



# Agenda

## Board of Commissioners Regular Meeting with Tentative Budget Adoption

7:00 PM June 10, 2024

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. Appointments

[A.](#) Planning Board – Appointment of Tiffney Marley for a term expiring June 30, 2027 (in-town seat)

### 5. Items for decision – consent agenda

[A.](#) Minutes

- Regular meeting with Budget Presentation May 13, 2024
- Regular meeting closed session May 13, 2024
- Budget workshop May 28, 2024

[B.](#) Miscellaneous budget amendments and transfers

[C.](#) Proclamation – National Pollinator Week 2024

[D.](#) Contract for year-end audit services in connection with the fiscal year ending June 30, 2024

[E.](#) Resolution to Accept Hasell Street Water Tank and U.S. 70-A Water Main Pre-Construction Planning Grant

[F.](#) Unified Development Ordinance text amendment to various sections on accessory dwellings, home occupations, and short-term rentals (staff-initiated)

[G.](#) Historic District Design Standards amendment to Sections 1, 4, 6, and various appendices (staff-initiated)

[H.](#) Water and Sewer Extension Contract (WSEC) with cost share for Nash Place

### 6. Items for decision - regular agenda

[A.](#) Rezoning request for 128 W. Margaret Lane from Neighborhood Business Special Use to Neighborhood Business (general use)

[B.](#) South Churton Street Multimodal Corridor Study

[C.](#) Fiscal Year 2025 Budget Adoption

101 E. Orange St., PO Box 429, Hillsborough, NC 27278  
919-732-1270 | [www.hillsboroughnc.gov](http://www.hillsboroughnc.gov) | @HillsboroughGov

[D.](#) Hot topics for work session June 24, 2024

**7. Updates**

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

**8. 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: June 10, 2024  
Department: Planning and Economic Development  
Agenda Section: Appointments  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Molly Boyle, Planner II

#### ITEM TO BE CONSIDERED

**Subject:** Planning Board – Appointment of Tiffney Marley for a term expiring June 30, 2027 (in-town seat)

**Attachments:**

Appointed Board Application

**Summary:**

Tiffney Marley has applied for an in-town seat on the Planning Board. If appointed, she will fill the vacancy left by Cassandra Chandler, who resigned from the board recently due to work conflicts.

Marley is employed with the National Community Action Partnership as the Senior Vice President of Practice Transformation. She views the Planning Board as “central to informing policy decisions that ensure that Hillsborough residents have viable places to live, work, and play.” She is interested in creating equity in Hillsborough, particularly in terms of housing and economic opportunity.

**Financial impacts:**

Occasional board training opportunities (minimal expense).

**Staff comments and recommendation:**

Staff recommends appointing Tiffney Marley to the Planning Board.

**Action requested:**

Appoint Tiffney Marley to the Planning Board for a three-year term expiring June 30, 2027.



# TOWN OF HILLSBOROUGH

## Personal Information

1. First name \*

Tiffney

2. Last name \*

Marley

3. Home address \*

316 Sea Trail Street, Hillsborough, NC 27278

4. Primary phone number \*

5. Secondary phone number

6. Email address \*

7. Place of employment

National Community Action Partnership

8. Job title

Sr. Vice President, Practice Transformation

9. Birth date \*

2/27/1971



10. Gender \*

- ☐ Male
- ☒ Female
- ☐ Non-binary or third gender
- ☐ Prefer not to say

11. What are your preferred pronouns? \*

- ☐ He/him/his
- ☒ She/her/hers
- ☐ They/them/theirs
- ☐ Other

12. Are you of Hispanic, Latino or Spanish ancestry? \*

- ☐ Yes
- ☒ No

13. Race \*

- ☐ American Indian or Alaska Native
- ☐ Asian
- ☒ Black or African American
- ☐ Native Hawaiian or Other Pacific Islander
- ☐ White
- ☐ Other

14. Have you previously attended Government 101 (town academy for community members)? \*

☐ Yes

☒ No

## Board Selection

You must meet at least one of the eligibility criteria for each board you would be willing to serve on:

- Board of Adjustment
  - Live in town
  - Live in the extraterritorial jurisdiction area
- Historic District Commission
  - Live in town
  - Live in the extraterritorial jurisdiction area
- Parks and Recreation Board
  - Live in town
- Planning Board
  - Live in town
  - Live in the extraterritorial jurisdiction area
- Tourism Board
  - Own or operate a restaurant in town
  - Live, own property or be employed in town
- Tourism Development Authority
  - Be affiliated with a business collecting lodging tax
- Tree Board
  - Live in town
- Water and Sewer Advisory Committee
  - Be a water system customer

15. Which board would you be willing to serve on as first choice? \*

☐ Board of Adjustment

☐ Historic District Commission

☐ Parks and Recreation Board

☒ Planning Board

☐ Tourism Board

☐ Tourism Development Authority

☐ Tree Board

☐ Water and Sewer Advisory Committee

16. Which board would you be willing to serve on as second choice? \*

- ☐ Board of Adjustment
- ☐ Historic District Commission
- ☐ Parks and Recreation Board
- ☐ Planning Board
- ☐ Tourism Board
- ☒ Tourism Development Authority
- ☐ Tree Board
- ☐ Water and Sewer Advisory Committee
- ☐ None

17. Which board would you be willing to serve on as third choice? \*

- ☐ Board of Adjustment
- ☐ Historic District Commission
- ☐ Parks and Recreation Board
- ☐ Planning Board
- ☒ Tourism Board
- ☐ Tourism Development Authority
- ☐ Tree Board
- ☐ Water and Sewer Advisory Committee
- ☐ None

### Short Answer Questions

18. Have you served or are you serving on a town board? If so, which ones and when? \*

n/a

19. What are some reasons you'd like to serve on a town board? Is there anything specific you'd like to accomplish in your time serving? \*

I recently returned to Hillsborough and welcome an opportunity to exercise my civic duty by volunteering for a local position. I regard the planning board as one that is central to informing policy decisions that ensure that Hillsborough residents have viable places to live, work, and play. I love Hillsborough and I am deeply invested in its well-being and the well-being of her people. I am a nonprofit leader and welcome an opportunity to put my leadership skills to use in my local community. I am also a former member of the Orange County Human Rights Commission.

20. Do you have any relevant work, volunteer or educational experience you can share with us for the boards you selected? \*

I lead a team that serves as a national technical assistance provider for place-based initiatives focused on systems and policy change. I have deep experience within NC and national related to economic development/security for all people.

21. How are you connected to Hillsborough (live, work, play, shop, own property)? \*

I live in Hillsborough.

22. Have you reviewed other town documents, and what are your thoughts about them? Possible documents include the budget, Strategic Plan, Comprehensive Sustainability Plan, small area plans, and utilities (water and sewer) materials. Documents are available on the town website, [hillsboroughnc.gov](https://hillsboroughnc.gov). \*

I have reviewed several of the town documents on the website include the strategic plan and the Government 101 topics and resources

23. What challenges do you see the town facing that could be addressed by the board or boards on which you wish to serve? \*

The Town's biggest challenge is creating opportunities for all citizens to have access to safe and affordable housing and equitable opportunities to earn thriving wages optimal quality of life. While this is a challenge, I welcome an opportunity to learn and collaborate with neighbors and decision-makers to improve access and the quality of well-being for the entire town.

24. How did you hear about this opportunity? \*

- ☐ Current volunteer
- ☐ Town staff member or elected official
- ☒ Town website
- ☐ Town social media
- ☐ Other social media
- ☐ Newspaper
- ☐ Radio
- ☐ Television
- ☐ Other

25. I have been advised that I am committing to attend the appointed board's regular meetings. Attendance at the regular meetings is required for me to maintain membership on the board. The Board of Commissioners may declare a vacancy on the board because of non-attendance.

For the complete code, view the Hillsborough Code of Ordinances Chapter 3, Article 8: Appointed Boards, Task Forces and Authorities, available through the town website, [hillsboroughnc.gov](http://hillsboroughnc.gov).

Check the box to confirm understanding of the attendance policy: \*

☒ Confirm



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
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 May 13, 2024
2. Regular meeting closed session May 13, 2024
3. Budget Workshop and Public Hearing May 28, 2024

**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 May 13, 2024, regular meeting closed session May 13, 2024 and Budget workshop and public hearing May 28, 2024.



# Minutes

## Board of Commissioners Regular Meeting with Budget Presentation

7 p.m. May 13, 2024

Board Meeting Room, Town Hall Annex, 105 E. Corbin St.

**Present:** Mayor Mark Bell and commissioners Meaghun Darab, Robb English, Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd

**Staff:** Budget Director Emily Bradford, Administrative Services Director Jen Della Valle, Assistant Town Manager and Community Services Director Matt Efird, Budget and Management Analyst Josh Fernandez, Police Management Analyst Marshall Grayson, Environmental Engineering Supervisor Bryant Green, Stormwater and Environmental Services Manager Terry Hackett, Police Chief Duane Hampton, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Finance Director Dave McCole, Town Manager Eric Peterson and Utilities Director Marie Strandwitz

### Opening of the meeting

Mayor Mark Bell called the meeting to order at 7 p.m.

#### 1. Public charge

Bell did not read the public charge.

#### 2. Audience comments not related to the printed agenda

There were none.

#### 3. Agenda changes and approval

- Item 6K – Revised resolution authorizing the submission of the Fiscal Year 2024-25 HOME Annual Action Plan and Program Design for Orange County.
- Add Item 6P – National Cities, Towns and Villages Month proclamation to the consent agenda.
- Add Item 9A – 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).

**Motion:** Commissioner Kathleen Ferguson moved to approve the agenda as amended. Commissioner Evelyn Lloyd seconded.

**Vote:** 5-0.

#### 4. Presentations

- A. Orange County Partnership to End Homelessness Annual Report  
Rachel Waltz, manager of the Orange County Partnership to End Homelessness, presented the annual report to the board. She shared that homelessness is a housing problem. The three keys to end homelessness are affordable housing, appropriate support services and income.

Waltz stated that the Orange County Partnership to End Homelessness saw a 20% increase in the number of people requesting shelter services and served 9,174 individual households.

There was discussion about options for university students to stay in Orange County now that the University of North Carolina no longer provides Odum Village as a place to stay.

She shared program successes, including increased resources and housing and increased collaboration with partners across the Triangle and with people with lived experiences.

In response to questions, Waltz stated that the partnership works with A Lot of Love, an organization that provides furniture, moving and storage, and that animal shelters work to accommodate companion animals, including service and support animals protected by the Americans with Disabilities Act.

## **5. Appointments**

- A. Tourism Board – Reappointment of Megan Kimball for a term ending May 13, 2026

Motion: Commissioner Matt Hughes moved to approve the appointment. Ferguson seconded.  
Vote: 5-0.

## **6. Items for decision – consent agenda**

- A. Minutes  
– Regular meeting April 8, 2024  
– State of the Town Address April 22, 2024  
B. Miscellaneous budget amendments and transfers  
C. Proclamation – Memorial Day 2024  
D. Proclamation – Police Week and Peace Officers Memorial Day  
E. Proclamation – National Public Works Week 2024  
F. Proclamation – Period Poverty Awareness Week  
G. Proclamation – Asian American and Pacific Islander Heritage Month  
H. Ordinance Amending Article VII: Recreation, Sections 3-48 through 3-50 of the Code of Ordinances  
I. Ordinance Amending Chapter 13: Cemeteries of the Code of Ordinances  
J. Capital Project Ordinance Amendment – McAdams Road Water Main Replacement  
K. Fiscal Year 2024-25 HOME Annual Action Plan and Program Design for Orange County, North Carolina  
L. Global Funding Agreement for Orange County Transit Tax Funds  
M. Special Event Permit – Hillsborough Arts Council's Handmade Parade  
N. Special Event Permit – Fleet Feet Running Club's Big Run 5K  
O. Water and Sewer Extension Contract for Persimmon at Cates Creek – Phase I  
P. National Cities, Towns and Villages Month proclamation (added item)

Motion: Ferguson moved to approve all items on the amended consent agenda. Commissioner Robb English seconded.  
Vote: 5-0. Nays: None.

## **7. Items for decision - regular agenda**

- A. Fiscal Year 2025-27 Recommended Budget Presentation  
Town Manager Eric Peterson presented his recommended budget to the board. He recommends increasing the town's property tax rate, stormwater fee and water and sewer rates.

For the stormwater and water and sewer funds, Peterson highlighted that:

- A \$15 stormwater fee increase is recommended for residences in each of the three years of the proposed financial plan and will be the first since the fund was implemented eight years ago.

- Increases of 7.5% in water and sewer rates are the minimum needed to prevent issues with bond compliance.
- Completing the four-year initiative to reduce the minimum usage charge to 2,000 gallons is recommended. About 45% of customers already are benefiting from reduced minimums.
- Staff have several strategies for long-term stabilization of water and sewer rates.
- Peterson shared that the mayor will be meeting with state lawmakers to request funds.

For the General Fund, the manager highlighted that:

- A property tax rate increase of 2 cents is recommended in each of the next two fiscal years.
- The fund would have deficits of nearly \$1 million in each of the next three fiscal years.
- The town does not charge a solid waste collection fee, which allows the tax rate for some neighboring communities to appear lower.
- Peterson said the recommended budget would be available to the board by the end of the week and suggested a schedule for adoption that adds a second work session date on June 3 and the option to continue deliberations and adopt on June 17 or 24 if needed.

**B. Strategic Plan Check In – Quarter 3**

Administrative Services Director Jen Della Valle provided the board with an update on the Strategic Plan. In answering questions from the board, she shared that:

- Evaluating the renewable energy capacity has not progressed significantly but the Adron F. Thompson Water/Sewer Facility has been evaluated for solar energy as a part of its renovation.
- The town has not heard of internet service providers other than Spectrum providing free internet in public spaces.

Ferguson said having multiple providers can be a point of leverage to receive service and reduce cost. Bell suggested advertising could cover the cost of service.

Staff shared that:

- A parking study is expected to be complete in eight months.
- The Police Department is looking for a good time to offer community engagement meetings.
- Risk assessment by the North Carolina League of Municipalities will begin soon. It was delayed due to staffing.

**C. Ordinance Amending Section 5-11 of the Code of Ordinances to Remove Employment References from the Non-Discrimination Provisions**

Town Attorney Bob Hornik informed the board of a ruling from the state Supreme Court preventing counties and municipalities from enforcing trade- or labor-related ordinances, including the prevention of employment discrimination.

There was discussion about re-adding the clause if there is a change in state case law or if the town could enforce such ordinances.

**D. Hot topics for work session May 28, 2024**

The budget public hearing and a work session on the Water and Sewer Fund will be on May 28.

**8. Updates**

**A. Board members**

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

- B. Town manager  
There were none.
- C. Staff (written reports in agenda packet)  
There were none.

Motion: Ferguson moved to go into closed session. Commissioner Meaghun Darab seconded.  
Vote: 5-0.

**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 (potential litigation) (added item)

Motion: Feguson moved to return to open session. Lloyd seconded.  
Vote: 5-0.

**10. Adjournment**

Bell adjourned the meeting at 10:12 p.m.

Respectfully submitted,

Sarah Kimrey  
Town Clerk  
Staff support to the Board of Commissioners

DRAFT

FY 2023-2024

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 05/13/2024 TO 05/13/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
GF	10-00-3900-3900-000 FUND BALANCE APPROPRIATION						
Fund Bal.	To correct PB appropriation	41781	05/13/2024	EBRADFORI	1,133,221.00	-268,260.00	1,785,292.61
GF	10-00-9990-5300-000 CONTINGENCY						
Contingency	Reverse Amendment for Revenue Bond A	41796	05/13/2024	EBRADFORI	450,000.00	5,500.00	5,500.00
Admin. Services	10-10-4200-5300-451 C.S./PRINTING						
	For charges & increased rates for bill inse	41811	05/13/2024	JFernandez	3,350.00	1,500.00	5,295.00
Admin. Services	10-10-4200-5300-570 MISCELLANEOUS						
	For charges & increased rates for bill inse	41810	05/13/2024	JFernandez	57,553.00	-1,500.00	74,860.32
Accounting	10-10-4400-5300-487 TAX COLLECTION						
	To cover Q3 tax collection fee to Orange t	41789	05/13/2024	JFernandez	42,000.00	2,764.00	44,764.00
Accounting	10-10-4400-5300-570 MISCELLANEOUS						
	To cover Q3 tax collection fee to Orange t	41788	05/13/2024	JFernandez	19,210.00	-2,764.00	16,446.00
Safety & Risk	10-10-6600-5300-080 TRAINING/CONF./CONV.						
	To cover auto flaggers	41794	05/13/2024	EBRADFORI	16,800.00	-1,058.00	9,246.00
Safety & Risk	10-10-6600-5300-320 SUPPLIES - OFFICE						
	To cover safety office uniforms through y	41786	05/13/2024	JFernandez	560.00	-60.00	500.00
	To cover printer purchase.	41799	05/13/2024	JFernandez	560.00	400.00	900.00
Safety & Risk	10-10-6600-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover printer purchase.	41798	05/13/2024	JFernandez	6,720.00	-400.00	18,821.80
Safety & Risk	10-10-6600-5300-332 SUPPLIES - OSHA						
	To cover new fall protection equipment at	41779	05/13/2024	JFernandez	50,775.00	6,000.00	68,994.55
Safety & Risk	10-10-6600-5300-350 UNIFORMS						
	To cover safety office uniforms through y	41787	05/13/2024	JFernandez	0.00	60.00	1,560.00
Safety & Risk	10-10-6600-5300-571 SAFETY AWARDS PROGRAM						
	To cover new fall protection equipment at	41778	05/13/2024	JFernandez	15,120.00	-6,000.00	13,975.00
Safety & Risk	10-10-6600-5700-741 CAPITAL - EQUIPMENT						
	To cover auto flaggers	41795	05/13/2024	EBRADFORI	26,055.00	1,058.00	27,113.00
Police	10-20-5100-5300-080 TRAINING/CONF./CONV.						
	To cover training through year-end.	41785	05/13/2024	JFernandez	26,900.00	3,000.00	30,900.00
Police	10-20-5100-5300-140 TRAVEL/VEHICLE ALLOTMENT						
	To cover training through year-end.	41784	05/13/2024	JFernandez	5,100.00	-3,000.00	2,100.00
	To cover vet expenditures through year-er	41802	05/13/2024	JFernandez	5,100.00	-101.00	1,999.00
Police	10-20-5100-5300-458 DATA PROCESSING SERVICES						
	To cover addition of property managemen	41801	05/13/2024	JFernandez	25,310.00	379.00	28,249.00
Police	10-20-5100-5300-470 HIRING SELECTION PROCESS						
	To cover addition of property managemen	41800	05/13/2024	JFernandez	5,400.00	-379.00	5,021.00
Police	10-20-5100-5300-574 MISC. - POLICE DOG						
	To cover vet expenditures through year-er	41803	05/13/2024	JFernandez	4,100.00	101.00	9,801.00
GF - PB	10-30-3980-3900-100 POWELL BILL FUND BALANCE APPROPRIAT						
Fund Bal.	To correct PB appropriation	41780	05/13/2024	EBRADFORI	473,000.00	268,260.00	707,335.00
Streets	10-30-5600-5300-165 MAINTENANCE - INFRASTRUCTURE						
	Allocate to correct account.	41773	05/13/2024	JFernandez	5,000.00	29,705.00	34,705.00
Streets	10-30-5600-5700-729 CAPITAL - INFRASTRUCTURE						

JFernandez  
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FY 2023-2024

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 05/13/2024 TO 05/13/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
	Allocate to correct account.	41772	05/13/2024	JFernandez	239,000.00	-29,705.00	259,780.00
W&S Revenue	30-00-3850-3850-000 INTEREST EARNED Yr-end adj	41797	05/13/2024	EBRADFORI	10,000.00	5,500.00	35,500.00
W&S Transfers	30-71-5972-5972-002 TRANSFER TO WATER SDF RESERVE FUND Adj to actual	41816	05/13/2024	EBRADFORI	0.00	17,271.00	79,985.00
W&S Transfers	30-71-5972-5972-003 TRANSFER TO SEWER SDF RESERVE FUND Adj to actual	41817	05/13/2024	EBRADFORI	0.00	5,637.00	60,377.00
W&S Revenue	30-80-3500-3523-002 WATER SYSTEM DEVELOPMENT FEES Adj to actual	41814	05/13/2024	EBRADFORI	0.00	17,271.00	79,985.00
W&S Revenue	30-80-3500-3525-002 SEWER SYSTEM DEVELOPMENT FEES Adj to actual	41815	05/13/2024	EBRADFORI	0.00	5,637.00	60,377.00
W&S Fund Bal.	30-80-3900-3900-000 FUND BALANCE APPROPRIATED To cover arbitrage	41791	05/13/2024	EBRADFORI	1,768,570.00	19,955.00	4,774,898.31
Admin. of Enterprise	30-80-7200-5300-041 ATTORNEY FEES Adj to actual	41826	05/13/2024	EBRADFORI	17,000.00	2,605.00	40,105.00
	Adj to actual	41828	05/13/2024	EBRADFORI	17,000.00	225.00	40,330.00
Admin. of Enterprise	30-80-7200-5300-560 SERVICE MILESTONE RECOGNITION Adj to actual	41827	05/13/2024	EBRADFORI	225.00	-225.00	0.00
Admin. of Enterprise	30-80-7200-5300-571 SAFETY AWARDS PROGRAM Adj to actual	41824	05/13/2024	EBRADFORI	0.00	-484.00	2,342.00
Admin. of Enterprise	30-80-7200-5300-580 CUSTOMER SERVICE & INNOVATION AWARD Adj to actual	41825	05/13/2024	EBRADFORI	4,000.00	-2,121.00	1,879.00
Utilities Admin.	30-80-7220-5100-020 SALARIES Adj to actual	41823	05/13/2024	EBRADFORI	368,043.00	15,283.00	425,826.00
Utilities Admin.	30-80-7220-5125-060 HOSPITALIZATION Adj to actual	41818	05/13/2024	EBRADFORI	37,118.00	1,000.00	38,118.00
Utilities Admin.	30-80-7220-5125-061 LIFE/DISABILITY/VISION Adj to actual	41819	05/13/2024	EBRADFORI	2,106.00	-1,000.00	1,106.00
Utilities Admin.	30-80-7220-5300-140 TRAVEL/VEHICLE ALLOTMENT Adj to actual	41822	05/13/2024	EBRADFORI	14,520.00	-6,800.00	7,720.00
Utilities Admin.	30-80-7220-5300-584 TRIANGLE WATER PARTNERSHIP Adj to actual	41820	05/13/2024	EBRADFORI	15,000.00	-4,641.00	10,359.00
Utilities Admin.	30-80-7220-5700-740 CAPITAL - VEHICLES Adj to actual	41821	05/13/2024	EBRADFORI	0.00	-3,842.00	31,158.00
Billing & Collections	30-80-7240-5100-010 OVERTIME COMPENSATION Adj to actual	41829	05/13/2024	EBRADFORI	2,000.00	4,000.00	8,000.00
Billing & Collections	30-80-7240-5100-020 SALARIES Adj to actual	41836	05/13/2024	EBRADFORI	326,326.00	-21,160.00	277,766.00
Billing & Collections	30-80-7240-5125-060 HOSPITALIZATION Adj to actual	41835	05/13/2024	EBRADFORI	59,676.00	-22,000.00	37,676.00
Billing & Collections	30-80-7240-5125-061 LIFE/DISABILITY/VISION Adj to actual	41834	05/13/2024	EBRADFORI	1,840.00	-1,390.00	450.00
Billing & Collections	30-80-7240-5127-070 RETIREMENT						

JFernandez  
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FY 2023-2024

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 05/13/2024 TO 05/13/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
	Adj to actual	41833	05/13/2024	EBRADFORI	41,483.00	-10,000.00	31,483.00
Billing & Collections	30-80-7240-5300-145 MAINTENANCE - BUILDINGS						
	Adj to actual	41830	05/13/2024	EBRADFORI	0.00	50.00	50.00
Billing & Collections	30-80-7240-5300-310 GASOLINE						
	To cover temporary contracted personnel.	41774	05/13/2024	JFernandez	7,000.00	-1,000.00	6,000.00
Billing & Collections	30-80-7240-5300-411 C.S./SOUTH DATA						
	Adj to actual	41831	05/13/2024	EBRADFORI	43,100.00	1,000.00	37,010.11
Billing & Collections	30-80-7240-5300-458 DATA PROCESSING SERVICES						
	To cover temporary contracted personnel.	41775	05/13/2024	JFernandez	28,395.00	-1,000.00	27,395.00
Billing & Collections	30-80-7240-5300-503 C.S./TEMPORARY PERSONNEL						
	To cover temporary contracted personnel.	41777	05/13/2024	JFernandez	0.00	4,000.00	26,089.89
Billing & Collections	30-80-7240-5300-575 ARBITRAGE						
	To cover temporary contracted personnel.	41776	05/13/2024	JFernandez	2,000.00	-2,000.00	0.00
	To cover arbitrage	41790	05/13/2024	EBRADFORI	2,000.00	19,955.00	19,955.00
Billing & Collections	30-80-7240-5300-585 ELECTRONIC PAYMENT FEES						
	Adj to actual	41832	05/13/2024	EBRADFORI	136,500.00	49,500.00	186,000.00
WTP	30-80-8120-5100-020 SALARIES						
	Adj to actual	41840	05/13/2024	EBRADFORI	544,726.00	3,445.00	548,171.00
WTP	30-80-8120-5300-130 UTILITIES						
	Adj to actual	41837	05/13/2024	EBRADFORI	86,290.00	15,710.00	102,000.00
WTP	30-80-8120-5300-310 GASOLINE						
	Adj to actual	41839	05/13/2024	EBRADFORI	11,000.00	-3,445.00	7,555.00
WTP	30-80-8120-5300-323 SUPPLIES - CHEMICALS						
	Adj to actual	41838	05/13/2024	EBRADFORI	427,760.00	-15,710.00	250,227.00
WFER	30-80-8130-5300-154 MAINTENANCE - GROUNDS						
	To cover brush and debris clearing at WFI	41783	05/13/2024	JFernandez	15,000.00	5,000.00	31,686.22
WFER	30-80-8130-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover brush and debris clearing at WFI	41782	05/13/2024	JFernandez	10,000.00	-5,000.00	4,167.30
WFER	30-80-8130-5300-412 C.S./MONITORING MISSION UNIT						
	Adj to actual	41841	05/13/2024	EBRADFORI	1,500.00	-840.00	660.00
WFER	30-80-8130-5300-921 WATER QUALITY MONITORING						
	Adj to actual	41842	05/13/2024	EBRADFORI	25,000.00	-951.00	24,049.00
WFER	30-80-8130-5400-910 DEBT SERVICE - PRINCIPAL						
	Adj to actual	41843	05/13/2024	EBRADFORI	839,737.00	1,791.00	348,791.00
Water Dist.	30-80-8140-5100-020 SALARIES						
	Adj to actual	41844	05/13/2024	EBRADFORI	450,888.00	38,000.00	488,888.00
Water Dist.	30-80-8140-5120-050 FICA						
	Adj to actual	41845	05/13/2024	EBRADFORI	34,493.00	5,000.00	39,493.00
Water Dist.	30-80-8140-5125-060 HOSPITALIZATION						
	Adj to actual	41846	05/13/2024	EBRADFORI	91,728.00	11,000.00	84,228.00
Water Dist.	30-80-8140-5127-070 RETIREMENT						
	Adj to actual	41847	05/13/2024	EBRADFORI	57,346.00	10,000.00	67,346.00
Water Dist.	30-80-8140-5127-071 401(K) RETIREMENT SUPP.						
	JFernandez		05/06/2024	5:08:27PM			
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FY 2023-2024

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 05/13/2024 TO 05/13/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
	Adj to actual	41848	05/13/2024	EBRADFORI	22,544.00	4,000.00	26,544.00
Water Dist.	30-80-8140-5300-165 MAINTENANCE - INFRASTRUCTURE						
	Adj to actual	41849	05/13/2024	EBRADFORI	140,000.00	-68,000.00	72,000.00
WW Collect.	30-80-8200-5300-130 UTILITIES						
	Adj to actual	41850	05/13/2024	EBRADFORI	57,500.00	1,000.00	56,000.00
WW Collect.	30-80-8200-5300-165 MAINTENANCE - INFRASTRUCTURE						
	Adj to actual	41851	05/13/2024	EBRADFORI	187,500.00	-1,000.00	270,702.00
WWTP	30-80-8220-5100-010 OVERTIME COMPENSATION						
	Adj to actual	41852	05/13/2024	EBRADFORI	5,000.00	2,500.00	7,500.00
WWTP	30-80-8220-5300-110 TELEPHONE/INTERNET						
	Adj to actual	41853	05/13/2024	EBRADFORI	890.00	750.00	1,640.00
WWTP	30-80-8220-5300-130 UTILITIES						
	Adj to actual	41854	05/13/2024	EBRADFORI	152,448.00	16,552.00	169,000.00
WWTP	30-80-8220-5300-158 MAINTENANCE - EQUIPMENT						
	Adj to actual	41863	05/13/2024	EBRADFORI	84,150.00	-10,000.00	109,496.16
WWTP	30-80-8220-5300-162 MAINTENANCE - LAB EQUIPMENT						
	Adj to actual	41865	05/13/2024	EBRADFORI	7,870.00	-4,300.00	3,570.00
WWTP	30-80-8220-5300-164 MAINTENANCE - INSTRUMENTATION						
	Adj to actual	41864	05/13/2024	EBRADFORI	19,470.00	-4,500.00	24,530.00
WWTP	30-80-8220-5300-165 MAINTENANCE - INFRASTRUCTURE						
	Adj to actual	41866	05/13/2024	EBRADFORI	9,200.00	-472.00	16,368.00
WWTP	30-80-8220-5300-323 SUPPLIES - CHEMICALS						
	Adj to actual	41855	05/13/2024	EBRADFORI	56,380.00	8,580.00	62,000.00
WWTP	30-80-8220-5300-327 SUPPLIES - LAB						
	Adj to actual	41856	05/13/2024	EBRADFORI	12,300.00	1,700.00	14,000.00
WWTP	30-80-8220-5300-330 SUPPLIES - DEPARTMENTAL						
	Adj to actual	41857	05/13/2024	EBRADFORI	4,000.00	1,000.00	5,000.00
WWTP	30-80-8220-5300-331 SUPPLIES - SAFETY						
	Adj to actual	41858	05/13/2024	EBRADFORI	3,360.00	-3,200.00	160.00
WWTP	30-80-8220-5300-338 SUPPLIES - DATA PROCESSING						
	Adj to actual	41859	05/13/2024	EBRADFORI	510.00	-510.00	0.00
WWTP	30-80-8220-5300-445 C.S./DUMPSTER SERVICE						
	Adj to actual	41860	05/13/2024	EBRADFORI	3,180.00	-1,600.00	1,580.00
WWTP	30-80-8220-5300-473 MAINTENANCE CONTRACTS						
	Adj to actual	41862	05/13/2024	EBRADFORI	26,700.00	-4,000.00	22,700.00
WWTP	30-80-8220-5300-530 DUES & SUBSCRIPTIONS						
	Adj to actual	41861	05/13/2024	EBRADFORI	10,561.00	-2,500.00	8,061.00
Storm-Water	35-30-5900-5300-165 MAINTENANCE - INFRASTRUCTURE						
	To cover Mapping GPS Receiver	41808	05/13/2024	EBRADFORI	177,000.00	-250.00	176,750.00
Storm-Water	35-30-5900-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover Mapping GPS Receiver	41809	05/13/2024	EBRADFORI	750.00	250.00	1,000.00
Restr. Revenue	72-00-5100-3301-052 RESTRICTED REV-ABC BOARD GRANT						
	To record FY24 revenue	41792	05/13/2024	EBRADFORI	19,157.85	8,000.00	27,157.85

JFernandez  
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FY 2023-2024

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT  
DATES: 05/13/2024 TO 05/13/2024

<u>REFERENCE</u>		<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
Restr.	72-20-5100-5300-052 ABC BOARD EXPENDITURES						
Revenue	To record FY24 revenue	41793	05/13/2024	EBRADFORI	19,157.85	8,000.00	27,157.85
						<u>112,726.00</u>	

APPROVED: 5/0

DATE: 05/13/24

VERIFIED: *Sarah E. Kimrey*

DRAFT



## PROCLAMATION Memorial Day 2024

**WHEREAS**, Memorial Day is a day of reflection and solemn observance to honor the men and women of the armed forces who have lost their lives in service to their country; and

**WHEREAS**, what is now known as "Memorial Day" has its roots in Decoration Day – a day first observed on May 1, 1865 and led by Black soldiers including the 54th Massachusetts and the 34th and 104th U.S. Colored Troops, Black veterans, white missionaries, and newly emancipated Black citizens of Charleston, South Carolina to honor the dead Union troops buried at a planters' racetrack; and

**WHEREAS**, we honor all men and women of all wars and conflicts who fought and died on behalf of our treasured ideals and do so with the clear-eyed recognition of the horrors war brings to all those it touches; and

**WHEREAS**, the military service members who have fallen in combat leave behind families and other loved ones who are left with the pain of their loss and carry that loss with them for the remainder of their days, experiencing the true cost of war in ways the majority of their countrymen and women cannot; and

**WHEREAS**, Memorial Day, in accordance with a joint resolution of Congress passed May 11, 1950, is also a day dedicated as a call to prayer for permanent peace; and

**WHEREAS**, toward the goal of peace, Memorial Day is a day for somber reflection on lives lost and potentials left unfulfilled, and for holding fast to our earnest hope for and commitment to non-violent solutions to conflict and a true, lasting peace where all people can thrive; and

**WHEREAS**, from that first Decoration Day until now, we have made much progress as a nation and people to live up to the ideals for which so many have given the ultimate sacrifice, yet have much more work to do; and

**WHEREAS**, one way to honor the dead is to treat the living well;

**NOW, THEREFORE**, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim May 27, 2024 as "Memorial Day" in the Town of Hillsborough in honor of all members of the armed forces who have lost their lives in service to their country and I call on community members to recognize and support the loved ones of the fallen, and encourage all residents to reflect on their role in creating a more just, peaceful nation and world.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 13<sup>th</sup> day of May in the year 2024.



*Mark Bell*

Mark Bell, Mayor  
Town of Hillsborough



# PROCLAMATION

## Police Week and Peace Officers Memorial Day

May 12-18, 2024

**WHEREAS**, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Hillsborough Police Department; and

**WHEREAS**, on April 29, 1786, Sheriff Benjamin Brach of Chesterfield County, Virginia, became the first law enforcement officer to die in the line of duty in the United States; since then, more than 26,600 law enforcement officers in the United States have paid the ultimate price during the performance of their duties, including 639 in North Carolina; and

**WHEREAS**, over 50,000 assaults against law enforcement officers are reported each year, resulting in approximately 17,000 injuries; and

**WHEREAS**, the 87th Congress passed Public Law 87-726, a joint resolution authorizing the president to proclaim May 15th of each year as Peace Officers Memorial Day, and the calendar week during which May 15th occurs as Police Week; this was signed into law by President John F. Kennedy on Oct. 1, 1962; and

**WHEREAS**, the members of the Hillsborough Police Department play an essential role in safeguarding the rights and freedoms of our residents, they protect the innocent against deception and the weak against oppression, they unceasingly provide a vital public service without which our town would not enjoy the peace and liberty that we so dearly value; and

**WHEREAS**, it is important that community members know and understand the duties and responsibilities of our law enforcement officers and acknowledge the hazards and sacrifices that are a fundamental aspect of their profession;

**THEREFORE**, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim May 12 through May 18, 2024 as "Police Week" and call upon all organizations and residents to commemorate law enforcement officers, past and present, who have rendered dedicated service to their communities.

**NOW, THEREFORE**, I proclaim Wednesday, May 15, 2024 as "Peace Officers Memorial Day" and call upon all residents of Hillsborough to honor those law enforcement officers who made the ultimate sacrifice in service to their community or became disabled in their performance of their duty.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 13th day of May in the year 2024.



*Mark Bell*

Mark Bell, Mayor  
Town of Hillsborough



# PROCLAMATION

## National Public Works Week 2024

### Connecting the World Through Public Works

**WHEREAS**, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Hillsborough; and

**WHEREAS**, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are responsible for rebuilding, improving, and protecting our town's transportation, water supply, water and sewer treatment, solid waste systems, and facilities essential for our community members; and

**WHEREAS**, it is in the public interest for the residents of Hillsborough to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in our community; and

**WHEREAS**, the year 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association; and

**WHEREAS**, all residents are urged to join with representatives of the American Public Works Association and the Town of Hillsborough to pay tribute to our public works professionals and to recognize the substantial contributions they make to protecting our town's health, safety, and quality of life.

**NOW, THEREFORE**, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim May 19 through May 25, 2024, as "National Public Works Week" 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 13th day of May in the year 2024.



