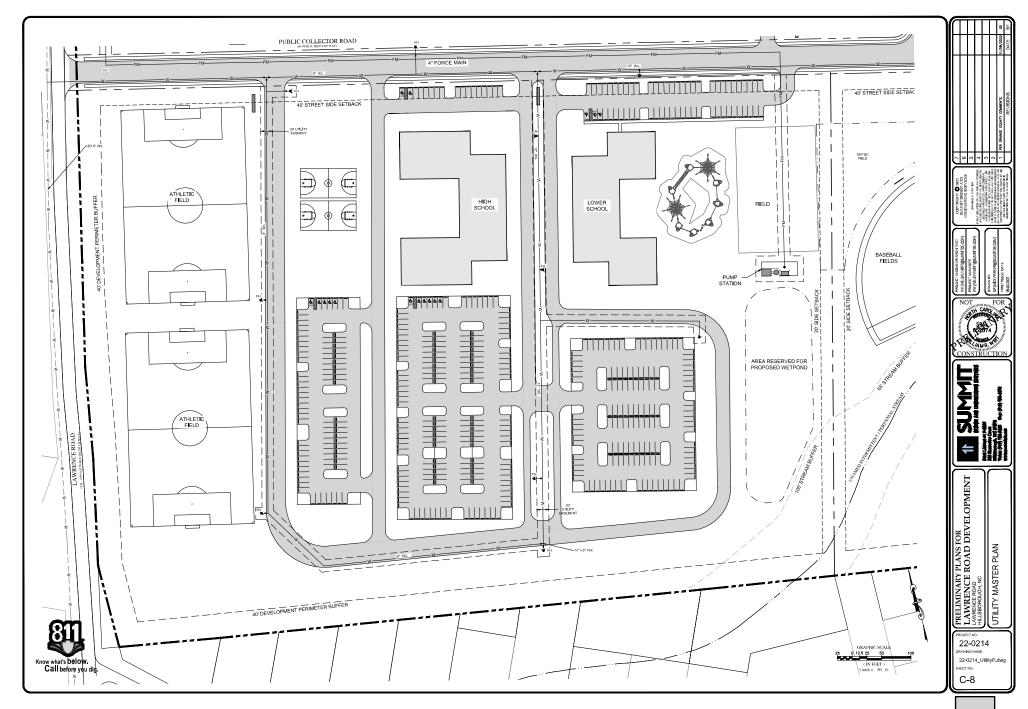


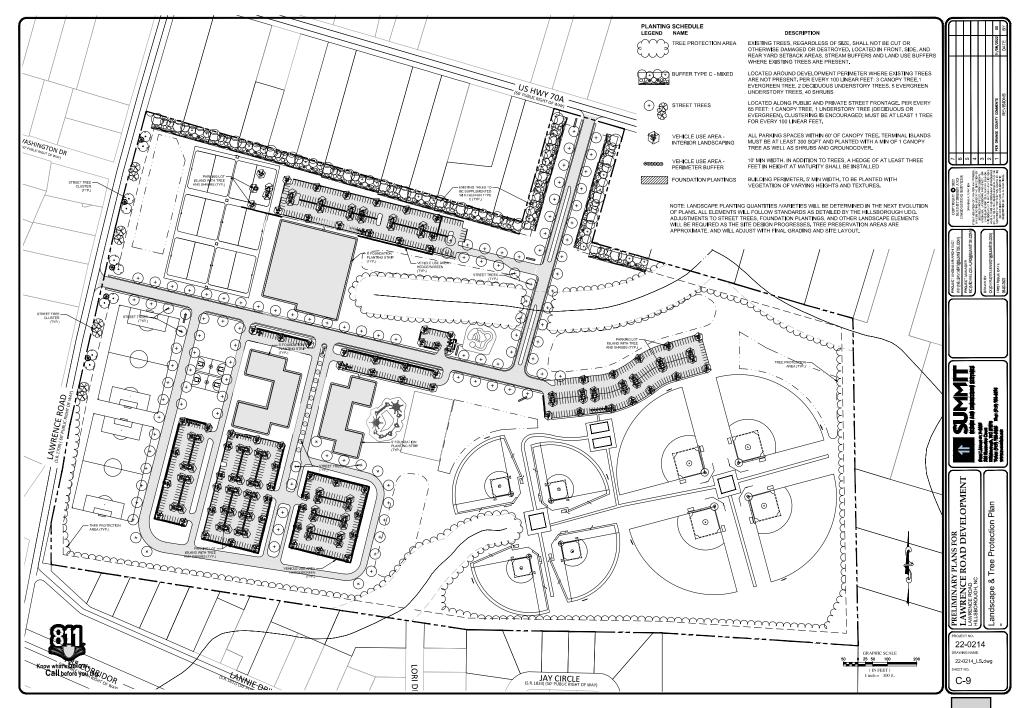






Section 7, Item B.





Subject:	RE: PIN 9883194355 proposed Tennis and Racquet Club of Hillsborough	
Date:	Wednesday, November 3, 2021 at 8:44:13 PM Eastern Daylight Time	
From:	Tim Smith, PE, PLS	
То:	Shannan Campbell	
CC:	Marie Strandwitz, Margaret Hauth, Patrick Cummings, PE, James Parker, PE, PLS, Michael Harvey	
Attachments:	image006.png, image007.png, image008.png, image009.png, image010.png, image011.png image012.png, image013.png, image014.png, image015.png, image016.png, image017.png image897395.png, image575119.png, image290936.png, image866097.png, image443035.png, image850140.png, image255087.png, image320995.png, image544288.png, MeadowmontFarms_Option 1_20210928.pdf	

Shannan,

Good evening, I hope you're having a good week.

I wanted to follow up with you regarding this site and proposed development for a Charter School, Tennis Club and public park for baseball or soccer fields, playground, etc. We met last week with Michael Harvey from Orange County Planning and have his initial response and comments for how the project could be reviewed under the county regulations. We would now like to meet with you and representatives from the Town to discuss the option of connecting this property and project to Town water and sewer utilities. We understand that this might require annexation and for the project to be reviewed under the Town's UDO regulations.

Please let us know if you can assist with scheduling a meeting with the appropriate staff to discuss the project and to help us further understand any conditions or requirements that would be required by the Town. I have attached a "Preliminary" concept plan drawing for how the site could potentially be developed. This is preliminary and is only for reference.

Thanks for your assistance, Tim

Tim Smith, PE, PLS Senior Project Manager Tel: 919-732-3883 x3121 Fax: 919-732-6676 Cell: 919-616-6491

From: James Parker, PE, PLS <james.parker@summitde.net>
Sent: Wednesday, September 1, 2021 5:01 PM
To: James Parker, PE, PLS <james.parker@summitde.net>
Cc: Marie Strandwitz <marie.strandwitz@hillsboroughnc.gov>; Margaret Hauth

<Margaret.Hauth@hillsboroughnc.gov>; Tim Smith, PE, PLS <tim.smith@summitde.net>; Patrick Cummings, PE <patrick.cummings@summitde.net> Subject: RE: PIN 9883194355 proposed Tennis and Racquet Club of Hillsborough

Shannon,

Thanks for meeting yesterday. Your comments were great. Please see my comments below. We would like to proceed with some guidance here.

- Property is currently not within the jurisdictional boundaries of the Town. In order to bring water and sewer voluntary annexation is recommended. **Understood**
- Closest water and sewer lines for potential tie-in is unknown/will need to be identified by Utilities. From my understanding there may be some water pressure issues in this area which may need to be additionally mitigated in order to bring water/sewer service to this parcel. As I indicated yesterday Shannon, water is in the right of way of Lawrence road along the frontage of this property, I believe a 6 inch line. Most likely this will be a developer upgrade to 8 or 12 from US 70 A, but I agree pressure could be an issue, and can be mitigated. Water could also be extended along the same route that I am anticipating gravity sewer, from the proposed habitat development and up the Washington Street right of way. As I mentioned, in years to come the existing neighborhood (Colonial Heights?) will need to tie onto public sewer, a lot of those residences have or have experienced failing septic systems.
- Property is in the water and sewer service area boundary, however this does not promise water and sewer service. This line is just the maximum area that will be considered to be served over the next 30 or so years. Understood
- Property is currently not contiguous with the town limits and annexation would be satellite. Town staff and the Town Board generally do not support satellite annexations and we may be limited in the amount of land we are able to annex that is non-contiguous. As I mentioned yesterday if we included in our annexation request a lot within colonial heights as shown on the attached, from the town limit at the Habitat Townhome project to the right of way of Washington street could that be considered contiguous? (this is also the route I see for the gravity sewer and possibly additional water pressure.
- Property is within the Teer Quarry project area (map attached). My understanding is that the permitting for the quarry has already been submitted to the state and future development potential is this area will be extremely limited moving forward. Can you please provide specific conditions within that proposed WSW. And has the town agreed and adopted to these conditions?
- Due to legislation at the state level under 160D the UDO no longer has Special Use zoning districts whereby a parcel can be 'master planned' for the purposes of planning and zoning and then come in with special use permits later when the uses are determined, so in order to develop (with water and sewer) an applicant would need to request annexation and general use rezoning to a zoning district that allows 'Health/Fitness Club' per your initial discussion of a Tennis facility. These zoning districts would be GC, HIC, BP, or EDD. These zoning districts also allow for a plethora of other uses so there may be some consideration at the board level of all things that could potentially go here outside of just the discussed Tennis facility. The surrounding parcels are mostly large lot, single family residential. Can you give some direction to the most suitable and palatable zoning the staff and council would want to see there, which would allow the Health/Fitness club? My initial thought is HIC
- Depending on the results of a traffic impact analysis and the uses proposed the intersection of Lawrence Road and 70A may need improvements. Absolutely, no doubt, I do not think the Tennis facility would drive the TIA to show any improvements but if so, so be it. It would be the other uses and future development that would or could drive significant improvements.