*Mark Bell*

Mark Bell, Mayor  
Town of Hillsborough



# PROCLAMATION

## Period Poverty Awareness Week

May 20-28, 2024

**WHEREAS**, approximately half of the population will have a period every month for decades of their lives and period supplies are a necessary product, each month, for millions of people across the country; and

**WHEREAS**, national surveys and research studies report that one in four menstruating individuals struggle to secure enough period supplies to meet their needs each month due to a lack of income and this lack of period supplies, known as period poverty, can adversely affect the health and well-being of menstruators; and

**WHEREAS**, national surveys also report that one in five women and girls miss work or school due to lacking a sufficient period supplies, exacerbating the vicious cycle of poverty by forcing menstruators to withdraw from daily life, losing pay or missing educational opportunities; and

**WHEREAS**, menstruators struggling with period poverty risk infections by using proxy products not intended for this purpose or not changing products as often as needed; and

**WHEREAS**, the people of Hillsborough recognize that period poverty is a public health issue, and addressing period poverty can enhance economic opportunity for Hillsborough's people and surrounding communities and improved health for women and girls/menstruators, thus ensuring all people have access to the basic necessities required to thrive and reach their full potential; and

**WHEREAS**, Hillsborough is proud to be home to trusted organizations, including Period Power, a program of the Diaper Bank of North Carolina, that recognize the importance of period products in ensuring health and providing economic stability and thus distribute period products through various channels; and

**WHEREAS**, the Hillsborough Board of Commissioners extends its sincere gratitude to the aforementioned period supply banks, their staff, volunteers and donors, for their courageous service during the crisis, and encourage the citizens of Hillsborough to donate generously to period supply banks, product drives, and those organizations that collect and distribute period products to those struggling with period poverty, so that the Hillsborough community can thrive and reach their full potential;

**NOW, THEREFORE**, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim May 20 through May 28, 2024, as "Period Poverty Awareness Week" 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 13<sup>th</sup> day of May in the year 2024.



*Mark Bell*

Mark Bell, Mayor  
Town of Hillsborough



# PROCLAMATION

## Recognizing the Month of May as Asian American and Pacific Islander Heritage Month

**WHEREAS,** Asian Americans across the United States can trace their roots to more than 20 countries in East and Southeast Asia, the Indian subcontinent, and the Pacific Islands, each with unique histories, cultures and languages; and

**WHEREAS,** North Carolina has been home to members of the Asian American and Pacific Islander communities since the mid-19th century, when the first Chinese immigrants began to settle in the state; and

**WHEREAS,** the month of May was selected as a way to honor the immigration of the first Japanese residents to the United States in 1843 and the completion of the Transcontinental Railroad in 1869, which was constructed by predominately Chinese immigrants; and

**WHEREAS,** the efforts and contributions of Asian Americans and Pacific Islanders can be seen across many aspects of society, including education, business, and science, playing a pivotal role in North Carolina's rich history; and

**WHEREAS,** in 1977, a joint resolution was passed by the U.S. Congress directing the President to issue a proclamation designating the week beginning on May 4, 1979, as Asian/Pacific American Heritage Week; and

**WHEREAS,** in 1992, the U.S. Congress passed a law permanently designating May of each year as Asian/Pacific American Heritage Month; and

**WHEREAS,** the Town of Hillsborough recognizes the paramount importance of actively promoting the understanding of, fostering appreciation for, and raising awareness of the rich and diverse cultures and history of Asian Americans and Pacific Islanders among its residents;

**NOW, THEREFORE,** I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim the month of May as "Asian American and Pacific Islander Heritage 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 13th day of May in the year 2024.



*Mark Bell*

Mark Bell, Mayor  
Town of Hillsborough



## ORDINANCE

### Amending Article VII – Recreation

#### Sections 3-48 through 3-50 of the Code of Ordinances

The Hillsborough Board of Commissioners ordains:

**Section 1.** Chapter 3, Article VII, of the Hillsborough Code of Ordinances is amended as follows:

#### **Section 3-48. Town park and greenway trail hours of operation; remaining after closing.**

- (a) Unless otherwise authorized by the town manager, or the manager's designee, all town parks are closed from 30 minutes past sunset until 7 a.m. Use of a park outside of these operating hours must be authorized by the Town of Hillsborough through an approved special event permit.
- (b) Unless otherwise authorized by the town manager, or the manager's designee, all town greenway trails are closed from 30 minutes past sunset until sunrise. Use of a greenway outside of these operating hours must be authorized by the Town of Hillsborough through an approved special event permit.
- (c) It shall be unlawful to remain upon the park or greenway grounds during the time the facility is closed.

#### **Section 3-49. Rules and regulations for town parks and greenways.**

The rules and regulations for town parks and greenways are as follows:

- (1) All persons in any park or greenway shall obey all posted regulations, signs and directions.
- (2) No person shall willfully mark, deface, disfigure, injure, tamper with, displace, dig, or remove any structure, equipment, facility, vegetation or any other real or personal property that is located within the park or greenway and belonging to the town unless authorized by the Town of Hillsborough. This includes but is not limited to the removal of any artifacts, plants, flowers, or foliage from town parks or greenways.
- (3) No person shall park, drive or ride motorized vehicles in town parks or greenways, except in designated roadways and parking areas unless authorized by the Town of Hillsborough. Parking areas at town parks are restricted to park users and patrons.
- (4) No person shall dump, deposit, leave or place trash, balloons, confetti, ashes, broken glass or other waste within any park or greenway except in designated waste or recycling receptacles provided for the purpose. No person shall dispose of household garbage or rubbish within any town park or greenway. All pet waste shall be picked up and disposed of in pet waste receptacles or removed from the site.
- (5) No person shall camp or stay overnight in any town park or greenway.
- (6) No person shall carry, possess or use any firearm or other dangerous weapon within any town park. This section shall not apply to law enforcement or other government personnel acting within the scope of their employment.

- (7) No person shall use, consume or possess any alcoholic beverages, beer or wine within any town park or greenway unless authorized by the Town of Hillsborough through a special event permit. No person shall use, consume or possess any narcotic drug or hallucinogen or any other controlled substance within any town park or greenway without a valid physician's prescription for the substance.
- (8) No person shall engage, either verbally or physically, in any loud, disruptive or offensive conduct, or engage in any activity or sport in a manner which threatens the safety or welfare of other patrons of the town park or greenway, or which unreasonably impairs the public's opportunity to use and enjoy the park.
- (9) No person shall ride or bring livestock or other animals, with the exception of leashed domesticated pets, to a town park or greenway. Unleashed dogs are prohibited outside of designated dog parks. Pets must be supervised at all times.
- (10) No person shall access or use any body of water in or adjacent to a town park or greenway where there is not properly permitted public access to the body of water.
- (11) Advertising, commercial or income generating activity is prohibited in town parks and greenways unless authorized by the Town of Hillsborough through a special event permit. This includes but is not limited to fitness classes, personal instruction, and selling of goods or services.
- (12) The following activities are prohibited in town parks and greenways:
- (a) Balloon releases
  - (b) Bounce house or inflatables
  - (c) Climbing walls
  - (d) Fire, fire pits, fireworks
  - (e) Game trailers
  - (f) Golf
  - (g) Petting zoos, circuses, carnivals
  - (h) Waterslides, water balloons, pools, and other water toys
  - (i) High voltage electrical items. Outlets in picnic shelters are limited to 200 amps or lower. Electricity is not provided in all shelters.
  - (j) Paints, spray paints, and permanent markings on fields, buildings, equipment, walkways, and trails.
  - (k) The use of cleated shoes on playing fields.

**Section 3-50. Reservation of facilities within town parks.**

- (a) The town may allow the reservation of certain facilities within town parks for private use for limited periods when such use does not conflict with enjoyment of the park by the general public or other town policies.
- (b) A person seeking to reserve a town park facility must submit a reservation permit application a minimum of 14 days in advance of the reservation date. The reservation request must be approved by town staff in advance of the reservation date for the reservation to be effective. Fees associated with the reservation are non-refundable and are due on the date specified by town staff after the reservation request is reviewed. Cancellations made 7 days prior to the reservation date may be issued a credit toward a future reservation of the facility, to be used within one calendar year. Reservation cancellations made within 7 days of the reservation date are not eligible for credit.
- (c) The reservation shall be on a form provided by town staff and require sufficient information to identify the person requesting the permit, emergency contact information, the facility to be reserved, the proposed use and duration of use, and proof of liability insurance if deemed necessary by the town.
- (d) The public space manager or their designee is authorized to approve park facility reservation permits.
- (e) The reservation permit-issuing staff may issue a reservation permit when they find that the proposed activity or use of the park:
  - (1) Will not unreasonably interfere or detract from the general public enjoyment of the park;
  - (2) Will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
  - (3) Is not reasonably anticipated to incite violence, crime or disorderly conduct;
  - (4) Will not entail unusual, extraordinary or burdensome expense or police operation by the town;
  - (5) Has not been reserved for other use at the day and hour required in the application.
- (f) Not to limit the generality of paragraph (e), the following activities are prohibited and may not be permitted as part of a park reservation but can be considered and approved during the review of a special event permit:
  - (1) Archery;
  - (2) Sound amplifying equipment including but not limited to PA systems and stereos;
  - (3) Temporary chalk markings associated with sports and games on playing fields.
- (g) Events that meet a threshold specified in section 7-18 shall seek a special event permit rather than a park reservation permit. The standard reservation fees apply for special events, unless sponsored by the Town of Hillsborough. The following regulations apply to all special events in town parks:

- (1) Events at town parks are limited to a total number of 75 persons excluding Town of Hillsborough hosted events.
- (2) Events at town parks must comply with Section 5 of the Code of Ordinances: Noise.
- (3) Event sponsors and hosts are responsible for the collection and disposal of all trash and waste that is not located within a provided trash bin or receptacle. No trash may be left on site or placed outside of the provided waste receptacles.
- (h) Town parks and greenways may not be reserved for exclusive, non-public use unless approved by the Hillsborough Board of Commissioners through a special event permit.

**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 May in the year 2024.

Ayes: 5

Noes: 0

Absent or excused: 0



*Sarah E. Kimrey*

Sarah E. Kimrey, Town Clerk



## ORDINANCE

### Amending Chapter 13 – Cemeteries

#### Section 13-2 through 13-7 of the Code of Ordinances

The Hillsborough Board of Commissioners ordains:

**Section 1.** Chapter 13 – Cemeteries, of the Hillsborough Code of Ordinances is amended as follows:

#### **Section 13-2. Application of provisions**

Unless specifically stated to the contrary, this chapter applies only to cemeteries owned or operated by the town.

#### **Section 13-3. Burial only in cemeteries.**

No person may bury or cause to be buried the body of any deceased person within the town limits in any place other than a church cemetery, or a cemetery owned or operated by the town or another governmental entity, or a private cemetery licensed or specifically exempted from licensing according to the North Carolina Cemetery Act, article 9 of G.S. chapter 65 (G.S. 65-46—65-73).

#### **Section 13-4. Disruptive activity prohibited.**

- (a) No person may drive any motor vehicle of any kind in any cemetery owned or operated by the town except upon the main roads and avenues provided therein for vehicular traffic. Excluded from this prohibition are any types of equipment necessary for grave preparation or monument setting.
- (b) No person may drive any motor vehicle or park any motor vehicle in any cemetery owned or operated by the town unless in attendance at burial services or otherwise engaged in activities consistent with the use of a cemetery as a cemetery.
- (c) No person may take any dog, except when on a leash, or any other animal into any cemetery owned or operated by the town unless affiliated with and authorized as part of a funeral service or allow any animal to run at large therein. No person may walk a leashed dog in any cemetery owned or operated by the town except upon the paved roads and sidewalks provided therein for vehicular traffic. Dogs are strictly prohibited in the Margaret Lane Cemetery and Old Town Cemetery.
- (d) No person may intentionally disrupt any funeral services or disturb the quiet and good order of any cemetery by extremely loud or boisterous conduct. Except in the case of military funerals and veterans or military commemorative exercises, no person may carry or discharge firearms in any cemetery owned or operated by the town.
- (e) No person may post or attach any bills, posters, placards, pictures or other form of political or commercial advertising within any cemetery owned or operated by the town or on the inside or outside of any wall or fence enclosing any such cemetery.
- (f) No person shall participate in any active recreational games or sports in any cemetery owned or operated by the town. Strolling, walking, and jogging are permitted but shall not interrupt

funeral services. Passive recreation such as sitting in quiet reflection and contemplation are permitted. Picnics are strictly prohibited in the Margaret Lane Cemetery and Old Town Cemetery.

- (g) All persons will respect the solemnity of the cemetery and observe the rules which have been established for the purpose of securing quiet and good order at all times within all cemeteries owned or operated by the town.

#### **Section 13-5. Desecration of public and private cemeteries.**

- (a) As provided in G.S. 14-148, any person who willfully commits in any cemetery located within the town's corporate limits, any of the acts set forth in the following subsections, shall be guilty of a Class 1 misdemeanor and shall be fined not more than \$100. Damages of \$1,000 or more will result in a Class 1 felony. In passing sentence, the court shall consider the appropriateness of restitution as a condition of probation under G.S. 15A-1343(b)(9) as an alternative to actual imposition of a fine, jail term, or both.
  - (1) Throwing, placing, or putting any refuse, garbage, trash, or articles of similar nature in or on a public or private cemetery where human bodies are interred.
  - (2) Removing, disturbing, vandalizing, destroying, or tampering with any shrubbery, flowers, plants, or other articles planted or placed within any cemetery to designate where human remains are interred or to preserve and perpetuate the memory and name of any person, without authorization of law or the consent of the surviving spouse or next of kin.
- (b) Provided nothing contained in this section shall preclude operators of such cemeteries from exercising all the powers reserved to them in their respective rules and regulations relating to the care of such cemeteries.

#### **Section 13-6. Hours of operation.**

- (a) The cemeteries owned or operated by the town shall remain open to the public throughout the year from sunrise until sunset.
- (b) No person may enter any town-owned or operated cemetery at any time other than the hours of operation established by subsection (a) of this section.

#### **Section 13-7. Trees; plantings; landscaping.**

- (a) No person may plant, prune, or remove any tree, shrub, flower, grass or other plant of any kind located within a cemetery owned or operated by the town.
- (b) No person may place on or around any gravesite a fence, border, picture, toy, handmade ornament, or other self-described memoriam between March 1 and the October 31 of each year.
- (c) The public works manager or his designee may enter any lot and remove any tree, shrub, or other plant that hinders the maintenance of any part of the cemetery. This also applies to the items referred to in subsection (b) of this section.
- (d) The public works director or his designee may remove from the cemetery all floral designs, flowers, weeds, or plants of any kind from the cemetery as soon as they deteriorate or otherwise become unsightly.

**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 May in the year 2024.

Ayes: 5

Noes: 0

Absent or excused: 0



  
\_\_\_\_\_  
Sarah E. Kimrey, Town Clerk

DRAFT



# ORDINANCE

## Capital Project Amendment

### McAdams Road Water Main Replacement

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.

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
McAdams Water Main Replacement	\$350,000	\$10,000	\$360,000

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

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
McAdams Water Main Replacement	\$350,000	\$10,000	\$360,000

**Section 3.** This capital project will close automatically upon projection completion.

**Section 4.** 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 13<sup>th</sup> day of May in the year 2024.

Ayes: 5  
Noes: 0  
Absent or excused: 0



*Sarah E. Kimrey*  
\_\_\_\_\_  
Sarah E. Kimrey, Town Clerk

FY 2023-2024

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 05/14/2024 TO 05/14/2024

<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
30-00-3850-3850-000 INTEREST EARNED						
Adj to actual	41807	05/14/2024	EBRADFORI	10,000.00	10,000.00	45,500.00
30-71-8140-5982-001 TRANSFER TO UTIL CAP IMPROV FUND						
McAdams Rd Wtr Main Construction	41806	05/14/2024	EBRADFORI	14,537.00	10,000.00	1,497,593.78
69-43-3870-3870-519 TRANSFER FROM WSF-McADAMS RD WTR MA						
To cover construction	41804	05/14/2024	EBRADFORI	0.00	10,000.00	360,000.00
69-43-8140-5700-861 McADAMS RD WATER MAIN REPLACEMENT						
To cover construction	41805	05/14/2024	EBRADFORI	0.00	10,000.00	360,000.00
					<u>40,000.00</u>	

APPROVED: 5/0

DATE: 05/13/24

VERIFIED: \_\_\_\_\_

*Sam E. Kimrey*

DRAFT



## RESOLUTION

### Authorizing the Submission of the FY 2024 - 2025 HOME Annual Action Plan and Program Design for Orange County, North Carolina

**WHEREAS**, the Hillsborough Board of Commissioners as a member of the Orange County HOME Consortium authorizes the town manager to submit the Orange County Annual Action Plan for Fiscal Year 2024-2025 to the U.S. Department of Housing and Urban Development, including all understandings, assurances, and certifications required therein; and

**WHEREAS**, the board approves the following activities for the Fiscal Year 2024-2025 HOME Program:

<b><u>Tenant Based Rental Assistance</u></b>	<b>\$136,499</b>
<i>Funds will be allocated to the Orange County Partnership to End Homelessness to provide rental assistance for people experiencing homelessness or low-income households (at or below 30% AMI).</i>	
<b><u>Rental Construction – CASA</u></b>	<b>\$222,120</b>
<i>Funds will be allocated to CASA for the predevelopment and new construction costs for seventy-two (72) units for households at or below eighty percent (80%) AMI in the Town of Hillsborough</i>	
<b><u>Program Administration</u></b>	<b>\$36,701</b>
<b><u>Total Funding</u></b>	<b>\$395,320</b>

**WHEREAS**, 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;

**NOW, THEREFORE**, be it resolved by the Hillsborough Board of Commissioners that this resolution is effective upon approval.

Approved this 13<sup>th</sup> day of May of the year 2024.



*Mark Bell*

Mark Bell, Mayor  
Town of Hillsborough

Attestation:

*Sarah E. Kimrey*

Sarah E. Kimrey, Town Clerk



## RESOLUTION

### Authorizing a Global Funding Agreement with Orange County, The Durham-Chapel Hill-Carrboro MPO and GoTriangle

**WHEREAS**, the Town of Hillsborough has a longstanding and extensive commitment to multimodal transportation, including local and regional public transit systems; and

**WHEREAS**, the Town of Hillsborough has been allocated Orange County Transit funds for capital projects related to improved access to transit service; and

**WHEREAS**, the 2023 Comprehensive Participation Agreement requires all participating organizations to enter into Global Funding Agreements with Orange County, GoTriangle and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization in order to receive transit tax revenues for operations or capital projects;

**NOW, THEREFORE**, be it resolved that the Hillsborough Board of Commissioners authorizes the town manager to enter into a Global Financial Agreement with Orange County, GoTriangle and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization for the purpose of receiving Orange County Transit Revenues.

Approved this 13<sup>th</sup> day of May of the year 2024.



*Mark Bell*

Mark Bell, Mayor  
Town of Hillsborough

Attestation:

*Sarah E. Kimrey*

Sarah E. Kimrey, Town Clerk



## PROCLAMATION

### National Cities, Towns and Villages Month

**WHEREAS**, the National League of Cities was founded in 1924 in Lawrence, Kansas, as the American Municipal Association by state municipal leagues seeking more coordination and national representation as cities, towns, and villages expanded rapidly; and

**WHEREAS**, the nonpartisan National League of Cities is the oldest and largest organization representing municipal governments throughout the United States, representing the interests of more than 19,000 cities, towns, and villages across the country; and

**WHEREAS**, the National League of Cities works in partnership with 49 state municipal leagues across the country to strengthen local leadership, drive innovation, and influence the federal policies that impact local programs and operations; and

**WHEREAS**, as the voice of cities, towns, and villages in Washington, DC, the National League of Cities has successfully championed federal legislative solutions that support municipalities and has worked closely with Congress and the Executive Branch to educate policymakers on the realities of local implementation; and

**WHEREAS**, local governments are the bedrock of American democracy, providing 336 million residents with the most accountable, responsive, inclusive, ethical, and transparent government in the world; and

**WHEREAS**, from the nation's smallest villages to its largest cities, America's local governments have been essential in transforming the United States of America into the greatest, most influential nation in world history; and

**WHEREAS**, the Town of Hillsborough was incorporated in 1754 and is proudly served today by Mayor Mark Bell, Mayor Pro Tempore Robb English, Commissioner Evelyn Lloyd, Commissioner Kathleen Ferguson, Commissioner Matt Hughes, Commissioner Meaghun Darab, and a municipal workforce of approximately 116 dedicated public servants;

**NOW, THEREFORE**, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim May 2024 as "National Cities, Towns, and Villages Month" in celebration of America's local governments and the National League of Cities' historical centennial anniversary.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 13<sup>th</sup> day of May in the year 2024.



*Mark Bell*

Mark Bell, Mayor  
Town of Hillsborough



# Minutes

## Board of Commissioners Budget Workshop and Public Hearing

7 p.m. May 28, 2024

Board Meeting Room, Town Hall Annex, 105 E. Corbin St.

**Present:** Mayor Mark Bell and commissioners Meaghun Darab, Robb English, Kathleen Ferguson, Matt Hughes and Evelyn Lloyd

**Staff:** Budget Director Emily Bradford, Planning and Economic Development Manager Shannan Campbell, Water Plant Superintendent Nathan Cates, 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, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Utility System Superintendent Joel Lashley, Deputy Utilities Director Jeff Mahagan, Finance Director Dave McCole, Town Manager Eric Peterson, Utilities Director Marie Strandwitz, Public Space and Sustainability Manager Stephanie Trueblood and Communications Manager Catherine Wright

### 1. Opening of the work session

Mayor Mark Bell called the meeting to order at 7 p.m.

### 2. Agenda changes and approval

**Motion:** Commissioner Kathleen Ferguson moved to approve the agenda as presented. Commissioner Evelyn Lloyd seconded.

**Vote:** 5-0.

### 3. Public hearing

#### A. Fiscal Year 2025 Budget Public Hearing

**Motion:** Ferguson moved to open the public hearing. Commissioner Matt Hughes seconded.

**Vote:** 5-0.

The board received comments from Ryan Lavalley, Leiha Edmonds and Daniel Bullock, who are connected with the Orange County Home Preservation Coalition. They:

- Expressed support for a proposal to set aside 2 cents of the property tax rate to affordable housing by Fiscal Year 2027.
- Encouraged reserving funds for home repair for low-income residents with flexibility in use of the funds regarding types of repairs and homes.

Two Hillsborough residents also spoke. One noted support for the proposed completion of a four-year plan to reduce the minimum usage charge for water and sewer service and encouraged consideration of smaller projects to continue the small-town, quality of life in Hillsborough. The other resident noted displeasure with the amount of stormwater on Churton Street during storms and the water and sewer rates.

Motion: Hughes moved to close the public hearing. Ferguson seconded.  
Vote: 5-0.

#### **4. Presentations**

##### **A. Water and Sewer Rate Model Presentation**

The board received a presentation from financial consultants Melissa Levin and Vanessa Waller with the local government and utility management consulting firm Raftelis. They provided an overview of a water and sewer rate study and multi-year rate model created for staff to use in developing the budget. They presented findings, including that:

- The proposed 7.5% increases to water and sewer rates for fiscal years 2025-27 are the minimum the town must do.
- More than 40% of the town's customers are using no more than the minimum allowance for water.
- The four-year plan to reduce the minimum usage has resulted in significant revenue loss for the town. Customers using no more than the minimum have had lower bills despite rate increases the last three fiscal years.
- The town's rate structure does not include a component to cover expenses related to service readiness regardless of whether water is used. Customers using 2,000 gallons or more are only paying for the water they use.
- The town should consider future rate increases and adjustments to the rate structure.

#### **5. Items for decision - consent agenda**

- A. Miscellaneous budget amendments and transfers
- B. Proclamation – LGBTQ+ Pride Month
- C. Proclamation – Gun Violence Awareness Day
- D. Approval of funds to attend Women in Municipal Government Conference
- E. Ordinance Amending Section 5-11.a of the Code of Ordinances – Non-Discrimination Ordinance

Motion: Ferguson moved to approve all items on the consent agenda. Commissioner Meaghun Darab seconded.

Vote: 5-0. Nays: None.

The board took a brief break.

#### **6. In-depth discussion and topics**

##### **A. Fiscal Year 2025 Budget Workshop – Water and Sewer Fund**

The board discussed budget proposals for the Water and Sewer Fund. Members asked for additional details on items and checked that some repairs and projects could be deferred without risk to operations.

There was discussion about grants and other funding sources. The utilities director noted that the town's attention to maintaining the system can hurt its ability to compete for funding because failing systems would score higher in priority for funding dollars.

There was a reminder about a second budget work session on the general and stormwater funds on June 3.

#### **7. Committee updates and reports**

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

It was noted that:

- The Upper Neuse River Basin Association is pushing for readoption of new Falls Lake Rules regarding protecting water quality in the lake.

- The region's metropolitan planning organization has adopted the U.S. 70 West multimodal corridor plan created by Orange County.
- The Hillsborough Parks and Recreation Board is completing a revision of a master plan for Cates Creek Park and considering more shade options there. The volunteer board also is discussing repurposing multi-use fields at Cates Creek and Gold parks.

Assistant Town Manager and Community Services Director Matt Efird noted primary and backup dates in July for a planned affordable housing work session.

**8. Adjournment**

Bell adjourned the meeting at 9:35 p.m.

Respectfully submitted,

Sarah Kimrey  
Town Clerk  
Staff support to the Board of Commissioners

DRAFT

FY 2023-2024

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT  
DATES: 05/28/2024 TO 05/28/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
GF Revenue	10-00-3850-3850-000 INTEREST EARNED Yr-end adjustment	41869	05/28/2024	EBRADFORI	100,000.00	24,500.00	124,500.00
GF Contingency	10-00-9990-5300-000 CONTINGENCY Emergency Operations Plan	41868	05/28/2024	EBRADFORI	450,000.00	-5,500.00	0.00
Admin. Services	10-10-4200-5300-474 RECRUITMENT Yr-end adjustment	41878	05/28/2024	EBRADFORI	0.00	4,260.00	10,760.00
Admin. Services	10-10-4200-5300-570 MISCELLANEOUS Yr-end adjustment	41879	05/28/2024	EBRADFORI	57,553.00	-4,260.00	70,600.32
Safety & Risk	10-10-6600-5300-080 TRAINING/CONF./CONV. To cover gas monitor lease.	41889	05/28/2024	JFernandez	16,800.00	-110.00	9,136.00
Safety & Risk	10-10-6600-5300-332 SUPPLIES - OSHA To cover gas monitor lease.	41888	05/28/2024	JFernandez	50,775.00	110.00	69,104.55
Police	10-20-5100-5300-161 MAINTENANCE - VEHICLES To add rifle mounts to vehicles.	41887	05/28/2024	JFernandez	1,000.00	4,000.00	49,772.00
Police	10-20-5100-5300-732 EMERGENCY OPERATIONS CENTER Emergency Operations Plan	41867	05/28/2024	EBRADFORI	0.00	30,000.00	30,000.00
Police	10-20-5100-5700-740 CAPITAL - VEHICLES To add rifle mounts to vehicles.	41886	05/28/2024	JFernandez	190,000.00	-4,000.00	256,228.00
Solid Waste	10-30-5800-5300-583 VEHICLE TAX & TAGS Move Tax/Tag to correct account	41885	05/28/2024	EBRADFORI	3,906.00	2,006.00	6,340.00
Solid Waste	10-30-5800-5700-740 CAPITAL - VEHICLES Move Tax/Tag to correct account	41884	05/28/2024	EBRADFORI	130,000.00	-2,006.00	495,323.06
Cemetery	10-40-6400-5300-330 SUPPLIES - DEPARTMENTAL To cover Cemetery Software	41874	05/28/2024	EBRADFORI	500.00	-160.00	340.00
Cemetery	10-40-6400-5300-458 DATA PROCESSING SERVICES To cover Cemetery Software	41873	05/28/2024	EBRADFORI	1,500.00	160.00	1,660.00
Admin. of Enterprise	30-80-7200-5300-570 MISCELLANEOUS Yr-end adj	41877	05/28/2024	EBRADFORI	164,999.00	-12,500.00	18,149.00
Billing & Collections	30-80-7240-5300-113 LICENSE FEES Yr-end adj	41880	05/28/2024	EBRADFORI	2,100.00	-645.00	1,455.00
	To cover final personnel assistance invoice	41890	05/28/2024	JFernandez	2,100.00	-165.00	1,290.00
Billing & Collections	30-80-7240-5300-145 MAINTENANCE - BUILDINGS Yr-end adj	41883	05/28/2024	EBRADFORI	0.00	50.00	100.00
Billing & Collections	30-80-7240-5300-320 SUPPLIES - OFFICE Yr-end adj	41881	05/28/2024	EBRADFORI	1,200.00	70.00	1,820.00
Billing & Collections	30-80-7240-5300-503 C.S./TEMPORARY PERSONNEL Yr-end adj	41882	05/28/2024	EBRADFORI	0.00	525.00	26,614.89
	To cover final personnel assistance invoice	41891	05/28/2024	JFernandez	0.00	165.00	26,779.89
WTP	30-80-8120-5300-320 SUPPLIES - OFFICE To cover WTP office supplies.	41900	05/28/2024	JFernandez	1,300.00	126.00	1,426.00
WTP	30-80-8120-5300-570 MISCELLANEOUS To cover WTP office supplies.	41899	05/28/2024	JFernandez	1,200.00	-126.00	869.00
Water Dist.	30-80-8140-5100-020 SALARIES JFernandez		05/21/2024	10:59:16AM			
	f1142r03						

FY 2023-2024

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 05/28/2024 TO 05/28/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
	To cover Dist/Coll Intern	41871	05/28/2024	EBRADFORI	450,888.00	1,500.00	490,388.00
Water Dist.	30-80-8140-5125-063 HOSPITALIZATION - RETIREE						
	To cover Dist/Coll Intern	41870	05/28/2024	EBRADFORI	0.00	-3,000.00	15,850.00
Water Dist.	30-80-8140-5300-154 MAINTENANCE - GROUNDS						
	To cover sewer right-of-way easement cle	41892	05/28/2024	JFernandez	34,100.00	-4,136.00	29,964.00
	For clearing of sewer easements.	41894	05/28/2024	JFernandez	34,100.00	-3,108.00	26,856.00
WW Collect.	30-80-8200-5100-020 SALARIES						
	To cover Dist/Coll Intern	41872	05/28/2024	EBRADFORI	463,360.00	1,500.00	464,860.00
WW Collect.	30-80-8200-5300-154 MAINTENANCE - GROUNDS						
	To cover sewer right-of-way easement cle	41893	05/28/2024	JFernandez	36,300.00	4,136.00	40,436.00
	For clearing of sewer easements.	41895	05/28/2024	JFernandez	36,300.00	3,770.00	44,206.00
WW Collect.	30-80-8200-5300-326 SUPPLIES - PATCH						
	For clearing of sewer easements.	41896	05/28/2024	JFernandez	16,000.00	-662.00	17,001.95
WWTP	30-80-8220-5300-158 MAINTENANCE - EQUIPMENT						
	Yr-end adj	41875	05/28/2024	EBRADFORI	84,150.00	10,000.00	119,496.16
WWTP	30-80-8220-5300-530 DUES & SUBSCRIPTIONS						
	Yr-end adj	41876	05/28/2024	EBRADFORI	10,561.00	2,500.00	10,561.00
						<u>49,000.00</u>	

APPROVED: 5/0

DATE: 05/28/24

VERIFIED: Janet E. Kimrey



## PROCLAMATION LGBTQ+ Pride Month 2024

**WHEREAS**, all are welcome in the Town of Hillsborough to live, work, and play, and every family deserves a place to call home where they are safe, happy, accepted and supported; and

**WHEREAS**, the Town of Hillsborough denounces prejudice and discrimination based on age, gender identity, gender expression, race, religion, marital or familial status, national origin, immigration status, sexual orientation, or physical attributes as an affront to our fundamental principles; and

**WHEREAS**, Pride Month began in June of 1969 on the one-year anniversary of the Stonewall Uprising in New York City after Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ+) and allied friends rose and fought against the constant police harassment and discriminatory laws that have since been declared unconstitutional; and

**WHEREAS**, throughout much of the history of the United States, same-sex relationships were criminalized in many states and many LGBTQ+ people in the United States were forced to hide their LGBTQ+ identities while living in secrecy and fear, including under previous policies such as "Don't Ask, Don't Tell"; and

**WHEREAS**, LGBTQ+ people in the United States face disparities in employment, healthcare, education, housing, and many other areas central to the pursuit of happiness in the United States; and

**WHEREAS**, numerous states have no explicit ban on discrimination based on sexual orientation and gender identity in the workplace (16), housing (18), public accommodations (21), and in schools (25); and

**WHEREAS**, there are members of the North Carolina General Assembly who remain insistent on attempting to pass legislation that prohibits LGBTQ+ people, especially transgender youth, from living authentic, thriving lives; and

**WHEREAS**, Hillsborough has historically offered support to the LGBTQ+ community by extending same-sex partner benefits to town employees before the legalization of same-sex marriage and officially opposing the 2012 amendment to the North Carolina Constitution defining marriage as being between one man and one woman; and

**WHEREAS**, Hillsborough first proclaimed LGBTQ+ Pride Month in 2019 at the suggestion of the town's first out member of the Board of Commissioners; and

**WHEREAS**, Hillsborough became the first municipality in North Carolina to pass a non-discrimination ordinance after the sunset of House Bill 142 to extend vital protections to LGBTQ+ individuals in our town; and

**WHEREAS**, the Town of Hillsborough appreciates the cultural, civic, and economic contributions of the LGBTQ+ community which strengthens our collective community and social welfare; and

**WHEREAS**, it is imperative that young people in our community, regardless of sexual orientation, gender identity, and expression, feel valued, safe, empowered, and supported by their community; and

**WHEREAS**, despite being marginalized, LGBTQ+ people continue to celebrate authenticity, acceptance, and love;

**NOW, THEREFORE**, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim the month of June 2024 as "LGBTQ+ Pride Month" and urge residents to recognize the contributions made by members of the LGBTQ+ community and to actively promote the principles of equality, liberty, and justice 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 28<sup>th</sup> day of May in the year 2024.



*Mark Bell*

Mark Bell Mayor  
Town of Hillsborough



## PROCLAMATION National Gun Violence Awareness Day

**WHEREAS**, every day, more than 120 Americans are killed by gun violence and more than 200 are shot or wounded; and

**WHEREAS**, Americans are 26 times more likely to be murdered with guns than people in other developed countries; and

**WHEREAS**, North Carolina ranks 23rd amongst states for gun deaths in the United States with an average of 1,636 deaths every year with 54% of gun-related deaths by suicide; and

**WHEREAS**, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and

**WHEREAS**, together with our neighbors in Orange County, Carrboro, and Chapel Hill, the Town of Hillsborough supports efforts to enact commonsense gun safety laws and educate the community on gun safety; and

**WHEREAS**, anyone can join this campaign by pledging to wear orange on Friday, June 7th to help raise awareness about gun violence; and

**WHEREAS**, by wearing orange on June 7th, Americans will raise awareness about gun violence and honor the lives and lost human potential of Americans stolen by gun violence; and

**WHEREAS**, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep our children safe;

**NOW, THEREFORE**, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim June 7, 2024, as "National Gun Violence Awareness Day" in the Town of Hillsborough and encourage everyone to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 28th day of May in the year 2024.



*Mark Bell*

Mark Bell, Mayor  
Town of Hillsborough



## ORDINANCE

### Amending Town Code Section 5-11.a

The Hillsborough Board of Commissioners ordains:

**Section 1.** The following Section 5-11.a of the Code of Ordinances shall be amended.

#### **1. Definitions.**

The following definitions apply to this ordinance:

- (a) "Discrimination" means any difference in treatment based on race, natural hair or natural hairstyles, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, pregnancy, veteran status, religious belief, age, or disability.
- (b) "Employer" includes any person employing one or more persons within the Town of Hillsborough and any person acting in the interest of an employer, directly or indirectly.
- (c) "Gender identity or expression" means having or being perceived as having gender-related identity, expression, appearance, or behavior, whether or not that identity, expression, appearance, or behavior is different from that traditionally associated with the sex assigned to that individual at birth.
- (d) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, legal representatives, unincorporated organizations, fiduciaries, and other organized groups of persons.
- (e) "Place of public accommodation" includes, but is not limited to, any place, facility, store, other establishment, hotel, or motel that supplies goods or services on the premises to the public or which solicits or accepts the patronage or trade of any person.

#### **2. Discrimination in places of public accommodations prohibited.**

It shall be unlawful for any proprietor or his/her employer, keeper, or manager in a place of public accommodation to deny any person, except for reasons applicable alike to all persons, regardless of race, natural hair or natural hairstyles, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, pregnancy, veteran status, religious belief, age, or disability the full enjoyment of the accommodations, advantages, facilities or privileges thereof.

#### **3. Discrimination in employment prohibited.**

It shall be unlawful for any employer, because of the race, natural hair or natural hairstyles, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, pregnancy, veteran status, religious belief, age or disability or of any person to refuse to hire or

otherwise discriminate against him/her with respect to hire, tenure, conditions, or privileges of employment, or any matter directly or indirectly related to employment.

The provisions of this section shall become effective on the thirtieth (30<sup>th</sup>) day after, and to the extent permitted, the occurrence of any of the following circumstances: (a) Any decision of the North Carolina Supreme Court which reverses, in whole or in part, *Williams v. Blue Cross Blue Shield of North Carolina*, 357 N.C. 170, 581 S.E. 2d 415 (2003); or (b) Adoption of an amendment to the North Carolina Constitution which, in whole or in part, authorizes the Assembly to enact local, private or special acts regulating trade and labor.

**4. Penalties and Enforcement.**

- (a) Any person, firm, or corporation violating any provisions of this ordinance shall be issued a citation setting forth a civil penalty of five hundred dollars (\$500.00). Each and every day during which such discrimination continues shall be deemed a separate offense. Violation of this ordinance shall not constitute a misdemeanor pursuant to G.S. 14-4(a).
- (b) In addition to, or in lieu of the remedy provided in subsection (a), any person, firm, or corporation violating any provisions of this ordinance may be subject to an enforcement action brought by the Town under G.S. 160A-175(d) and (e) for an appropriate equitable remedy, including for a mandatory or prohibitory injunction commanding the defendant to correct the discrimination prohibited under this ordinance.

**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 28<sup>th</sup> day of May in 2024.

Ayes: 5  
Noes: 0  
Absent or excused: 0



Sarah E. Kimrey, Town Clerk



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
Department: Administration  
Agenda Section: Consent  
Public hearing: No  
Date 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.

FY 2023-2024

# TOWN OF HILLSBOROUGH BUDGET CHANGES REPORT

DATES: 06/10/2024 TO 06/10/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
GF Revenues	10-00-3100-3100-190 CURRENT MOTOR VEHICLE LEVY Yr-end adj	41924	06/10/2024	EBRADFORI	777,000.00	73,000.00	850,000.00
GF Revenues	10-00-3100-3101-222 2022 TAX LEVY Yr-end adj	41925	06/10/2024	EBRADFORI	70,000.00	-30,000.00	40,000.00
GF Revenues	10-00-3100-3101-223 2023 TAX LEVY Yr-end adj	41926	06/10/2024	EBRADFORI	9,078,000.00	-183,000.00	8,895,000.00
GF Revenues	10-00-3110-3110-005 LOCAL OPTION SALES/HOLD HARMLESS Yr-end adj	41927	06/10/2024	EBRADFORI	831,000.00	-81,000.00	750,000.00
GF Revenues	10-00-3850-3850-000 INTEREST EARNED Yr-end adj	41928	06/10/2024	EBRADFORI	100,000.00	610,500.00	735,000.00
GF Fund Bal.	10-00-3900-3900-000 FUND BALANCE APPROPRIATION Yr-end adj	41931	06/10/2024	EBRADFORI	1,133,221.00	836,168.00	2,621,460.61
	Yr-end adj	41940	06/10/2024	EBRADFORI	1,133,221.00	2,500.00	2,623,960.61
	To cover barricades	41963	06/10/2024	EBRADFORI	1,133,221.00	7,079.00	2,631,039.61
GF Revenues	10-10-3400-3402-000 CABLE FRANCHISE FEE Yr-end adj	41929	06/10/2024	EBRADFORI	55,000.00	-25,000.00	30,000.00
Admin. Services	10-10-4200-5300-080 TRAINING/CONF./CONV. To cover Catapult and other through year-	41961	06/10/2024	JFernandez	22,050.00	-3,000.00	18,748.00
Admin. Services	10-10-4200-5300-530 DUES & SUBSCRIPTIONS To cover Catapult and other through year-	41960	06/10/2024	JFernandez	8,758.00	3,000.00	11,758.00
Public Space	10-10-6300-5300-330 SUPPLIES - DEPARTMENTAL To cover Cemetery Fountain Repair	41897	06/10/2024	EBRADFORI	25,000.00	-2,500.00	24,994.11
Streets	10-30-5600-5300-165 MAINTENANCE - INFRASTRUCTURE Yr-end adj	41905	06/10/2024	EBRADFORI	5,000.00	2,216.87	36,921.87
Streets	10-30-5600-5300-330 SUPPLIES - DEPARTMENTAL To cover barricades	41962	06/10/2024	EBRADFORI	27,500.00	7,079.00	29,526.00
Streets	10-30-5600-5700-729 CAPITAL - INFRASTRUCTURE Yr-end adj	41901	06/10/2024	EBRADFORI	239,000.00	-2,216.87	257,563.13
Cemetery	10-40-6400-5300-165 MAINTENANCE - INFRASTRUCTURE To cover Cemetery Fountain Repair	41898	06/10/2024	EBRADFORI	12,000.00	2,500.00	14,500.00
GF Transfers In	10-71-3870-3870-150 TRANSFER FROM GENERAL CRF Adj to actual	41937	06/10/2024	EBRADFORI	150,000.00	-69,852.00	100,148.00
GF Transfers In	10-71-3870-3870-900 TRANSFER FROM FUND 78-GF COMMITTED Bucket Truck	41939	06/10/2024	EBRADFORI	0.00	67,352.00	67,352.00
GF Transfers Out	10-71-5600-5982-002 TRANSFER TO GEN CAP IMPROV FUND Use cash for NC-86 Reno	41930	06/10/2024	EBRADFORI	0.00	1,200,668.00	1,226,650.00
WSF Transfers In	30-71-3870-3870-010 TRANSFER FROM UTILITIES CAPITAL IMP PS Abandonment Project	41923	06/10/2024	EBRADFORI	0.00	58,892.51	58,892.51
WSF Transfers Out	30-71-5972-5972-002 TRANSFER TO WATER SDF RESERVE FUND Adj per actual	41944	06/10/2024	EBRADFORI	0.00	2,363.00	82,348.00
WSF Transfers Out	30-71-5972-5972-003 TRANSFER TO SEWER SDF RESERVE FUND Adj to actual	41946	06/10/2024	EBRADFORI	0.00	-972.00	59,405.00
WSF Transfers Out	30-71-8140-5982-001 TRANSFER TO UTIL CAP IMPROV FUND JFernandez		06/04/2024	12:51:26PM			
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FY 2023-2024

# TOWN OF HILLSBOROUGH BUDGET CHANGES REPORT

DATES: 06/10/2024 TO 06/10/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
	Correct Air Release Valve Transfer	41941	06/10/2024	EBRADFORI	14,537.00	120,926.00	1,618,519.78
WSF Revenues	30-80-3500-3523-002 WATER SYSTEM DEVELOPMENT FEES Adj to actual	41943	06/10/2024	EBRADFORI	0.00	2,363.00	82,348.00
WSF Revenues	30-80-3500-3525-002 SEWER SYSTEM DEVELOPMENT FEES Adj per actual	41945	06/10/2024	EBRADFORI	0.00	-972.00	59,405.00
WSF Fund Bal.	30-80-3900-3900-000 FUND BALANCE APPROPRIATED PS Abandonment Project	41922	06/10/2024	EBRADFORI	1,768,570.00	16,107.49	4,791,005.80
	Correct Air Release Valve Transfer	41942	06/10/2024	EBRADFORI	1,768,570.00	120,926.00	4,911,931.80
Billing & Collections	30-80-7240-5300-334 DEPT SUPP-METER READING To cover uniforms for new Meter Technic	41906	06/10/2024	JFernandez	125,000.00	-400.00	132,815.59
Billing & Collections	30-80-7240-5300-350 UNIFORMS To cover uniforms for new Meter Technic	41907	06/10/2024	JFernandez	1,000.00	400.00	1,400.00
WFER	30-80-8130-5300-154 MAINTENANCE - GROUNDS To cover mowing at WFER and water qua	41904	06/10/2024	JFernandez	15,000.00	4,615.00	36,301.22
WFER	30-80-8130-5300-330 SUPPLIES - DEPARTMENTAL To cover mowing at WFER and water qua	41903	06/10/2024	JFernandez	10,000.00	-215.00	3,952.30
WFER	30-80-8130-5300-570 MISCELLANEOUS To cover mowing at WFER and water qua	41902	06/10/2024	JFernandez	2,600.00	-4,400.00	2,500.00
Water Dist.	30-80-8140-5300-145 MAINTENANCE - BUILDINGS To cover shop maintenance/cleaning supp	41911	06/10/2024	JFernandez	2,000.00	800.00	2,881.00
Water Dist.	30-80-8140-5300-165 MAINTENANCE - INFRASTRUCTURE To cover shop maintenance/cleaning supp	41910	06/10/2024	JFernandez	140,000.00	-800.00	71,200.00
WW Collect.	30-80-8200-5300-145 MAINTENANCE - BUILDINGS To cover shop maintenance/cleaning supp	41913	06/10/2024	JFernandez	2,000.00	853.00	2,934.00
WW Collect.	30-80-8200-5300-154 MAINTENANCE - GROUNDS To cover tree removal in Eno River.	41959	06/10/2024	JFernandez	36,300.00	1,271.00	45,477.00
WW Collect.	30-80-8200-5300-165 MAINTENANCE - INFRASTRUCTURE To cover shop maintenance/cleaning supp	41912	06/10/2024	JFernandez	187,500.00	-853.00	269,849.00
WW Collect.	30-80-8200-5300-323 SUPPLIES - CHEMICALS To cover tree removal in Eno River.	41957	06/10/2024	JFernandez	1,000.00	-1,000.00	0.00
WW Collect.	30-80-8200-5300-326 SUPPLIES - PATCH To cover tree removal in Eno River.	41958	06/10/2024	JFernandez	16,000.00	-271.00	16,730.95
WW Collect.	30-80-8200-5700-729 CAPITAL - INFRASTRUCTURE PS Abandonment Project	41921	06/10/2024	EBRADFORI	0.00	75,000.00	75,000.00
WWTP	30-80-8220-5300-158 MAINTENANCE - EQUIPMENT To cover WWTP equipment maintenance.	41908	06/10/2024	JFernandez	84,150.00	3,000.00	122,496.16
WWTP	30-80-8220-5300-570 MISCELLANEOUS To cover WWTP equipment maintenance.	41909	06/10/2024	JFernandez	104,410.00	-3,000.00	1,410.00
Gen. Cap. Proj.	60-05-3870-3870-406 TRANSFER FROM GF-NC86 RENOVATION Pay cash for NC86	41932	06/10/2024	EBRADFORI	325,982.00	1,200,668.00	1,398,450.00
Gen. Cap. Proj.	60-05-3980-3980-104 INSTALL FIN/NC86 RENOVATION Pay cash for NC86 Reno	41933	06/10/2024	EBRADFORI	2,000,000.00	-1,200,668.00	3,299,332.00
WS Cap. Proj.	69-15-8140-5700-744 EDD WATER LINE EXT INFRASTRUCTURE JFernandez		06/04/2024	12:51:26PM			
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FY 2023-2024

# TOWN OF HILLSBOROUGH BUDGET CHANGES REPORT

DATES: 06/10/2024 TO 06/10/2024

<u>REFERENCE</u>		<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
Adj to actual		41918	06/10/2024	EBRADFORI	509,404.00	-231,966.53	277,437.47
WS 69-15-8140-5972-002 TRANSFER TO FUND 75-WATER SDF RESER							
Cap. Proj.	Adj per actual	41919	06/10/2024	EBRADFORI	0.00	231,966.53	231,966.53
WS 69-21-8200-5700-739 WASTEWATER SYSTEM REHAB							
Cap. Proj.	Adj per actual	41914	06/10/2024	EBRADFORI	415,895.00	-58,892.51	357,002.49
WS 69-21-8200-5970-920 TRANSFER TO WATER SEWER FUND							
Cap. Proj.	Adj per actual	41916	06/10/2024	EBRADFORI	0.00	58,892.51	58,892.51
Gen. 71-10-6300-5700-851 SUSTAINABILITY							
Cap. Res.	Energy Mgmt Software	41934	06/10/2024	EBRADFORI	627,118.00	-20,000.00	600,000.00
Gen. 71-30-5600-5700-950 VEHICLES - STREETS							
Cap. Res.	Bucket Truck	41935	06/10/2024	EBRADFORI	80,148.00	-80,148.00	0.00
Gen. 71-71-6900-5970-910 TRANSFER TO GENERAL FUND							
Cap. Res.	Energy Mgmt Software & Bucket Truck	41936	06/10/2024	EBRADFORI	0.00	100,148.00	100,148.00
Water 75-71-3870-3870-156 TRAN FR W/S US-70 WTR IMPROVEMENTS							
SDF Res.	Adj to actual	41947	06/10/2024	EBRADFORI	282,795.50	7,812.00	603,995.00
Water 75-71-3870-3870-990 TRAN FR FUND 69-US-70 WTR IMPROV							
SDF Res.	Apply Unused EDD Funds to US70 Wtr I	41954	06/10/2024	EBRADFORI	0.00	231,966.53	231,966.53
Water 75-71-6900-5970-928 TRAN TO FUND 69 - US 70 PHASE I							
SDF Res.	Adj to actual	41948	06/10/2024	EBRADFORI	282,795.50	7,812.00	603,995.00
	Apply Unused EDD Funds to US70 Wtr I	41956	06/10/2024	EBRADFORI	282,795.50	231,966.53	835,961.53
Sewer 76-71-3870-3870-155 TRAN FR W/S - COLLECT SYS REHAB							
SDF Res.	Adj to actual	41949	06/10/2024	EBRADFORI	997,808.50	11,955.50	1,311,462.00
	Adj to actual	41951	06/10/2024	EBRADFORI	997,808.50	4,665.00	1,316,127.00
Sewer 76-71-6900-5970-927 TRAN TO UTIL CAP IMP FD - COLL SYS							
SDF Res.	Adj to actual	41950	06/10/2024	EBRADFORI	997,808.50	11,955.50	1,311,462.00
	Adj to actual	41952	06/10/2024	EBRADFORI	997,808.50	4,665.00	1,316,127.00
						<u>3,322,926.06</u>	



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
Department: Public Space  
Agenda Section: Consent  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Public Space and Sustainability Manager Stephanie Trueblood

#### ITEM TO BE CONSIDERED

**Subject:** Proclamation – National Pollinator Week 2024

**Attachments:**

Proclamation

**Summary:**

Each year the Town of Hillsborough celebrates National Pollinator Week to honor and raise awareness about the essential role pollinators play in the ecosystem. Hillsborough is an affiliate of Bee City USA and works throughout the year in a continued partnership between the Hillsborough Tree Board and the Hillsborough Garden Club to promote the protection and improved habitat and food sources for pollinators.

**Financial impacts:**

None.

**Staff recommendation and comments:**

None.

**Action requested:**

Approve proclamation recognizing June 17 through June 23 as National Pollinator Week in the Town of Hillsborough.



# PROCLAMATION

## National Pollinator Week 2024

June 17-23, 2024

**WHEREAS**, pollinator species such as birds, bees, butterflies and other insects are essential partners in producing much of our food supply; and

**WHEREAS**, pollination plays a vital role in the health of our national forests and grasslands, which provide forage, fish and wildlife, timber, water, mineral resources, and recreational opportunities as well as enhanced economic development opportunities for communities; and

**WHEREAS**, pollinator species provide significant environmental benefits that are necessary for maintaining healthy, diverse urban and suburban ecosystems; and

**WHEREAS**, pollination plays a vital role for the trees and plants of our community, enhancing our quality of life, and creating recreational and economic development opportunities; and

**WHEREAS**, for years the Town of Hillsborough has managed urban landscapes and public lands that include many municipal parks and greenways, as well as wildlife habitats; and

**WHEREAS**, the Town of Hillsborough provides recommendations to developers and residents regarding landscaping to promote wise conservation stewardship, including the protection of pollinators and maintenance of their habitats in urban and suburban environments; and

**WHEREAS**, the Town of Hillsborough is a proud affiliate of Bee City USA®;

**NOW, THEREFORE**, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim the week of June 17 through 23, 2024 as our municipality's "National Pollinator Week" in the Town of Hillsborough and urge all citizens to recognize this observance.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 10th day of June in the year 2024.

---

Mark Mayor  
Town of Hillsborough



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
Department: Finance  
Agenda Section: Consent  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Finance Director, Dave McCole

#### ITEM TO BE CONSIDERED

**Subject:** Contract for year-end audit services in connection with the fiscal year ending June 30, 2024

**Attachments:**

Audit Contract

**Summary:**

The contract will be offered for approval to satisfy the town's legal requirement to complete its annual financial statements and undergo an independent audit. This is the third year of a three-year contract agreement to have PBMAres perform the audit of the town's financials.

**Financial impacts:**

The contract is in the amount of \$70,700. Funds have been budgeted in Fiscal Year 2024-25 to cover the contract.

**Staff recommendation and comments:**

The finance director recommends that the board authorize approval of the final year of the three-year contract agreement with PBMAres.

**Action requested:**

Approve contract for audit services with PBMAres.

The	Governing Board
of	Board of Commissioners
	Primary Government Unit
	Town of Hillsborough, North Carolina
and	Discretely Presented Component Unit (DPCU) (if applicable)

*Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)*

and	Auditor Name
	PBMares, LLP
	Auditor Address
	3621 John Platt Drive, Morehead City, NC 28557

*Hereinafter referred to as Auditor*

for	Fiscal Year Ending	Date Audit Will Be Submitted to LGC
	06/30/24	10/31/24

*Must be within four months of FYE*

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.

2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards (GAGAS)* if the Governmental Unit expended \$100,000 or more in combined Federal and State financial assistance during the reporting period. The auditor shall perform a Single Audit if required by Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart F* (Uniform Guidance) or the State Single Audit Implementation Act. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

Effective for audits of fiscal years beginning on or after June 30, 2023, the LGC will allow auditors to consider whether a unit qualifies as a State low-risk auditee based upon federal criteria in the Uniform Guidance §200.520(a), and (b) through (e) as it applies to State awards. In addition to the federal criteria in the Uniform Guidance, audits must have been submitted timely to the LGC. If in the reporting year, or in either of the two previous years, the unit reported a Financial Performance Indicator of Concern that the audit was late, then

the report was not submitted timely for State low-risk auditee status. Please refer to "Discussion of Single Audits in North Carolina" on the LGC's website for more information.

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.

4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.

5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Auditing Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within four months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.

7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

For GAAS or *Government Auditing Standards* audits, if an auditor issues an AU-C §260 report, commonly referred to as "Governance Letter," LGC staff does not require the report to be submitted unless the auditor cites significant findings or issues from the audit, as defined in AU-C §260.12 - .14. This would include issues such as difficulties encountered during the audit, significant or unusual transactions, uncorrected misstatements, matters that are difficult or contentious reviewed with those charged with governance, and other significant matters. If matters identified during the audit were required to be reported as described in AU-C §260.12-.14 and were communicated in a method other than an AU-C §260 letter, the written documentation must be submitted.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is also required for the Alternative Compliance Examination Engagement for auditing the Coronavirus State and Local Fiscal Recovery Funds expenditures as allowed by US Treasury. Approval is not required on audit contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. This also includes any progress billings [G.S. 159-34 and 115C-447]. All invoices for audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.
10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).
11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.
12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.
13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements and/or the compliance section, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and *Government Auditing Standards, 2018 Revision* (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:

- a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
- b) the status of the prior year audit findings;
- c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
- d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.

29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit>

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

## FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Government Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: ☐ Auditor ☐ Governmental Unit ☒ Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name:

Title and Unit / Company:

Email Address:

Dave McCole

Finance Director

dave.mccole@hillsboroughnc.gov

OR Not Applicable ☐ (Identification of SKE Individual on the LGC-205 Contract is not applicable for GAAS-only audits or audits with FYEs prior to June 30, 2020.)

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. The audit fee information included in the table below for both the Primary Government Fees and the DPCU Fees (if applicable) should be reported as a specific dollar amount of audit fees for the year under this contract. If any language other than an amount is included here, the contract will be returned to the audit form for correction.


4. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

<b>Primary Government Unit</b>	Town of Hillsborough, North Carolina
Audit Fee (financial and compliance if applicable)	\$ 65,700
Fee per Major Program (if not included above)	\$ 5,000
<b>Additional Fees Not Included Above (if applicable):</b>	
Financial Statement Preparation (incl. notes and RSI)	\$
All Other Non-Attest Services	\$
<b>TOTAL AMOUNT NOT TO EXCEED</b>	\$

<b>Discretely Presented Component Unit</b>	
Audit Fee (financial and compliance if applicable)	\$
Fee per Major Program (if not included above)	\$
<b>Additional Fees Not Included Above (if applicable):</b>	
Financial Statement Preparation (incl. notes and RSI)	\$
All Other Non-Attest Services	\$
<b>TOTAL AMOUNT NOT TO EXCEED</b>	\$

## SIGNATURE PAGE

## AUDIT FIRM

Audit Firm* PBMares, LLP	
Authorized Firm Representative (typed or printed)* Robert E. Bittner III	Signature* 
Date* 04/30/24	Email Address* rebittner@pbmares.com

## GOVERNMENTAL UNIT

Governmental Unit* Town of Hillsborough, North Carolina	
Date Governing Board Approved Audit Contract* (Enter date in box to right)	
Mayor/Chairperson (typed or printed)* Mark Bell, Mayor	Signature*
Date	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

## GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

*This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.*

Sum Obligated by This Transaction:	\$
Primary Governmental Unit Finance Officer* (typed or printed) Dave McCole	Signature*
Date of Pre-Audit Certificate*	Email Address* dave.mccole@hillsboroughnc.gov

**SIGNATURE PAGE – DPCU**  
(complete only if applicable)

**DISCRETELY PRESENTED COMPONENT UNIT**

DPCU*	
Date DPCU Governing Board Approved Audit Contract* (Enter date in box to right)	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

**DPCU – PRE-AUDIT CERTIFICATE**

Required by G.S. 159-28(a1) or G.S. 115C-441(a1). Not applicable to hospital contracts.

*This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.*

Sum Obligated by this Transaction:	\$
DPCU Finance Officer (typed or printed)*	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all  
required signatures prior to submission.

PRINT



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
Department: Utilities  
Agenda Section: Consent  
Public hearing: No  
Date of public hearing:

#### PRESENTER/INFORMATION CONTACT

Utilities Director K. Marie Strandwitz, PE

#### ITEM TO BE CONSIDERED

**Subject:** Resolution to Accept Hasell Street Water Tank and U.S. 70-A Water Main Pre-Construction Planning Grant

**Attachments:**

Resolution

**Summary:**

The town received \$70,000 in grant funding to study the subject assets for replacement. The state issued grant is funded with American Rescue Plan Act money. The resolution is part of the formal acceptance of the grant and to identify the town manager as authorized to sign documents related thereto.

**Financial impacts:**

A savings of \$70,000 of town money to guide replacement details of these aged assets.

**Staff recommendation and comments:**

None.

**Action requested:**

Approve resolution.



## RESOLUTION

### Accepting Grant Funding for

### Hasell Street Tank and U.S. 70-A Water Main

**WHEREAS**, the American Rescue Plan Act (ARPA), funded from the State Fiscal Recovery Fund, was established in Session Law (S.L.) 2021-180 to assist eligible units of local government with meeting their drinking water and/or wastewater needs; and

**WHEREAS**, the North Carolina Department of Environmental Quality has offered Pre-construction Planning Grant American Rescue Plan Act (ARPA) funding in the amount of \$70,000 to perform the work detailed in the submitted application; and

**WHEREAS**, the Town of Hillsborough intends to perform said project in accordance with the agreed scope of work;

**NOW, THEREFORE**, be it resolved that the Hillsborough Board of Commissioners does:

- 1) Hereby accept the ARPA grant offer of \$70,000 and does hereby give assurance to the North Carolina Department of Environmental Quality that any conditions or assurances contained in the funding offer and acceptance award offer will be adhered to; and,
- 2) Has substantially complied, or will substantially comply, with all federal, state and local laws, rules, regulations, and ordinances applicable to the project; and to federal and state grants and loans pertaining thereto; and,
- 3) That the town manager is hereby authorized and directed to furnish such information as the appropriate state agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

Approved this 10th day of June in the year 2024.

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Mark Bell, Mayor  
Town of Hillsborough



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
Department: Community Services  
Agenda Section: Consent  
Public hearing: Yes  
Date of public hearing: April 18, 2024

#### PRESENTER/INFORMATION CONTACT

Molly Boyle, Planner II  
Shannan Campbell, Planning and Economic Development Manager

#### ITEM TO BE CONSIDERED

**Subject:** Unified Development Ordinance (UDO) text amendment (staff initiated):

- Table 5.1.7 *Use Table for Residential Districts*
- Section 5.2.8.1 – 5.2.8.2 *Dwelling, Accessory*
- Section 5.2.18.1 *Home Occupation*
- Section 5.2.39.1 *Planned Development – Standards of Evaluation*
- Section 5.2.46 *Short-Term Rental* (new section)
- Section 9.1.5.2 *Permissible Encroachment into Required Setbacks*
- Section 9.2 *Definitions*

#### Attachments:

1. Draft UDO text amendment
2. Draft consistency statement
3. Draft ordinance

#### Summary:

- Accessory Dwelling Units (ADUs):  
The UDO currently caps the size of accessory dwelling units (ADUs) at 50% of the primary dwelling's heated living area or 800 square feet, whichever is less. This creates a "small house penalty." In other words, the regulation works well for larger primary homes but is less accommodating to smaller ones as shown below:

Examples of Maximum ADU Sizes (Current UDO)	
Primary Dwelling Size	Max. ADU Size
1,000 sq. ft.	500 sq. ft.
1,200 sq. ft.	600 sq. ft.
1,500 sq. ft.	750 sq. ft.
2,000 sq. ft.	800 sq. ft.
2,500 sq. ft.	800 sq. ft.

This amendment proposes changes to ADU regulations to create more flexibility for smaller primary homes. It follows recommended practices from AARP, the American Planning Association, and the Land of Sky Regional Council.

- Home Occupations and Short-Term Rentals:  
The amendment also includes changes to home occupation regulations and new regulations on short-term rentals. The revisions put the standards for ADUs, home occupations, and short-term rentals into

alignment. Staff believes this is important given the link between the three land uses; home occupations are allowed in ADUs, and residents often seek to use their ADUs as short-term rentals.

The amendment does not allow short-term rentals in the multi-family (MF) district, the mobile home park (MHP) district, or existing residential special use districts.

- Correction to Planned Development Standards of Evaluation:  
The Planning Manager recently discovered a scrivener error in the UDO. Specifically, UDO Section 5.2.39.1 *Planned Development – Standards of Evaluation* sets a residential density maximum of 13 persons per acre. When the Board of Commissioners adopted the regulations on planned developments in October 2022, the residential density maximum was not part of the adopted amendment. This error is corrected here.

**Comprehensive Sustainability Plan goals:**

- Land Use and Development Goal 1:  
Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity.
- Strategy:  
Ensure that land use and redevelopment regulations are aligned with preferred future land use and growth patterns.

**Financial impacts:**

None.

**Joint public hearing:**

The public hearing was held on April 18, 2024. Two residents spoke at the hearing, one of whom also submitted written comments to the boards in advance. The approved minutes from the hearing are available online:

<https://mccmeetings.blob.core.usgovcloudapi.net/hillsbronc-pubu/MEET-Minutes-149f3b7cd6f542f3a6bf8dbc6ac55f01.pdf>

One resident asked that freestanding (*i.e.*, detached) ADUs be allowed on private roads. Currently, the UDO allows them on public roads only. The other resident, who serves on the Tourism Development Authority, asked for more specificity in the short-term rental regulations.

**Planning Board recommendation:**

Staff gave two versions of the text amendment to the Planning Board on May 16, 2024, for consideration: one with the short-term rental regulations and one without. The Planning Board recommended approval of the text amendment, *including* short-term rental regulations, with a vote of 5-0.

The Planning Board also asked that staff investigate the viability of allowing freestanding ADUs on private streets. The board asked staff to bring that information back at a later date and pursue a separate text amendment if warranted.

**Staff comments and recommendation:**

Staff recommends approval of the text amendment with the regulations on short-term rentals.

**Action requested on this item:**

Approve the text amendment as recommended by staff and the Planning Board.

**5.1 USE TABLE****5.1.7 TABLE: USE TABLE FOR RESIDENTIAL DISTRICTS**

P = Permitted by Right

SUP = Permitted with a Special Use Permit

+ = When also in the Plus Overlay district

	AR	R-40	R-20	R-15	R-10	MF	MHP	PW	PWCA		MFSU	ALN	RSU
School: Elementary, Middle & Secondary													
School: Higher Education													
School: Vocational													
<u>Short-term Rental</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>								
Storage & Warehousing: Inside building, excluding explosives & hazardous wastes													
Storage & Warehousing: Outside													
Storage & Warehousing: Self													
Telecommunication Tower	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		SUP	SUP	
Temporary Family Health Care Structure	P	P	P	P	P								
Transit Passenger Terminal													
Transmission Lines	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		SUP	SUP	
Veterinarian/Animal Hospital													
Wholesale sales, indoor													
Wholesale sales, with outdoor storage/display													

## 5.2 USE-SPECIFIC STANDARDS

### 5.2.8 DWELLING, ACCESSORY

The following sections are provided to create opportunities for a diversity of housing stock within town. A dwelling unit must contain sleeping, cooking, and bathroom facilities. Guest quarters or suites that do not contain all three types of facilities are not dwelling units and are not reviewed in this section.

#### 5.2.8.1 Accessory **dwelling** units in freestanding structures

New or existing accessory buildings may be used as dwelling units in addition to the principal dwelling unit in the R-10, R-15, and R-20 districts, subject to the following conditions:

- 5.2.8.1.a The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.
- 5.2.8.1.b The lot has direct access to a public street.
- 5.2.8.1.c One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.
- 5.2.8.1.d The structure containing the accessory dwelling must meet the applicable primary building setbacks established in Table 6.3.1, *Dimensional Requirements – residential* OR Section 7.5.3, *Non-conforming lot setback requirements*. The existing, primary dwelling may be non-conforming in regard to building setbacks required in the zoning district. The setback provision in Section 9.1.5.2.c of this ordinance is ~~not~~ available for an accessory building containing a dwelling unit.
- 5.2.8.1.e An accessory dwelling unit in a freestanding structure shall be located to the side or rear of the primary dwelling and behind the primary dwelling's front façade.
- 5.2.8.1.ef All structures containing dwellings are connected to municipal water and sewer service.
- 5.2.8.1.fg The accessory **dwelling** unit ~~does shall~~ not exceed fifty (50) percent of the ~~heated living area~~ gross floor area of the principal dwelling unit or ~~800-1,000~~ square feet in gross floor area, whichever is ~~less~~ greater. In no case shall the accessory dwelling unit exceed the gross floor area and/or height of the principal dwelling unit.
- 5.2.8.1.gh The accessory unit is constructed to the state building code for one- and two-family dwellings (i.e., is not a manufactured home).
- 5.2.8.1.hi There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.
- 5.2.8.1.ij The application materials indicate storage locations for solid waste and recycling containers for both dwellings consistent with Town Code requirements.
- 5.2.8.1.jk Units that existed on August 12, 1996 that do not meet one or more provisions of this section may continue as legal non-conforming uses.

#### 5.2.8.2 Accessory dwelling units within a principal single-family dwelling

Accessory dwelling units may be located within a principal single-family dwelling in any zoning district, subject to the following conditions:

- 5.2.8.2.a The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.
- 5.2.8.2.b One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.
- 5.2.8.2.c Both dwellings are connected to municipal water and sewer service.
- 5.2.8.2.d The accessory dwelling unit ~~does shall~~ not exceed fifty (50) percent of the ~~heated living area~~ gross floor area of the principal dwelling unit or ~~800-1,000~~ square feet in gross floor area, whichever is ~~less~~ greater. In no case shall the accessory dwelling unit exceed the gross floor area of the principal dwelling unit.
- 5.2.8.2.e The accessory dwelling unit must have its own exterior access. Any interior access to the principal dwelling must be lockable from both dwellings.
- 5.2.8.2.f There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.
- 5.2.8.2.~~hg~~ The application materials indicated storage locations for solid waste and recycling containers for both dwellings consistent with Town Code requirements.
- 5.2.8.2.h Units that existed on August 12, 1996 that do not meet one or more provisions of this section may continue as legal non-conforming uses.

#### 5.2.18 HOME OCCUPATION

##### 5.2.18.1 All home occupations shall comply with the following conditions:

- 5.2.18.1.a A home occupation is the base of operations for the business and the primary function of the business takes place on the residential property for which the permit is issued. For example: an employee who telecommutes to their place of business in RTP is not engaged in a home occupation and does not require a home occupation permit, but the person who owns a computer consulting business and conducts business from their home does. A self-employed business owner who keeps his business records at his home and is contacted at his home to arrange work but does not do any of the job function at the home does not need a home occupation permit.
- 5.2.18.1.b A home occupation is located within a dwelling unit or in an accessory building on the same lot or parcel as the dwelling unit. A home occupation involving the growing or raising of an agricultural product may also be allowed so long as the area outside of a structure involved in raising the product sold meets the area requirement below.

- 5.2.18.1.c** ~~The area occupied by the home occupation shall not exceed 25 percent of the heated floor area of the dwelling unit to which it is accessory. A home occupation may also occupy no more than 500 square feet of an accessory building on the same parcel as the dwelling to which it is accessory. In no case may the~~ The area of a home occupation shall not account for more than ~~600~~ 1,000 square feet of total area on a parcel (dwelling, outbuilding, and/or area involved in raising an agricultural product), except when the home occupation is a short-term rental, in which case the area of the home occupation shall not exceed the gross floor area of the short-term rental unit and any off-street parking required under this section.
- 5.2.18.1.d** The principal person or persons providing the business or service must reside in the dwelling on the premises.
- 5.2.18.1.e** The operator of the home occupation may not employ more than one (1) non-resident person on the premises.
- 5.2.18.1.f** The home occupation shall not cause or result in any change in the external appearance of the existing dwelling and structures on the property.
- 5.2.18.1.g** All vehicles used in connection with the home occupation shall be of a size and/or type customary for residential use, and shall be located on the premises in such a manner, so as to not disrupt the quiet nature and visual quality of the surrounding area. No more than two (2) business-related vehicles may be parked at the site of the home occupation. In no instance shall any vehicle with a gross vehicle weight exceeding 5,000 pounds be parked, stored, or otherwise maintained at the site of a home occupation.
- 5.2.18.1.h** Home occupations shall not result in regular and on-going business-related vehicular traffic to the home where located.
- 5.2.18.1.i** There shall be sufficient off-street parking for patrons of the home occupation, with the number of off-street parking spaces required for the home occupation to be provided and maintained in addition to the space or spaces required for the dwelling itself.
- 5.2.18.1.j** There shall be no advertising devices on the property, or other signs of the home occupation, which are visible from outside the dwelling or accessory building.
- 5.2.18.1.k** The site of the home occupation shall not contain any outdoor display or storage of goods, equipment, or services associated with the home occupation.
- 5.2.18.1.l** The home occupation shall not create adverse impacts on health, safety, or comfort of customers or neighboring residents which can be detected by the normal senses off the premises. Such impacts shall include but not be limited to fire or explosive hazards; interference with electronic communication; loud, raucous or disturbing noise; dust; odors; fumes; glare; or vibration.
- 5.2.18.1.m** The home occupation shall not create or exhibit an increase in noise, traffic or

parking demands markedly beyond that normally associated with a residential use.

**5.2.18.2** Home occupations shall obtain a Zoning Compliance Permit in accordance with Section 3.14, *Zoning Compliance Permit*.

**5.2.18.3** The following uses are not permitted as home occupations in residential zoning districts except as a legal non-conforming use:

**5.2.18.3.a** Boarding of domesticated animals

**5.2.18.3.b** Dealerships for firearms or motor vehicles

**5.2.18.3.c** Motor vehicle maintenance, service, or repair

**5.2.18.3.d** Any use that will routinely generate five or more customers within one hour or more than 10 customers in one day.

**5.2.18.3.e** Any use that is only permitted with a ~~or~~ Special Use Permit if otherwise located.

## **5.2.39 PLANNED DEVELOPMENT**

### **5.2.39.1 Standards of Evaluation**

#### **5.2.39.1.e Density Allowances:**

~~(1) Overall maximum residential density is 13 persons per acre of gross residential and associated commercial areas.~~

~~(2)~~(1) The following factors will be used in computing density: A factor of 3.0 persons per single-family detached dwelling; 2.5 persons per single-family attached dwelling or stacked townhouse; and 2 persons per multiple-family dwelling.

~~(3)~~(2) Residential densities in a PD must be designated as low, medium, or high on the approved master development plan. "Density area" as used herein means a development unit within an area designated on the approved development plan for low-, medium- or high-density.

(a) Low: The maximum density in any one low-density area is 5 dwelling units per acre.

(b) Medium: The maximum density in any one medium-density area is 15 dwelling units per acre.

(c) High: The maximum density in any one high-density area is 25 dwelling units per acre. An application that proposes housing that is affordable to households making 80% AMI or less at the time of construction may propose up to 40 units per acre as a maximum density (subject to rounding as defined in Section 9.1.4). Where

affordable housing is proposed the preference is that this housing type be dispersed throughout the planned development instead of clustered together in one area.