James Parker, PE, PLS CEO/Principal Tel: <u>919-732-3883</u> Fax:<u>919-732-6676</u>

From: Shannan Campbell <<u>Shannan.Campbell@hillsboroughnc.gov</u>>
Sent: Wednesday, September 1, 2021 9:38 AM
To: James Parker, PE, PLS <<u>james.parker@summitde.net</u>>
Cc: Marie Strandwitz <<u>marie.strandwitz@hillsboroughnc.gov</u>>; Margaret Hauth
<<u>Margaret.Hauth@hillsboroughnc.gov</u>>
Subject: RE: PIN 9883194355

Hi Jim,

Per our discussion yesterday AM on the development potential for this property (PIN 9883194355) I just wanted to re-cap:

- Property is currently not within the jurisdictional boundaries of the Town. In order to bring water and sewer voluntary annexation is recommended.
- Closest water and sewer lines for potential tie-in is unknown/will need to be identified by Utilities. From my understanding there may be some water pressure issues in this area which may need to be additionally mitigated in order to bring water/sewer service to this parcel.
- Property is in the water and sewer service area boundary, however this does not promise water and sewer service. This line is just the maximum area that will be considered to be served over the next 30 or so years.
- Property is currently not contiguous with the town limits and annexation would be satellite. Town staff and the Town Board generally do not support satellite annexations and we may be limited in the amount of land we are able to annex that is non-contiguous.
- Property is within the Teer Quarry project area (map attached). My understanding is that the permitting for the quarry has already been submitted to the state and future development potential is this area will be extremely limited moving forward.
- Due to legislation at the state level under 160D the UDO no longer has Special Use zoning districts whereby a parcel can be 'master planned' for the purposes of planning and zoning and then come in with special use permits later when the uses are determined, so in order to develop (with water and sewer) an applicant would need to request annexation and general use rezoning to a zoning district that allows 'Health/Fitness Club' per your initial discussion of a Tennis facility. These zoning districts would be GC, HIC, BP, or EDD. These zoning districts also allow for a plethora of other uses so there may be some consideration at the board level of all things that could potentially go here outside of just the discussed Tennis facility. The surrounding parcels are mostly large lot, single family residential.

• Depending on the results of a traffic impact analysis and the uses proposed the intersection of Lawrence Road and 70A may need improvements.

I've CC'd Marie, Utilities Director, for any additional input she may have on the availability of water and sewer service. As you can see by the above bullets, developing the property in Hillsborough's jurisdiction with public water and sewer will be challenging on a few fronts. It may be worth inquiring into Orange County planning as to what their processes and requirements would be to remain in the County and develop to compare and contrast the routes.

Let me know if you want to approach the board with interest for annexation for the purposes of developing to see what their initial reaction is.

Thanks,

Shannan Campbell | AICP, CZO Planning and Economic Development Manager <u>Town of Hillsborough</u> 101 E. Orange Street Hillsborough, North Carolina Office: <u>919-296-9477</u> | Mobile: <u>919-491-9639</u>

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February 3, 2022

VIA OVERNIGHT DELIVERY

Mr. Eric Peterson, Town Manager 101 E. Orange St. Hillsborough, NC 27278

Mr. Joel Lashley, Utility System Superintendent 715 Dimmocks Mill Road Hillsborough, NC 27278

RE: Inquiry regarding Town of Hillsborough water and sewer capacity to serve The Expedition School

Dear Mr. Peterson and Mr. Lashley:

We represent Hubrich Contracting, Inc. ("Hubrich") and The Expedition Charter School ("Expedition"). Expedition serves grades K-8 and is currently located at 437 Dimmocks Mill Road, Suite 33, in Hillsborough. Due to its success, Expedition has worked with Hubrich to identify a site to serve as a future location (the "Proposed School Facility") for Expedition due to its enrollment growth. This Proposed School Facility for Expedition is along the east side of Lawrence Road, just south of US-70A.

Pursuant to recently enacted N.C.G.S. §§ 115C-521(i) and 115C-218.35(e) (attached for your convenience), the purpose of this letter is to submit a written inquiry to the Town of Hillsborough (the "Town") as the public water and sewer system closest to the Proposed School Facility. We ask for your response within thirty (30) days of the date of this letter that the Town's public water and sewer system has capacity to serve the Proposed School Facility. Furthermore, pursuant to this letter, Expedition hereby requests confirmation that the Town will reserve the necessary capacity for the Proposed School Facility for the next 24 months.

Hubrich and Expedition understand that the extension of the Town's water and sewer infrastructure are costs that must be borne solely by Hubrich and Expedition.

Mr. Eric Peterson, Town Manager Mr. Joel Lashley, Utility System Superintendent Town of Hillsborough February 3, 2022 Page 2

We greatly appreciate your assistance with this important infrastructure task. If you need any more information from our team, please let me know.

Sincerely,

Patrick Byker

Enc.

cc: Bob Hornik, Esq., Town Attorney

Matt Panning, Chairman, The Expedition Charter School

and the methods students and schools used to address the lack of access during the 2019-2020 and 2020-2021 school years. Based on the assessed data, the Departments shall identify and make recommendations for effective programs and policies to close the student digital access gap and shall recommend effective approaches to maintain current granular data on the student digital access gap.

SECTION 7.61.(h) The Superintendent of Public Instruction shall coordinate (i) access to available data from each public school unit for the Departments and (ii) the reporting of the recommendations of the Departments as provided in this section. The Superintendent of Public Instruction shall report to the Joint Legislative Education Oversight Committee on the assessment of the student digital access gap no later than January 15, 2022.

SECTION 7.61.(i) No later than January 15, 2022, the State Board of Education shall combine the NC Digital Learning and Media Inventory with the digital learning dashboard required by G.S. 115C-102.9, as enacted by this section.

SECTION 7.61.(j) Notwithstanding G.S. 115C-102.9, as enacted by this section, the following shall apply:

- (1) Public school units shall submit the information required pursuant to G.S. 115C-102.9(b) for the 2021-2022 school year by January 15, 2022.
- (2) The State Board of Education shall submit its annual report required pursuant to G.S. 115C-102.9(c) for the 2021-2022 school year by April 15, 2022.

SECTION 7.61.(k) This section is effective the date this act becomes law. Subsections (a) through (f) of this section apply beginning with the report due January 15, 2022, pursuant to G.S. 115C-102.9(b), as enacted by this section, and subdivision (1) of subsection (j) of this section, based on data for the 2021-2022 school year.

WATER AND SEWER SERVICES TO CHARTER SCHOOLS

SECTION 7.64.(a) G.S. 115C-521 reads as rewritten:

"§ 115C-521. Erection of school buildings.

(d) Local boards of education shall make no contract for the erection of any school building unless the site upon which it is located is owned in fee simple by the board: local board of education has complied with subsection (i) of this section.

(d1) Provided, that the Notwithstanding subsection (d) of this section, the local board of education of a local school administrative unit, with the approval of the board of county commissioners, may appropriate funds to aid in the establishment of a school facility and the operation thereof in an adjoining local school administrative unit when a written agreement between the boards of education of the administrative units involved has been reached and the same recorded in the minutes of the boards, whereby children from the administrative unit making the appropriations shall be entitled to attend the school so established. The boards of education shall comply with subsection (i) of this section with respect to securing water and sewer to the school facility.

(d2) In all cases where title to property has been vested in the trustees of a special charter district which has been abolished and has not been reorganized, title to the property shall be vested in the local board of education of the county embracing the former special charter district.

(i) Prior to any application for any development approval under Chapter 160D of the General Statutes, the local board of education shall inquire, in writing, of the public water system, public sewer system, or public water and sewer system, currently serving the site or closest to the site as to whether that public system has capacity to serve the proposed school facility. The public system shall respond to the local board of education within a reasonable time, not to exceed 30 days as to whether that public system has capacity to serve the proposed school facility. Unless the public system does not have capacity to serve the proposed school facility or is under

. . .

a moratorium precluding expansion, the public system shall reserve the necessary capacity for the proposed school facility for 24 months from the date of the written inquiry from the local board of education."

SECTION 7.64.(b) G.S. 115C-218.35 is amended by adding a new subsection to read:

A charter school shall comply with G.S. 115C-521(i). For the purpose of this "(e) subsection, "charter school" shall mean "local board of education" as it is written in G.S. 115C-521(i)."

SECTION 7.64.(c) This section is effective when it becomes law. Any local board of education or charter school denied service by a public water system, public sewer system, or public water and sewer system between October 1, 2020, and the date this section becomes effective may seek reconsideration by the public water system, public sewer system, or public water and sewer system under G.S. 115C-521(i), as enacted by this act, and notwithstanding G.S. 115C-521(i), as enacted by this act, the public water system, public sewer system, or public water and sewer system shall have 15 days to respond as to whether that public system has capacity to serve the proposed school facility.