~~(4) In computing average density on any development plan, subsequent PD plan or final plat of a part of a PD, the density may include any excess in land area over that required to support an average density of 13 persons per acre in any previously recorded final plat. As each plan and subsequent final plat is submitted, the overall density of all areas shown on recorded final plats within the PD is recomputed so that average density within the recorded plats of sections of the PD will never exceed a density of 13 persons (see subparagraph 5.2.39.1.j(2), Density Variation Between Phases, below).~~

## **5.2.46 SHORT-TERM RENTAL**

### **5.2.46.1 Standards of Evaluation**

The following specific standards shall be used to evaluate an application for approval of this use:

5.2.46.1.a A home occupation permit shall be required for all short-term rentals.

5.2.46.1.b Short-term rentals shall be used for lodging and overnight accommodations only and shall not be used for public events as defined in Section 9.2 Definitions.

## **9.1 RULES OF MEASUREMENT, COMPUTATIONS, AND EXCEPTIONS**

### **9.1.5.2 Permissible Encroachment into Required Setbacks**

**9.1.5.2.c** Accessory buildings and freestanding accessory dwelling units may encroach into a side yard or rear yard setback not adjacent to a street right-of-way to within 5 feet of the property line, with the following limits:

- (a) For an accessory building with a highest point 12' or more above the ground elevation, an additional setback of 2' for each 1' of elevation above 12' is required until the standard setback is met.
- (b) The setback being reduced is not part of a land use or stream buffer required elsewhere in this Ordinance, nor a recorded easement for utilities, drainage, or access.

## **9.2 DEFINITIONS**

Short-term Rental                      A primary dwelling, accessory dwelling, or any portion thereof offering overnight accommodations to guests for stays of less than 30 consecutive days in exchange for compensation.

**BOARD OF COMMISSIONERS  
TOWN OF HILLSBOROUGH, NORTH CAROLINA  
Consistency Statement per Section 160D-605**

***Request to amend regulations on accessory dwellings, home occupations, and short-term rentals in the Hillsborough Unified Development Ordinance***

**June 10, 2024**

The Town of Hillsborough Board of Commissioners has received and reviewed the request from the Planning and Economic Services Division of the town's Community Services Department to amend the Unified Development Ordinance as follows:

- *Amend UDO Sections 5.2.8 (Dwelling, Accessory) and 5.2.18 (Home Occupation) to a) allow larger accessory dwelling units and home occupations, and b) establish minimum setback and location requirements for freestanding (i.e., detached) accessory dwelling units;*
- *Amend UDO Section 9.1.5.2 (Permissible Encroachment into Required Setbacks) to allow freestanding accessory dwelling units to encroach into side and rear yard setbacks like other accessory buildings;*
- *Amend UDO Section 5.2.39.1 (Planned Development – Standards of Evaluation) to correct a scrivener error identified by the Planning Manager; and*
- *Add UDO Section 5.2.46 (Short-term Rental), amend Table 5.1.7 (Use Table for Residential Districts), and amend Section 9.2 (Definitions) to allow for short-term rentals as home occupations.*

The Hillsborough Board of Commissioners has determined the proposed action **is/is not consistent** with the Town of Hillsborough's Comprehensive Sustainability Plan (CSP) for the following reason(s):

1. The proposed amendment **is/is not** consistent with the *Land Use and Development* chapter goal to "Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity."

Strategy: Ensure that land use and development regulations are aligned with preferred future land use and growth patterns.

2. The proposed regulations **advance/do not advance** identified goals and strategies found in the CSP and promote the public health, safety, and welfare by a) helping to address missing middle housing options in the community and b) increasing flexibility for small, home-based businesses and short-term rentals.

The foregoing consistency statement, having been submitted to a vote, received the following vote and was duly adopted this 10<sup>th</sup> day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

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Sarah E. Kimrey, Town Clerk



## ORDINANCE

### Amending the Hillsborough Unified Development Ordinance Sections 5.1.7, 5.2.8, 5.2.18, 5.2.39, 5.2.46, 9.1.5, and 9.2

The Hillsborough Board of Commissioners ordains:

**Section 1.** The amendments to the following sections of the town's Unified Development Ordinance as attached hereto: Sections 5.1.7; 5.2.8; 5.2.18; 5.2.39; 5.2.46; 9.1.5; and 9.2.

**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 10th day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

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Sarah E. Kimrey, Town Clerk

## 5.1 USE TABLE

**5.1.7 TABLE: USE TABLE FOR RESIDENTIAL DISTRICTS**

P = Permitted by Right

SUP = Permitted with a Special Use Permit

+ = When also in the Plus Overlay district

	AR	R-40	R-20	R-15	R-10	MF	MHP	PW	PWCA		MFSU	ALN	RSU
School: Elementary, Middle & Secondary													
School: Higher Education													
School: Vocational													
Short-term Rental	P	P	P	P	P								
Storage & Warehousing: Inside building, excluding explosives & hazardous wastes													
Storage & Warehousing: Outside													
Storage & Warehousing: Self													
Telecommunication Tower	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		SUP	SUP	
Temporary Family Health Care Structure	P	P	P	P	P								
Transit Passenger Terminal													
Transmission Lines	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		SUP	SUP	
Veterinarian/Animal Hospital													
Wholesale sales, indoor													
Wholesale sales, with outdoor storage/display													

## 5.2 USE-SPECIFIC STANDARDS

### 5.2.8 DWELLING, ACCESSORY

The following sections are provided to create opportunities for a diversity of housing stock within town. A dwelling unit must contain sleeping, cooking, and bathroom facilities. Guest quarters or suites that do not contain all three types of facilities are not dwelling units and are not reviewed in this section.

#### 5.2.8.1 Accessory dwelling units in freestanding structures

New or existing accessory buildings may be used as dwelling units in addition to the principal dwelling unit in the R-10, R-15, and R-20 districts, subject to the following conditions:

- 5.2.8.1.a The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.
- 5.2.8.1.b The lot has direct access to a public street.
- 5.2.8.1.c One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.
- 5.2.8.1.d The structure containing the accessory dwelling must meet the applicable primary building setbacks established in Table 6.3.1, *Dimensional Requirements – residential* OR Section 7.5.3, *Non-conforming lot setback requirements*. The existing, primary dwelling may be non-conforming in regard to building setbacks required in the zoning district. The setback provision in Section 9.1.5.2.c of this ordinance is available for an accessory building containing a dwelling unit.
- 5.2.8.1.e An accessory dwelling unit in a freestanding structure shall be located to the side or rear of the primary dwelling and behind the primary dwelling's front façade.
- 5.2.8.1.f All structures containing dwellings are connected to municipal water and sewer service.
- 5.2.8.1.g The accessory dwelling unit shall not exceed fifty (50) percent of the gross floor area of the principal dwelling unit or 1,000 square feet in gross floor area, whichever is greater. In no case shall the accessory dwelling unit exceed the gross floor area and/or height of the principal dwelling unit.
- 5.2.8.1.h The accessory unit is constructed to the state building code for one- and two-family dwellings (i.e., is not a manufactured home).
- 5.2.8.1.i There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.
- 5.2.8.1.j The application materials indicate storage locations for solid waste and recycling containers for both dwellings consistent with Town Code requirements.
- 5.2.8.1.k Units that existed on August 12, 1996 that do not meet one or more provisions of this section may continue as legal non-conforming uses.

### **5.2.8.2 Accessory dwelling units within a principal single-family dwelling**

Accessory dwelling units may be located within a principal single-family dwelling in any zoning district, subject to the following conditions:

- 5.2.8.2.a** The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.
- 5.2.8.2.b** One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.
- 5.2.8.2.c** Both dwellings are connected to municipal water and sewer service.
- 5.2.8.2.d** The accessory dwelling unit shall not exceed fifty (50) percent of the gross floor area of the principal dwelling unit or 1,000 square feet in gross floor area, whichever is greater. In no case shall the accessory dwelling unit exceed the gross floor area of the principal dwelling unit.
- 5.2.8.2.e** The accessory dwelling unit must have its own exterior access. Any interior access to the principal dwelling must be lockable from both dwellings.
- 5.2.8.2.f** There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.
- 5.2.8.2.g** The application materials indicated storage locations for solid waste and recycling containers for both dwellings consistent with Town Code requirements.
- 5.2.8.2.h** Units that existed on August 12, 1996 that do not meet one or more provisions of this section may continue as legal non-conforming uses.

### **5.2.18 HOME OCCUPATION**

**5.2.18.1** All home occupations shall comply with the following conditions:

- 5.2.18.1.a** A home occupation is the base of operations for the business and the primary function of the business takes place on the residential property for which the permit is issued. For example: an employee who telecommutes to their place of business in RTP is not engaged in a home occupation and does not require a home occupation permit, but the person who owns a computer consulting business and conducts business from their home does. A self-employed business owner who keeps his business records at his home and is contacted at his home to arrange work but does not do any of the job function at the home does not need a home occupation permit.
- 5.2.18.1.b** A home occupation is located within a dwelling unit or in an accessory building on the same lot or parcel as the dwelling unit. A home occupation involving the growing or raising of an agricultural product may also be

allowed so long as the area outside of a structure involved in raising the product sold meets the area requirement below.

- 5.2.18.1.c** The area of a home occupation shall not account for more than 1,000 square feet of total area on a parcel (dwelling, outbuilding, and/or area involved in raising an agricultural product), except when the home occupation is a short-term rental, in which case the area of the home occupation shall not exceed the gross floor area of the short-term rental unit and any off-street parking required under this section.
- 5.2.18.1.d** The principal person or persons providing the business or service must reside in the dwelling on the premises.
- 5.2.18.1.e** The operator of the home occupation may not employ more than one (1) non-resident person on the premises.
- 5.2.18.1.f** The home occupation shall not cause or result in any change in the external appearance of the existing dwelling and structures on the property.
- 5.2.18.1.g** All vehicles used in connection with the home occupation shall be of a size and/or type customary for residential use, and shall be located on the premises in such a manner, so as to not disrupt the quiet nature and visual quality of the surrounding area. No more than two (2) business-related vehicles may be parked at the site of the home occupation. In no instance shall any vehicle with a gross vehicle weight exceeding 5,000 pounds be parked, stored, or otherwise maintained at the site of a home occupation.
- 5.2.18.1.h** Home occupations shall not result in regular and on-going business-related vehicular traffic to the home where located.
- 5.2.18.1.i** There shall be sufficient off-street parking for patrons of the home occupation, with the number of off-street parking spaces required for the home occupation to be provided and maintained in addition to the space or spaces required for the dwelling itself.
- 5.2.18.1.j** There shall be no advertising devices on the property, or other signs of the home occupation, which are visible from outside the dwelling or accessory building.
- 5.2.18.1.k** The site of the home occupation shall not contain any outdoor display or storage of goods, equipment, or services associated with the home occupation.
- 5.2.18.1.l** The home occupation shall not create adverse impacts on health, safety, or comfort of customers or neighboring residents which can be detected by the normal senses off the premises. Such impacts shall include but not be limited

to fire or explosive hazards; interference with electronic communication; loud, raucous or disturbing noise; dust; odors; fumes; glare; or vibration.

**5.2.18.1.m** The home occupation shall not create or exhibit an increase in noise, traffic or parking demands markedly beyond that normally associated with a residential use.

**5.2.18.2** Home occupations shall obtain a Zoning Compliance Permit in accordance with Section 3.14, *Zoning Compliance Permit*.

**5.2.18.3** The following uses are not permitted as home occupations in residential zoning districts except as a legal non-conforming use:

**5.2.18.3.a** Boarding of domesticated animals

**5.2.18.3.b** Dealerships for firearms or motor vehicles

**5.2.18.3.c** Motor vehicle maintenance, service, or repair

**5.2.18.3.d** Any use that will routinely generate five or more customers within one hour or more than 10 customers in one day.

**5.2.18.3.e** Any use that is only permitted with a Special Use Permit if otherwise located.

## **5.2.39 PLANNED DEVELOPMENT**

### **5.2.39.1 Standards of Evaluation**

#### **5.2.39.1.e Density Allowances:**

- (1) The following factors will be used in computing density: A factor of 3.0 persons per single-family detached dwelling; 2.5 persons per single-family attached dwelling or stacked townhouse; and 2 persons per multiple-family dwelling.
- (2) Residential densities in a PD must be designated as low, medium, or high on the approved master development plan. "Density area" as used herein means a development unit within an area designated on the approved development plan for low-, medium- or high-density.
  - (a) Low: The maximum density in any one low-density area is 5 dwelling units per acre.
  - (b) Medium: The maximum density in any one medium-density area is 15 dwelling units per acre.
  - (c) High: The maximum density in any one high-density area is 25 dwelling units per acre. An application that proposes housing that is affordable to households making 80% AMI or less at the time of

construction may propose up to 40 units per acre as a maximum density (subject to rounding as defined in Section 9.1.4). Where affordable housing is proposed the preference is that this housing type be dispersed throughout the planned development instead of clustered together in one area.

5.2.46 SHORT-TERM RENTAL

5.2.46.1 Standards of Evaluation

The following specific standards shall be used to evaluate an application for approval of this use:

5.2.46.1.a A home occupation permit shall be required for all short-term rentals.

5.2.46.1.b Short-term rentals shall be used for lodging and overnight accommodations only and shall not be used for public events as defined in Section 9.2 Definitions.

9.1 RULES OF MEASUREMENT, COMPUTATIONS, AND EXCEPTIONS

9.1.5.2 Permissible Encroachment into Required Setbacks

- 9.1.5.2.c Accessory buildings and freestanding accessory dwelling units may encroach into a side yard or rear yard setback not adjacent to a street right-of-way to within 5 feet of the property line, with the following limits:
- (a) For an accessory building with a highest point 12' or more above the ground elevation, an additional setback of 2' for each 1' of elevation above 12' is required until the standard setback is met.
  - (b) The setback being reduced is not part of a land use or stream buffer required elsewhere in this Ordinance, nor a recorded easement for utilities, drainage, or access.

9.2 DEFINITIONS

Short-term Rental	A primary dwelling, accessory dwelling, or any portion thereof offering overnight accommodations to guests for stays of less than 30 consecutive days in exchange for compensation.
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## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
Department: Community Services  
Agenda Section: Consent  
Public hearing: Yes  
Date of public hearing: April 18, 2024

#### PRESENTER/INFORMATION CONTACT

Shannan Campbell, Planning and Economic Development Manager  
Joseph Hoffheimer, Planner

#### ITEM TO BE CONSIDERED

**Subject:** Historic District Design Standards amendments (staff-initiated):

- Section 1 *Navigating the Historic District Commission Review Process (Historic vs. Non-Historic and Ordinary Maintenance and Repair and Minor Works)*
- Section 4 *Masonry; Windows; Sustainability and Energy Retrofit; Utilities*
- Section 6 *Site Features and Plantings; Fences and Walls; Walkways, Driveways, and Off-Street Parking; Art*
- Appendices *Glossary of Architectural Terms, Ordinary Maintenance and Repair and Minor Works, Historic District Compatibility Matrix*

#### Attachments:

1. Sections referenced above, as proposed to be amended by the Planning Board and Planning staff
2. Draft consistency statement
3. Draft ordinance

#### Summary:

The Historic District Commission Standards Subcommittee and planning staff have worked together to make the Historic District Design Standards more user-friendly. Several smaller items will become minor works and/or ordinary maintenance, and the proposed changes also make greater accommodations for sustainability. In addition, some proposed changes such as renumbered sections and additional clarifying language are intended to make the document easier to interpret without making any significant policy changes.

Most of the proposed changes reflect work that repeatedly has been approved by the Historic District Commission as well as other work that the subcommittee and staff find to be appropriate in the district but not properly addressed in the current standards. The HDC and planning staff do not find any of the updates to detract from the special character of the Hillsborough Historic District.

The proposed changes were unanimously approved by the HDC in February 2024. This item went to joint public hearing on April 18, 2024, and no members of the public offered comment.

#### Comprehensive Sustainability Plan goals:

- Social Systems & Public Space Goal 1:  
Build and strengthen social cohesion and sense of community through the support and development of arts and culture, events and entertainment, and preservation initiatives in an equitable and sustainable manner.

- Social Systems & Public Space Strategies:  
Develop and adopt policies that contribute to meeting social systems and public space goals. Adopt regulations that contribute toward establishing equitable and sustainable social systems and public spaces.
- Climate & Energy Goal 4:  
Strengthen community-based initiatives to support a more sustainable Hillsborough.
- Climate & Energy Strategies:  
Adopt regulations that contribute toward establishing the town's clean energy pledge and building a more sustainable future.

**Financial impacts:**

None.

**Joint public hearing:**

The public hearing was held on April 18, 2024. No residents spoke at the hearing or submitted written comment.

The approved minutes for the hearing are available online:

<https://mccmeetings.blob.core.usgovcloudapi.net/hillsbronc-pubu/MEET-Minutes-149f3b7cd6f542f3a6bf8dbc6ac55f01.pdf>

**Planning Board recommendation:**

On May 16, 2024, the Planning Board recommended approval of the proposed revisions (5-0) with a condition that the language under *Ordinary Maintenance and Repair and Minor Works* be changed as follows, per Mayor Bell's suggestion at the public hearing:

*Applicants **shall** consult with staff to verify that the work qualifies for exemption.*

**Staff comments and recommendation:**

Staff recommends approval of the amendment inclusive of the revision recommended by the Planning Board.

**Action requested on this item:**

Approve the proposed amendments to the Historic District Design Standards.

## Historic vs. Non-Historic

The period of significance for the local historic district continues into the recent past to encompass the evolution of the district and to include changes that took place at least 50 years ago.

### **DEFINITION OF HISTORIC:**

A property is considered historic, or contributing, in the local historic district if it is 50 years old or older. Additionally, any exterior addition or feature constructed at least 50 years prior to the current date is considered ~~historic~~ historic or contributing.

### Ordinary Maintenance and Repair and Minor Works

**Ordinary Maintenance and Repair:** Certain limited actions of ordinary maintenance or those of temporary nature are exempt from obtaining a Certificate of Appropriateness. ~~Proposals should be submitted~~Applicants shall consult with ~~to~~ staff ~~for review~~ to verify that the work qualifies for exemption.

## Masonry Standards

5) Repaint masonry surfaces that were previously painted in colors appropriate to the building or site. It is not appropriate to paint, seal, or coat historic masonry surfaces that were not previously painted, sealed, or coated, with historic defined as 50 years of age or older.

## Window Standards

11) New shutters should be added only if they are operable, typical for the style of building and are sized to cover the entire window opening.

## Sustainability and Energy Retrofit Standards

9) \_\_\_\_\_ It is not appropriate to install solar panels and skylights ~~on roof slopes or building elevations that are easily visible from the street or~~ in locations that compromise the architectural integrity of a building. Install these features on non-contributing structures or non-character-defining secondary elevations of historic structures ~~to minimize visibility from the street and away from roof edges and ridges~~. Set solar panels and skylights back from the front edge of flat roofs to minimize visibility. Green roofs can be installed on roofs in visible locations with evidence that they will not negatively impact the structure or integrity of the building. Solar panels can be installed on a secondary building, such as a garage or shed, ~~that is not easily visible from the street~~.

11) Site freestanding solar panels and wind turbines away from the building. Screen associated equipment from public view ~~with appropriate wood fencing or ever-green landscaping~~.

12) Install wind-powered equipment in a minimally visible location on the site or on a non-historic addition or secondary building. Wind-powered equipment should not be taller than the primary historic building.

- ~~» Consider on-site wind power technology only after implementing all other appropriate treatments to improve energy efficiency.~~
- ~~» Evaluate whether wind power technology will benefit the historic building without compromising the character of the historic building and the historic district.~~

14) Install cisterns, rain barrels, and other water collection devices in side and rear yards when possible. Screen from public view with fencing or landscaping when possible.

## Utilities Standards

1) \_\_\_\_\_ Minimize the visual impact of new utility enclosures (“hot boxes”), mechanical and communication equipment, electric vehicle charging stations, and utilities by locating them along secondary elevations or inconspicuously in areas not visible from the street and by screening them from view with plantings or fencing when possible. ~~A site plan showing the location of proposed equipment, plantings, and/or fencing must be provided and approved in advance.~~

5) \_\_\_\_\_ Paint or install meter boxes, vents, electric vehicle charging stations, and other utility connections that cannot be screened in colors that will blend in with the historic building or the site.

### Site Features and Plantings Standards

10) Introduce contemporary site features — such as swimming pools, dumpsters, mechanical units, ~~so-lar panels~~, storage buildings, playground equipment, and telecommunication equipment — only in locations that are not visible from the street to the maximum extent possible and where they do not compromise the historic character of the building, site, or district. Screen contemporary site features from public view with landscaping or appropriate fencing.

### Fences and Walls Standards

8) Site new fences or walls, if necessary, in locations that are compatible with the traditional relationship of fences or walls to district properties of similar architectural style and to sites of similar size. ~~It is not appropriate to locate new~~ New fences are generally not appropriate in front yards. or New walls in front yards may be reviewed on a case-by-case basis and require HDC approval.

### Walkways, Driveways, and Off-Street Parking Standards

- 5) Replace in kind any portion of a historically significant walkway, driveway, or off-street parking area that is damaged or deteriorated beyond repair. Match the original feature in design, material, dimension, configuration, detail, texture, and color. Retain as much original fabric as possible.
- 6) Substitute compatible materials for ~~the original~~ historically significant features only if it is not feasible to replace in kind. More permanent materials are allowed as replacement materials for dirt and gravel walkways, driveways, and off-street parking. Refer to the Historic District Compatibility Matrix in the appendices for more information.

## Art Standards

4) Introduce wall-mounted art — such as murals, mosaics, or metal installations — only in locations that do not compromise or diminish the overall design or architectural rhythm or pattern of the building, site, or district. Introduce new artwork on stucco, wood, or previously painted masonry surfaces on non-character-defining elevations. It is not appropriate to paint murals or similar art installations on unpainted masonry surfaces that were not historically painted.

## GLOSSARY OF ARCHITECTURAL TERMS

**Character Defining:** visual aspects and physical features that contribute significantly to the physical character ~~comprise the appearance~~ of buildings. Character-defining elements include elevations, features, or architectural details.

**Character-Defining Elevation:** the side/s of a building that contribute to its special historic, cultural, and aesthetic character. These are typically front elevations that are visible from the public right-of-way and reinforce the special character of the historic district. ~~often the front elevation of a building, but~~ The character-defining elevation ~~it~~ can also be a side or rear elevation.

**Contributing:** a property, exterior addition, or feature constructed at least 50 years prior to the current date. A property's contributing status in regard to the National Register of Historic Places has no bearing on local historic district review. In many cases, "contributing" and "historic" are terms that are used interchangeably.

**Historic:** a property, exterior addition, or feature constructed at least 50 years prior to the current date. In many cases, "historic" and "contributing" are terms that are used interchangeably.

**Historically Significant:** a feature, architectural element, or structure that is older than 50 years from the present date.

**Special Character:** the qualities of the Hillsborough Historic District that make it unique and distinguish it from other places.

## ORDINARY MAINTENANCE AND REPAIR AND MINORWORKS

**Ordinary Maintenance and Repair:** Certain actions of regular maintenance or of a temporary nature. These are exempted from obtaining a Certificate of Appropriateness. Applicants are encouraged to consult with staff to verify that the work qualifies for exemption.~~Any proposal should still be submitted to staff for review to verify that the work proposed qualifies for this exemption.~~

**Minor Work/Staff-Issued Certificate of Appropriateness:** Some works of a minor nature typically do not require Historic District Commission approval unless referred by staff. They may be approved through issuance of a minor works permit by the zoning officer if they meet the criteria listed below and are appropriate to the district or the landmark as determined by staff. The priority preference is to restore and preserve historic materials over replacement. Additionally, minor works applications that do not comply with the Historic District Design Standards or that may set a precedent in the historic district remain subject to HDC review.

## I. ~~Section 4-~~ Exterior Changes to Buildings

### A. Masonry:

#### 1. Ordinary Maintenance and Repair

- i. Minor repointing and other minor masonry and stone repairs such as spot repairs or restoration of loose or deteriorated masonry.

### B. Wood:

#### 1. Ordinary Maintenance and Repair

- i. Replacement or repair of wood building materials in kind with no change in shape or dimension so long as no more than 25% of the materials require replacement in-kind.
- ~~i. Not applicable~~

### C. Architectural Materials:

#### 1. Ordinary Maintenance and Repair

- i. Replacement or repair of architectural metal building materials in kind with no change in shape or dimension so long as no more than 25% of the materials require replacement in-kind.
- ~~i. Not applicable~~

### F. Windows

#### 2. Minor Work

- ii. Replacement of original, historically significant windows on historic structures if the replacement material is wood and the muntin configurations match exactly those of the windows being replaced. Replacement of deteriorated wood windows with substitute materials that comply with the Historic District Compatibility Matrix may be permitted on side and rear elevations. Replacements require Historic District Commission approval when the materials are to be something other than wood on a character-defining elevation and/or when replacement window muntin configurations do not match those of original windows.

### G. Doors:

#### 2. Minor Work

- i. Replacement of doors that are not historically significant to a historic structure, which are designed to closely match the door being replaced, unless evidence shows the original door design is different, in which case that configuration shall be used. Replacement ~~front doors shall be constructed of solid wood, and replacement side or rear~~ doors shall be a material consistent with the Historic District Compatibility Matrix. Replacement of historically significant doors requires Historic District Commission approval.

### I. ~~Porches, Entrances, and Balconies~~ Stairs and Steps:

#### 1. Ordinary Maintenance and Repair

- i. Minor repointing and other minor masonry and stone repairs to steps.
- ~~i. Not applicable~~

#### 2. Minor Work

- iii. Replacement/removal of or alteration/addition to existing stairs and steps that ~~are located behind the front line of the structure and~~ are not historically significant. Natural materials shall be replaced in kind, and artificial materials shall be replaced with natural materials appropriate to the house or primary structure. Concrete is an appropriate material for steps for landmark properties. Black steel steps are also an appropriate replacement material for side and rear egress staircases for multi-story commercial or multi-family buildings in the historic district.

## **M. Sustainability and Energy Retrofit:**

### **1. Ordinary Maintenance and Repair**

- iii. Installation of solar panels not facing the street, so long as the panels are not attached to a character-defining roofing material and so long as panels match the roof color and project no more than four inches above the finished roof surface. All associated equipment shall be attached to the rear or side of the structure.
- iv. Installation of solar panels on non-contributing structures if the panels match the roof color and project no more than four inches above the finished roof surface. Any associated mechanical equipment shall be located at the rear or side of the structure.
- v. Installation of electric vehicle charging stations and related equipment in any existing or proposed driveway or off-street parking area and located behind the front line of the primary structure on site. Signage identifying the unit as a charging station may be painted onto the charging station or shall meet the requirements of Section 6: Setting and Site/Signage below. No off-site signage is permitted, and all on-site signage other than what is located in these standards requires Historic District Commission approval. Electric vehicle charging stations that are located behind only one front line of a corner lot are permitted if staff determine that they comply with the above requirements and Historic District Design Standards.

### **2. Minor Work**

- v. Installation or removal of awnings and canopies, and operable shutters that match the width of the windows next to which they are located with materials and features that comply with the Historic District Compatibility Matrix, provided that the new structures do not obscure or conceal significant architectural features of a structure.
- vi. Installation, removal, or replacement of operable shutters that are in a location where they were used historically and match the width of the windows next to which they are located with materials and features that comply with the Historic District Compatibility Matrix. Installation of inoperable shutters or shutters in places where they were not used historically require Historic District Commission approval.
- ~~vi. New installation/alteration/removal of low profile, photovoltaic solar panels, skylights, ventilators, or mechanical equipment that are placed on roof slopes which are not easily visible from the street, are screened from view of adjacent properties, are located on non-character defining elevations, and do not compromise the architectural integrity of a building. Features proposed to be located in a yard or on an elevation that fronts on a public or private street require Historic District Commission approval.~~
- ~~vii. Installation of electric vehicle charging stations and related equipment in any existing or proposed driveway or off-street parking area and located behind the~~

~~front line of the primary structure on site. Signage identifying the unit as a charging station may be painted onto the charging station or shall meet the requirements of Section 6: Setting and Site/Signage below. No off-site signage is permitted, and all on-site signage other than what is located in these standards requires Historic District Commission approval.~~

**N. Utilities:**

**1. Ordinary Maintenance and Repair**

- ~~iv. Installation of mechanical equipment, including, but not limited to, such items as heating and air conditioning units or generators, that are screened from general public view (required setbacks must be met).~~

**2. Minor Work**

- ~~i. Installation of mechanical equipment, including, but not limited to, such items as heating and air conditioning units or generators, that are screened from general public view (required setbacks must be met).~~

## II. ~~Section 5:~~ New Construction and Additions

### D. New Construction of Outbuildings and Garages:

#### 1. Ordinary Maintenance and Repair

- i. Construction of utility structures, excluding accessory dwellings, that are less than 80 square feet in area, are located in the rear of non-contributing properties, and are screened from the public right of way can be approved if meeting the design standards and compatibility matrix. ~~Not applicable~~

#### 2. Minor Work

- i. Construction of detached outbuildings or garages, ~~excluding accessory dwellings,~~ that are less than 144 square feet in area, ~~are are~~ located in the rear of historic properties and are screened from the public right of way. Garages over 144 square feet and accessory dwellings require HDC review. In addition, aAll materials and features shall comply with those permitted in the Historic District Compatibility Matrix. ~~If asphalt shingles are used, they shall be in a color closely matching the primary structure's roof. The peak of the accessory building roof shall not exceed 12 feet in height measured from adjacent ground level, and the location shall meet all applicable setbacks for the property. Any proposed design details or materials that do not meet these standards shall require Historic District Commission approval.~~

### H. Porches

#### 1. Ordinary Maintenance and Repair

- i. Replacement or repair of porch materials in kind with no change in shape or dimension so long as no more than 25% of the materials require replacement in-kind.

#### 2. Minor Work

- i. Conversion of existing decks that are less than 400 square feet in area to porches or screened porches that are located in the side or rear of ~~historic~~ properties and are not easily visible and/or are screened from public right of way. All materials and features shall comply with those permitted in the Historic District Compatibility Matrix. The peak of the ~~screened~~ porch roof shall not extend above the existing house. Any proposed design details or materials that do not meet these standards shall require Historic District Commission approval.
- ii. Conversion of existing porches to screened porches if located in the side or rear of properties and not easily visible from the public right of way.

### I. ~~H:~~ Decks

#### 2. Minor Work

- i. Alteration of, addition to, and/or removal of existing decks that are located behind the front line of the house. For additions to existing decks, the total combined square footage of the original deck with the addition shall not exceed 400 square feet. Decks shall not be easily visible from the street, and/or they shall be screened from view with evergreen plantings proportional in height to the height of the deck, including any railings, at the time of planting to provide adequate screening.

- ii. Construction of new decks composed of materials that comply with the Historic District Compatibility Matrix, are less than 4 feet tall, are located behind the front line of the primary structure and are less than 400 square feet in area. Decks shall not be easily visible from the street, and/or they shall be screened from view with evergreen plantings ~~proportional in height to the height of the deck, including any railings, at the time of planting~~ to provide adequate screening.

### III. ~~Section 6:~~ Setting and Site

#### A. Site Features and Plantings:

##### 1. Ordinary Maintenance and Repair

- vii. A single metal flagpole not exceeding 25 feet in height from ground level or a single flagpole base made of metal, concrete, stone, brick, or other natural materials and not exceeding 25 square feet in area.
- viii. Construction of "Little Free Libraries" located outside of the public right of way.
- ix. Non-fixed elements that can be moved without the use of heavy equipment such as rain barrels, planters, dog houses, bird baths, and similar decorative or functional items.

##### 2. Minor Work

- i. Construction of patios made of materials that comply with the Historic District Compatibility Matrix, are located behind the front line of the structure and are smaller than 400 square feet for historic district properties or 3,000 square feet for historic mill properties recognized as local landmarks. Patios shall be located and designed in a manner to retain as much of the existing site features, plantings, and topography as possible.
- ~~v. A single metal flagpole not exceeding 25 feet in height from ground level or a single flagpole base made of metal, concrete, stone, brick, or other natural materials and not exceeding 25 square feet in area~~
- ~~vi. Construction of "Little Free Libraries" in the front, side, or rear yard located outside of the public right of way that are painted or stained a single muted color, are constructed of wood or metal only, and are mounted on a single wood post painted or stained to match the color of the box, with total height not to exceed 6 feet from ground to top of the box and with box dimensions not to exceed 2 feet in length, width, or height. The handles/ knobs shall be made of wood or metal only, and the front window shall be limited to plexiglass or a similar safety glass product. Roofing materials shall be limited to wood or metal. Any proposed deviation in design or materials from these standards shall require Historic District Commission approval.~~
- v. Installation of wood or metal pergolas, garden trellises, or arbors not exceeding 8 feet in height that are located behind the front line of the primary structure
- viii. Hardscaping that is made of natural materials and does not obscure major architectural features or details of a historic structure.

#### B. Fences and Walls:

##### 1. Ordinary Maintenance and Repair

- ii. Spot repairs and completion of missing sections of existing fences.
- iii. Removal or replacement of existing fences that are not historically significant, as determined by staff, and no taller than 6 feet.

- iv. Temporary utilitarian or light-gauge wire fencing constructed as necessary to keep animals out of gardens, side, and rear yards.

## **2. Minor Work**

- i. Installation of fences located behind the front line of the structure that are made of materials and have styles which comply with Historic District Compatibility Matrix. Privacy fences may be no taller than 6 feet, but garden enclosures may extend to 7 feet only if the final foot is wire. Fences made of wood post and welded wire must include a top and bottom rail if located in the front yard but do not require rails if located in the side or rear yard. Picket and post and rail fences may be no taller than 4 feet. Wood privacy fences 5 feet or less in height may have an additional one foot of square-patterned wood lattice on top, but the total fence height shall not exceed 6 feet measured from ground level. Split rail fences require full Historic District Commission review and approval.
- ~~i. Removal or replacement of existing fences that are not historically significant, as determined by staff, and no taller than 6 feet. Replacement fences shall be wood or wood with welded wire meeting the design requirements in Fences and Wall Minor Work i above. Replacement of existing non-historic fences with any material besides wood or wood with welded wire requires full Historic District Commission approval.~~

## **C. Walkways, Driveways, and Off-Street Parking**

### **2. Minor Work**

- ii. Replacement of existing non-historic driveways and off-street parking areas with materials that comply with the Historic District Compatibility Matrix. For replacement of historic stone or brick driveways, the original materials must be repaired and/or replaced in kind. Existing dirt or gravel driveways may be replaced with concrete, brick, natural stone or asphalt paving. such as dirt, crushed stone, or natural stone driveways. The use of other materials as replacement surface materials requires Historic District Commission approval. Historic brick or stone driveways shall be replaced in kind.

## **CI. Exterior Lighting:**

### **1. Ordinary Maintenance and Repair**

- i. ~~Not applicable~~ Temporary "seasonal," hanging, and special event lighting.

## **CII. Signage:**

### **1. Ordinary Maintenance and Repair**

- iii. Removal of signs, sign posts, and bases that are not historically significant.

### **2. Minor Work**

- x. Illumination of signs with directional lighting fixtures that are top mounted, so lighting is aimed down. Ground mounted signs with a height of five (5) feet or less may be ground lit, provided that the lights are shielded so as to illuminate

the sign only, and the light shall not exceed 10 foot candles at the sign surface. Light fixtures must comply with Minor Works Section 6.F, and internally lit signage is not permitted in the Historic District.

#### **H. Awnings and Canopies**

##### **1. Ordinary Maintenance and Repair**

i. Not applicable

##### **2. Minor Work**

i. Not applicable

#### **H. Art:**

##### **1. Ordinary Maintenance and Repair**

- i. Installation of common seasonal decorations, sculptures, and other art installations that do not exceed eight feet above grade and that are ~~intended for temporary use and are~~ not permanently affixed to a historic building or site.

#### **I. Outdoor Dining Areas**

##### **2. Minor Work**

- i. Installation, alteration, or removal of affixed commercial street furniture with screening demarcations that are 3 to 4 feet tall, made of wood, stone, concrete, brick, glass, and/or metal, and meet all Hillsborough Code of Ordinances requirements. ~~All design proposals shall include a full color, scaled architectural elevation of the front of the building showing the proposed seating areas with the designs as they will look from the street at grade once constructed.~~ Each proposed demarcation design must provide a minimum of 50% transparency to maintain the visibility of the building. ~~The subtle use of greenery in addition to any hardscaping is encouraged to enhance the streetscape.~~ Any proposal not meeting these standards shall require Historic District Commission approval.