REVISE PERSONAL LEAVE COSTS FOR TEACHERS

SECTION 7.67.(a) G.S. 115C-302.1(d) reads as rewritten:

- Personal Leave. The following shall apply to personal leave: "(d)
 - Calculation and Benefits. Teachers earn personal leave at the rate of .20 days (1)for each full month of employment not to exceed two days per year. Personal leave may be accumulated without any applicable maximum until June 30 of each year. A teacher may carry forward to July 1 a maximum of five days of personal leave; the remainder of the teacher's personal leave shall be converted to sick leave on June 30. At the time of retirement, a teacher may also convert accumulated personal leave to sick leave for creditable service towards retirement. Teachers may transfer personal leave days between local school administrative units. The local school administrative unit shall credit a teacher who has separated from service and is reemployed within 60 months from the date of separation with all personal leave accumulated at the time of separation. Local school administrative units shall not advance personal leave.
 - (2)Use. - Personal leave may be used only upon the authorization of the teacher's immediate supervisor. A supervisor, as follows:
 - Unless the request is approved by the principal, a teacher shall not take a. personal leave on the first day the teacher is required to report for the school year, on a required teacher workday, on days scheduled for State testing, or on the day before or the day after a holiday or scheduled vacation day, unless the request is approved by the principal. day.
 - On all other days, days other than those referenced in sub-subdivision <u>b.</u> a. of this subdivision, if the request is made at least five days in advance, the request shall be automatically granted subject to the availability of a substitute teacher, and the teacher cannot be required to provide a reason for the request. Teachers may transfer personal leave days between local school administrative units. The local school administrative unit shall credit a teacher who has separated from service and is reemployed within 60 months from the date of separation with all personal leave accumulated at the time of separation. Local school administrative units shall not advance personal leave.

Senate Bill 105



March 2, 2022

VIA OVERNIGHT DELIVERY

Robert E. Hornik, Esq. Town Attorney, Town of Hillsborough 1526 E. Franklin St., Suite 200 Chapel Hill, NC 27514

RE: Reply to letter dated February 23, 2022, regarding Town of Hillsborough water and sewer capacity to serve The Expedition School

Dear Bob:

We represent The Expedition School and Hubrich Contracting, Inc. Thank you for your letter dated February 23, 2022. To address the issues raised in your Feb. 23 letter, our reply is as follows:

- 1. Our requested utilities allocation to the Town of Hillsborough (the "Town") is solely for The Expedition School ("Expedition").
- 2. The amount of the requested utilities allocation is 7,200 gallons per day. For further details in response to your Feb. 23 letter, please see letter from Summit Design and Engineering Services to Hubrich Contracting, Inc. dated February 25, 2022, which is signed and sealed by James W. Parker, P.E., a Professional Engineer licensed by the State of North Carolina, attached hereto as <u>Exhibit A</u> and incorporated herein by reference.
- 3. Your letter dated Feb. 23 raised issues regarding the sewer capacity in the Elizabeth Brady Pump Station basin, and we propose that this issue be addressed in accordance with the terms set forth in <u>Exhibit A</u>. We are happy to discuss how to cover the costs of the proposed third party draw down test for the Elizabeth Brady Pump Station.
- 4. Based on Exhibit A and the contents of our previous letter dated February 3, 2022, please confirm that the Town will reserve an allocation of 7,200 gallons per day and agrees that Expedition may utilize this allocation within the next two (2) years.

Robert E. Hornik, Jr. Esq. Town Attorney Town of Hillsborough March 2, 2022 Page 2

- 5. Hubrich Contracting and Expedition recognize that the costs of connecting Expedition's proposed new charter school to the Town's utilities shall be borne solely by Hubrich Contracting and Expedition.
- 6. To reiterate Section 1 above, and as stated in <u>Exhibit A</u>, no other uses besides the charter school at the proposed site for Expedition will need to be connected to the Town's utilities.

We look forward to your reply and our team is happy to meet with you and your Town colleagues if that would help moving forward towards a new facility for Expedition. Expedition sorely needs to move out of its current location on Dimmocks Mill Road in order to serve its students and the Hillsborough Community.

Very truly yours Patrick Byker

Enc.

cc: Eric Peterson, Town ManagerMarie Strandwitz, Utility DirectorMatt Panning, Chairman, The Expedition Charter School



320 Executive Court, Hillsborough, NC 27278 Phone // 919.732.3883 Web // www.summitde.net

Hubrich Contracting, Inc Steve Hubrich President

Subject: DESIGN FLOW LETTER FOR THE EXPEDITION SCHOOL

Dear Steve,

As requested, the flow rate for the proposed new school location for The Expedition School is calculated below. The current school population is 360 students. The school will build out for 720 students at the new location. With 720 students and using 10 gal/student per day the anticipated flow is 7200 gpd. The proposed school will not have a cafeteria nor showers.

As you know historical data from the charter schools you have been involved with generate a lower GPD, due to increased efficiency with plumbing fixtures and water conservation methods that are becoming common practice.

The design flowrates are found in 15A NCAC 02T,

here: https://link.edgepilot.com/s/7ec62ea1/b2ny80FruESHfw_oXTdtUQ?u=http://reports.oah.state.nc .us/ncac/title%252015a%2520-%2520environmental%2520quality/chapter%252002%2520-%2520environmental%2520management/subchapter%2520t/subchapter%2520t%2520rules.pdf

Look in the tabulation in paragraph .0114, under schools.Summary is:Schools with cafeteria, gym and showers15 gal/studentSchools with cafeteria12 gal/studentSchools with cafeteria, gym or showers10 gal/student720 students x 10 gal/student = 7200 gpd10 gal/student

Furthermore, after reading Mr. Hornick's letter, I suggest that a 3rd party be hired to conduct a draw down test on the Elizabeth Brady Pump Station to get an actual result of capacity of that pump station. As I understand the legislation that requires municipalities to give water/sewer allocation to a public charter school, if there is capacity, is directly referring to the capacity to treat the flow at the wastewater treatment plant. The pump, if at capacity, can be retrofit and/or upgraded to allow this new flow to reach the wastewater treatment plant.

This proposed site on Lawrence Road has other uses also proposed. Those uses will operate on a well and septic system should the town not allow connection to the public utilities for those uses uses uses and septic system should be town not allow connection to the public utilities for those uses uses use as a set of the second se

Jim Parker, PE, PLS CEO Summit Design and Engineering

EXHIBIT





G. Nicholas Herman Robert E. Hornik, Jr. T.C. Morphis, Jr. Albert M. Benshoff S. Ellis Hankins Kevin R. Hornik Brady N. Herman herman@broughlawfirm.com hornik@broughlawfirm.com morphis@broughlawfirm.com benshoff@broughlawfirm.com hankins@broughlawfirm.com khornik@broughlawfirm.com bherman@broughlawfirm.com

March 25, 2022

BY ELECTRONIC MAIL TO pbyker@morningstarlawgroup.com & 1st CLASS U.S. MAIL

Patrick Byker, Esq. Morningstar Law Group 112 West Main St., 2nd Floor Durham, North Carolina 27701

> Re: Town of Hillsborough Reservation of Water and Sewer Capacity/ The Expedition School

Dear Patrick:

In response to your letters dated February 3, 2022 and March 2, 2022, and as required by N.C. Gen. Stat. 115C-521(i), the Town of Hillsborough will reserve 7,200 gallons per day of water and sewer capacity for the proposed Expedition School site located on U.S. Highway 70A on the east side of Lawrence Road for a period of 24 months, beginning on February 3, 2022 (the date of your original inquiry), and expiring on February 3, 2024. The reservation of capacity is limited to that property, only, and for the charter school use now being proposed for that property, only.

This reservation of capacity, compelled by recent statutory changes, is also subject to the Town's regulations and fees for extensions of water and sewer service to out of town properties which are or may be in effect at the time that the site developer requests actual connection to the Town's system. Moreover, the owner/developer of the property may be required to pay for or contribute to the cost incurred by the Town for any improvements to the Town's systems that may be necessary in order to accommodate the property at that time.

This letter does not constitute any type of approval by the Town of Hillsborough of any development of the site, or of any plans or specifications for any water/sewer infrastructure to serve the site.

Patrick Byker, Esq. March 25, 2022 Page 2

If you have any questions, please do not hesitate to contact me.

Sincerely,

THE BROUGH LAW FIRM, PLLC

Robert E. Hornik, Jr.

REHjr:las

cc: Eric Peterson, Town Manager Marie Strandwitz, Utilities Director



G. Nicholas Herman Robert E. Hornik, Jr. T.C. Morphis, Jr. Albert M. Benshoff S. Ellis Hankins Kevin R. Hornik Brady N. Herman herman@broughlawfirm.com hornik@broughlawfirm.com morphis@broughlawfirm.com benshoff@broughlawfirm.com hankins@broughlawfirm.com bhornik@broughlawfirm.com

November 16, 2022

Via email and First Class US Mail

Mr. Patrick Byker, Esq. Morningstar Law Group 112 W. Main Street, 2nd Floor Durham, NC 27701

Re: Town of Hillsborough Reservation of Water and Sewer Capacity to Serve The Expedition School At Lawrence Road Site

Dear Patrick:

In February 2022 you requested on behalf of The Expedition School (TES; a charter school) and Hubrich Contracting, Inc. (Hubrich) that the Town of Hillsborough reserve 7,200 gallons per day of water and sewer capacity for 24 months for a proposed school site on Lawrence Road in Orange County based on amendments to G.S 115C-521(i) and G.S. 115C-218.35(e). As required by the statutes, the Town responded by letter dated March 25, 2022, which included the reservation of the requested water and sewer capacity for the TES.

The Town recently learned that TES Board voted in May 2022 to terminate its contract with Hubrich regarding the Lawrence Road site. A relevant excerpt from the minutes of the May 2022 TES Board meeting (copy attached).

While the TES indicated continued interest in relocation to a new site, it may not be in the Lawrence Road location, nor does it appear likely that any relocation will occur within the 24-month reservation that the Town provided. As such, the Town of Hillsborough hereby rescinds the reservation of 7,200 gallons per day of water and sewer capacity. TES is welcome to request capacity when a firm plan and location of TES, if within the Town's service area, is determined and brought forth.

Sincerely,

THE BROUGH KAW FIRM, PLLC

Robert E. Hornik, Jr.

REHjr:las

		staff/faculty healthy. Finding substitutes for staff being out continues to be a challenge.
		Matt motioned to approve the current policy as written from the May 3, 2022 board meeting. Cheryl seconded. All approved.
Other	Committee Work	
5 min	Facility Discussion on Lawrence Rd Project	Matt suggested closing current contract discussions and timeline with the Lawrence Rd Project land as a potential location for TES school construction. Other parties and timing has weakened the proposal for TES and that the current contract is not in the best interest of TES at this time, particularly in regards to generating the most viable financial plan and timeline compared to school growth. This will also help ensure quality of education. Rosemary agreed. Tammy agrees the timeline is not ideal. The proposal is strictly for the current contract, not the possibility of generating a new contract in the future (either for this location or another).
		Livia has created several proposals and suggestions that Tammy recommends should be discussed in the facility committee within the next month to talk about potential next steps, including procuring land before construction.
		TES is still locked into a lease at the Eno Mill for a few more years.
		The current contract does have a provision about purchasing land at the stated price. Tammy wondered if TES could purchase and hold the land at the given price, if this might be a potential option.
		Should renegotiation occur, Matt shared scheduling/timeline would need to be prioritized as would land purchase and construction plans. Rosemary suggested entering into communication with owner reps as well.
		Matt motioned to vote down the current contract as written with Hubritch Consulting and TES in the current timeline with the disclaimer that this reflects only on the current contract as written, and not TES' interest in Lawrence Road nor Hubritch Consulting. Cheryl seconded. All approved.
When into clo		essary, the Chair of the Board will entertain a motion that the Board enter of preventing the disclosure of confidential information pursuant to NC 43-318.11(a)(1).
1 Min.	Motion to go into closed session	Cheryl made a Motion to go into closed session according to NCGS 143-318.11 (a)(5) and 143-318.11 (a)(6). Rosemary seconded. All approved.

December 19, 2022

Robert E. Hornik, Esq. Town Attorney, Town of Hillsborough 1526 E. Franklin St., Suite 200 Chapel Hill, NC 27514

RE: Inquiry regarding Town of Hillsborough water and sewer capacity to serve Triangle Schools of NC charter school (Orange County PIN 9883-19-4355)

Dear Mr. Hornik:

I serve as the Chair of the Board of Directors for Triangle Schools NC, which is dulyauthorized under North Carolina law to operate a charter school. To follow up on the letter sent to you, the Town Manager and the Utility System Superintendent dated Nov. 22, 2022, I hereby confirm that Triangle Schools NC has Orange County PIN 9883-19-4355 under contract in order to construct a charter school upon this parcel located on the east side of Lawrence Road in Eno Township, Orange County, North Carolina.

We trust this letter will allow you and your colleagues with the Town of Hillsborough to move forward with a substantive response to the aforementioned November 22, 2022 letter from Patrick Byker with Morningstar Law Group.

We appreciate your assistance in this matter.

Very truly yours,

Alex Quigles, Chair of Board of Directors Triangle Schools NC, a North Carolina Non-profit corporation



G. Nicholas Herman Robert E. Hornik, Jr. T.C. Morphis, Jr. Albert M. Benshoff S. Ellis Hankins Kevin R. Hornik Brady N. Herman herman@broughlawfirm.com hornik@broughlawfirm.com morphis@broughlawfirm.com benshoff@broughlawfirm.com hankins@broughlawfirm.com bhormik@broughlawfirm.com

January 4, 2023

BY ELECTRONIC MAIL TO pbyker@morningstarlawgroup.com & 1st CLASS U.S. MAIL

Patrick Byker, Esq. Morningstar Law Group 700 West Main St. Durham, North Carolina 27701

> Re: Town of Hillsborough Reservation of Water and Sewer Capacity/ Triangle Schools of NC/Orange County PIN 9883-19-4355

Dear Patrick:

In response to your letter dated November 22, 2022 and the letter from Alex Quigley in his capacity as Chair of the Board of Directors for Triangle Schools NC, a North Carolina non-profit corporation, and as required by N.C. Gen. Stat. 115C-521(i), the Town of Hillsborough will reserve Six Thousand (6,000) gallons per day of water and sewer capacity for the proposed West Triangle High School under consideration for the parcel identified above located on U.S. Highway 70A, on the east side of Lawrence Road, for a period of 24 months, beginning on November 22, 2022 (the date of your original inquiry), and expiring on November 21, 2024. The reservation of capacity is limited to that property, only, and for the charter school use now being proposed for that property, only.

This reservation of capacity, compelled by recent statutory changes, is also subject to the Town's regulations and fees for extensions of water and sewer service to out-of-town properties which are or may be in effect at the time that the site developer requests actual connection to the Town's system. Moreover, the owner/developer of the property may be required to pay the costs to extend the necessary infrastructure to the site, and to pay for or contribute to the cost incurred by the Town for any improvements to the Town's systems that may be necessary in order to accommodate the property at that time.

This letter does not constitute any type of approval by the Town of Hillsborough of any development of the site, or of any plans or specifications for any water/sewer infrastructure to serve the site.

Patrick Byker, Esq. January 4, 2023 Page 2

If you have any questions, please do not hesitate to contact me.

Sincerely,

THE BROUGH LAW FIRM, PLLC

Robert E. Hornik, Jr.

REHjr:las

cc: Eric Peterson, Town Manager Marie Strandwitz, Utilities Director

Hillsborough/Orange County Courtesy Review Comments 1/27/2023



Planning (Tom King 919-296-9475 tom.king@hillsboroughnc.gov)

There are concerns with how the proposal affects the Town-approved East Village at Meadowlands project; approved as a special use district rezoning in late 2020. Sheet C-5 of the attached plan set is what I refer to. These concerns are as follows:

- Has the East Village at Meadowlands property owner, Habitat for Humanity of Orange County, been consulted regarding the sewer extension proposed on their property (i.e., the point from the sewer manhole in the parking lot in front of Lots 44 & 45 heading southeast – east - south)? The utility proposal will affect their project (as noted below).
- 2. The southeast-oriented segment of the sewer extension south of Lot 45 will conflict with a required parking lot shade tree & parking lot screening.
- 3. The proposed sewer line running south along a portion of the east property line is located within required open space for the project. The UDO under which the project was approved prohibited utilities running coincident with required open space for a distance of more than 50 feet. The permit-issuing authority could approve a greater distance. In this case, the Town's Board of Adjustment would now have to approve a modification to the issued Special Use Permit for project to allow the sewer proposed in the southeast corner of the tract.
- 4. It appears a portion of the proposed sewer easement in the southeast corner of the tract will overlap a proposed Stormwater Control Measure access & maintenance easement (or vice-versa).
- 5. The roads proposed through the site are labeled as public ROW, however annexation of the project is not proposed or supported by the Town Board, the Town would therefore not accept these roads for maintenance. Applicant should verify with NCDOT that they will accept and maintain these roads or change the labels to 'Private Road'.

Utilities (Bryant Green 919-296-9630 bryant.green@hillsboroughnc.gov)

The Town of Hillsborough reviewed the proposed rezoning application for the above referenced project in Orange County, below, please find our comments and concerns for inclusion in the courtesy review process.

- Inadequate fire flow is available at the subject site to support the proposed use. The water distribution system in this area is adequate for domestic, residential water demand but is not sized for commercial or institutional fire flows or sprinkler demand. Significant offsite improvements will likely be needed to provide fire flow to the site in the volumes and pressures needed while maintaining adequate service to existing customers.
- 2. The proposed water distribution connections are not feasible. The existing waterline in US 70A is in the Town's Central Zone, while the waterlines in Lawrence Road and Lannie Drive are in the Town's South Zone. Connecting these two zones through the subject site will adversely impact water system

101 E. Orange St., PO Box 429, Hillsborough, NC 27278 919-296-9477 | shannan.campbell@hillsboroughnc.gov www.hillsboroughnc.gov | @HillsboroughGov www.visithillsboroughnc.com | @HillsboroughNC performance in the surrounding area, and significantly impact the Town's ability to fill and drain tanks in these zones.

- 3. The offsite sewer extension requires installing sewer mains in a currently unserved area. The sewer outfall from the subject parcel is proposed through a portion of the adjacent neighborhood in existing DOT roads west of Lawrence Road. Existing residential homes in this neighborhood do not currently have sewer service, the proposed sewer extension provides frontage to only a portion of these homes. The net effect of the proposed extension is not equitable for the remaining homes in the community that did not receive frontage as part of this project. The Town does not have plans to extend sewer to the rest of this community.
- 4. The project proposes a hybrid approach to sewer service on the subject site, with both septic drain fields and public sewer extensions. The proposed mix of community septic service and public sewer service is inconsistent with current guidance from Orange County on where septic systems are considered appropriate.
- 5. There are two schools shown on the site plan. At this time, the Town of Hillsborough has only been asked to reserve capacity for one school- West Triangle Highschool. The town will also not serve a tennis club or ballfields/irrigation restrooms or concessions.

Stormwater (Heather Fisher 919-296-9622 heather.fisher@hillsboroughnc.gov)

- 1. Any conflicts that arise between SCMs and utilities or other components potentially could be addressed by distributing smaller stormwater control measures throughout the site. Please consider integrating bioretention into the parking lot landscaping areas and/or the use of rainwater harvesting as SCMs for the buildings.
- 2. The project should analyze the downstream impact on stormwater infrastructure. Is the NCDOT pipe under Hwy 70 to the north and I-85 to the south sized adequately to accept the increased flow from this site should it be developed?

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Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:Feb. 13, 2023Department:Administrative ServicesAgenda Section:RegularPublic hearing:NoDate of public hearing:N/A

PRESENTER/INFORMATION CONTACT

Town Manager Eric Peterson

ITEM TO BE CONSIDERED

Subject: Hot topics for work session Feb. 27, 2023

Attachments:

None.