IV. ~~Section 7:~~ Relocation and Demolition

HISTORIC DISTRICT COMPATIBILITY MATRIX

✓	✓ match existing/ original	✓ commercial/ institutional only	case-by-case	X	X if visible
compatible	compatible if new material matches existing or original material	compatible for commercial and institutional buildings only	may be allowed as a new or replacement material but is determined on a case-by-case basis	always incompatible	incompatible if visible from street

Material Category	Material	Common Manufacturers	Changes to Existing Buildings	Additions to Existing Buildings	New Construction	Notes
Roofing	Asphalt Shingle — 3 Tab	GAF, Owens Corning, Certaineed, Tamko	✓ match existing/original	✓ match existing/original	✓	3-tab asphalt shingles are flat, square edge shingles with three tabs on each shingle. They often carry a shorter warranty than more expensive architectural shingles. <a href="#">Standing seam metal and 5V metal are appropriate replacements for asphalt shingles</a>
	Asphalt Shingle — Architectural	GAF, Owens Corning, Certaineed, Tamko	✓ match existing/original	✓ match existing/original	✓	Architectural shingles are much thicker and longer lasting than 3-tab shingles and come in a wide variety of colors and patterns. Often referred to as laminate shingles. <a href="#">Standing seam metal and 5V metal are appropriate replacements for asphalt shingles</a>
	Wood Shingle		✓ match existing/original	✓	✓	Wood shingles are made of naturally durable woods like cedar and are available as shingles (regular dimensions) or shakes (rougher with inconsistent dimensions and thicknesses). Wood shingle roofs are found on Colonial, Shingle-style, and Arts and Crafts buildings.
	Metal Shingle		✓ match existing/original	✓ match existing/original	✓	Metal shingle roofs are increasingly rare. They are commonly found on Victorian houses and bungalows.
	Slate Shingle		✓ match existing/original	✓ match existing/original	✓	Slate is one of the most durable roofing materials available. It is extremely expensive and requires stout roof framing to support its substantial weight. Match original if possible.
	Standing Seam Metal	Union Corrugating, Fabral, McElroy, Pac-Clad	✓ match existing/original	✓	✓	Standing seam panels are available painted or galvanized. The panels are attached with hidden clips. Striations between crimps are not permitted. <a href="#">Standing seam is allowed as a replacement material for asphalt shingles.</a>
	5V metal		✓ match existing/original	✓ match existing/original	✓	5V panels are used as a less expensive alternative to standing seam metal. 5V roofs are attached with exposed fasteners. Striations between crimp is not allowed. <a href="#">5V is allowed as a replacement material for asphalt shingles.</a>
	MasterRib		X	case-by-case	X	
	Corrugated Metal		X	case-by-case	case-by-case	
	Tesla Roofing	Tesla	case-by-case	✓	✓	
	Copper Metal		✓ match existing/original	✓ match existing/original	✓	Copper roofs are formed as standing seam panels or as flat, seamed and soldered panels on low slope roofs.
	Clay Tile		✓ match existing/original	✓ match existing/original	✓ commercial/institutional only	Clay tiles are durable and long-lasting, but their use is typically limited to Spanish Colonial style architecture.
	Single Ply Membrane (TPO, EPDM)		✓ match existing/original	✓ match existing/original	✓ commercial/institutional only	Membrane roofs are most often used on flat roof commercial and institutional buildings and are typically white or black. *OK on residential flat roofs if not visible.

Windows	Wood		✓ match existing/original	✓	✓	
	Aluminum-Storefront		✓ case-by-case commercial/institutional only	✓ case-by-case commercial/institutional only	✓ case-by-case commercial/institutional only	Aluminum storefront windows are typically found on commercial and institutional structures. Other aluminum windows are case-by-case.
	Aluminum-Clad Wood		✓ match existing/original	✓	✓	Allowed as a replacement material for windows that are not character-defining historic windows
	Fiberglass-Clad Wood		X	✓	✓	Allowed as a replacement material for windows that are not character-defining historic windows
	Fiberglass		X	✓	✓	Allowed as a replacement material for windows that are not character-defining historic windows
	Vinyl		X	X	X	
	Vinyl-Clad Wood		X	X	X	
	Steel		✓ match existing/original	✓ match existing/original	✓ commercial/institutional only	
	MDO Veneers	Simpson Waterbarrier	X	X	X	
	Composite or Engineered Wood	Fibrex, CompositWood	case-by-case	case-by-case	case-by-case	Wood/plastic polymer hybrid. Must be smooth side out if permitted. Allowed as a replacement material for windows that are not character-defining historic windows
	Glass Block		case-by-case	case-by-case	case-by-case	

Main Entry Doors	Wood		✓ match existing/original	✓	✓	
	Steel		✓ match existing/original	✓ commercial/ institutional only	✓ commercial/ institutional only	
	Aluminum-Clad Wood		✓ match existing/original	✓	✓	Allowed as a replacement material for doors that are not character-defining historic doors.
				✗	✓ commercial/ institutional only	
	Fiberglass-Clad Wood	Marvin Integrity	X	X	✓	Newer prototype for a main entry door. Very unlikely to be used as a replacement material.
	Fiberglass		X	X	case-by-case	
	Vinyl		X	X	X	
	Vinyl-Clad Wood		X	X	X	
	Aluminum Storefront		✓ commercial/ institutional only	X	✓ commercial/ institutional only	
	All Glass, Non-Metal Frame		✓ commercial/ institutional only	X	✓ commercial/ institutional only	

Side and Rear Doors	Wood		✓ match existing/original	✓	✓	
	Steel		✓ match existing/original	✓	✓	Allowed as a replacement material for doors that are not character-defining historic doors.
	Aluminum-Clad Wood		✓ match existing/original	✓	✓	Allowed as a replacement material for doors that are not character-defining historic doors.
	Fiberglass-Clad Wood		✓ match existing/original	✓	✓	Allowed as a replacement material for doors that are not character-defining historic doors.
	Fiberglass		✓ match existing/original	✓	✓	Allowed as a replacement material for doors that are not character-defining historic doors.
	Vinyl		X	X	X	
	Vinyl-Clad Wood		X	X	X	
	Aluminum Storefront		✓ commercial/ institutional only	✓ commercial/ institutional only	✓ commercial/ institutional only	

Walkways	Brick Pavers		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. <u>Also allowed as replacement material for dirt or gravel.</u>
	Natural Stone		✓ match existing/original	✓	✓	<u>Also allowed as replacement material for dirt or gravel.</u>
	Poured Concrete		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. <u>Also allowed as replacement material for dirt or gravel.</u>
	Concrete Pavers		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. <u>Also allowed as replacement material for dirt or gravel.</u>
	Gravel		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis.
	Chapel Hill Gravel		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis.
	Chip and Tar		✓ match existing/original	✓	✓	
	Asphalt		✓ match existing/original	✓	✓	Riverwalk is an example. <u>Also allowed as replacement material for dirt or gravel.</u>
	Stamped Concrete		case-by-case	case-by-case	case-by-case	Has been used as crosswalk for N.C. Department of Transportation right of way.

Material Category	Material	Common Manufacturers	Changes to Existing Buildings	Additions to Existing Buildings	New Construction	Notes
Driveways and Off-Street Parking Areas	Gravel		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are on a case-by-case basis. No gravel is to be located on the portion of the driveway in the right of way.
	Asphalt		✓ match existing/original	✓	✓	Also allowed as replacement material for dirt or gravel.
	Concrete		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis.. Also allowed as replacement material for dirt or gravel.
	Concrete Pavers		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. Also allowed as replacement material for dirt or gravel.
	Brick Pavers		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. Also allowed as replacement material for dirt or gravel.
	Chapel Hill Gravel		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are on a case-by-case basis. No gravel is to be located on the portion of the driveway 10 feet behind the edge of the right of way.
	Chip and Tar		✓ match existing/original	✓	✓	
	Permeable Pavers		✓ match existing/original	✓	✓	Typically concrete with a diamond or square pattern and grass growing in the openings. Also allowed as replacement material for dirt or gravel.

Wood		✓	✓	✓	No split rail. May be privacy, picket, or post and welded wire. Other designs not listed are on a case-by-case basis.
Split Rail		✗ case-by-case	✗ case-by-case	✗ case-by-case	Not appropriate in Hillsborough's historic district.
Wrought Iron/Painted Steel		✓ match existing/original	✓	✓	
Woven Wire with Wood Posts		✓ match existing/original	✓	✓	Top and bottom rails are required.
Chain-link		X	X	X	
Aluminum		case-by-case	case-by-case	case-by-case	Typically used for pool fencing. May have other applications. Approved only on a case-by-case basis.
Barbed Wire		X	X	X	
Painted Steel		case-by-case	case-by-case	case-by-case	
Vinyl/PVC		X	X	X	

**BOARD OF COMMISSIONERS  
TOWN OF HILLSBOROUGH, NORTH CAROLINA  
Consistency Statement per Section 160D-605**

***Request to amend the Historic District Design Standards  
for the Town of Hillsborough***

**June 10, 2024**

The Town of Hillsborough Board of Commissioners has received and reviewed the request from the Planning and Economic Services Division of the town's Community Services Department to amend the town's Historic District Design Standards as follows:

*Amend the following sections of the Historic District Design Standards to a) make the design standards more user-friendly, b) increase flexibility for sustainable energy in the historic district, and c) prevent minor changes from needlessly going to the Historic District Commission for review:*

- *Section 1 – Navigating the Historic District Commission Review Process*
- *Section 4 – Masonry; Windows; Sustainability and Energy Retrofit; Utilities*
- *Section 6 – Site Features and Plantings; Fences and Walls; Walkways, Driveways, and Off-Street Parking; Art*
- *Appendices – Glossary of Architectural Terms, Ordinary Maintenance and Repair and Minor Works, Historic District Compatibility Matrix*

The Hillsborough Board of Commissioners has determined the proposed action **is/is not consistent** with the Town of Hillsborough's Comprehensive Sustainability Plan (CSP) for the following reason(s):

1. The proposed amendment **is/is not consistent** with the *Social Systems & Public Space* chapter of the CSP, specifically the goal to "build and strengthen social cohesion and sense of community through the support and development of arts and culture, events and entertainment, and preservation initiatives in an equitable and sustainable manner."

Strategies: Develop and adopt policies that contribute to meeting social systems and public space goals; and adopt regulations that contribute toward establishing equitable and sustainable social systems and public spaces.

2. The proposed changes **advance/do not advance** identified goals and strategies found in the CSP, and promote the public health, safety, and welfare by making the

design standards easier for the public to navigate and by increasing flexibility for sustainable energy in the historic district.

The foregoing consistency statement, having been submitted to a vote, received the following vote and was duly adopted this 10<sup>th</sup> day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

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Sarah E. Kimrey, Town Clerk



# ORDINANCE

## Amending the Hillsborough Historic District Design Standards

### Sections I, 4, 6, and Various Appendices

The Hillsborough Board of Commissioners ordains:

- Section 1.** The amendment to Sections 1, 4, 6, and various appendices of the town's Historic District Design Standards as attached hereto.
- 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 10th day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

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Sarah E. Kimrey, Town Clerk

## Historic vs. Non-Historic

The period of significance for the local historic district continues into the recent past to encompass the evolution of the district and to include changes that took place at least 50 years ago.

### **DEFINITION OF HISTORIC:**

A property is considered historic, or contributing, in the local historic district if it is 50 years old or older. Additionally, any exterior addition or feature constructed at least 50 years prior to the current date is considered historic or contributing.

### Ordinary Maintenance and Repair and Minor Works

**Ordinary Maintenance and Repair:** Certain limited actions of ordinary maintenance or those of temporary nature are exempt from obtaining a Certificate of Appropriateness. Proposals shall be submitted to staff to verify the work qualifies for exemption.

## Masonry Standards

- 5) Repaint masonry surfaces that were previously painted in colors appropriate to the building or site. It is not appropriate to paint, seal, or coat historic masonry surfaces that were not previously painted, sealed, or coated, with historic defined as 50 years of age or older.

### Window Standards

- 11) New shutters should be added only if they are operable, typical for the style of building, and are sized to cover the entire window opening.

## Sustainability and Energy Retrofit Standards

- 9) It is not appropriate to install solar panels and skylights in locations that compromise the architectural integrity of a building. Install these features on non-contributing structures or non-character-defining elevations of historic structures. Set solar panels and skylights back from the front edge of flat roofs to minimize visibility. Green roofs can be installed on roofs in visible locations with evidence that they will not negatively impact the structure or integrity of the building. Solar panels can be installed on a secondary building, such as a garage or shed.
- 11) Site freestanding solar panels and wind turbines away from the building. Screen associated equipment from public view.
- 12) Install wind-powered equipment in a minimally visible location on the site or on a non-historic addition or secondary building. Wind-powered equipment should not be taller than the primary historic building.
- 14) Install cisterns, rain barrels, and other water collection devices in side and rear yards when possible. Screen from public view with fencing or landscaping when possible.

## Utilities Standards

- 1) Minimize the visual impact of new utility enclosures (“hot boxes”), mechanical and communication equipment, electric vehicle charging stations, and utilities by locating them along secondary elevations or inconspicuously in areas not visible from the street and by screening them from view with plantings or fencing when possible.
- 5) Paint or install meter boxes, vents, electric vehicle charging stations, and other utility connections that cannot be screened in colors that will blend in with the historic building or the site.

### Site Features and Plantings Standards

10) Introduce contemporary site features — such as swimming pools, dumpsters, mechanical units, storage buildings, playground equipment, and telecommunication equipment — only in locations that are not visible from the street to the maximum extent possible and where they do not compromise the historic character of the building, site, or district. Screen contemporary site features from public view with landscaping or appropriate fencing.

## Fences and Walls Standards

8) Site new fences or walls, if necessary, in locations that are compatible with the traditional relationship of fences or walls to district properties of similar architectural style and to sites of similar size. New fences are generally not appropriate in front yards. New walls in front yards may be reviewed on a case-by-case basis and require HDC approval.

### Walkways, Driveways, and Off-Street Parking Standards

- 5) Replace in kind any portion of a historically significant walkway, driveway, or off-street parking area that is damaged or deteriorated beyond repair. Match the original feature in design, material, dimension, configuration, detail, texture, and color. Retain as much original fabric as possible.
- 6) Substitute compatible materials for historically significant features only if it is not feasible to replace in kind. More permanent materials are allowed as replacement materials for dirt and gravel walkways, driveways, and off-street parking. Refer to the Historic District Compatibility Matrix in the appendices for more information.

## Art Standards

4) Introduce wall-mounted art — such as murals, mosaics, or metal installations — only in locations that do not compromise or diminish the overall design or architectural rhythm or pattern of the building, site, or district. Introduce new artwork on stucco, wood, or previously painted masonry surfaces on non-character-defining elevations. It is not appropriate to paint murals or similar art installations on unpainted masonry surfaces that were not historically painted.

## GLOSSARY OF ARCHITECTURAL TERMS

**Character Defining:** visual aspects and physical features that contribute significantly to the physical character of buildings. Character-defining elements include elevations, features, or architectural details.

**Character-Defining Elevation:** the side/s of a building that contribute to its special historic, cultural, and aesthetic character. These are typically front elevations that are visible from the public right-of-way and reinforce the special character of the historic district. The character-defining elevation can also be a side or rear elevation.

**Contributing:** a property, exterior addition, or feature constructed at least 50 years prior to the current date. A property's contributing status in regard to the National Register of Historic Places has no bearing on local historic district review. In many cases, "contributing" and "historic" are terms that are used interchangeably.

**Historic:** a property, exterior addition, or feature constructed at least 50 years prior to the current date. In many cases, "historic" and "contributing" are terms that are used interchangeably.

**Historically Significant:** a feature, architectural element, or structure that is older than 50 years from the present date.

**Special Character:** the qualities of the Hillsborough Historic District that make it unique and distinguish it from other places.

## ORDINARY MAINTENANCE AND REPAIR AND MINOR WORKS

**Ordinary Maintenance and Repair:** Certain actions of regular maintenance or of a temporary nature. These are exempted from obtaining a Certificate of Appropriateness. Any proposal shall still be submitted to staff for review to verify that the work proposed qualifies for this exemption.

**Minor Work/Staff-Issued Certificate of Appropriateness:** Some works of a minor nature typically do not require Historic District Commission approval unless referred by staff. They may be approved through issuance of a minor works permit by the zoning officer if they meet the criteria listed below and are appropriate to the district or the landmark as determined by staff. The priority preference is to restore and preserve historic materials over replacement. Additionally, minor works applications that do not comply with the Historic District Design Standards or that may set a precedent in the historic district remain subject to HDC review.

## I. Exterior Changes to Buildings

### A. Masonry:

#### 1. Ordinary Maintenance and Repair

- i. Minor repointing and other minor masonry and stone repairs such as spot repairs or restoration of loose or deteriorated masonry.

### B. Wood:

#### 1. Ordinary Maintenance and Repair

- i. Replacement or repair of wood building materials in kind with no change in shape or dimension so long as no more than 25% of the materials require replacement in-kind.

### C. Architectural Materials:

#### 1. Ordinary Maintenance and Repair

- i. Replacement or repair of architectural metal building materials in kind with no change in shape or dimension so long as no more than 25% of the materials require replacement in-kind.

### F. Windows

#### 2. Minor Work

- ii. Replacement of original, historically significant windows on historic structures if the replacement material is wood and the muntin configurations match exactly those of the windows being replaced. Replacement of deteriorated wood windows with substitute materials that comply with the Historic District Compatibility Matrix may be permitted on side and rear elevations. Replacements require Historic District Commission approval when the materials are to be something other than wood on a character-defining elevation and/or when replacement window muntin configurations do not match those of original windows.

### G. Doors:

#### 2. Minor Work

- i. Replacement of doors that are not historically significant to a historic structure, which are designed to closely match the door being replaced, unless evidence shows the original door design is different, in which case that configuration shall be used. Replacement doors shall be a material consistent with the Historic District Compatibility Matrix. Replacement of historically significant doors requires Historic District Commission approval.

### I. Stairs and Steps:

#### 1. Ordinary Maintenance and Repair

- i. Minor repointing and other minor masonry and stone repairs to steps.

#### 2. Minor Work

- iii. Replacement/removal of or alteration/addition to existing stairs and steps that are not historically significant. Natural materials shall be replaced in kind, and artificial materials shall be replaced with natural materials appropriate to the house or primary structure. Concrete is an appropriate material for steps for landmark properties. Black steel steps are also an appropriate replacement material for side and rear egress staircases for multi-story commercial or multi-family buildings in the historic district.

#### **M. Sustainability and Energy Retrofit:**

##### **1. Ordinary Maintenance and Repair**

- iii. Installation of solar panels not facing the street, so long as the panels are not attached to a character-defining roofing material and so long as panels match the roof color and project no more than four inches above the finished roof surface. All associated equipment shall be attached to the rear or side of the structure.
- iv. Installation of solar panels on non-contributing structures if the panels match the roof color and project no more than four inches above the finished roof surface. Any associated mechanical equipment shall be located at the rear or side of the structure.
- v. Installation of electric vehicle charging stations and related equipment in any existing or proposed driveway or off-street parking area and located behind the front line of the primary structure on site. Signage identifying the unit as a charging station may be painted onto the charging station or shall meet the requirements of Section 6: Setting and Site/Signage below. No off-site signage is permitted, and all on-site signage other than what is located in these standards requires Historic District Commission approval. Electric vehicle charging stations that are located behind only one front line of a corner lot are permitted if staff determine that they comply with the above requirements and Historic District Design Standards.

##### **2. Minor Work**

- v. Installation or removal of awnings and canopies that comply with the Historic District Compatibility Matrix, provided that the new structures do not obscure or conceal significant architectural features of a structure.
- vi. Installation, removal, or replacement of operable shutters that are in a location where they were used historically and match the width of the windows next to which they are located with materials and features that comply with the Historic District Compatibility Matrix. Installation of inoperable shutters or shutters in places where they were not used historically require Historic District Commission approval.

#### **N. Utilities:**

##### **1. Ordinary Maintenance and Repair**

- iv. Installation of mechanical equipment, including, but not limited to, such items as heating and air conditioning units or generators, that are screened from general public view (required setbacks must be met).

## II. New Construction and Additions

### D. New Construction of Outbuildings and Garages:

#### 1. Ordinary Maintenance and Repair

- i. Construction of utility structures, excluding accessory dwellings, that are less than 80 square feet in area, are located in the rear of non-contributing properties, and are screened from the public right of way can be approved if meeting the design standards and compatibility matrix.

#### 2. Minor Work

- i. Construction of detached outbuildings or garages that are located in the rear and are screened from the public right of way. Garages over 144 square feet and accessory dwellings require HDC review. In addition, all materials and features shall comply with those permitted in the [Historic District Compatibility Matrix](#).

### H. Porches

#### 1. Ordinary Maintenance and Repair

- i. Replacement or repair of porch materials in kind with no change in shape and dimension so long as no more than 25% of the materials require replacement in kind.

#### 2. Minor Work

- i. Conversion of existing decks that are less than 400 square feet in area to porches or screened porches that are located in the side or rear of properties and are not easily visible and/or are screened from public right of way. All materials and features shall comply with those permitted in the [Historic District Compatibility Matrix](#). The peak of the porch roof shall not extend above the existing house. Any proposed design details or materials that do not meet these standards shall require Historic District Commission approval.
- ii. Conversion of existing porches to screened porches if located in the side or rear of properties and not easily visible from the public right of way.

### I. Decks

#### 2. Minor Work

- i. Alteration of, addition to, and/or removal of existing decks that are located behind the front line of the house. For additions to existing decks, the total combined square footage of the original deck with the addition shall not exceed 400 square feet. Decks shall not be easily visible from the street, and/or they shall be screened from view with evergreen plantings to provide adequate screening.
- ii. Construction of new decks composed of materials that comply with the [Historic District Compatibility Matrix](#), are less than 4 feet tall, are located behind the front line of the primary structure and are less than 400 square feet in area. Decks shall not be easily visible from the street, and/or they shall be screened from view with evergreen plantings to provide adequate screening.

- ii. Construction of new decks composed of materials that comply with the Historic District Compatibility Matrix, are less than 4 feet tall, are located behind the front line of the primary structure and are less than 400 square feet in area. Decks shall not be easily visible from the street, and/or they shall be screened from view with evergreen plantings to provide adequate screening.

### III. Setting and Site

#### A. Site Features and Plantings:

##### 1. Ordinary Maintenance and Repair

- vii. A single metal flagpole not exceeding 25 feet in height from ground level or a single flagpole base made of metal, concrete, stone, brick, or other natural materials and not exceeding 25 square feet in area.
- viii. Construction of “Little Free Libraries” located outside of the public right of way.
- ix. Non-fixed elements that can be moved without the use of heavy equipment such as rain barrels, planters, dog houses, bird baths, and similar decorative or functional items.

##### 2. Minor Work

- i. Construction of patios made of materials that comply with the Historic District Compatibility Matrix, are located behind the front line of the structure and are smaller than 400 square feet for historic district properties or 3,000 square feet for historic mill properties recognized as local landmarks. Patios shall be located and designed in a manner to retain as much of the existing site features, plantings, and topography as possible.
- v. Installation of wood or metal pergolas, garden trellises, or arbors not exceeding 8 feet in height that are located behind the front line of the primary structure
- viii. Hardscaping that is made of natural materials and does not obscure major architectural features or details of a historic structure.

#### B. Fences and Walls:

##### 1. Ordinary Maintenance and Repair

- ii. Spot repairs and completion of missing sections of existing fences.
- iii. Removal or replacement of existing fences that are not historically significant, as determined by staff, and no taller than 6 feet.
- iv. Temporary utilitarian or light-gauge wire fencing constructed as necessary to keep animals out of gardens, side, and rear yards.

##### 2. Minor Work

- i. Installation of fences located behind the front line of the structure that are made of materials and have styles which comply with Historic District Compatibility Matrix. Privacy fences may be no taller than 6 feet, but garden enclosures may extend to 7 feet only if the final foot is wire. Fences made of wood post and welded wire must include a top and bottom rail if located in the front yard but do not require rails if located in the side or rear yard. Picket and post and rail fences may be no taller than 4 feet. Wood privacy fences 5 feet or less in height may have an additional one foot of square-patterned wood lattice on top, but the total fence height shall not exceed 6 feet measured from ground level. Split rail fences require full Historic District Commission review and approval.

**C. Walkways, Driveways, and Off-Street Parking**

**2. Minor Work**

- ii. Replacement of existing non-historic driveways and off-street parking areas with materials that comply with the Historic District Compatibility Matrix. For replacement of historic stone or brick driveways, the original materials must be repaired and/or replaced in kind. Existing dirt or gravel driveways may be replaced with concrete, brick, natural stone or asphalt paving.

**F. Exterior Lighting:**

**1. Ordinary Maintenance and Repair**

- i. Temporary "seasonal," hanging, and special event lighting.

**G. Signage:**

**1. Ordinary Maintenance and Repair**

- iii. Removal of signs, sign posts, and bases that are not historically significant.

**2. Minor Work**

- x. Illumination of signs with directional lighting fixtures that are top mounted, so lighting is aimed down. Ground mounted signs with a height of five (5 feet or less may be ground lit, provided that the lights are shielded so as to illuminate the sign only, and the light shall not exceed 10 foot candles at the sign surface. Light fixtures must comply with Minor Works Section 6.F, and internally lit signage is not permitted in the Historic District.

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**H. Art:**

**1. Ordinary Maintenance and Repair**

- i. Installation of common seasonal decorations, sculptures, and other art installations that do not exceed eight feet above grade and that are not permanently affixed to a historic building or site.

**I. Outdoor Dining Areas**

**2. Minor Work**

- 3. Installation, alteration, or removal of affixed commercial street furniture with screening demarcations that are 3 to 4 feet tall, made of wood, stone, concrete, brick, glass, and/or metal, and meet all Hillsborough Code of Ordinances requirements. Each proposed demarcation design must provide a minimum of 50% transparency to maintain the visibility of the building. Any proposal not meeting these standards shall require Historic District Commission approval.

#### IV. Relocation and Demolition

HISTORIC DISTRICT COMPATIBILITY MATRIX

✓	✓ match existing/ original	✓ commercial/ institutional only	case-by-case	X	X if visible
compatible	compatible if new material matches existing or original material	compatible for commercial and institutional buildings only	may be allowed as a new or replacement material but is determined on a case-by-case basis	always incompatible	incompatible if visible from street

Material Category	Material	Common Manufacturers	Changes to Existing Buildings	Additions to Existing Buildings	New Construction	Notes
Roofing	Asphalt Shingle — 3 Tab	GAF, Owens Corning, Certaineed, Tamko	✓ match existing/original	✓ match existing/original	✓	3-tab asphalt shingles are flat, square edge shingles with three tabs on each shingle. They often carry a shorter warranty than more expensive architectural shingles. Standing seam metal and 5V metal are appropriate replacements for asphalt shingles.
	Asphalt Shingle — Architectural	GAF, Owens Corning, Certaineed, Tamko	✓ match existing/original	✓ match existing/original	✓	Architectural shingles are much thicker and longer lasting than 3-tab shingles and come in a wide variety of colors and patterns. Often referred to as laminate shingles. Standing seam metal and 5V metal are appropriate replacements for asphalt shingles.
	Wood Shingle		✓ match existing/original	✓	✓	Wood shingles are made of naturally durable woods like cedar and are available as shingles (regular dimensions) or shakes (rougher with inconsistent dimensions and thicknesses). Wood shingle roofs are found on Colonial, Shingle-style, and Arts and Crafts buildings.
	Metal Shingle		✓ match existing/original	✓ match existing/original	✓	Metal shingle roofs are increasingly rare. They are commonly found on Victorian houses and bungalows.
	Slate Shingle		✓ match existing/original	✓ match existing/original	✓	Slate is one of the most durable roofing materials available. It is extremely expensive and requires stout roof framing to support its substantial weight. Match original if possible.
	Standing Seam Metal	Union Corrugating, Fabral, McElroy, Pac-Clad	✓ match existing/original	✓	✓	Standing seam panels are available painted or galvanized. The panels are attached with hidden clips. Striations between crimps are not permitted. Standing seam is allowed as a replacement material for asphalt shingles.
	5V metal		✓ match existing/original	✓ match existing/original	✓	5V panels are used as a less expensive alternative to standing seam metal. 5V roofs are attached with exposed fasteners. Striations between crimp is not allowed. 5V is allowed as a replacement material for asphalt shingles.
	MasterRib		X	case-by-case	X	
	Corrugated Metal		X	case-by-case	case-by-case	
	Tesla Roofing	Tesla	case-by-case	✓	✓	
	Copper Metal		✓ match existing/original	✓ match existing/original	✓	Copper roofs are formed as standing seam panels or as flat, seamed and soldered panels on low slope roofs.
	Clay Tile		✓ match existing/original	✓ match existing/original	✓ commercial/institutional only	Clay tiles are durable and long-lasting, but their use is typically limited to Spanish Colonial style architecture.
	Single Ply Membrane (TPO, EPDM)		✓ match existing/original	✓ match existing/original	✓ commercial/institutional only	Membrane roofs are most often used on flat roof commercial and institutional buildings and are typically white or black. *OK on residential flat roofs if not visible.

Windows	Wood		✓ match existing/original	✓	✓	
	Aluminum		✓ case-by-case	✓ case-by-case	✓ case-by-case	Aluminum storefront windows are typically found on commercial and institutional structures. Other aluminum windows are case-by-case.
	Aluminum-Clad Wood		✓ match existing/original	✓	✓	Allowed as a replacement material for windows that are not character-defining historic windows
	Fiberglass-Clad Wood		X	✓	✓	Allowed as a replacement material for windows that are not character-defining historic windows
	Fiberglass		X	✓	✓	Allowed as a replacement material for windows that are not character-defining historic windows
	Vinyl		X	X	X	
	Vinyl-Clad Wood		X	X	X	
	Steel		✓ match existing/original	✓ match existing/original	✓ commercial/ institutional only	
	MDO Veneers	Simpson Waterbarrier	X	X	X	
	Composite or Engineered Wood	Fibrex, CompositWood	case-by-case	case-by-case	case-by-case	Wood/plastic polymer hybrid. Must be smooth side out if permitted. Allowed as a replacement material for windows that are not character-defining historic windows
	Glass Block		case-by-case	case-by-case	case-by-case	

Main Entry Doors	Wood		✓ match existing/original	✓	✓	
	Steel		✓ match existing/original	✓ commercial/ institutional only	✓ commercial/ institutional only	
	Aluminum-Clad Wood		✓ match existing/original	✓	✓	Allowed as a replacement material for doors that are not character defining historic doors.
	Fiberglass-Clad Wood	Marvin Integrity	X	X	✓	Newer prototype for a main entry door. Very unlikely to be used as a replacement material.
	Fiberglass		X	X	case-by-case	
	Vinyl		X	X	X	
	Vinyl-Clad Wood		X	X	X	
	Aluminum Storefront		✓ commercial/ institutional only	X	✓ commercial/ institutional only	
	All Glass, Non-Metal Frame		✓ commercial/ institutional only	X	✓ commercial/ institutional only	

Side and Rear Doors	Wood		✓ match existing/original	✓	✓	
	Steel		✓ match existing/original	✓	✓	Allowed as a replacement material for doors that are not character-defining historic doors.
	Aluminum-Clad Wood		✓ match existing/original	✓	✓	Allowed as a replacement material for doors that are not character-defining historic doors.
	Fiberglass-Clad Wood		✓ match existing/original	✓	✓	Allowed as a replacement material for doors that are not character-defining historic doors.
	Fiberglass		✓ match existing/original	✓	✓	Allowed as a replacement material for doors that are not character-defining historic doors.
	Vinyl		X	X	X	
	Vinyl-Clad Wood		X	X	X	
	Aluminum Storefront		✓ commercial/ institutional only	✓ commercial/ institutional only	✓ commercial/ institutional only	

Walkways	Brick Pavers		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. Also allowed as replacement material for dirt or gravel.
	Natural Stone		✓ match existing/original	✓	✓	Also allowed as replacement material for dirt or gravel.
	Poured Concrete		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. Also allowed as replacement material for dirt or gravel.
	Concrete Pavers		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. Also allowed as replacement material for dirt or gravel.
	Gravel		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis.
	Chapel Hill Gravel		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis.
	Chip and Tar		✓ match existing/original	✓	✓	
	Asphalt		✓ match existing/original	✓	✓	Riverwalk is an example. Also allowed as replacement material for dirt or gravel.
	Stamped Concrete		case-by-case	case-by-case	case-by-case	Has been used as crosswalk for N.C. Department of Transportation right of way.

Material Category	Material	Common Manufacturers	Changes to Existing Buildings	Additions to Existing Buildings	New Construction	Notes
Driveways and Off-Street Parking Areas	Gravel		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are on a case-by-case basis. No gravel is to be located on the portion of the driveway in the right of way.
	Asphalt		✓ match existing/original	✓	✓	Also allowed as replacement material for dirt or gravel.
	Concrete		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. Also allowed as replacement material for dirt or gravel.
	Concrete Pavers		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. Also allowed as replacement material for dirt or gravel.
	Brick Pavers		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are subject to commission review on a case-by-case basis. Also allowed as replacement material for dirt or gravel.
	Chapel Hill Gravel		✓ match existing/original	✓	✓	Natural color only. Tinting/dyes are on a case-by-case basis. No gravel is to be located on the portion of the driveway 10 feet behind the edge of the right of way.
	Chip and Tar		✓ match existing/original	✓	✓	
	Permeable Pavers		✓ match existing/original	✓	✓	Typically concrete with a diamond or square pattern and grass growing in the openings. Also allowed as replacement material for dirt or gravel.

Wood		✓	✓	✓	May be privacy, picket, or post and welded wire. Other designs not listed are on a case-by-case basis.
Split Rail		case-by-case	case-by-case	case-by-case	
Wrought Iron/Painted Steel		✓ match existing/original	✓	✓	
Woven Wire with Wood Posts		✓ match existing/original	✓	✓	
Chain-link		X	X	X	
Aluminum		case-by-case	case-by-case	case-by-case	Typically used for pool fencing. May have other applications. Approved only on a case-by-case basis.
Barbed Wire		X	X	X	
Painted Steel		case-by-case	case-by-case	case-by-case	
Vinyl/PVC		X	X	X	



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
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:** Water and Sewer Extension Contract (WSEC) with cost share for Nash Place

**Attachments:**

Draft Water and Sewer Extension Contract

**Summary:**

Nash Place is a proposed four parcel development just north of Nash and Latimer streets. A proposed extension of the town's water system will consist of approximately 400 feet of 6-inch water main, a hydrant and all associated appurtenances. The parcels will connect to existing sewer without a needed extension. The developer has indicated once the site is prepared, the lots will be sold off to builders. This project was subject of an offsite extension lawsuit where the town originally requesting looping of the water system for fire flow and redundancy which has since been settled. The town for town- and system-wide needs per Section 14-57(b) of the town code of ordinances has requested the developer place 6-inch water mains instead of the 2-inch mains originally proposed in 2020 (and before the town changed its specifications to require a minimum 6-inch main for new extensions in 2023) on the site with a stub out so the town can loop the main in the future to a main on Spruce St. As such, the town per Section 14-58(a)(2) will cost share for the delta between the proposed 2-inch and 6-inch water system. Per Section 14-58(b), any reimbursement or financial participation by the town pursuant to this section may be effected by a reduction or waiver of capital facilities fees or other means to be determined by the Board of Commissioners. This is identified in the contract appendix A.

**Financial impacts:**

Final cost difference to be provided by the contractor upon construction. Staff estimates this to be around \$60,000. When the lots develop, the builders will pay system development fees. While the actual bedrooms are unknown as a builder/buyer will determine in the future, the WSEC reserves capacity for 4 – 4-bedroom homes. Maintenance of this water extension will be absorbed into the rates.

**Staff recommendation and comments:**

System modeling shows an improvement in fire flow along with volume and redundancy for this project and for surrounding homes. The project and surrounding homes will benefit from a nearby hydrant in their insurance ratings.

**Action requested:**

Authorize the town manager to execute the WSEC when the town attorney says it is acceptable.

THIS WATER/SEWER EXTENSION CONTRACT (WSEC) is entered into this \_\_\_\_ of \_\_\_\_\_, 2024 by and between RIMA, LLC. (hereinafter the “DEVELOPER”) and the Town of Hillsborough, a North Carolina municipal corporation (hereinafter the “Town”):

WHEREAS, the DEVELOPER proposes to extend the Town’s water system (hereinafter the “Work, or Improvements”) to serve its **NASH PLACE** project (hereinafter the “Project”); and

WHEREAS, the Work for the Project is more specifically identified in the appendices of this Contract; and

WHEREAS, DEVELOPER has agreed to pay certain costs associated with the proposed Work; and

WHEREAS, at its meeting held \_\_\_\_\_, the Town Board of Commissioners authorized the proposed water main extension subject to execution of this WSEC and compliance with its terms.

NOW, THEREFORE, the DEVELOPER and the Town, and the successors, and assigns of each of them agree:

(1) Subject to DEVELOPER’s compliance with the terms and conditions set forth herein, and subject to DEVELOPER obtaining all necessary approvals from the State of North Carolina or any other agency or authority with jurisdiction over the Work, the Town will permit the connection of Improvements constructed for the above-referenced Project to the Town’s water and sewer systems.