Summary:

Possible topics for the Feb. 27 work session include:

- Commercial activity in the parks discussion Kayak rental pilot program (potential)
- Allocation of \$43,300 identified in the FY23 budget for affordable housing

Financial impacts:

None.

Staff recommendation and comments: None.

Action requested:

None.



Agenda Abstract BOARD OF COMMISSIONERS

Meeting Date:	Feb. 13, 2023
Department:	All
Agenda Section:	Regular
Public hearing:	No
Date of public hearing:	N/A

PRESENTER/INFORMATION CONTACT

Department Heads

ITEM TO BE CONSIDERED

Subject: Staff (written reports in agenda packet)

Attachments:

Monthly departmental reports

Summary:

N/A

Financial impacts: N/A

Staff recommendation and comments: None.

Action requested: Accept reports.



Administrative Services Report

January 2023

Budget

• FY24 budget submissions were due January 20th. Departmental budget review meetings begin the week of February 6th.

Communications

- Town materials Started editing draft Comprehensive Sustainability Plan; reviewed work of new minutes preparer.
- Website Completed development of archival system to capture the website in January and then any changes the first Monday of each month; made various utilities updates, including adding a water/sewer services availability inquiry to the Jurisdiction and Service Areas page and restoring a request form for new services (process change in Financial Services).
- Utilities outreach Had Annual Water Disinfection document translated and inserted English and Spanish versions in the February bill with a message on the annual disinfection and hydrant flushing occurring in March; created small insert on disinfection and flushing for March bill.
- Other Continued work on April safety engagement meeting and selected name Engage Hillsborough for engagement meetings; worked on Odie Street stormwater project video; worked on hiring communications specialist (reclassification of web developer position, 84 applications received); reclassified specialist position to senior communications specialist to include engagement work and increased hours to full time; completed flexible work agreements, mid-year evaluations, and initial budget requests and estimates.

Fleet Maintenance

• No updates.

Human Resources/Town Clerk

- Processed biweekly payrolls.
- Published quarterly Employee Newsletter.
- Presented 2022 Employee Service Milestone Awards.

RECRUITMENT AND SELECTION					
Position	Status				
Communications Specialist	Recruitment closed 1/8.				
Customer Service Representative	Recruitment closed 1/8				
Equipment Operator	Start date 2/13.				
Finance Director	Start date 2/6.				
Police Officer	Continuous recruitment.				
Utility Systems Mechanic trainee, I, II, or III	Open until filled.				
Utility Systems Technician (Locator)	Start date 1/30.				

Information Technology

• Our recent cyber security test phishing campaign returned the following results: 125 simulated phishing email messages opened; and 8 individuals clicked on links within the email message. Our phishing failure rate for this campaign was 6.4%. Our past two (2) campaigns have had a failure rate of 1.7% and 3.9%. I will be sending out additional online cyber security training through our PII Protect program in the upcoming weeks and am preparing our annual security awareness training for the March/April timeframe.

Safety and Risk Management

- Inspections Completed inspections at Wastewater Treatment Plant, Public Works, Water Treatment Plant, Gold Park, Turnip Patch Park, Murray Street Park, Hillsborough Heights Park and Cates Creek Park and forwarded recommendations (work orders). Forwarded safety inspection results to departments.
- Meetings HR Team Meetings, Division Meetings, NCDOL Meeting and Logistics Meeting.
- Random drug screens On target for 1st quarter drug screens. Completed random FMCA drug screens and pre-hire drug screens; 1 breath alcohol test performed.
- Safety Committee All available safety committee members completed/updated safety audits for Water Treatment Plant and Public Works departments. Working on completion of incident reviews and inspection requirements with Safety Committee members.
- Safety equipment Stocked/distributed/ordered safety gear and extra gear for parade; distributed updated safety wear and supplies.
- Other Completed and posted the OSHA 300a per the NCDOL requirements in all town facilities. Working on NCDOL Star annual report, employee training schedule, workers compensation claims, and general duties concerning Highway 86 building renovation and collected fire extinguisher monthly check sheets.

Hillsborough Police Department

Quarterly Transparency Report October – December 2022

This report summarizes quarterly activity and data in the following areas:

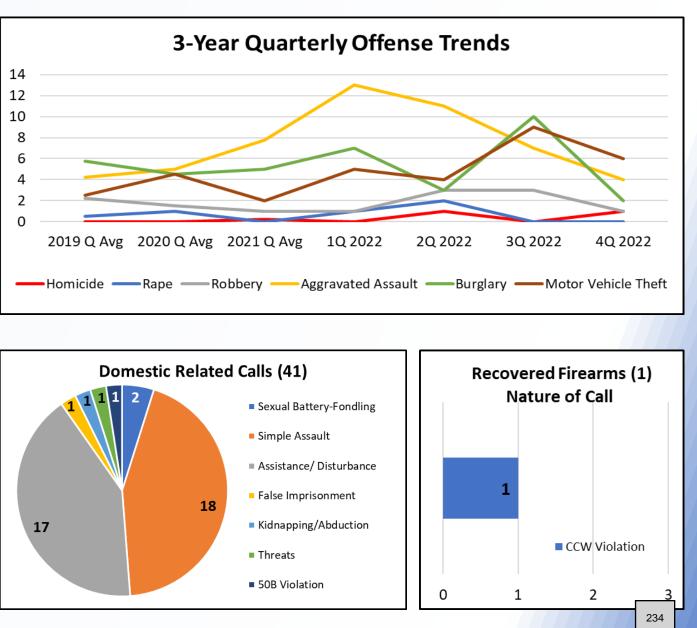
- Reported Incidents and Crimes
- Arrest Data
- Internal Accountability
- Use of Force
- Mental Health Response
- Marijuana and Paraphernalia Enforcement
- Traffic Enforcement Focuses
- Traffic Stop Data
- Search Data
- Department Training
- Community Engagement





Reported Incidents

UCR Part 1 Reported Crimes	<u>Jan-Mar</u>	<u>Apr-Jun</u>	<u>Jul-Sep</u>	Oct-Dec	<u>YTD</u>
Homicide	0	1	0	1	2
Rape	1	2	0	0	3
Robbery	1	3	3	1	8
Aggravated Assault	13	11	7	4	35
Part 1 Violent Crimes Total	<u>15</u>	<u>17</u>	<u>10</u>	<u>6</u>	<u>48</u>
Burglary	7	3	10	2	22
Larceny/Theft	118	104	129	128	479
Motor Vehicle Theft	5	4	9	6	24
Part 1 Property Crimes Total	<u>130</u>	<u>111</u>	<u>148</u>	<u>136</u>	<u>519</u>
Other Offenses Reported	<u>Jan-Mar</u>	<u>Apr-Jun</u>	<u>Jul-Sep</u>	Oct-Dec	<u>YTD</u>
Drug Offenses	22	22	12	11	67
Simple Assault	18	28	27	31	104
Forgery/Counterfeit	0	2	1	1	4
Fraud	10	14	16	10	50
Embezzlement	3	1	2	2	8
Stolen Property	1	4	0	1	6
Vandalism	7	25	12	12	56
Prostitution	0	0	0	0	0
Other Sex Offenses	1	0	1	2	4
Gambling	0	0	0	0	0
Offense against family/child	1	2	1	0	4
DWI	5	2	5	6	18
Alcohol Violations	3	0	1	0	4
Disorderly Conduct	1	2	0	1	4



Section 8, Item C.

Note: Data is based on current reports in HPD system. Prior quarter's numbers may adjust as delayed reports are made.

Arrest Summary

U/O

0

1

0

1

0

1

TOTAL

20

22

34

76

37

39

HPD Officers made a total of 76 Criminal Arrests of individuals during this quarter, with a total of 122 separate charges.

W

7

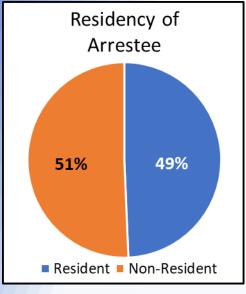
14

16

37

12

25

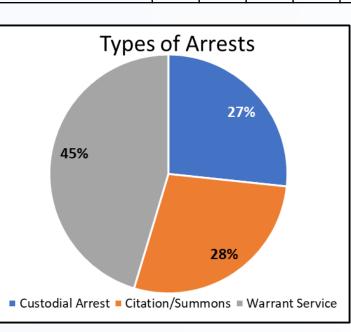


Definitions:

<u>Custodial Arrests</u> are typically on-view crimes for which an officer makes a physical arrest and takes the subject before a magistrate.

<u>Warrant Service</u> means an officer made a physical arrest for a previously existing warrant or order for arrest.

<u>Citation/Summons</u> means the offender was issued a citation or served a summons and was not Section 8, Item C. Iken into custody.