- a) The Town reserves the right to refuse to allow connection to, or to temporarily reduce the capacity reservation for the Project by, the Town water and/or sewer system when such connection would cause the Town’s system or the operation thereof to be in violation of any applicable state or federal requirement, or due to the lack of capacity of the water or sewer system to supply all system needs, not arising from the negligent acts or omissions of the Town. Additionally, the Town reserves the right to refuse to allow use of the Town water and/or sewer system if acts or omissions at the Project (including use of water and/or sewer above the Project’s capacity reservation) causes there to be lack of capacity of the water or sewer system to supply all system needs, for such period of time until such act or omission at the Project causing such lack of capacity is remedied. Reasons for refusal to allow connection shall include, but not be limited to, lack of water supply or lack of capacity of one or more components of the water or sewer system and/or failure to adhere to the terms of this WSEC.

- b) The Town's authorization to connect to the Town's water and sewer system, including any capacity reservations noted, under this Contract shall expire if (i) substantial (i.e. more than token) construction of the project has not begun within two-years of town board approval of the contract; (ii) after construction begins, construction ceases for a continuous period of more than one year (unless a result of an action by the Town); or (iii) the extension to be constructed pursuant to this contract has not been connected to the Town's system in accordance with the requirements set forth herein within three years from town board approval, unless extended by writing before the expiration.

(2) Nothing in this Contract shall be construed as constituting express or implied approval of the Project by the Town under any applicable Town zoning, subdivision, or other land use ordinance.

(3) The DEVELOPER agrees to comply with or satisfy the following terms and conditions as well as those set forth in Appendix A and acknowledges that the Town's authorization to connect the proposed extension to the Town's system is specifically contingent upon compliance with and satisfaction of the same. If these conditions are not met, this Contract will be rendered null and void and the DEVELOPER will need to re-negotiate a new Contract for extension of service from the Town, or the Town, in its sole discretion, may refuse ownership in which case the system will remain private, having to meet additional state regulations and town standards of private ownership.

(4) Any significant modification of the plan for the Project or cessation of activity pursuant to Item 1(b) above shall subject the design and construction of the Work to be subject to the then-current Town standards and specifications.

(5) The Utilities Department shall require a performance bond for the to be donated public Improvements prior to construction. The performance bond shall be released upon satisfactory installation of the Improvements according to Town standards and specifications.

A. General Conditions:

1. Unless otherwise explicitly and specifically stated, DEVELOPER shall bear the costs and expenses of all obligations and duties created by this Contract, including without limitation, engineering and legal fees incurred by the Town in connection with the proposed extension. The Town will invoice the Developer for such costs incurred, and payment is due within 30 days.
2. The Town will permit the use of the extension to the Town's water or sewer system only after the Improvements have been successfully tested pursuant to paragraph D.1, all the conditions set forth in Sections B, C, and D and any costs billed per A(1) and Section E, and any additional conditions appended hereto, have been satisfied.
3. The Town shall own and maintain the Improvements constructed under this contract after they are accepted by the Town Board of Commissioners pursuant to paragraph D.2 and until such time

as the Improvements have been accepted by the Town Board, the DEVELOPER remains responsible for all maintenance and repairs to the Improvements.

4. DEVELOPER shall warrant all materials and workmanship of the Improvements pursuant to the Post-Construction Conditions of this Contract. Should defects in workmanship or materials be discovered in work done pursuant to this contract by or for the DEVELOPER during the warranty period as set forth in the Post-Construction Conditions, the DEVELOPER shall be responsible to see that all such defects are promptly corrected at the DEVELOPER's expense and written evidence of such, such as a stamped/sealed certification by the DEVELOPER'S engineer per paragraph A.12 above, is provided to the Town.
5. The Town may make or authorize extensions or connections to or from any of the Improvements constructed pursuant to this Contract without permission of the DEVELOPER.
6. Water and sewer service shall meet all minimum State and Town standards. The Town makes no warranty as to any water quality, quantity, or pressure to be provided.
7. This Contract may be assigned by the DEVELOPER, but such successor or assignee shall obtain no rights hereunder until after it has provided the Town with a written acknowledgment of the assignee's assumption of all DEVELOPER's obligations and responsibilities under this Contract.
8. This Contract is specific to the Project named above and described in Appendix A as approved by the Utilities Department and the Board of Commissioners. Any change or alteration in the approved intended use, i.e., residential, and commercial development, or configuration of the approved Improvements of such Project by the DEVELOPER or successor or assignee shall, absent the written consent of the Town, void this Contract.
9. DEVELOPER shall employ a licensed North Carolina engineering firm and engineer to prepare the design and to provide construction administration services throughout the entire Project.
10. The words "line" or "lines" shall include "main or "mains" unless the contract otherwise requires. "Sewer" means "sanitary sewer."
11. This Contract shall be deemed made in and shall be construed in accordance with the law of North Carolina.

**B. Pre-Construction Conditions**

1. Water and sewer capacity allocated to the Project will be noted in Appendix A and any changes in Project scope requiring more or less than the allocated amount shall be approved by the Town and may require modifications to issued state permits.

2. DEVELOPER shall engage a licensed North Carolina Professional Engineer to prepare plans and specifications for the construction of water improvements and/or sanitary sewer improvements to serve the Project. The Project shall not rely solely on the Town's Standard Utility Specifications, which may not cover all methods of construction or administrative matters (e.g., shoring, trenching, backfill, pipe laying, handling rock or hazardous wastes, bypass pumping, temporary water service, general and special conditions, site security, payment and change processes, geotechnical or other investigations, etc.). The licensed Professional Engineer shall make all necessary field observations to certify the record drawings and required permits, the Town's Inspector shall not provide this field observation on behalf of the Developer's Professional Engineer.
3. DEVELOPER shall secure formal approval of the water and sewer construction plans and specifications by the following agencies or authorities (and any other government agencies which may have jurisdiction over one or more elements of the Project), and provide approvals of such to the Town, as applicable:
  - Town Utilities Department
  - Town Public Works Street Cut Permit
  - North Carolina Department of Environmental Quality (if the Project entails any site infrastructure that is considered private, the plans and permit applications shall clearly delineate such and two applications may be required)
  - North Carolina Department of Transportation

The Town may elect to apply for state extension permits in its name. If it does, the DEVELOPER shall still be responsible for preparing the applications for signature, submitting the application and any associated fees.

4. DEVELOPER shall secure and record all required easements for the Work. The Town will provide a boilerplate easement document for utilization, or a general easement to reference on plat(s). DEVELOPER shall ensure no unauthorized encroachment into dedicated utility easements during the remaining course of construction.
5. DEVELOPER shall schedule a pre-construction meeting with the Town to include the Contractor, major Subcontractors, and other pertinent stakeholders prior to commencement of the Work and at this time will provide the Town a list of all pertinent contacts for the Project (name, role, company, E-mail and mobile phone of engineer, surveyor, prime and subcontractors). This meeting is specific to utilities construction.
6. DEVELOPER shall provide a copy of this WSEC to its engineer, surveyor, and licensed utilities contractor and submit proof to the Town of same in the form of written acknowledgement by recipients.

7. DEVELOPER shall instruct its contractor to submit to its engineer all material and shop drawing submittals and for its engineer to share all approved submittals with the Town.
8. DEVELOPER shall pay all fees for the Improvements due to the Town prior to construction of the Improvements.
9. DEVELOPER shall ensure that its engineer, surveyor, and contractor receive a copy of the final approved permits, plans and specifications for the Project and is aware of the Town's Utility Specifications, Standard Details and As-Built Digital Submittal Requirements prior to construction commencement, as applicable to each. Failure of the DEVELOPER or DEVELOPER'S project team responsible for preparing documentation or executing the Work for DEVELOPER to satisfy this WSEC, including not remedying construction deficiencies, will cause delay in setting of meters and Certificates of Completion.

C. Construction Conditions:

1. Unless otherwise provided in this Contract, all construction shall be in accordance with Town and State policy, standards, and specifications at the time of construction commencement.
  - a) The Town shall approve the size and type of material for all water and sewer lines and points of actual or future connection to the Town system.
  - b) The Town shall provide construction observation of the water and sewer Improvements by a competent and experienced inspector (Inspector) which may be Town staff, or an outside vendor contracted by the Town. Inspection by the Town does not consist of or imply supervision.
    - i. The role of the Town's construction observation is to ensure the Town's interests are met regarding construction of the Project for which it is to assume ownership but not to provide information to DEVELOPER's team for the preparation of record drawings or other acceptance documentation which remain the responsibility of the DEVELOPER. DEVELOPER shall reimburse Town for observation services within 30 days of receipt of invoices.
  - c) All work on the extension of water or sewer lines shall be subject to inspection by the Town or it's designee, and no Work may be covered up until such inspection has occurred. If any Work is covered up prior to inspection, the Town may require such Work to be uncovered or exposed for inspection at the DEVELOPER'S expense. If, in the judgment of the Town, there is a demonstrated lack of competent supervision by a Contractor, the Town may halt work until approved supervision is obtained and the work done in accordance with Town specifications and requirements.

- d) The Town shall require acceptance testing to determine whether the Work complies with State and Town standards and specifications. All such testing shall be at the DEVELOPER's expense, and a Town representative must be present when testing occurs unless declined or delegated in writing. The DEVELOPER or its Contractor must provide the Town at least 48 hours advance notice of any testing. The Contractor shall document the testing of each segment in detail (type of test, date, test conditions and results, pass/fail) on legible forms. Contractor's failure to document a test will require retesting and a retesting fee for each instance thereafter.
- e) The Inspector shall be onsite each day that meaningful work is performed and shall prepare daily logs. The Inspector shall routinely communicate on progress and issues that arise.
  - i. Meaningful work means the installation of water or sewer infrastructure and appurtenances that will become part of the public system of the town, installation of water or sewer services, making taps to existing Town water or sewer mains, testing (including flushing and chlorinating of water mains) of water or sewer systems for acceptance, testing of soils for compaction around water and sewer systems, pouring thrust blocking, constructing pumping stations, tanks or other water and sewer features.
- f) The DEVELOPER's engineer/construction team shall consult with the Inspector about any significant field changes. The DEVELOPER's engineer shall gain approval in writing from the Town's Utilities Director or delegated staff (which is not the Inspector) prior to making such changes. Changes shall be reflected on the record drawings.
  - i. Significant change may include but not be limited to adding or deleting or changing the alignment or grade of infrastructure; moving hydrants, manholes, valves, or backflow prevention device locations; adding additional services; changing pipe sizes or materials; adding couplings; or making other changes that will affect the layout or operation of the system as designed and approved.
- g) All Work on the Improvements shall be performed by a contractor currently licensed to perform this type of Work in North Carolina.
- h) DEVELOPER shall have their construction contractor coordinate with the Town on tie-in plans and water shutdowns at least one week in advance. Contractor shall be responsible to notification to customers of water disruptions with prior notification language approval by the Town.
- i) Town shall operate any existing system features (i.e., valves, hydrants) to accommodate Work by contractor, unless permission for others to operate such features is granted by

the town in writing. Unauthorized operation of hydrants or valves or other system components by DEVELOPER or its contractor (or subcontractor(s)) without prior approval of the Town constitutes tampering and theft and will result in the Town assessing fees and civil penalties as outlined in town code Section 14-16.

- i. Should DEVELOPER fail to pay an assessment imposed pursuant to this paragraph or if tampering occurs repeatedly on the Project, the Town may stop work on the Project until the assessment is paid, or some other arrangement is made to satisfy the Town that no further tampering will occur. Repeat instances of tampering may result in the Town nullifying this Contract.
- j) DEVELOPER shall report any instances of sewer bypass or overflow, or any instance of water system issues, caused by the Work to the Town within one hour of issue becoming apparent and the appropriate regulatory agency if and as required.
- i. DEVELOPER is solely responsible for any civil fines, penalties, or enforcement actions associated with the Work or performance.
- k) DEVELOPER shall provide proof of approved product submittals to the Town prior to construction commencement.
- l) DEVELOPER shall require its contractor to provide 48-hours' notice to the Town Inspector in advance for any taps and acceptance testing.
- m) DEVELOPER shall require that its water and sewer contractor have its field superintendent onsite during all construction of the Improvements. The field superintendent and a secondary field contact shall be identified at the preconstruction meeting.
- n) The DEVELOPER shall ensure that the water and sewer contractor maintain field records of the Work as it progresses and shall have a registered land surveyor collect and seal as accurate, the location and survey attributes for all water and sewer features as required by the Town according to its As-Built Digital Submittal Requirements as Attached in Appendix B. Any missing information to meet the requirements shall be collected at the DEVELOPER expense and prior to Town acceptance of the system.
- o) The DEVELOPER shall prepare and submit final as-built drawings of the Work which are sealed by a North Carolina registered Professional Engineer.
- p) Off-road vehicles or metal tracked equipment is prohibited to be driven over installed utilities. The evidence or observation of off-road vehicles or metal tracked equipment driving over installed utilities after inspection may require reinspection and retesting at the costs listed in Section E at the discretion of the Town.

2. The DEVELOPER shall bear the total cost of all water and/or sewer observation, permit compliance, construction, security instruments, insurance, testing and dedication and acceptance documentation within the Project and all water and/or sewer construction required to extend service to the Project, unless negotiated otherwise and stated in this Contract.

D. Post-Construction Conditions:

The following stages shall be completed after construction of the Project:

1. Prior to use of the Project for any reason the Town shall have performed a pre-acceptance inspection and received from the DEVELOPER and approved:
  - a) copies of all acceptance testing performed on the Improvements, including any testing of backflow prevention devices; fats, oils and grease interceptors or separators; fire flow or apparatus testing (as it relates to affecting the public water system); sewer manhole vacuum testing; sewer and water main pressure and leakage testing; mandrel testing; geotechnical compaction testing if utilized; and bacteriological testing of any water mains,
  - b) two printed copies (1 full D-size and 1 half-size) and one electronic PDF copy of the sealed as-built drawings (full as-built drawings should be presented unless the Town agrees to accept a series of partial as-built drawings),
  - c) a full CAD version of the final as-built drawings including all necessary X-references and font files to make a complete view of the data in Autodesk's AutoCad 2020 or other Autodesk CAD viewer software,
  - d) a contractor's notarized affidavit that the drawings accurately represent the as-built improvements,
  - e) the completed Engineering Certifications executed by the Professional Engineer of record indicating that work has been performed in substantial compliance with the approved plans and specifications and that the state has received such certifications and approved them (final certification should be provided unless the Town agrees to accept a series of partial certifications and then a final certification), and,
  - f) evidence the noted deficiencies have been corrected by the DEVELOPER'S contractor and approved by the town, unless the Town has provided written permission for specific minor deficiencies not affecting the operation of the system to be corrected before town acceptance of the system per Item D(2)(g).

2. Prior to the Town accepting the system for ownership, the Developer shall:

- a) provide a Contractor's Affidavit and Release of Liens from all subcontractors and materialmen,
- b) provide digital data as required by the Town's As-Built Digital Submittal Requirements,
  - i. the digital data will be quality checked by the Town's surveying firm (typically 10% of the system). Additional time shall be accounted for this effort in DEVELOPER's schedule,
  - ii. the data shall be corrected at the DEVELOPER's expense if significant discrepancies exist between the survey data exist from the quality check,
  - iii. The charges for the Town to perform the quality check and input the data into the town GIS system will be billed to the DEVELOPER.
- c) convey to the Town and record or cause to have recorded in the Orange County Registry all deeds of easement and plats showing all water and/or sewer easements required to serve the Project,
- d) provide an engineer-certified Statement of Value per bid line item of the final construction cost of the installed Improvements for which the Town will assume ownership. This cost is related to the financial value of the physical donated Improvements entered into the Town's asset registry and subject to asset life and depreciation. As such, the costs should not include indirect costs.
- e) have submitted all daily field reports and other pertinent Project records as requested such as approved submittals, Requests for Information, Field Work Orders and Change Orders,
- f) ensure all Engineering Certifications are final,
- g) all Town punch list items are completed and signed off upon,
- h) formally dedicate to the Town by letter all physical Improvements constructed to serve the project that is the subject of this contract, which Improvements shall become part of the Town water and sewer system upon acceptance by the Town Board of Commissioners and will thereafter be owned and maintained by the Town, with exception of the warranty conditions, and
- i) present a warranty in the name of the Town of Hillsborough for a minimum period of two years from the date of Town Board of Commissioner acceptance of the construction for the

Project or phase of Project. The method of securing the warranty shall be by Maintenance Bond or Letter of Credit (preferred) from a viable surety with a rating of AA or above, or other form of security in a form acceptable to the Town. The security amount will be 25% of the total cost of the Improvements as certified in the Statement of Value prepared by a North Carolina licensed engineer.

3. Prior to the Town approving meter setting or final building permit sign-off for Certificate of Occupancy the DEVELOPER shall:
  - a) Have met the conditions of this WSEC except for the warranty period.
  - b) Address any damaged utilities occurring after the Town's pre-acceptance walk through and state permit certifications that are a result of building out the development subsequent to the water and sewer installation to the Town's satisfaction.
  - c) All construction and post-construction phase utility fee invoices are paid in full.
4. It shall be the DEVELOPER's responsibility to request release of the warranty at a point not earlier than two years from the date of acceptance of the system by the Town. The warranty shall remain in effect until such time as all four of the following conditions are satisfied:
  - a) Town staff have evaluated the system for the end-of-warranty release and provided documented comments of defects to be corrected,
  - b) DEVELOPER has corrected any defects noted by the Town staff in its evaluation of the system and the Town has verified this, and
  - c) The Town has returned or noted cancellation of the warranty security instrument.

E. Fees:

1. All fees and charges to be paid pursuant to this Contract shall be calculated in accordance with the Town's fee schedule in effect when the fees and charges are paid, or if not in the fee schedule, as outlined in this section. Fees typically are adopted as part of the Town's budget process each year with an effective date of July 1 and are subject to change.
2. DEVELOPER's construction of Improvements pursuant to this Contract shall not relieve DEVELOPER of the obligation to pay applicable fees under the Town's water and sewer ordinances and policies in effect at the time the fees are paid, and this Section E, except as amended by Appendix A.

3. DEVELOPER's construction of Improvements pursuant to this Contract does not affect the Town's policy with respect to the fees to be paid to the Town by property owners other than DEVELOPER for connection to the improvements constructed by DEVELOPER pursuant to this Contract. Nor shall DEVELOPER have any right to collect fees from persons connecting onto or extending the improvements constructed under this Contract.
4. The following fees will be applicable to the Project:
  - a) Water and sewer system development, engineering review, inspection and meter fees as applicable and published in the fee schedule referenced in Section A(1) and herein.
  - b) Tampering fees as outlined in Item C(1)(i).
  - c) DEVELOPER shall ensure its water and sewer contractor is prepared for acceptance testing by pre-testing items in advance. Reinspection fee for each recurring trip for previously failed tests, a call for testing that requires the Inspector to wait more than 30 minutes or observation by the Inspector that the items are not ready to be tested, or no timely notification of cancellation (4 hours in advance) of testing will be charged to DEVELOPER at the fees established in the adopted town fee schedule.
  - d) DEVELOPER shall ensure the construction is conducted in an orderly and organized fashion and that the Town's resources are efficiently utilized. Repeated and duplicative effort by the Town on a project will require reimbursement from the Developer for staff time and travel in accordance with Section 14-68 of the Town Code of Ordinances.
  - e) Construction water for the Project will not be obtained from the Town's water system unless through rental of a hydrant meter, installation of a construction meter (for home building), or through bulk water purchase from the Town's Water Treatment Plant in accordance with policies and rates in place at the time of rental.

[SIGNATURE PAGE FOLLOWS]

IN TESTIMONY WHEREOF, the parties hereto have executed this Contract in duplicate originals, as of the day and year first above written.

**RIMA, LLC**

**TOWN OF HILLSBOROUGH**

By: \_\_\_\_\_  
Natalie Bree  
Owner

By: \_\_\_\_\_  
Eric J. Peterson  
Town Manager

ATTEST:

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Sarah Kimrey  
Town Clerk

This Contract is approved to as form:

\_\_\_\_\_  
Town Attorney

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Dave McCole, Finance Director

List of Appendices:

Appendices A - B

## NASH PLACE

### TOWN OF HILLSBOROUGH WATER/SEWER EXTENSION CONTRACT APPENDIX A

DEVELOPER, for itself, its successors and assigns (including homebuilders, if any, acquiring lots from DEVELOPER for construction of homes and sale to homeowners), agrees and acknowledges as follows:

1. The Project has reserved water and wastewater capacity for four, 4 – bedroom homes, which is valid in accordance with the terms of this Contract. Additional reservations of capacity shall be requested and approved separately with supporting documentation.
2. Facilities to become under town ownership after the project completion consists of a 6-inch water main (400 LF) with one hydrant within a 20-foot public easement and all appurtenances.
3. Per Town Code of Ordinances Section 14-57(b), the town has requested a 6-inch water main and hydrant whereby in 2021, the original project submittal presented a 2-inch main with blowoff. As such, per Town Code of Ordinances 14-58(a)(2), the Town shall reimburse the developer for any additional costs incurred because of installing such oversized lines. This would include the material and size difference between the 2-inch and 6-inch main, the hydrant, the difference in cost for fittings, valves, and other appurtenances.
  - a. DEVELOPER to present a licensed utility contractor's quote showing the difference between the originally proposed 2-inch water main design and the approved 6-inch water main, hydrant, and appurtenances design for Town approval. The Town will confirm the expected amount to be paid with some contingency. After construction, the sealed Schedule of Values required by Section D(2)(d) representing actual final cost will be used to reimburse the difference between the 2-inch water main quote and the installed water main.
  - b. Per Town Code of Ordinances Section 14-58(b), except for any front footage fees collected, any reimbursement or financial participation by the town pursuant to this section may be effected by a reduction or waiver of capital facilities fees or other means to be determined by the board of commissioners.
4. All water meters and connection fees for the project shall be invoiced upon submittal of a building permit and purchased from the Town at the prevailing rate at the time of payment.
5. Only service connections from the four lots will be made to the existing sewer system and no sewer extension is planned. Private sewer services crossing other property shall be within an established private easement that is recorded at the Orange County Register of Deeds with proof thereof being presented to the Town and of which book and page shall be noted on the final plat.

**NASH PLACE**

**TOWN OF HILLSBOROUGH WATER/SEWER EXTENSION CONTRACT  
APPENDIX B – AS-BUILT DIGITAL SUBMITTAL REQUIREMENTS**

DRAFT



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
Department: Community Services  
Agenda Section: Regular  
Public hearing: Yes  
Date of public hearing: April 18, 2024

#### PRESENTER/INFORMATION CONTACT

Shannan Campbell, Planning and Economic Development Manager  
Molly Boyle, Planner II

#### ITEM TO BE CONSIDERED

**Subject:** Rezoning request for 128 W. Margaret Lane from Neighborhood Business Special Use to Neighborhood Business (general use)

##### Attachments:

1. Rezoning application
2. Vicinity and Future Land Use maps
3. Existing special use permit (associated with the current zoning, Neighborhood Business Special Use)
4. Information on the proposed zoning district, Neighborhood Business general use (NB)
5. Conditional zoning alternative – proposed allowable land uses
6. Draft consistency statement
7. Draft ordinance

##### Proposal:

The applicant is requesting to rezone his property, 128 W. Margaret Lane, from Neighborhood Business Special Use (NBSU) to Neighborhood Business (NB). Further details on the property and request are as follows:

Rezoning Request Details – 128 W. Margaret Lane	
Parcel ID Number	9874-06-2054
Town Limits or ETJ	Town limits
Current Base Zoning	Neighborhood Business Special Use (NBSU)
Proposed Base Zoning	Neighborhood Business (general use)
Overlay District(s)	Historic District Overlay
Future Land Use Designation	Urban Neighborhood

##### Current zoning district:

Currently, this property is zoned Neighborhood Business Special Use (NBSU). As such, the allowable land uses for the property are outlined in a special use permit, which is enclosed for reference.

Effective July 1, 2021, special use zoning districts are no longer allowed in North Carolina per the General Statutes. Any special use district that existed prior to July 1, 2021, like this one, is now regulated as a conditional zoning district, the conditions for which are outlined under the existing special use permit.

##### Proposed rezoning:

The applicant maintains that the rezoning request to Neighborhood Business (general use) is appropriate for the following reasons:

- The provisions of the existing special use district are too restrictive since they allow only “office” use.
- A general use zoning classification would be appropriate for the property’s downtown location.
- The rezoning would resolve any administrative complications with the existing special use district.

The existing special use permit for the property is enclosed, as is information on the proposed zoning district.

**Conditional Zoning alternative:**

If the Board of Commissioners is not amenable to the general use rezoning request, the applicant requests that it consider amending the *de facto* conditional zoning district instead.

Even though the town’s Unified Development Ordinance does not have provisions for conditional zoning districts, the Board of Commissioners can entertain a conditional rezoning request for this property. Technically, under State law, the property is already considered a conditional zoning district, the conditions for which are outlined in the special use permit.

In this scenario, the Board of Commissioners is considering whether to expand the list of allowable land uses under the *de facto* conditional zoning district. The applicant’s list of proposed, allowable land uses is enclosed.

**Comprehensive Sustainability Plan goals:**

- Land Use and Development Goal 1:  
Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity.
- Strategy:  
Ensure that land use/development regulations are aligned with preferred future land use/growth patterns.

**Financial impacts:** None.

**Joint public hearing:**

The public hearing was held on April 18, 2024. The approved minutes for the hearing are available online:

<https://mccmeetings.blob.core.usgovcloudapi.net/hillsbronc-pubu/MEET-Minutes-149f3b7cd6f542f3a6bf8dbc6ac55f01.pdf>

Two residents spoke against the rezoning request at the public hearing. Another four residents submitted written public comment beforehand. Staff forwarded these comments to the Planning Board and Board of Commissioners prior to the hearing for consideration.

**Planning Board recommendation:**

On May 16, 2024, the Planning Board recommended *denial* of both rezoning requests (3-2 for denial).

**Staff comments and recommendation:**

Staff recommends *approving* the rezoning request to rezone the property to Neighborhood Business (general use).

Staff respects the concerns voiced by some of the neighbors at the public hearing. From a Planning and Economic Development perspective, rezoning to the Neighborhood Business general use district is reasonable given the property’s location in an urban neighborhood downtown.

**Action requested on this item:**

Approve the request to rezone the subject property to Neighborhood Business (general use).



TOWN OF  
HILLSBOROUGH

# GENERAL APPLICATION Amendment to Future Land Use Map, Unified Development Ordinance or Official Zoning Map

Planning and Economic Development Division  
101 E. Orange St., PO Box 429, Hillsborough, NC 27278  
919-296-9477 | Fax: 919-644-2390  
www.hillsboroughnc.gov

This application is for amendments to the Comprehensive Sustainability Plan, Unified Development Ordinance, and/or Official Zoning Map. Incomplete applications will not be accepted or processed.

<b>OFFICIAL USE ONLY</b>			UK# 2152 PAID	
Case Number:		Fee: \$ 500.00	Receipt No.: 060272	
FLUM Designation: Urban Neighborhood		Zoning District: NBSU	Overlay Zone: <del>HD</del> HDO	

Amendment Type: <input type="checkbox"/> Future Land Use Map <input type="checkbox"/> Unified Development Ordinance Text	
<input checked="" type="checkbox"/> Zoning Map – General Use or Overlay District <input type="checkbox"/> Zoning Map – Planned Development District	

<b>PROPERTY LOCATION AND DESCRIPTION</b>	
Property Address or Location: 128 West Margaret Lane	
PIN(s): 9874-06-2054	Size of Property (Acres/Sq. Ft.): 0.21 Acres
Current Use of Property: Vacant - formerly occupied as real estate office	
Current Zoning Classification(s): NBSU (Neighborhood Business Special Use)	
Proposed Zoning Classification(s): NB	

<b>CERTIFICATION AND SIGNATURES</b>	
Applications will not be accepted without signature of legal property owner or official agent.	
I certify that the information presented by me in this application and all accompanying documents are true and accurate to the best of my knowledge, information, and belief; and I acknowledge that the processing of this application may require additional town, county and/or state permits, approvals, and associated fees.	
Applicant Name: Andrew B. Lloyd, Jr.	Legal Property Owner Name: Andrew B. Lloyd, Jr.
Mailing Address: 2701 US 70 West	Mailing Address: 2701 US 70 West
City, State, ZIP Code: Effland, NC 27243	City, State, ZIP Code: Effland, NC 27243
Telephone: 919-880-5680	Telephone: 919-880-5680
Email: Farmer1930@nc.rr.com	Email: Farmer1930@nc.rr.com
Signature: <i>B. Lloyd</i>	Signature:
Date: 2-2-24	Date:



TOWN OF  
HILLSBOROUGH

## SUPPLEMENTAL FORM

### Amendment to Official Zoning Map

Planning and Economic Development Division  
101 E. Orange St., PO Box 429, Hillsborough, NC 27278

919-296-9477 | Fax: 919-644-2390

www.hillsboroughnc.gov

To the Hillsborough Board of Commissioners:

I, Andrew B. Lloyd, Jr., hereby petition the Board of Commissioners to change the zoning designation of the property described in the attached General Application Form FROM NBSU (Neighborhood Business Special Use) TO \_\_\_\_\_.

#### FACTORS RELEVANT TO DECISION TO AMEND THE OFFICIAL ZONING MAP

The Hillsborough Unified Development Ordinance lists the following 10 general standards/findings of fact that the Board of Commissioners must weigh and consider before deciding to amend the official zoning map. Below or on a separate sheet, indicate the facts you intend to show and the arguments you intend to make to convince the Board of Commissioners that it can properly reach these 10 findings.

1. The extent to which the proposed amendment is consistent with all applicable Town adopted plans.

The amendment is consistent with current and future plans.

2. The extent to which there are changed conditions that require an amendment.

The market has changed and office is not in-demand use.

3. The extent to which the proposed amendment addresses a demonstrated community need.

will provide the town and community with a needed business.

4. The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land is consistent with the Hillsborough Comprehensive Plan.

Property is located downtown adjacent to similar businesses.

5. The extent to which the proposed amendment would result in a logical and orderly development pattern or deviate from logical and orderly development patterns.

The amendment provides a transition from residential to commercial downtown.

6. The extent to which the proposed amendment would encourage premature development.

The property is already developed and approved for 'office' use.

7. The extent to which the proposed amendment would result in strip or ribbon commercial development.

The proposed amendment would not. N/A.

8. The extent to which the proposed amendment would result in the creation of an isolated zoning district unrelated to or incompatible with adjacent and surrounding zoning districts.

N/A

9. The extent to which the proposed amendment would result in significant adverse impacts on the property values of surrounding lands.

Amendment will likely increase property values.

10. The extent to which the proposed amendment would result in significantly adverse environmental impacts, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

The property is already developed and no further impacts are anticipated

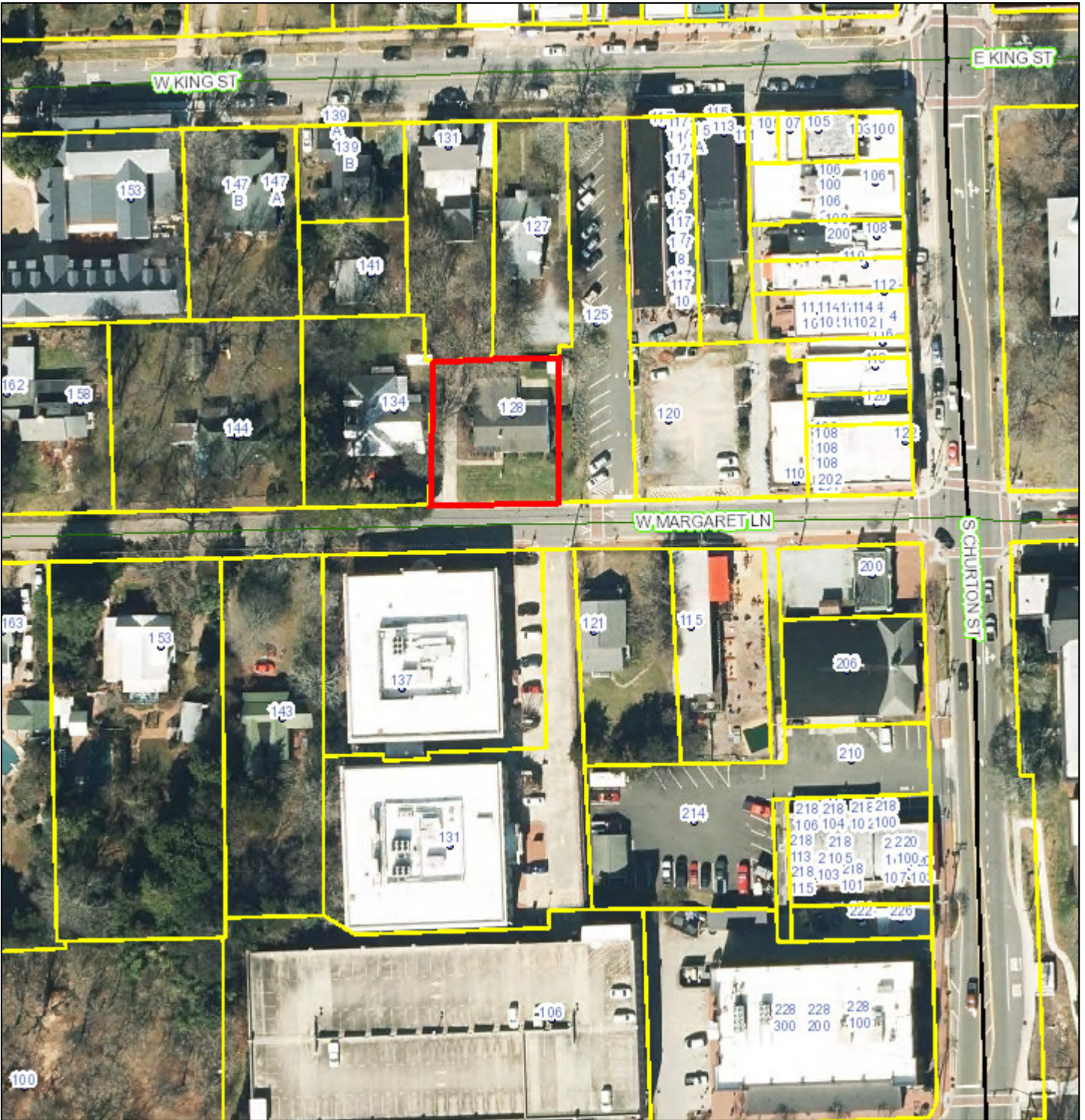
I certify that all the information presented by me in this application is accurate to the best of my knowledge, information, and belief.

✱

Bruce Lloyd  
Signature of Applicant

2-1-24  
Date

## Vicinity Map



This map contains parcels prepared for the inventory of real property within Orange County, and is compiled from recorded deed, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The county and its mapping companies assume no legal responsibility for the information on this map.

April 10, 2024

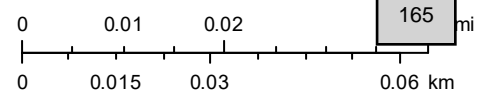
**PIN: 9874062054**  
OWNER 1: LLOYD ANDREW B JR  
OWNER 2:  
ADDRESS 1: 2701 US 70 W  
ADDRESS 2:  
CITY: EFLAND

SIZE: 0.21 A  
 DEED REF: 6229/282  
 RATECODE: 23  
 DATE SOLD: 12/1/2016  
 BLDG SQFT: 1945  
 YEAR BUILT: 1952

BUILDING COUNT: 1  
LAND VALUE:  
BLDG\_VALUE:  
USE VALUE:  
TOTAL VALUE:

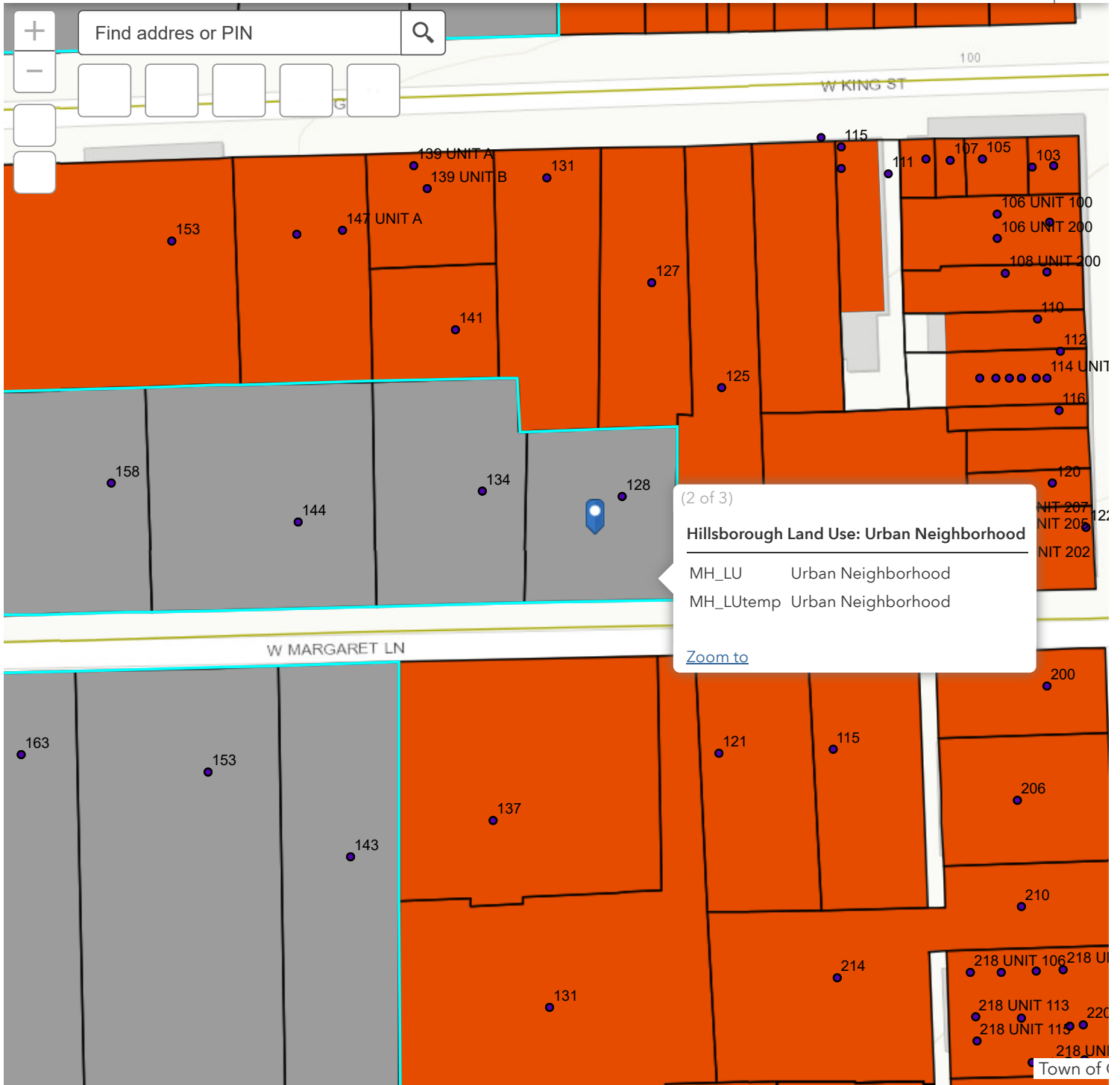
STATE ZIP NC 27243  
Section 6. Item A. N/S MARGARET LN

1:1,200



# Future Land Use Map

Hillsborough Land Use



10  
MB



20150626000124300 S/INS  
Bk:RB5974 Pg:128  
06/26/2015 02:44:05 PM 1/4

FILED Mark Chilton  
Register of Deeds, Orange Co., NC  
Recording Fee: \$26.00  
NC Real Estate TX: \$.00

PC

Prepared by: Margaret Hauth, AICP, CZO, Planning Director, Town of Hillsborough Planning Department  
Return to: Julie Smith, P.O. Box 1411, Hillsborough, NC 27278

**TOWN OF HILLSBOROUGH**  
**ORANGE COUNTY** **NORTH CAROLINA**  
**SPECIAL USE PERMIT #2015-01**

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned property owner, ZV Smith, Jr. Family Trust acknowledges the receipt of this Special Use Permit for the use and development of the property hereinafter described and as submitted by the Applicant, Julie Smith; the same was granted by the Town of Hillsborough on June 8, 2015, the terms of which are as follows:

**NAME OF PROJECT:** 128 West Margaret Lane office  
**NAME OF PROPERTY OWNER:** ZV Smith, Jr. Family Trust  
**NAME OF APPLICANT:** Julie Smith  
**TYPE OF SPECIAL USE:** Convert single-family dwelling to real estate, attorney, and other office uses/office sharing arrangement

**DESCRIPTION OF PREMISES**

**LOCATION:** 128 West Margaret Lane

**PARCEL IDENTIFICATION NUMBER:** 9874-06-2054 *gaw*

**DESCRIPTION OF PROPERTY:** BEGINNING on the northern side of W. Margaret Lane (33' Public R/W) at a RR spike found, the southeastern corner of the property of William D. Payne, III, now or formerly, as described in Deed Book 5664, Page 581, Orange County Registry, and running with the eastern line of Payne N 01°36'16" E, 100.37 feet to a computed point in a fence and in the southern line of the property of Brian W. Johnson, now or formerly, as described in Deed Book 2419, Page 457, Orange County Registry (being also the southern line of Tract A as shown on plat in Map Book 61, Page 184, Orange County Registry); thence with the southern line of Johnson and with the southern line of the property of Judith M. Hauser, P.C., now or formerly, as described in Deed Book 5749, Page 395 (being also the southern line of Tract B as shown on plat in Map Book 61, Page 184, Orange County Registry) S 89°45'17" E, 89.99 feet to a ½ inch existing iron pin in the western line of the

Page 1 of 4

property of the Town of Hillsborough now or formerly, as described in Deed Book 486, Page 195 (and shown on the plat recorded in Map Book 40, Page 85, Orange County Registry); thence with the western line of the Town of Hillsborough, S 01°39'06" W, 100.00 feet to a ½ inch existing iron pin in the northern margin of W. Margaret Lane; thence with the northern margin of W. Margaret Lane, N 89°59'31" W, 89.91 feet to the BEGINNING, containing 0.21 acres, more or less, (9009 square feet) as shown on the survey dated February 12, 2015, by Robert S. Jones, P.L.S. entitled "Survey For Smith Land & Realty, Inc.

Having heard all the evidence and argument presented at the public hearing on April 16, 2015, the Board finds that the application is complete, that the application complies with all the applicable requirements of the Town of Hillsborough Unified Development Ordinance for the development proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to any and all applicable provisions of the Town of Hillsborough Unified Development Ordinance, and the following **waivers and special terms and conditions**:

**Waivers Granted from Section 6 (Development Standards) of the Unified Development Ordinance**

- a. Section 6.3.2 (Table of Dimensional Requirements – Non-residential): Minimum Lot Area for Neighborhood Business Special Use = 10,000 square feet. The minimum lot size is reduced to match the current lot size of 9,009 square feet as shown on the referenced survey.
- b. Table 6.5.9 (Required Buffers): Neighborhood Business Special Use provides a Type A buffer when adjacent to property zoned R-20. This requirement is waived along the portion of the west property line where the existing wooden privacy fence is not installed.
- c. Section 6.10.3 (Landscaping requirements (for parking lots)), subsection 7 requires five feet of landscaped area between parking and the exterior wall of a structure. This requirement is waived when the pavement currently abuts the structure. No addition of landscape materials were required in existing gaps between the pavement and structure.
- d. Section 6.10.3 (Landscaping requirements (for parking lots)), subsection 8 requires perimeter plantings around parking areas. This requirement is waived due to the lack of space to install landscaping.
- e. Section 6.11.4.1 requires a minimum light intensity of 1 foot candle for parking areas. The applicant proposes to add no exterior lights because the hours of operation cease at 8 PM.
- f. Table 6.13.3.5 Minimum number of parking spaces required would require eight spaces based on the building square footage for office use. The applicant has committed to provide four spaces using the current paved driveway and further committed that employees will use other public parking in the vicinity rather than the driveway.

**Approval Conditions**

**Conditions Related to the Development**

1. **Approved Plans and Application Materials:** The application materials including, but not limited to, the survey and narrative dated February 2, 2015 are those approved with this Permit.
2. **Approved Uses:** The permitted uses of the property are limited to those described in the narrative which accompanied the application. Provided, however, that similar office use (or uses, if more than one occupant) with (a) no more than 8 employees (combined total of all offices) working from the site, and (b) hours of operation limited to 6 AM to 8 PM seven days a week, may also occupy and operate at the property.
3. **Additional Permits and Approvals Required:** Any development or modifications to the site are subject to all review and permit requirements of the Town.

**Additional Stipulations**

The following additional stipulations shall apply to this Permit:



Permit Recordation Requirement: Pursuant to Section 3 (Administrative Procedures), Subsection 3.8 (Special Use Permit), Paragraph 3.8.16 (Formalizing the Outcome), this Permit shall be recorded in the Orange County Register of Deeds Office within 10 days of its receipt. The Permit will not be effective, and no further permits or approvals for the development issued, until the Permit has been recorded. In addition, nothing authorized by this Permit may be done until the property owner properly executes, and returns to the Town a copy of the recorded Permit with the recording information attached thereto by the Orange County Register of Deeds.

Vested Right Established: A two-year vested right pursuant to G.S. 160A-385.1 and Section 1 (General Provisions), Subsection 1.8 (Vested Rights), Paragraph 1.8.4 (Duration and Termination of Statutory Vested Rights) of the Unified Development Ordinance is established as of the date hereof. Under the Statute and Ordinance provisions, unless terminated at an earlier date, the Permit is vested until **June 8, 2017**. Requests for an extension of this Permit's vested rights beyond the stated expiration date must be made to the Town in writing before the vested right expiration date is reached.

Permit Expiration: As provided in Section 3, Subsection 3.8, Paragraph 3.8.26 (Expiration) of the Unified Development Ordinance, this Permit shall expire 24-months from its date of approval if a Zoning Compliance Permit has not been issued for the project. Thus, the Permit will expire on **June 8, 2017** if a Zoning Compliance Permit has not been issued for the project. The Board may consider re-application for the permit on a property on which a previous permit has expired provided that all of the standards which are set forth in the Unified Development Ordinance are met, or if a request for an extension is made in writing before the expiration of the standard 24 months.

Changes and Modifications: As provided in Section 3, Subsection 3.8, Paragraphs 3.8.20 (Deviations) through 3.8.24 (Action Required on Proposed Modifications) of the Unified Development Ordinance, minor changes to this Permit may be approved by the Planning Director, as long as they are in harmony with the action of the Town Board of Commissioners, and provided such changes are not determined to be modifications (as defined in the Unified Development Ordinance). Modifications will require approval from the Town Board of Commissioners. Prior to commencement of any change in the approved plans, the Planning Director shall be consulted so as to determine whether the proposed change is considered a minor change or a modification.

Revocation: Pursuant to Section 3, Subsection 3.8, Paragraph 3.8.25 (Revocation) of the Unified Development Ordinance, the Town Board of Commissioners may revoke this Permit after a finding of the existence of any one of the following conditions:

- (a) That any governmental license or permit required for the activity authorized by the Permit have not been obtained or have been terminated; or
- (b) That any of the applicable requirements of the Unified Development Ordinance or any conditions attached to the Permit, or subsequent modification thereof, have been violated.

The Board may consider re-application for the permit on a property on which a previous permit has been revoked, provided that all of the standards which are set forth in the Unified Development Ordinance are met.

Continued Validity: The continued validity and effectiveness of this Permit is expressly conditioned on the continued compliance with the plans and conditions listed above.

Non-severability: If any part of this Permit, or any of the conditions affixed hereto shall be held invalid or void, then this Permit shall be void in its entirety, and of no effect.

Permit Runs with the Land: The terms herein contained are binding on the present owners, and their successors in title and interest, and shall henceforth be appurtenant to, and shall run with the title to said real property unless the conditions herein are otherwise vacated or changed by governmental action, the expiration of this Permit (including any approved extensions to its expiration date), the expiration of the Permit's vested right status (including any approved extensions), or vacated or modified by action of a Court of competent jurisdiction.

\*\*\*\*\*



IN WITNESS WHEREOF, the Town has caused this Permit to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

Attest:

Katherine M. Cathey  
Katherine M. Cathey  
Town Clerk



TOWN OF HILLSBOROUGH

By Margaret A. Hauth  
Margaret A. Hauth, AICP  
Planning Director

ACCEPTED BY:

We, the undersigned property owners of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owners do further acknowledge that no work may be done pursuant to this Permit except in accordance with all of its conditions and requirements, that failure to comply with the approved terms and conditions stated herein will result in forfeiture of this Permit, and that these restrictions shall be binding on them and their successors in interest.

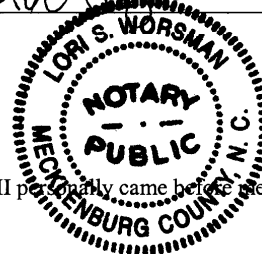
ZV Smith, Jr. Family Trust

By Zebulon V. Smith III  
Zebulon V. Smith, III  
Trustee

By Kristen L. Smith  
Kristen L. Smith  
Trustee

NORTH CAROLINA  
Mecklenburg COUNTY

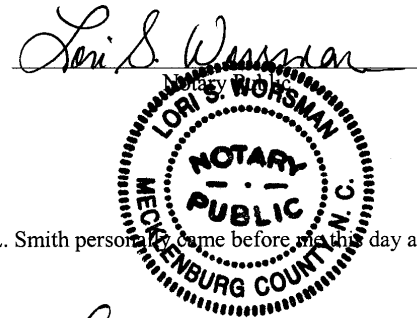
I, Lori S. Worsman, a Notary Public, certify that Zebulon V. Smith III personally came before me this day and acknowledged the due execution of the foregoing instrument.



My commission expires <sup>20</sup>  
**My Commission Expires June 14, 2020**

NORTH CAROLINA  
Mecklenburg COUNTY

I, Lori S. Worsman, a Notary Public, certify that Kristen L. Smith personally came before me this day and acknowledged the due execution of the foregoing instrument.



My commission expires <sup>20</sup>  
**My Commission Expires June 14, 2020**

(Not valid until fully executed and recorded)



# 4. ZONING DISTRICTS

## 4.2 BUSINESS BASE ZONING DISTRICTS

### 4.2.3 NEIGHBORHOOD BUSINESS DISTRICT (NB)

#### 4.2.3.1 Intent

The purpose of the NB District is to accommodate small-scale, low-intensity, and convenience retail and service uses that provide goods and services to residents of the immediately surrounding neighborhood. Development in this district should not be out of character or scale with a residential neighborhood, nor should it attract traffic from outside the surrounding neighborhood. Performance standards shall be used to ensure the absence of adverse impacts beyond the immediate space occupied by the building.

#### 4.2.3.2 Application Criteria

This district will usually be applied where the following conditions exist:

- 4.2.3.2.a Located at the intersection of either sub-collector or local streets.
- 4.2.3.2.b Uses would generally not serve commuters or persons outside the surrounding neighborhood.
- 4.2.3.2.c Water and sewer lines exist at the site or are to be installed as part of the development process.
- 4.2.3.2.d Normally, the maximum amount of land zoned NB at any intersection

**5.1.8 TABLE: USE TABLE FOR NON-RESIDENTIAL DISTRICTS**

P = Permitted by Right

SUP = Permitted with a Special Use Permit

PA = Permitted as accessory use

\* = Refer to 5.2.47

	LO	NB	OI	CC	GC	HIC	ARU	BP	EDD	LI	GI		ESU	NBSU	SDSU
Adult Day Care			P			P							SUP	SUP	SUP
Adult Use						SUP									
Artisan Studio	P	P	P	P	P	P	P	P	P	P	P		SUP	SUP	SUP
Bank & Financial Institution	P		P	SUP	P	P		P	P				SUP		SUP
Bar				P	P	P	P		P				SUP		SUP
Bed and Breakfast Facility															
Botanical Garden & Arboretum		P	P	P	P	P	P				P		SUP		
Brewery		SUP			P	P	P	P	P	P	P				
Building/Trade Contractor's office		P			P	P		P	P	P	P		SUP		
Cemetery			SUP			SUP									
Child Day Care		P	P		P	P	P	P	P				SUP	SUP	SUP
Church, Place of worship		P	P	P			P		P				SUP	SUP	SUP
Detention Facility			SUP						SUP						
Dwelling: Accessory		P	P	P	P	P		P					SUP	SUP	SUP
Dwelling: Attached (1-4 units)				P			P				SUP		SUP	SUP	SUP
Dwelling: Attached (5-19 units)				P			P				SUP		SUP		SUP
Dwelling: Attached (20+ units)				SUP			P				SUP		SUP		SUP
Dwelling: Mobile Home A															
Dwelling: Mobile Home B															
Dwelling: Mobile Home C															
Dwelling: Single-family		P	P	P	P	P							SUP	SUP	SUP
Electronic Gaming Operation		PA		PA	PA/SUP	PA/SUP								SUP	
Event Center			P	SUP	P	P	P	P	P				SUP	SUP	SUP
Extended Care Facility			P			P							SUP		SUP
Family Care Home													SUP	SUP	SUP
Family Child Care Home														SUP	
Farm, Bona fide															
Farmer's Market		P	P	P	P	P	P		P	P	P		SUP		SUP

**5.1.8 TABLE: USE TABLE FOR NON-RESIDENTIAL DISTRICTS**

P = Permitted by Right	SUP = Permitted with a Special Use Permit						PA = Permitted as accessory use					* = Refer to 5.2.47			
	LO	NB	OI	CC	GC	HIC	ARU	BP	EDD	LI	GI		ESU	NBSU	SDSU
Flex Space						P	P	P	P	P	P		SUP		SUP
Food Preparation Business					P	P	P		P	P	P		SUP	SUP	
Funeral Home	P		P	P	P	P			P				SUP	SUP	SUP
Gallery/Museum	P	P	P	P	P	P	P						SUP	SUP	SUP
Government Maintenance Yard			SUP						SUP	P					
Greenhouses/Nursery						P				P	P		SUP	SUP	
Group Care Facility															
Health Care Facility			P	P	P	P	P	P	P				SUP	SUP	SUP
Health/Fitness Club					P	P	P	P	P				SUP	SUP	SUP
Homeless Shelter		SUP	SUP	SUP	SUP	SUP							SUP	SUP	SUP
Hospitals			SUP										SUP		
Hotels & Motels			P	P	P	P	P	P	P				SUP		SUP
Junkyard/Outside Storage of Junked or Wrecked Motor Vehicles											SUP				
Kennels, Boarding										SUP	SUP				
Library	P		P	P	P	P			P				SUP	SUP	SUP
Manufacturing Complex							P	P	P	P	P				
Meeting Facility	P		P	P	P	P	P	P	P				SUP	SUP	SUP
Microbrewery		SUP		P	P	P	P	P	P	P	P				
Mobile Home Park															
Motor Vehicle Fuel Station					SUP	P		SUP	SUP				SUP		SUP
Motor Vehicle Maintenance, & Service					SUP	P							SUP	SUP	SUP
Motor Vehicle Repair					SUP	P				P	P				
Motor Vehicle Sales & Rentals					SUP	P							SUP		
Office operations			P	P	P	P	P	P	P	P	P		SUP	SUP	SUP
Offices and professional services	P	P	P	P	P	P	P	P	P				SUP	SUP	SUP

**5.1.8 TABLE: USE TABLE FOR NON-RESIDENTIAL DISTRICTS**

P = Permitted by Right	SUP = Permitted with a Special Use Permit						PA = Permitted as accessory use					* = Refer to 5.2.47			
	LO	NB	OI	CC	GC	HIC	ARU	BP	EDD	LI	GI		ESU	NBSU	SDSU
Order Fulfillment Center						P	P	P	P	P	P		SUP	SUP	
Outlet sales							P		P	P	P		SUP		
Park, Athletic or Community		SUP	P	P	P	P			P				SUP		SUP
Park, Cultural or Natural		P	P	P	P	P							SUP		SUP
Park, Neighborhood													SUP		SUP
Park and Ride Facility	P	P	P	P	P	P	P	P	P	P	P		SUP	SUP	SUP
Parking as Principal Use, Surface or Structure			P	P	P	P		P	P				SUP		SUP
Performance Facility			P	P	P	P	P	P	P				SUP	SUP	SUP
Personal service business	P	P	P	P	P	P	P	P	P				SUP	SUP	SUP
Petroleum Products (storage & distribution)											SUP				
Pharmacy, Convenience					SUP	P							SUP	SUP	
Pharmacy, Retail		P		P	P	P	P						SUP	SUP	
Postal and Parcel Delivery Services			P	P	P	P	P		P	P					
Processing Facility								SUP	SUP		SUP				
Public Safety Services	P	P	P	P	P	P	P	P	P	P	P		SUP	SUP	SUP
Public Utilities	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		SUP	SUP	SUP
Recreational Facilities		SUP	P		P	P	P		P				SUP	SUP	SUP
Research Facility			P		P	P	P	P	P	P	P		SUP		
Research Facility, Intense								SUP	SUP	P	P		SUP		
Restaurant		P		P	P	P	P	P	P				SUP	SUP	SUP
Restaurant, Convenience					SUP	P			P				SUP	SUP	
Retail sales/rentals of goods with outside display/storage of merchandise					P	P	P			P			SUP	SUP	SUP
Retail sales/rentals of goods within wholly enclosed structure		P		P	P	P	P		P				SUP	SUP	SUP

**5.1.8 TABLE: USE TABLE FOR NON-RESIDENTIAL DISTRICTS**

P = Permitted by Right			SUP = Permitted with a Special Use Permit				PA = Permitted as accessory use					* = Refer to 5.2.47			
	LO	NB	OI	CC	GC	HIC	ARU	BP	EDD	LI	GI		ESU	NBSU	SDSU
School: Art & Music			P	P	P	P	P	P	P				SUP	SUP	SUP
School: Dance, Martial Arts			P	P	P	P	P	P	P	P	P		SUP	SUP	SUP
School: Elementary, Middle & Secondary			SUP				SUP	SUP	P*				SUP		SUP
School: Higher Education			SUP				SUP								
School: Vocational								P	P	P	P		SUP		
Storage & Warehousing: Inside building, excluding explosives & hazardous wastes					P	P	P	P	P	P	P		SUP		
Storage & Warehousing: Outside								P	P	P	P				
Storage & Warehousing: Self										P	P				
Telecommunication Tower	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		SUP	SUP	SUP
Temporary Family Health Care Structure															
Transit Passenger Terminal	P					SUP		SUP					SUP		SUP
Transmission Lines	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		SUP	SUP	SUP
Veterinarian/Animal Hospital		P			P	P		P	P				SUP	SUP	SUP
Wholesale sales, indoor						P	P	P	P	P	P		SUP		
Wholesale sales, with outdoor storage/display										P	P				

## Neighborhood Business Conditional Zoning - Applicant's Proposed Land Uses

If the Commissioners are not amenable to a general use rezoning, the applicant requests to expand the allowable land uses under the *de facto* conditional zoning district. Under this scenario, the applicant proposes the following allowable land uses, all of which are currently allowed in the Neighborhood Business general use district:

### Allowable Uses:

- Artisan studio
- Brewery (with a Special Use Permit)
- Building/Trade contractor's office
- Dwelling: Accessory
- Dwelling: Single-family
- Gallery/Museum
- Microbrewery (with a Special Use Permit)
- Office and professional services
- Personal service business
- Pharmacy, retail
- Restaurant
- Retail sales/rentals of goods within wholly enclosed structure
- Veterinarian/Animal hospital

The following uses are also currently allowed in the Neighborhood Business general use district, but the applicant proposes to *exclude* them from the conditional zoning district:

### Excluded Uses:

- Botanical garden & arboretum
- Child day care
- Church, place of worship
- Electronic gaming operation
- Farmer's market
- Homeless shelter
- Park, athletic or community
- Park, cultural or natural
- Park and ride facility
- Public safety services
- Public utilities
- Recreational facilities
- Telecommunication towers
- Transmission lines

**BOARD OF COMMISSIONERS**  
**TOWN OF HILLSBOROUGH, NORTH CAROLINA**

**Consistency Statement per Section 160D-605**

*Request to amend the Official Zoning Map for the Town of Hillsborough -  
128 W. Margaret Lane (Parcel ID Number: 9874-06-2054)*

June 10, 2024

The Board of Commissioners for the Town of Hillsborough has received and reviewed the request from Mr. Andrew B. Lloyd, Jr. to amend the town's Official Zoning Map as follows:

- *Rezone the parcel identified as 128 W. Margaret Lane (PIN 9874-06-2054) from Neighborhood Business Special Use (NBSU) to Neighborhood Business, a general use zoning district.*
- *If the Board of Commissioners is not amenable to a general use rezoning, then the applicant requests to expand the list of allowable land uses under the de facto Neighborhood Business Conditional Zoning district, under which the applicant and commissioners can negotiate a list of appropriate land uses for the property.*

The Board of Commissioners has determined the proposed action **is/is not consistent** with the town's Comprehensive Sustainability Plan (CSP) because:

1. The proposed amendment **is/is not consistent** with the *Land Use and Development* chapter goal to "Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity."

Strategy: Coordinate all plans, including land use, zoning, utility and infrastructure provision, and annexation policies to ensure that future growth and development – including infill and redevelopment – establishes and follows land use and growth preferences.

2. The proposed rezoning **does/does not** advance identified goals and strategies found in the CSP and does not promote public health, safety, and welfare because it would allow for infill/redevelopment inconsistent with the unique character of the neighborhood.

The foregoing consistency statement, having been submitted to a vote, received the following vote and was duly adopted this 10<sup>th</sup> day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

---

Sarah E. Kimrey, Town Clerk



## ORDINANCE

### Amending the Official Zoning Map for 128 W. Margaret Lane

Hillsborough Board of Commissioners ordains:

- Section 1.** An application was made to amend the Official Zoning Map for the Town of Hillsborough, specifically to rezone a 0.21-acre parcel of property identified as 128 W. Margaret Lane (PIN 9874-06-2054), the legal description of which can be found in Deed Book 6229, Page 282 of the Orange County Registry.
- Section 2.** The application was referred to the town Planning Board for its recommendation, and the Planning Board has provided the town board with a written recommendation addressing the consistency of the proposed rezoning amendment with the town's comprehensive plan and such other matters as the Planning Board deemed appropriate.
- Section 3.** The town board has, prior to acting on the application, adopted a statement describing the consistency of the proposed rezoning with the town's comprehensive plan and explaining why the action contemplated by the town board as reflected herein is reasonable and in the public interest.
- Section 4.** The Official Zoning Map of the Town of Hillsborough is hereby amended to rezone the 0.21-acre parcel identified as 128 W. Margaret Lane (PIN 9874-06-2054) from Neighborhood Business Special Use to **Neighborhood Business/Neighborhood Business Conditional Zoning**.
- Section 5.** Only the following land uses are permissible in the **Neighborhood Business Conditional Zoning district**:
- Artisan studio
  - Brewery (with a Special Use Permit)
  - Building/Trade contractor's office
  - Dwelling: Accessory
  - Dwelling: Single-family
  - Gallery/Museum
  - Microbrewery (with a Special Use Permit)
  - Office and professional services
  - Personal service business
  - Pharmacy, retail
  - Restaurant
  - Retail sales/rentals of goods within wholly enclosed structure
  - Veterinarian/Animal hospital

**Section 6.** All provisions of any town ordinance in conflict with this ordinance are repealed.

**Section 7.** 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 10th day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

---

Sarah E. Kimrey, Town Clerk



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date:	June 10, 2024
Department:	Community Services
Agenda Section:	Regular
Public hearing:	No
Date of public hearing:	N/A

#### PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space & Sustainability Manager

#### ITEM TO BE CONSIDERED

**Subject:** South Churton Street Multimodal Corridor Study

##### Attachments:

1. South Churton Street Multimodal Corridor Study Plan
2. South Churton Street Multimodal Corridor Study Presentation

##### Summary:

South Churton Street serves as the primary entrance into town from interstates 40 and 85 and is one of the more heavily traveled roads in Hillsborough. It carries between 20,000 and 25,000 annual average daily trips, many of which are generated by commuters from beyond the town limits. South Churton Street is a state-maintained road.

The State Transportation Improvement Program includes a project to widen South Churton Street from Interstate 40 to the Eno River to relieve traffic congestion and provide north-south pedestrian and bicycle connectivity. In 2019, the North Carolina Department of Transportation developed concepts for the widening project. No preferred alternative or cross section was designated by the town at that time.

Town staff and leaders recognize the importance of a well-designed South Churton Street as one that serves the needs of the local community and also the wider network. A quality design that enhances safety, improves flow and presents a beautiful and functional entryway to town will benefit the entire community.

The Town of Hillsborough has initiated this study to develop alternatives that consider the needs of the town and all users of the corridor. The town has contracted with Stantec Consulting Services and Alta Planning and Design to lead the study. Both firms have extensive experience in urban design, transportation engineering, and multimodal corridor planning.

The purpose of the South Churton Street Multimodal Corridor Study is to develop design concepts that contribute to the town's character while respecting the goals of a state-funded project to widen the road from Interstate 40 to the Eno River and improve safety for all users.

For the past two years, the design team has gathered input from community members, partner agencies, and town staff to develop plans for South Churton Street that address the objectives of the project: to create a multimodal, accessible, sustainable, and safe corridor. Traffic analysis and modeling are used to inform the recommendations.

Plans are complete and presented to the Board of Commissioners for endorsement. The final plan, once endorsed, will be shared with North Carolina Department of Transportation to express the town's preferred alternatives in hopes to inform the design and engineering phase of the funded project.

**Financial impacts:**

None

**Staff recommendation and comments:**

Endorse South Churton Street Multimodal Corridor Study Plan and direct staff to share the final plan with partners at North Carolina Department of Transportation.

**Action requested:**

Endorse South Churton Street Multimodal Corridor Study Plan and direct staff to share the final plan with partners at the North Carolina Department of Transportation.

**DRAFT**

# SOUTH CHURTON STREET MULTIMODAL CORRIDOR STUDY

**DATE:** JUNE 2024



# Prepared by:

---

Prepared by Town of Hillsborough Planning and Economic Development Division and North Carolina Department of Transportation Integrated Mobility Division with Stantec Consulting Services and Alta Planning and Design.

# Acknowledgment:

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This project would not be possible without the help from the Project Management Team:

- **Stephanie Trueblood**  
*Town of Hillsborough:  
Public Space & Sustainability*
- **Shannan Campbell**  
*Town of Hillsborough:  
Economic Development & Zoning*
- **Terry Hackett**  
*Town of Hillsborough:  
Stormwater & Permitting*
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- **Nick Morrison**  
*North Carolina Department of  
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Division*

# Thank you.

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***“Thank you for your careful and thoughtful approach to the plan. Looks good & meets many needs of those who live, work, drive, and walk here.***

- Final Open House attendee

***“I want to see something that would beautify the corridor, not just cramming more and more stuff in there.***

- Open House 2 attendee

***“Less cars, more plants, more art, more resources for people who need it.”***

- Community Survey

# What is a multimodal corridor study?

## What does “multimodal” mean?

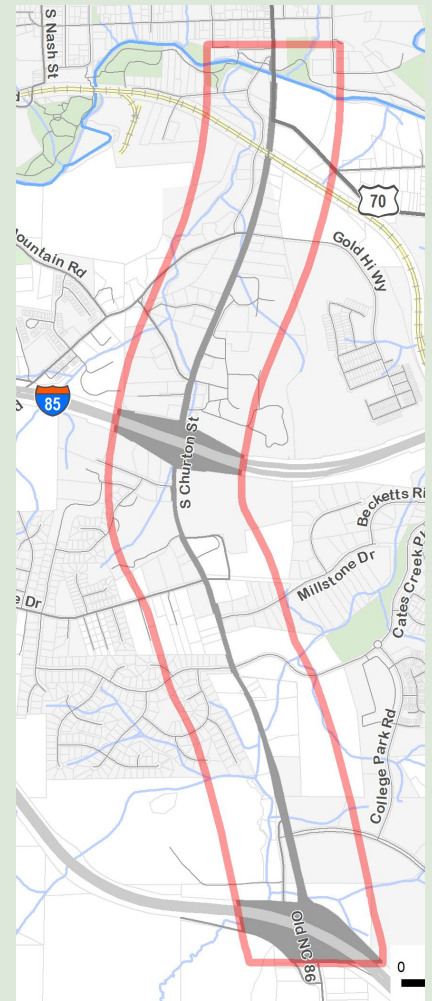
A multimodal street is designed for all users, not just drivers. This includes people walking, biking, and using transit. A multimodal version of South Churton Street would be easier, more convenient, and safer to cross the corridor, walk to businesses, or bike to and from destinations along the street.

This approach is not one size fits all – it’s a process. Redesign of a roadway must be tailored to existing and future travel needs, as well as the surrounding development and land uses of the corridor and the community.

## What is a “corridor study”?

The purpose of the South Churton Street Multimodal Corridor Study is to develop design concepts that (1) convey the Town’s interests and (2) accomplish the goals of the NCDOT state-funded project. Objectives of this study are to create:

- **A safe corridor:** a design concept that incorporates safety countermeasures for all users at all levels of design.
- **An accessible corridor:** universal design principles improve accessibility for all users.
- **A multimodal corridor:** multimodal treatments should be developed for the length of the study area.
- **A sustainable corridor:** sustainability initiatives and best practices are incorporated throughout the project.



# What was examined during this study?

## Data analysis highlighted problems on South Churton Street.

**Historic Districts:** At the northern end of our study area, this corridor enters Hillsborough’s historic downtown.

**Demographics:** Vulnerable groups live in the neighborhoods immediately south of I-85 along the corridor, notably higher proportions than the Orange County average for a) minority/BIPOC status (black, indigenous, persons of color) (50%), b) zero car households (16%), and c) households living below the poverty line (40%).

**Land Use:** Properties along South Churton Street include commercial, residential, office, and civic land uses, though all reflect its automobile-oriented design.

**Natural Resources:** This corridor is within the Cates Creek and Eno River watershed, with one flood hazard culvert crossing.

**Utilities:** Electrical transmission lines along the west side of the corridor are present, and an electrical substation easement crosses the northern portion of the corridor, near Orange Grove Road.

**Crash Data:** Fatal or severe injury crashes occur at a higher rate (1.34 times) along South Churton Street than along similar roads in North Carolina.



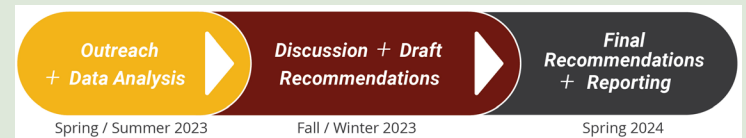
## *The community told us – we listened.*

The project team held four in-person meetings to get feedback from the community. The team received vital feedback on project principles and objectives, which was used to refine key themes and principles that guide subsequent design phases of the planning process.

In addition to in-person meetings, the public shared their feedback through an online survey and an interactive map. We received **over 940 survey responses** throughout the project!

## *Focus groups shared innovative ideas and potential solutions.*

Focus group discussions were conducted with several stakeholder groups along South Churton Street. These virtual meetings provided local insights and perspectives not captured by quantitative data while identifying areas of concern from everyday users of this corridor.



# What are the study findings?

## *Finalized Guiding Principles*

Car-centric corridors like South Churton Street need safe design treatments that improve walking and biking. Engineering design concepts were influenced by public engagement and data analysis, helping establish our five guiding principles:

1. **The safety of all users is paramount**
2. **Address reoccurring congestion issues**
3. **Right-size South Churton Street**
4. **Embrace environmental stewardship and sustainability**
5. **The corridor must support surrounding uses through attractive urban design**

## *A Concept Design*

Discussed in detail in the full “Recommendations” chapter, the concept design shows how South Churton Street might be redesigned. This is a context-sensitive design that addresses multimodal needs of the corridor. The concept design includes:

- **Sidewalk along the entire corridor**
- **Shared use path from Mayo Street to I-40**
- **Midblock crossing with Pedestrian Hybrid Beacon**
- **Roundabout options at certain intersections** (Mayo Street, Rebecca Drive, Orange Grove Road)
- **Intersection redesign** (Cates Creek Parkway, John Earl Street)



# INTRODUCTION

# CHAPTER 01

# Introduction



South Churton Street and US 70 intersection.

## The primary entrance to Hillsborough's downtown deserves an engineering redesign, one that is safe for all modes of travel and welcoming to visitors.

South Churton Street is the main north/south corridor through Hillsborough, connecting its neighborhoods, visitors and employees to downtown. More than 22,000 vehicles per day utilize this corridor, though few pedestrians or bicyclists are observed.

In prior years, the N.C. Department of Transportation (NCDOT) similarly examined the roadway capacity elements of South Churton Street and developed conceptual engineering designs to widen the corridor. The purpose of this project was to relieve traffic congestion and delays while providing north-south pedestrian and bicycle connectivity. Town administration, however, sought an alternative design option that serves the needs of the local community without a significant acquisition of additional rights-of-way (property).

This is a study about South Churton Street. Our Complete Streets planning process examines the transportation elements of the corridor, seeking a common vision for

redesign and redevelopment along this important street. We have examined the approximately 2.8-mile section of South Churton Street from the I-40 interchange to the US 70-A intersection. The concepts and cross-sections developed by this process, in partnership with residents, town staff, and NCDOT Division staff, are intended to inform, but not replace, the State Transportation Improvement Program (STIP) project for South Churton Street (U-5845).

### *This Chapter Covers:*

- About the Plan and Process
- Guiding Principles
- Plan and Policy Review

Multimodal refers to all forms of travel, including vehicular, freight, walking, biking, and transit.