October-December 2022 Arrests

Η

3

0

2

5

3

2

В

10

7

16

33

22

11

Custodial Arrest

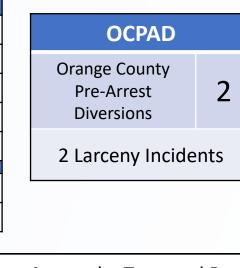
Citation/Summons

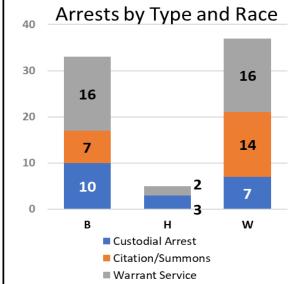
Warrant Service

Total Arrests

Resident

Non-Resident





TOTAL OF ALL CHARGES	122
WARRANT SERVICE (other jurisdiction)	21
LARCENY-SHOPLIFIT/CONCEAL MDSE	12
ASSAULT ON A FEMALE	9
LARCENY-MISDEMEANOR	8
RESIST DELAY OBSTRUCT	6
DRIVING WHILE IMPAIRED	5
ALL OTHER OFFENCES	4
INJURY TO PERSONAL PROPERTY	4
LARCENY-SWITCHING PRICE TAG	4
POSSESSION OF DRUG PARAPHERNALIA	4
ALL OTHER DRUG VIOLATIONS	3
POSSESSING CONTROLLED SUBSTANCE	3
ALCOHOL VIOLATION	2
ASSAULT BY STRANGULATION	2
ASSAULT-SIMPLE	2
B&E TO A VEHICLE	2
COMMUNICATING THREAT	2
HIT AND RUN	2
INTERFERE W/ EMERGENCY COMM.	2
OBTAIN PROPERTY BY FALSE PRETENSE	2
POSSESSION OF COCAINE	2
ROBBERY	2
TRESPASSING-2ND DEGREE	2
ASSAULT WIK NO INJURY	1
ASSAULT WITH A DEADLY WEAPON	1
B&E FELONY	1
CARRYING A CONCEALED WEAPON	1
SHOTS INTO OCCUPIED DWELLING	1
DISORDERLY CONDUCT	1
DRUG VIOLATION	1
EMBEZZLEMENT	1
INJURY TO REAL PROPERTY	1
LARCENY BY EMPLOYEE	1
LARCENY OF A FIREARM	1
LARCENY-ALL OTHER	1
LARCENY-FELONY	1
POSSESSION OF STOLEN PROPERY	1
SPEEDING TO ELUDE ARREST 235	5 1
TRAFFIC OFFENCE NOT DWI	1
VIOLATION OF 50-B ORDER	1.
	1.1

Internal Accountability

Internal Accountability Reviews	Oct- Dec	
Use of Force Reviews	12	12 Use of Force Reviews
Complaints	3	9 Uses of Force
Pursuit/Refuse to Stop	1	• 5 Physical (minor)
Internal/Admin	0	• 4 Physical (moderate)
Safety/Accident	5	3 Displays of Force
TOTAL IA REVIEWS	32	• 3 Handgun

Summary of Complaints

- A citizen complained that officers and dispatchers wanted to speak to his legal caregiver instead of him due to mental health issues (Not sustained).
- A citizen filed a complaint that an officer was rude and unprofessional (Not sustained).
- A citizen was unhappy with the outcome of an investigation (Not sustained).

Definitions:

Sustained – allegation found to be valid and the officer's actions were against policy or expectations. Not Sustained – officer's actions were within policy and expectations, or there was insufficient ovidence to prove or disprove the allegations.

Section 8, Item C. Allegation was found to be baseless or untrue.

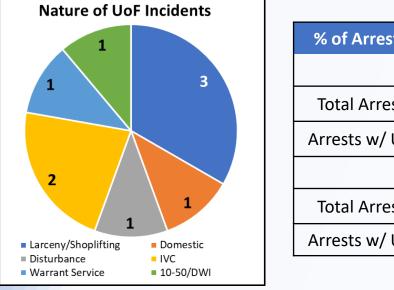
Details on Displays of Force

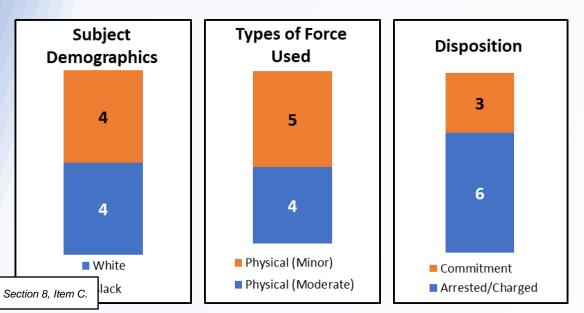
- Officers responded to a domestic disturbance where a handgun was involved. Officers located the subject in the woods and gave him commands while having their duty weapon at low ready.
- The officer responded to a domestic disturbance involving a knife. Once the officer deemed the type of knife used was not dangerous, the officer holstered their duty weapon.
- The officer checked out with a vehicle while investigating a shooting call. The officer had his duty weapon out at low ready and did not point it at anyone. Once the scene was deemed safe, he holstered it.

<u>PEWS Note</u> : PEWS is a "Personnel Early Warning System," that is designed to initiate a review when individual officers		PEWS Activations	
are involved in multiple incidents over a defined period of time to ensure there is not a developing pattern of concerning behavior.	1Q	1	
HPD has been transitioning its PEWS process to an electronic system to better identify and track activations of	2Q	4	
the PEWS system. As a result, prior quarterly reports did not capture and report the PEWS data and some PEWS triggered		4	
earlier in the year were not initially identified. All PEWS			
activations have been reviewed.	4Q	236	

Use of Force

HPD's review of 12 force-related incidents this quarter found that force of some type was used in 9 of the incidents and involved 9 subjects and 15 officers.





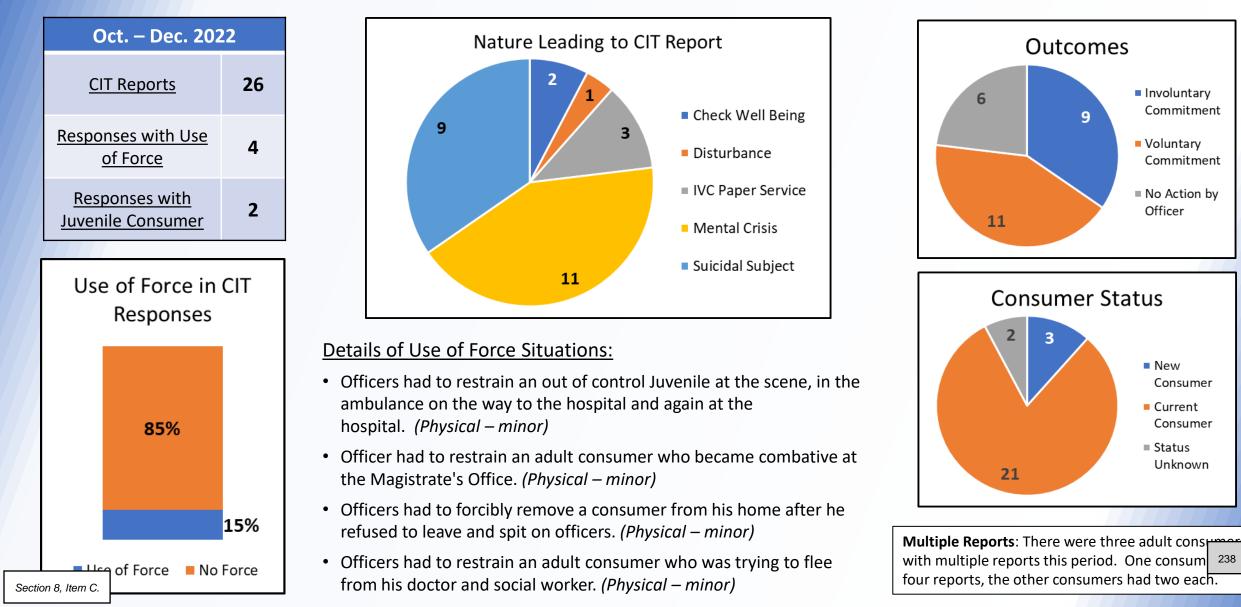
% of Arrests w/ Use of Force					
4Q %					
76	00/				
6	8%				
YTD	%				
390	C 0/				
24	6%				
	4Q 76 6 YTD 390				

Summary of Use of Force Incidents

- Officer tried arresting a wanted robbery subject who pulled away from officer's attempt to handcuff him. Subject was taken to the ground by the officer and handcuffed. (*Physical – moderate*)
- An impaired subject refused to turn around and putting her arms behind her back while being arrested. The subject attempted to pull away and officers grabbed her arms to secure the handcuffs. While at the hospital for a blood draw, the suspect tried to walk away from the officer and the officer grabbed the subject's upper arm to return her to the seat. (Physical – minor)
- Subject pulled away from officer while being arrested for larceny. The officer grabbed the suspect's wrist and was able to gain compliance. (*Physical minor*)
- Officers confronted a larceny subject and while they were trying to detain him, he fled on foot. Officers tackled the fleeing subject which caused both the offender and the officer to fall to the ground. (*Physical moderate*)
- Shoplifting suspect refused to move and pulled/jerked away from the officer who pushed the offender into a corner. (*Physical moderate*)
- 4 uses of force involved subjects in crisis and are detailed in the Mental Health Calls section.

Mental Health/Crisis Response Calls

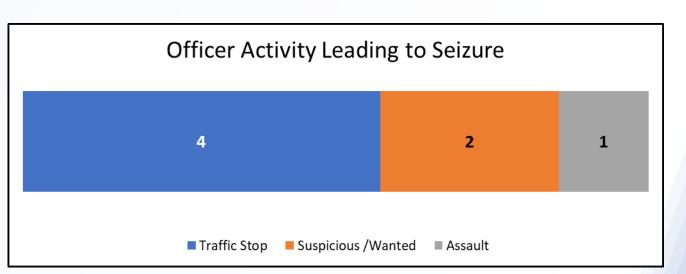
This section presents information on HPD responses to subjects having mental health issues or in crisis. The term "consumers" is used to describe these individuals. Data presented is based on reports in HPD's records system.



Marijuana (Schedule VI) Seizures

This section presents information on seizures of marijuana (MJ) and marijuana-related paraphernalia (P). Drugs and paraphernalia not related to marijuana are not included.

Oct- Dec 2022		Demographics			
0C1- DEC 2022			Н	0	
7	5	2	0	0	
		Disposition			
5	4	1	0	0	
0	0	0	0	0	
1	0	1	0	0	
1	1	0	0	0	
			i		
ts				Arrests	
7		arrest Arrest			
2		200/ 20/		0/	
76	29	29% 3%		%	
% MJ/P Seizures Resulting in MJ/P Charge 29% 71% Section 8, Item C.					
	5 0 1 1 1 ts 7 2	B 7 5 5 4 0 0 1 0 1 1 1 1 1 % M 7 2 76 29 76 MJ/P A	B W 7 5 2 5 4 1 0 0 0 1 0 1 1 1 0 1 1 0 1 1 0 1 1 0 1 1 0 1 1 0 1 1 0 1 1 0 1 2 % MJ/P Seizure w/ arrest 29% 76 MJ/P Arrests a 3% 3%	B W H 7 5 2 0 5 2 0 0 5 4 1 0 0 0 0 0 1 0 1 0 1 0 1 0 1 0 0 0 1 0 0 0 1 0 0 0 1 0 0 0 1 0 0 0 1 0 0 0 1 0 0 0 1 0 0 0 1 0 0 0 1 0 0 0 1 0 0 0 1 2 2 3 76 MJ/P Arrests as % of Arrests 3% 3% 3% 3%	



Detail on cases Charged (2):

- Walmart employee reported by Walmart Loss Prevention in possession of Marijuana split up for sale. He also possessed a handgun in his bag at work. Charged with Felony Possession with Intent to Sell and Carrying a Concealed Weapon.
- Uber rider charged with possession after being untruthful with officers.

Traffic Enforcement Efforts

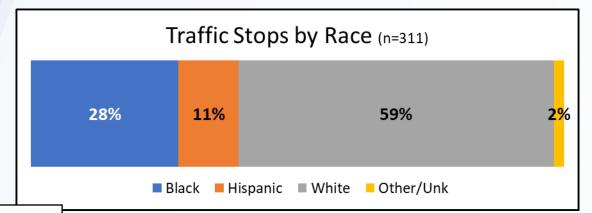
Governor's Highway Safety Program Participation						
Campaigns						
Halloween Booze It and Lose It 7 Traffic Violation Charges						
Thanksgiving Click It or Ticket	10 Traffic Violation Charges					
Holiday Booze It and Lose It	35 Traffic Violation Charges, 7 other					

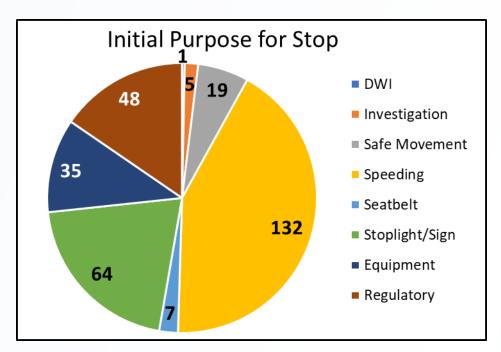
The Hillsborough Police Department spends time focusing on traffic issues that are received directly from our citizens and as part of the statewide Governor's Highway Safety Program. HPD also incorporates locations where there have been accident trends as focus areas for enforcement efforts.

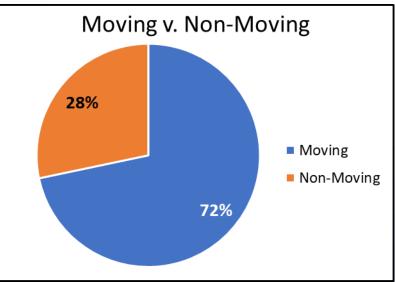
Local Complaints and Focus Areas						
Location	Complaint Time Spent Acti		Actions			
rnwallis Hills (3 Locations)	Stop Signs	2 hrs, 20 mins	No Stops			
N. Cameron St/Caine St	Stop Signs	2 hrs, 20 mins	No Stops			
Becketts Ridge	Speeding/Stop Signs	2 hrs, 34 mins	5 Stops, 2 Cit, 1 WW, 2 VW			
Fairview Community	Speeding/Stop Signs	1 hour	No Stops			
Queen and Hassel	Stop Signs	1 hour	No Stops			
Lakeshore Drive	Speeding	3 hours, 30 mins	2 Stops, 2 Cit			
Nash and Union	Speed/Passing Stopped School Buses	3 hours	5 Stops 2 WW, 3 VW			
Nash and Eno	Stop Signs/Crosswalk	1 hour	No Stops			
Truck Route	Trucks in Town	1 hour, 30 mins	No Stops			
	TOTALS	18 hours, 14 mins	12 Stops, 4 Cit, 3 WW, 5 VW			

Traffic Stop Data (General)

4th Quarter	Traffic Stops and Initial Reason						
	Total	Black	Hispanic	White	Other/Unk		
Total Traffic Stops	311	86	35	184	6		
DWI	1	0	0	1	0		
Investigation	5	1	0	4	0		
Safe Movement	19	5	2	10	2		
Speeding	132	33	17	81	1		
Seatbelt	7	1	1	5	0		
Stoplight/Sign	64	17	6	40	1		
Equipment	35	10	5	19	1		
Regulatory	48	19	4	24	1		



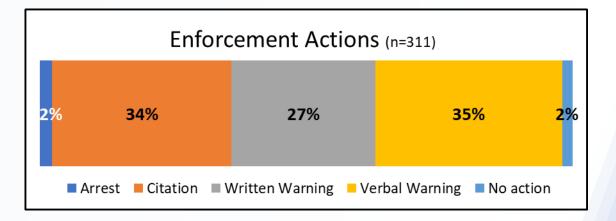


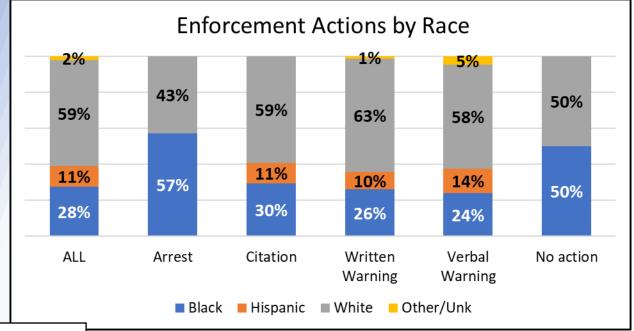


Section 8, Item C.

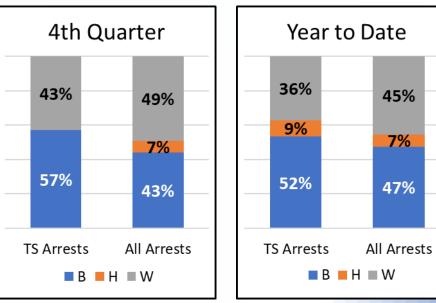
Traffic Stop Data (Enforcement)

4th Quarter	Enforcement				
	Total	Black	Hispanic	White	Other/Unk
All Enforcement	311	86	35	184	6
Arrest	7	4	0	3	0
Citation	105	31	12	62	0
Written Warning	84	22	8	53	1
Verbal Warning	109	26	15	63	5
No action	6	3	0	3	0





Traffic Stop Arrests Compared to All Arrests

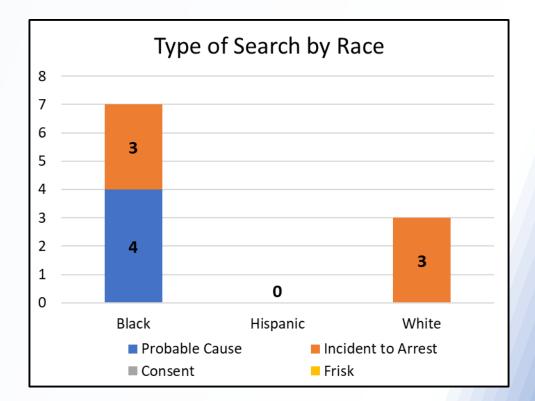


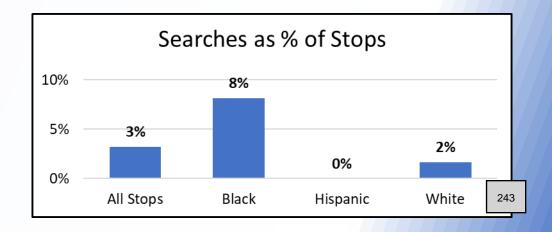
242

Search Data

	Ith Quarter	Search Data — Search Types				
		Total	Black	Hispanic	White	Other/Unk
Т	otal Traffic Stops	311	86	35	184	6
	Total Searches	10	7	0	3	0
	Probable Cause	4	4	0	0	0
	Incident to Arrest	6	3	0	3	0
	Consent	0	0	0	0	0
	Frisk	0	0	0	0	0
	Search Warrant	0	0	0	0	0

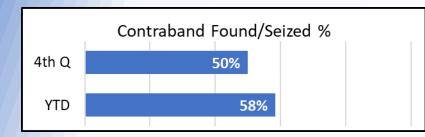
4th Quarter	Search	Data – I	Basis/Rea	ason for	Search
	Total	Black	Hispanic	White	Other/Unk
Total Searches	10	7	0	3	0
Erratic/Suspicious Behavior	1	0	0	1	0
Observed suspected Contraband	3	3	0	0	0
Other Official Information	1	1	0	0	0
Suspicious Movements/Actions	0	0	0	0	0
Informant Tip	0	0	0	0	0
Multiple Basis Noted	1	1	0	0	0
Incident to Arrest (No Basis Noted)	4	2	0	2	0

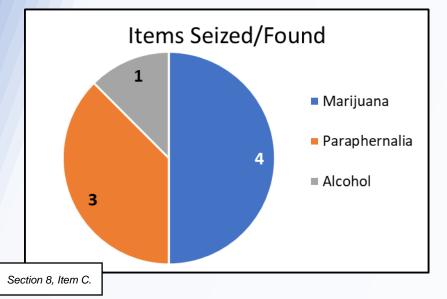




Section 8, Item C.

Contraband Found?		Yes	No	Hit%
Total Searches	10	5	5	50%
Probable Cause	4	4	0	100%
Incident to Arrest	6	1	5	17%
Consent	0	0	0	na
Frisk	0	0	0	na
Search Warrant	0	0	0	na





Search Data (continued)

Search Details

- 6 searches were done after (incident to) an arrest.
- 4 searches were based on probable cause:
 - Officer stopped a car for speeding. Driver was acting erratically, had a history of drug and DWI charges, and admitted to having marijuana in the car.
 - Uber was stopped for illegal passing. Strong odor of marijuana and passengers admitted to having recently smoked marijuana but denied having any in the car. Marijuana and paraphernalia were found during search.
 - Driver stopped for running a red light. Officer smelled marijuana and driver admitted to recently having smoked and having paraphernalia in the car.
 - Driver stopped for stop sign violation and admitted to having marijuana in the car. Marijuana and paraphernalia seized.

Of the 10 incidents with searches, 9 (90%) involved an arrest or criminal charge. Of those 9, only 1 involved charges resulting from contraband found during the search. The other 8 arrests were not connected with the search, or the search was done as a result of the arrest.

Department Training

Elective Trainings Completed

- Burnette- CIT (40 hours)
- Chelenza/Winn- Criminal Justice Standards (11 hours)
- Darden- INTOX Operator- (40 hours)
- Darden- Drug Enforcement for LEO (24 hours)
- Duran- Retrain Canine Handlers Course (160 hours)
- Evans/Phuong- SFSTs (32 hours)
- Felts- NCHIA Homicide Conference (40 hours)
- Gregory/Spragins- General Instructor (101 hours)

Highlight: Scenario Based/ VR Training

A consultant from the League of Municipalities was brought in to assist HPD with our use of force and de-escalation training program. Using his feedback, HPD made changes to our program including combining VR training with Scenario-Based Training, which allowed us to integrate virtual scenarios and tie them in with real-life encounters.

		Туре	Hours	Attendance
		VR	2	4
Conti		cenario Based Training	7.5	15
Secu	ion 8, Item C.			

Training Hours	1 st Q	2 nd Q	3 rd Q	4 th Q	YTD
Mandatory	529	284	95	219	1128
Non-Mandatory	549	672	532	592	2345
Goal: >40 hrs/emp	loyee of r	ion-man	dated tra	aining an	nually
Avg hrs/employee	18.3	22.4	17.7	19.7	78.1

Mandatory Training

- RADAR Recert (16 hours, 1 employee)
- INTOX Recert (8 hours, 1 employee)
- Racial Equity Groundwater Training (3 hours, 5 employees)
- Creating a Safety Net (2 hours, 30 employees) [Addresses working with child victims and investigating abuse and neglect]
- Practicing Proactive Wellness (2 hours, 30 employees) [Focuses on increased well-being for the law enforcement officer]
- Subversive Groups: Maneuvering Encounters with Fringe Groups (2 hours, 30 employees)

Community Engagement Activities

Activity	#	hours
Positive Policing Activities	4	57
Public/Partnership Meetings	5	7.5
Community Meeting/Events	23	243
Food Deliveries	5	11
Canine Demos	3	10
TOTALS	40	328.5
	Number	% of staff

Total Staff Participating in	Number	% of staff
Community Engagement Activities this Quarter	27	90%

30

25

20

15

10

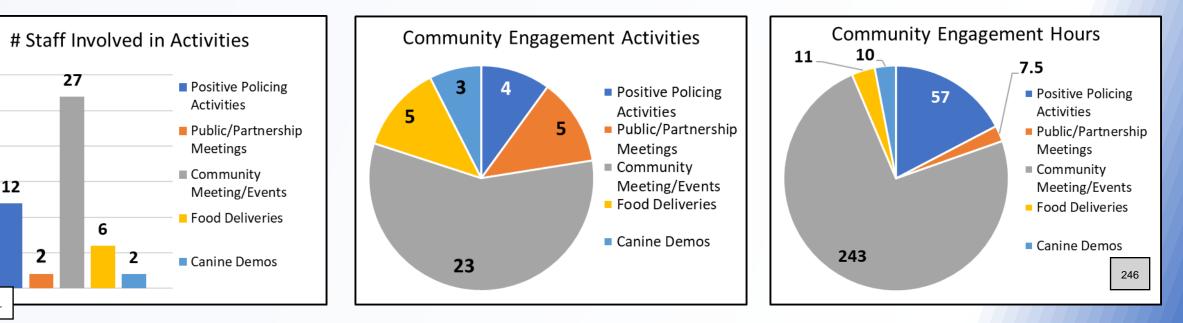
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Section 8, Item C.

Community Engagement

Definitions

- Positive Policing Activity Services and actions by officers that go beyond the typical definition of policing. This can include acts of kindness and service, helping with problems, and providing meals or support to community members.
- Public/Partnership Meetings Meetings with an agenda focused on community issues that intersect with policing such as Board of Commissioners or Project Safe Kids meetings.
- <u>Community Meetings/Events</u> Community-based activities organized by the department or the community where officers attend, collaborate and/or coordinate, such as community watch meetings or events like Fairview Live.
- Food Deliveries Assisting with food delivery to Hillsborough residents with mobility challenges such as Meals on Wheels and Passmore Center food box deliveries.
- > <u>Canine Demos</u> Educational demonstrations put on by HPD canine teams.



Community Events/Activities

- •Police Department Tours (10/25,28,29)
- •Canine Demos (11/01,29))
- •1st Responder Trust Program (10/4,11/7)
- •Stories with HPD (10/19,11/16)
- •Cornwallis Hills Community Event (10/8)
- •Walk to School Day (10/12)
- •Fraud Prevention Presentation (10/14)
- •Hillsborough Elem. Event (10/15)
- •Crafts with a Cop (10/17)
- •Gateway Event (10/27)
- •HPD Trunk or Treat (10/28)
- •First Baptist Church Event (10/31)
- •Car Show/Toy Drive (11/12) •Shop with a Cop (12/13)
- •HPD Winter Wonderland (12/14)

Community Engagement

Positive Policing Activities

- An officer received a message from a woman who he had spoken with previously who needed help providing Christmas for her daughter. The officer gathered funds from other officers and our officers visited the daughter on Christmas Eve. A gift card was given along with gift bags to the family.
- On Christmas Eve and Day, officers sought out community members in need throughout town, including secluded wooded areas. They provided cooked meals and care packages to those in need
- A citizen's vehicle broke down with a dead battery. An officer tried to jump her car by the batter was too dead. The officer arranged a ride home for the citizen then came in early the next day and got her a new battery, installed it, and then brought the citizen to their car.









Public Works Report: January 2023

Work Orders

12 completed within two days

Public Spaces

71 staff hours

Cemetery 2 graves marked, 3 monuments

Stormwater Maintenance

295 linear feet, 54 staff hours

Inspections Driveway Permits – 2, 12 sidewalk/driveway apron inspections

Special Events:

Holiday Decorations removal – 20 staff hours, Installed and removed Flag Banners for MLK – 19.5 staff hours

Leaf Collection

12 loads of leaves



Utilities Department Status Report for Feb. 2023 (covering Jan. 2023)

PROJECT/CATEGORY	STATUS
WTP	No issues to report. Looking at implementing the paving project approved for this year which is to repave/repair the drive around the back of the plant.
WWTP	No major issues.
West Fork of the Eno Reservoir	The reservoir is at 45 feet and rising! The new Phase 2 normal pool elevation is 53 feet. The releases met or exceeded the minimum required release. We are only steps away from a full transfer of easements and right-of-way to NCDOT to close this road project out. The contractor mowing the regrowth around the phase 2 level area has had issues and work is delayed. Unclear how much they can finish before water rises.
Water Restrictions	None!
Billing Adjustments	Discussion in the joint BOC/WSAC meeting in February for possible presentation at March general meeting for adoption. Due to some linkage language, irrigation code modifications are also included.
System Development Fees and Budget	Proposals to update the existing system development fees are received. Raftelis, who has worked with the town for years and did the last update, was selected. SDF analysis is required by statute to be updated at least every five years and public noticed for 45 days prior to board approval of the FY24 budget. The FY24 budget process has started.
Specification Updates	Updates to the utilities technical specifications, standard details and merging of various development and construction technical documents and processes is almost complete. The specifications were last updated in 2018 and need to cover more technical requirements and situations that will support the town and clarify development requirements and expectations. Code updates will follow to ensure cohesiveness.
Outfall Clean and CCTV	Expecting to receive several proposals for the Eno River Interceptor cleaning and CCTV. Will need to coordinate with Public Space on accessibility to some areas along Riverwalk.
Developments	Close to finalizing RTLP extension contract. Request from a different charter school to reserve capacity for a site off Lawrence Road was granted. Prior reservation was revoked. Site plan recently reviewed.
Funding Opportunities	We are awaiting paperwork for our \$100,000 grant for water system master planning from the state and are ready to sign a contract with Hazen & Sawyer. Still awaiting word of the fall round ARPA/SRF submittals to the state on four projects which is expected in mid to late February, at the earliest. Nothing from the feds on the STAG and FEMA BRIC awards.
Staffing	Jacob Hamlin, a night water plant operator started 1/17. A Utility Maintenance Mechanic I, Brent Anderson, started on 1/17. There remains one Utility Maintenance Mechanic position opening. A new Utility Maintenance Technician (Locator), Seth Frazier, started 1/30. Dennis Apple transferred from Public Works to our newly formed plant maintenance team in January.

Water and Sewer	Two new members began their 1 st term in February – Eric Raznick (out of town) and
Advisory Committee	Grace Beeler (in town). The WSAC will move to bimonthly meetings starting after
(WSAC) Activities	February 2023. The next joint BOC meetings will be in February and August.