# About this Plan and Process

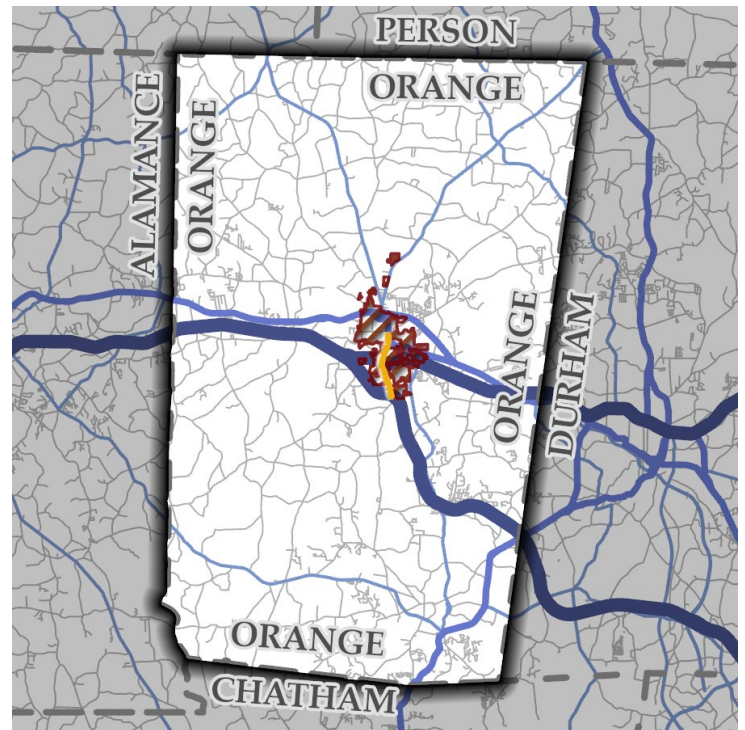
## Where is the corridor?

South Churton Street is important to Hillsborough. It is the central “spine” of Hillsborough, connecting the town’s neighborhoods to the downtown commercial district. It serves as NC 86 and US 70 Bus north of the Eno River. Within the study area, it is owned and maintained by the North Carolina Department of Transportation (NCDOT) and is one of the more heavily traveled roads in town. South Churton Street is the primary entrance into town from both interstates (I-40 and I-85), as well as neighboring towns to the south, Chapel Hill, Carrboro, and others.

### NCDOT’s Plans for South Churton Street

The current State Transportation Improvement Program (STIP) project proposes widening South Churton Street from I-40 to Orange Grove Road (U-5845), for the purpose(s) of:

- Relieving traffic congestion and delays on South Churton Street
- Providing north-south pedestrian and bicycle connectivity



In 2018-19, NCDOT prepared design alternatives, gathered feedback, and developed engineering concepts for a modified ‘Alternative 4’ widening project. A locally preferred alternative or typical cross section was not designated by the town at this time, and therefore the STIP project was paused. Town administration believes that a well-designed South Churton Street serves both the needs of the local community and the wider transportation network. Multimodal service and safety are paramount to the developing corridor. A quality design that enhances safety, improves traffic flow (at lower speeds), and allows for a beautiful entryway to town is needed.

## Purpose

The purpose of the South Churton Street Multimodal Corridor Study is to develop design concepts that (1) convey the Town’s interests and (2) accomplish the goals of the state-funded project. Objectives of this study are to create:

- **A safe corridor:** a design concept that incorporates safety countermeasures for all users at all levels of design.
- **An accessible corridor:** universal design principles improve accessibility for all users.
- **A multimodal corridor:** multimodal treatments should be developed for the length of the study area.
- **A sustainable corridor:** sustainability initiatives and best practices are incorporated throughout the project.

The concepts and cross sections were developed and refined with NCDOT partners and will inform the STIP project (U-5845) of the town’s goals and preferred design treatments.



# Planning Process

This plan was conducted in three phases (Figure 1.1):

**Figure 1.1:** Generalized Project Schedule.



## Phase 1 - Outreach and Data Analysis

The first phase centered on data collection, preliminary review of the corridor, and beginning the public engagement process. The team worked with stakeholders to define the project purpose and goals. A website, survey, and online map helped collect (digital) public comments. Phase one included two public meetings held in June 2023, where community input was sought, and the planning team shared initial transportation observations. Key takeaways from this phase informed the development of the Preferred Access Plan (PAP), the foundation for future design work.

## Phase 2 - Discussion and Draft Recommendations

Phase two began immediately following the Outreach and Data Analysis phase. The team condensed data, public comments, and background information to inform preliminary planning, engineering, and design recommendations. Many of these draft recommendations were developed during a multi-day design workshop in September 2023. This workshop served as a large, interactive planning event providing stakeholders the opportunity to review and influence concept designs in real-time. During phase two, the initial concept design for the corridor was first sketched and refined with our partners.

## Phase 3 - Final Recommendations and Reporting

The final phase documented the work of the planning process. Using plans, materials and designs produced throughout the study, the final report shares design recommendations, data analysis that informed those recommendations, and the planning process itself. This document serves as a resource for the Town of Hillsborough and stakeholders in subsequent engineering phases of this complete streets process.

The final public open house was held in December 2023, presenting the final recommendations, closing the project and capping a productive collaboration between the community, NCDOT and local planning agencies.

# Guiding Principles

This planning process follows a set of guiding principles which were informed by data analyses (Chapter 2: Investigation) and public outreach (Chapter 3: Engagement).

Key themes emerged, which align with the town's vision and strategy from the Comprehensive Sustainability Plan (CSP), influenced decisions between competing or conflicting interests during the design process, and informed the following guiding principles:

- 1 Safety of all users is paramount.**
- 2 Right-size South Churton Street for all users.**
- 3 Address reoccurring congestion issues.**
- 4 Incorporate environmental stewardship and sustainability.**
- 5 Support surrounding land uses through attractive urban design.**



# Plan and Policy Review

This study was shaped by the significant planning efforts the town has completed to date, as well as the prior NCDOT roadway capacity analysis. A brief summary of the following are included to provide context and links to more information.

PLANS REVIEWED
Comprehensive Sustainability Plan (2023)*
Future Land Use Plan (2013)*
NCDOT Plans (various)

\*Town plans are available for review here: <https://www.hillsboroughnc.gov/government/plans/>

## Comprehensive Sustainability Plan (2023)

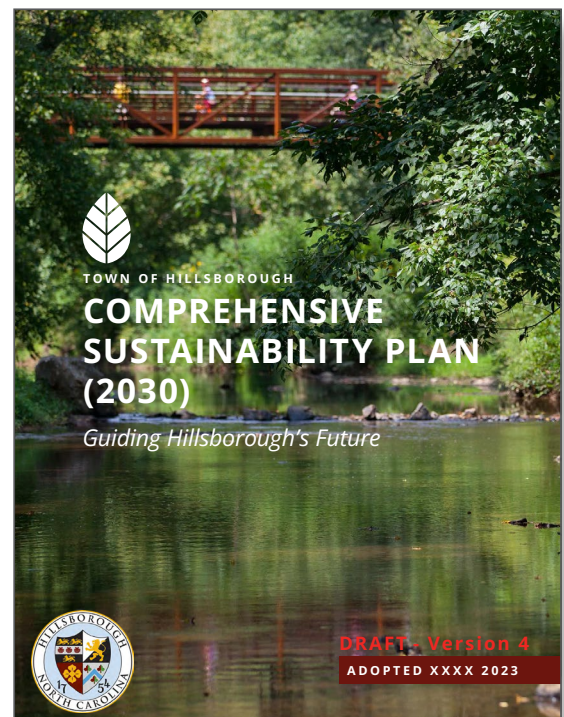
The Comprehensive Sustainability Plan (CSP) establishes goals, strategies, and actions to guide the town toward a sustainable future and centers around eight focus areas. Transportation and connectivity are one of these eight focus areas, detailing infrastructure needs as well as proposed improvements for access and mobility. Each chapter contains themes surrounding equity, affordability, safety, connectivity, and health, along with specific strategies and actions.

- **GOAL:** guide future plans and development while transitioning to clean energy, balancing environmental stewardship, resiliency, and racial justice with smart, strategic growth that will allow for a thriving economy and high quality of life for the community.
  - *Transition to clean energy*
  - *Environmental stewardship*
  - *Resiliency*
  - *Racial justice*

## ZONING AND LAND USE

Much of the South Churton Street corridor is identified as a “potential growth area,” straddling both the (Eno) River sewer basin and the Elizabeth Brady sewer basin. The CSP notes that the Elizabeth Brady sewer basin has more capacity at present to accommodate new development. Planned growth and development will influence or expedite water and sewer capacity improvements, as identified within the CSP, suggesting these are potential limiting factors for redevelopment opportunities along South Churton Street.

- **IMPACT TO THIS STUDY:** redevelopment of property along South Churton Street should consider wastewater capacity differences between the Eno River and Elizabeth Brady basins.



### FUTURE LAND USE PLAN (2013)

The CSP incorporates, updates, and/or replaces several plans that precede it, including Hillsborough’s Future Land Use Plan. The plan provides additional context about expected future growth, defining 16 unique land use categories.

South Churton Street’s expected future land use reflects much of the existing development. North of I-85, land uses are predominantly retail businesses (red) with some mixed-use development (magenta) anticipated near the future train station. Of note, the proposed site for the station is presently zoned as Agricultural Residential (AR). South of I-85, future land uses within the designated “growth area” of the Sustainability Plan include retail services, mixed-use development similar to a village center, and “employment area,” which anticipates a number of potential commercial and light industrial uses.

View and explore the Future Land Use Plan [HERE](#).

HillsboroughLandUse		
Attached Residential	Mixed Use	Suburban Office
Education	Neighborhood Mixed Use	Town Center
Employment	Permanent Open Space	Urban Neighborhood
Light Industrial	Retail Services	Working Farm
Medium-Density Residential	Rural Living	
Mixed Residential Neighborhood	Small Lot Residential	

*Future Land Use Map (2013), showing a number of uses along South Churton Street, including Mixed Use, Retail Services, General Employment, Suburban Office, and even Permanent Open Space.* »



### Noted Goals, Strategies, and Actions:

1.

Invest in public projects that reinforce preferred future land use and growth patterns.

-

Upgrade and maintain existing infrastructure and facilities.
2.

Align land use and development regulations with preferred future land use and growth patterns.

-

Incorporate green infrastructure and low-impact development practices.

## ENVIRONMENTAL & NATURAL SYSTEMS

The South Churton Street corridor intersects two water bodies – the Eno River and Cates Creek (which is a tributary of the Eno River). Rainfall and stormwater runoff from this corridor will eventually flow into these sensitive bodies of water. Also located along the corridor is the Cates Creek Hardpan Forest, a 7-acre natural area, designated by the North Carolina Natural Heritage Program (NHP).

**IMPACT TO THIS STUDY:** designs should avoid impacts to sensitive natural areas and explore ways to implement green infrastructure to mitigate stormwater runoff quantity and quality. runoff impacts.

### **Noted Goals, Strategies, and Actions:**

1. Invest in public projects that protect the environment and natural systems.
  - Implement green infrastructure projects on town-owned and maintained properties.

## TRANSPORTATION & CONNECTIVITY

This chapter notes future widening of Churton Street as an existing boulevard that needs improvement, and redesign of the I-85 interchange as future projects in the 2050 Metropolitan Transportation Plan (MTP). Other nearby projects impacting the corridor include new location roadways connecting to the Collins Ridge development, as well as the proposed Amtrak train station. The GoTriangle Transit Plan re-routes the existing Route 420 providing service to Hillsborough onto Churton Street rather than its current route along NC 86/70 to the east.

The plan highlights the following transportation priorities in order of importance:

- Improving multimodal connectivity
- Relieving traffic congestion
- Expanding sidewalk infrastructure and access

The CSP recommends connecting sidewalks along the entirety of South Churton Street, from just south of Margaret Lane to the I-40 interchange. To provide bicycle connectivity, the CSP recommends constructing on-road facilities such as bike lanes, along with developing the Ridgewalk Greenway to extend southward near the Eno River and connect with Cates Creek Parkway.

- **IMPACT TO THIS STUDY:** Hillsborough's vision for Churton Street is a major, multimodal thoroughfare that connects neighbors and residents within Hillsborough and the region. Conceptual designs will expand upon multimodal recommendations from the CSP.

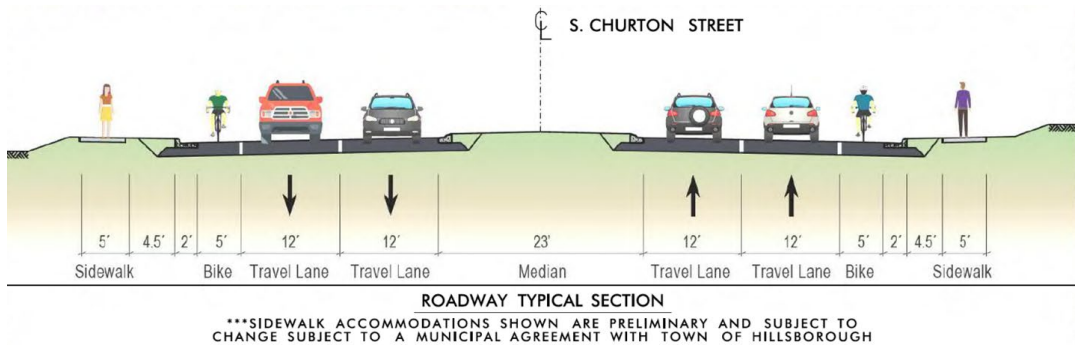
# North Carolina Department of Transportation Project #U-5845

As a state-owned route, the NCDOT has examined the existing traffic capacity of this corridor, reviewed potential future traffic deficiencies, and prepared alternatives that improve traffic capacity, operations, and multimodal connections. These strategies are reflected in the STIP-funded projects U-5845 (corridor) and I-5967 (Interstate 85 exit ramps). Improvements to the I-85 interchange at South Churton Street are under construction. Improvements to the corridor, however, are still being developed and finding consistency between the department’s objectives and the town’s preferred alternative is one of the key goals of this planning study.

U-5845 proposes widening South Churton Street from its existing two-lane and three-lane cross-section to a consistent four-lane, median-divided roadway that can meet current and future (2040 design year) traffic demand projections. A 23-foot center median and 5-foot on-street painted bike lanes were recommended for this proposed 45 mph corridor. Standard 5-foot sidewalks are also provided along both sides north of I-40. At the Orange Grove Road signalized intersection, the road would transition to a two-lane cross-section as South Churton Street approaches downtown Hillsborough.

**Notable in this design:**

- Right-of-Way Impacts: Widening the roadway to a four-lane, median divided cross-section will require taking significant amounts of property for adjacent properties along the corridor.
- Multimodal considerations: For a roadway with higher traffic volumes and a design speed of 45 mph, on-street bike lanes are not considered safe accommodations per the FHWA Bikeway Selection Guide (2019).
- Sustainability impacts: The design lacks green infrastructure for managing stormwater, and widening the roadway will generate more runoff.



NCDOT proposed roadway typical section U-5845.

# INVESTIGATION

## CHAPTER 02

# Investigation



**This study seeks to improve the overall mobility of all users. The vision for South Churton Street is to be a safe and efficient roadway for motorists, transit users, bicyclists and pedestrians as a complete street, which aligns with the town's sustainability and mobility goals.**

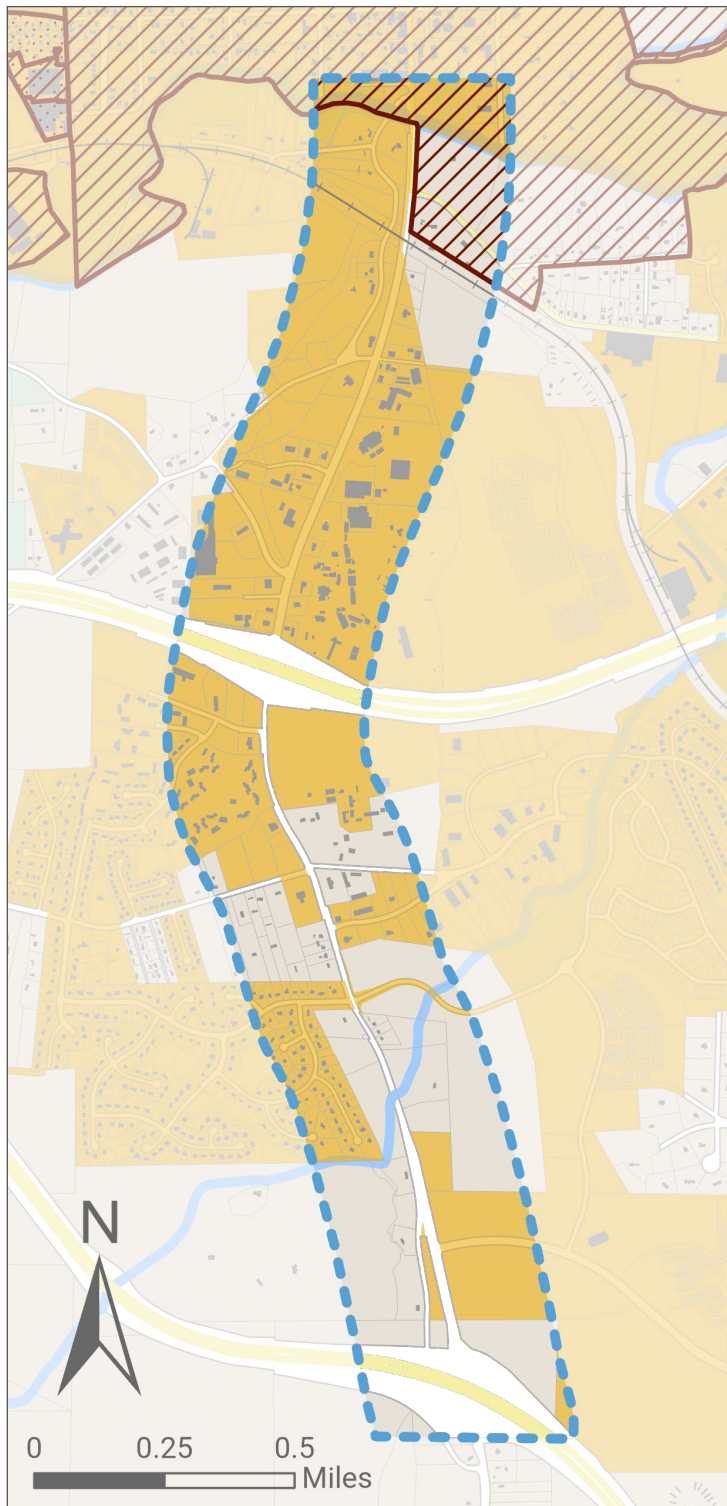
This chapter examines South Churton Street as it currently exists, including environmental features, demographics, land uses, natural resources, utilities, modes of travel, and crashes.

## ***This Chapter Covers:***

- Environmental context
- Built context
- Transportation context



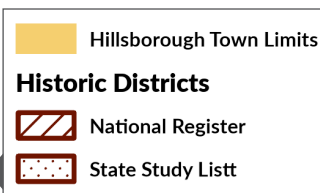
# Environmental Context



**Figure 2.1:** Municipal boundaries and historic districts.

## *Municipal Boundaries and Historic Districts*

Beginning at the southern end of the study area, South Churton Street transitions from lower-density and rural Orange County into suburban, automotive-oriented land uses. Portions of the roadway are within Hillsborough and Orange County jurisdictions, a pattern which may change over time as properties are developed and annexed into the Town of Hillsborough. At its northern extent, South Churton Street serves as a gateway Hillsborough's historic downtown, a slow-speed, denser urban area with walkable storefronts and public spaces.



Demographics

Along South Churton Street, there remain unmet mobility needs for some vulnerable populations, also referred to as transportation disadvantaged. These groups reside within the neighborhoods immediately south of I-85 along the corridor (Fig. 2.2). A review of the NCDOT Transportation Disadvantage Index (TDI) suggests that residents in this vicinity are more likely to be Black, Indigenous, People of Color (BIPOC), have higher rates of poverty, or lack household access to a vehicle than Orange County or state averages.

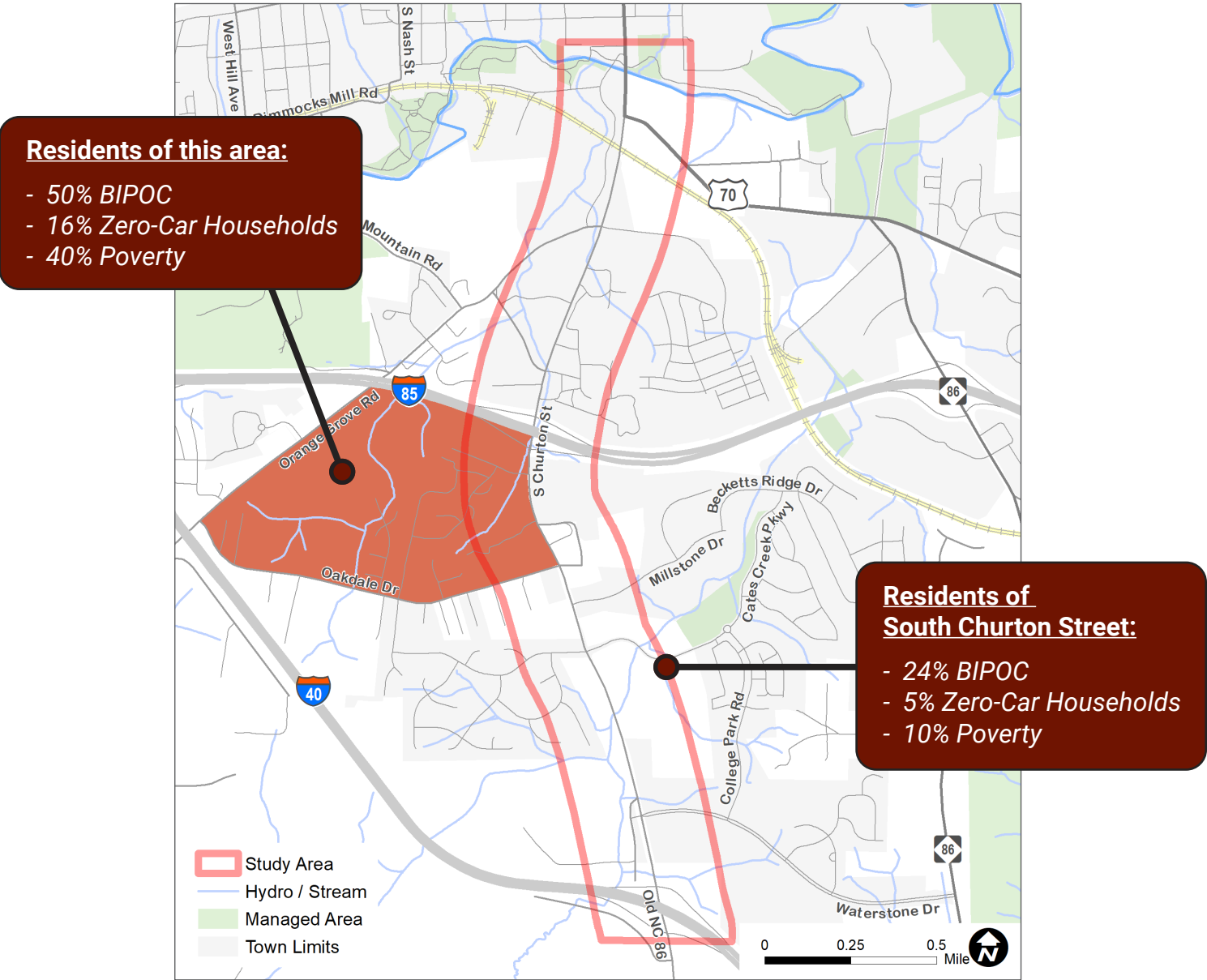


Figure 2.2: Transportation-Disadvantaged Populations Index, South Churton Street.

## Land Use

Existing land uses along South Churton Street reflect its automobile-oriented design. Between I-40 and I-85, retail and commercial properties dominate the landscape with numerous driveways and curb cuts, each representing a potential point of conflict with pedestrians or other vehicles. Building setbacks along South Churton Street vary in depth from the roadway creating a very broad visual landscape for drivers, which can lead to distraction or confusion and contribute to safety issues. Residential neighborhoods are prevalent behind the corridor, with more residential development planned or under construction.

With homes near daily needs (like groceries or medical), the potential demand for biking or walking is greater, and so is the need for connected sidewalks and safe crossings. The South Churton Street corridor also lacks shaded areas, particularly in the northern section between the interchanges. Fewer shade trees contribute to an uncomfortable pedestrian environment, further discouraging active transportation like walking or biking.

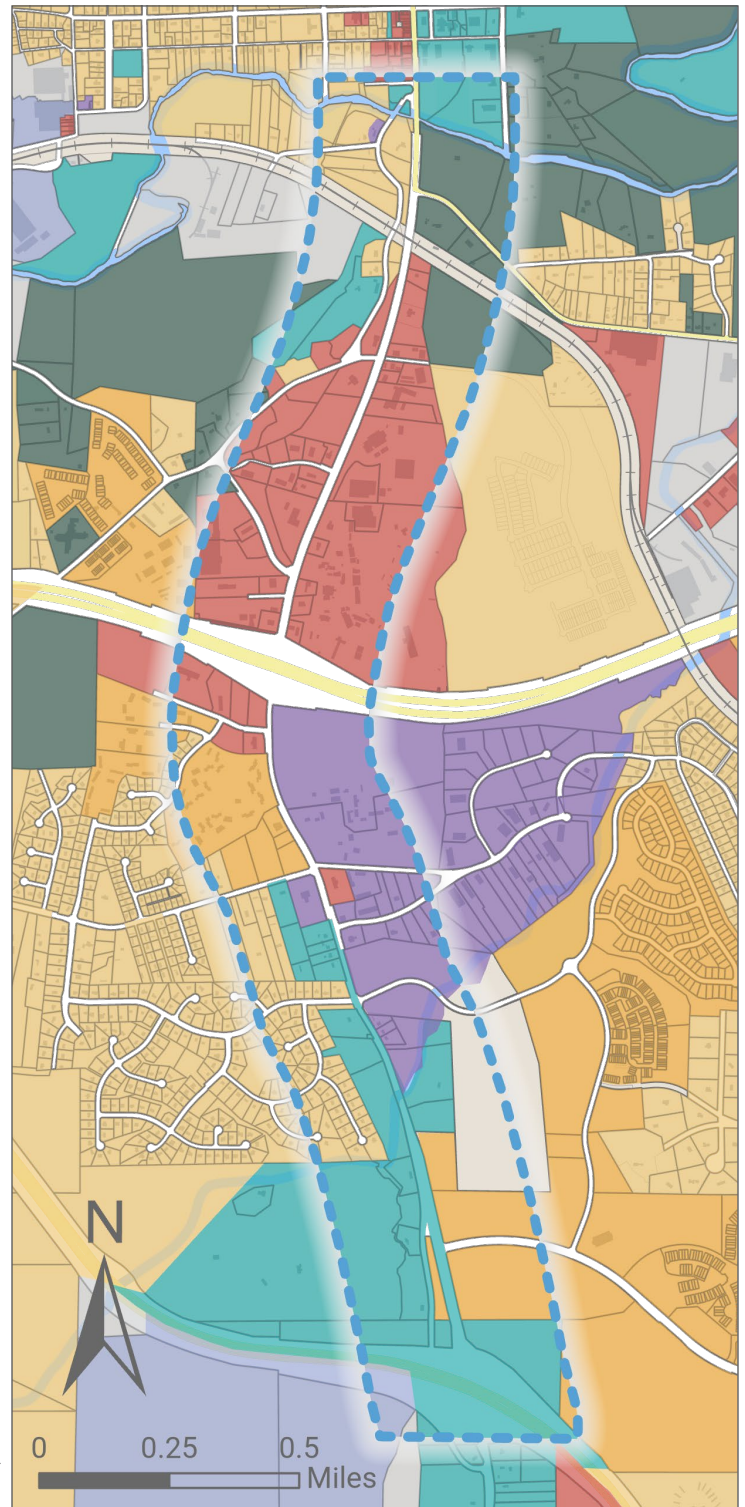
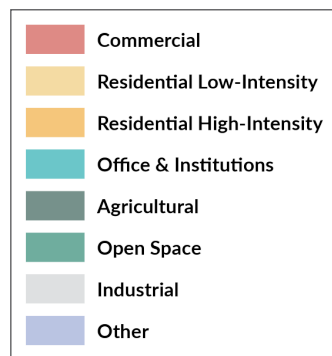


Figure 2.3: Land use map.

## Natural Resources

Along the nearly three miles of corridor in the study area, a surprising number of natural resources are present, including streams, waterbodies, flood hazards, and designated natural heritage areas:

### HYDROLOGY:

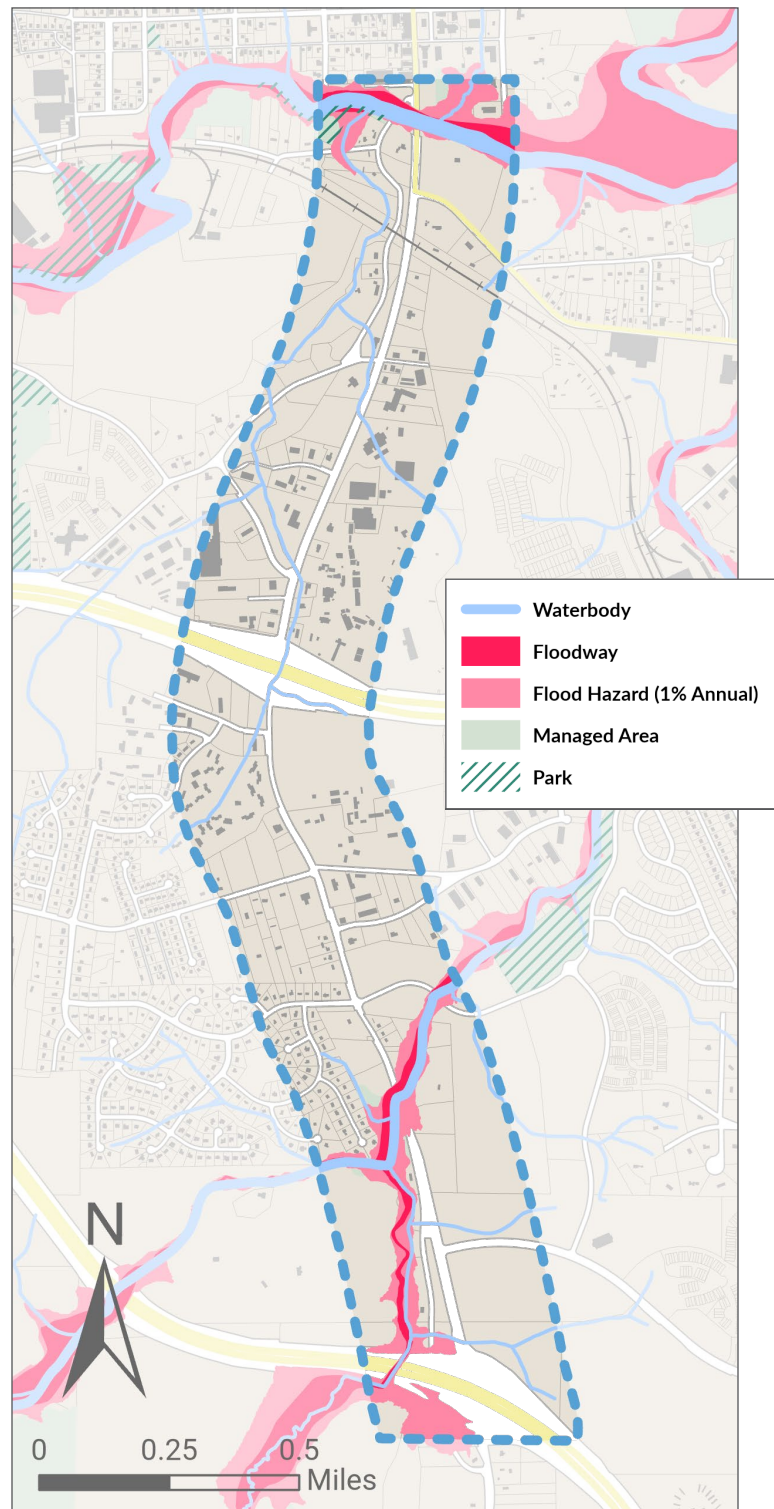
The Eno River is at the northernmost extent of the study area. Rainfall and stormwater runoff from much of this area drains into river and conservation of this resource is a central component of the Sustainability Plan. Further south, the corridor also crosses Cates Creek with two large culverts between Waterstone Drive and Cates Creek Parkway. Rainfall and stormwater runoff within this southern extent drains into Cates Creek, which then drains into the Eno River further downstream.

Stormwater runoff pollution is North Carolina's greatest water quality problem and of particular concern in Hillsborough due to the sensitive Eno River. The Eno River empties into the Falls Lake Reservoir, which is one of several drinking water supplies for the City of Raleigh. The reservoir becomes the Neuse River below the dam, which then flows downstream to become the drinking water supply for the communities of Clayton, Selma, Smithfield, Goldsboro, and Kinston, before emptying into the Pamlico Sound at New Bern. Maintaining water quality of the Eno River upstream has a valuable impact on the drinking water quality of North Carolina communities downstream.

Strategies for slowing and treating stormwater runoff are often termed “green infrastructure” and are discussed further in the Recommendations chapter (4), as well as the town's Comprehensive Sustainability Plan (Environment and Natural Systems chapter).

### NATURAL HERITAGE AREAS:

The Cates Creek Hardpan Forest is near Pointe Place along the west side of South Churton Street. This 7-acre designated natural area is inventoried within the N.C. Natural Heritage Program (NHP), provides information about the state's natural areas as part of conservation and development efforts. Currently, there are more than 2,500 designated natural areas in North Carolina across five different classifications of importance. The Cates Creek Hardpan Forest is classified as a ‘General’ rating, which is lowest level to qualify. For comparison, the Eno River aquatic habitat and Falls Lake are classified as ‘Very High’ (the second highest level). Later phases of the engineering design and construction of the South Churton Street project will involve strategies to avoid, minimize, and/or mitigate potential impacts to these natural areas.

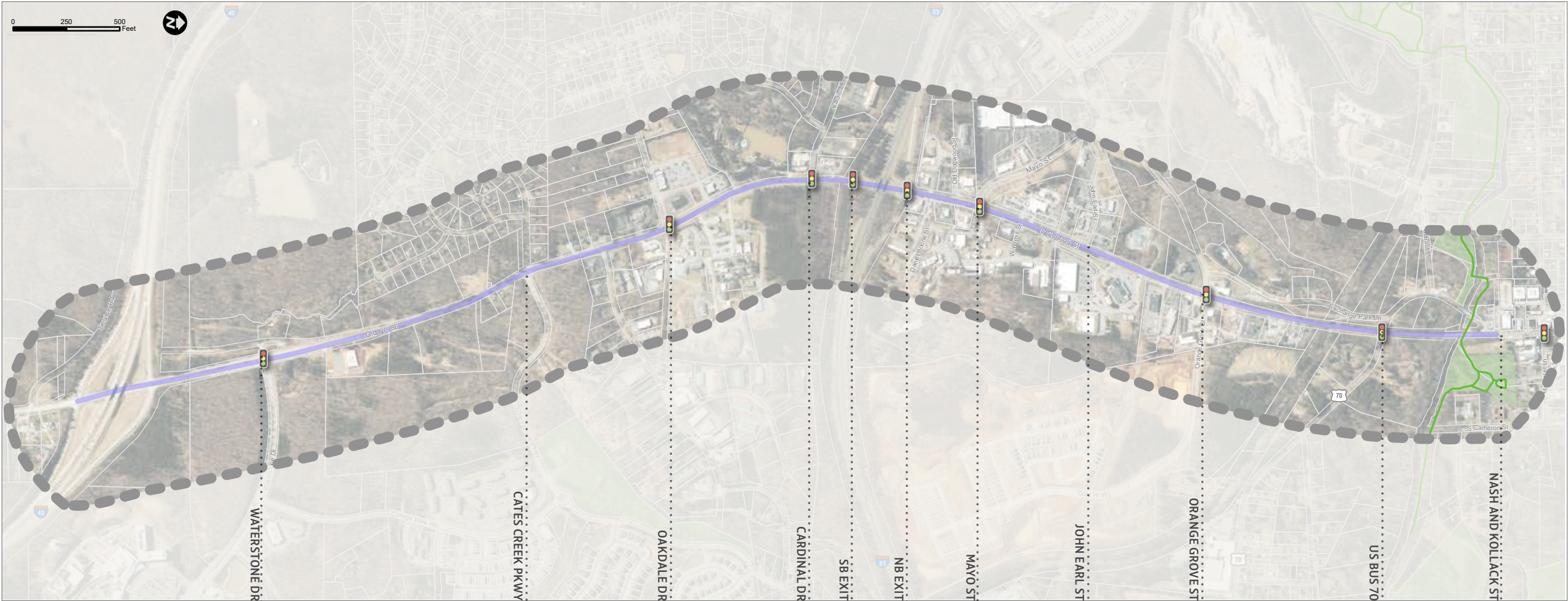


**Figure 2.4:** Natural systems.

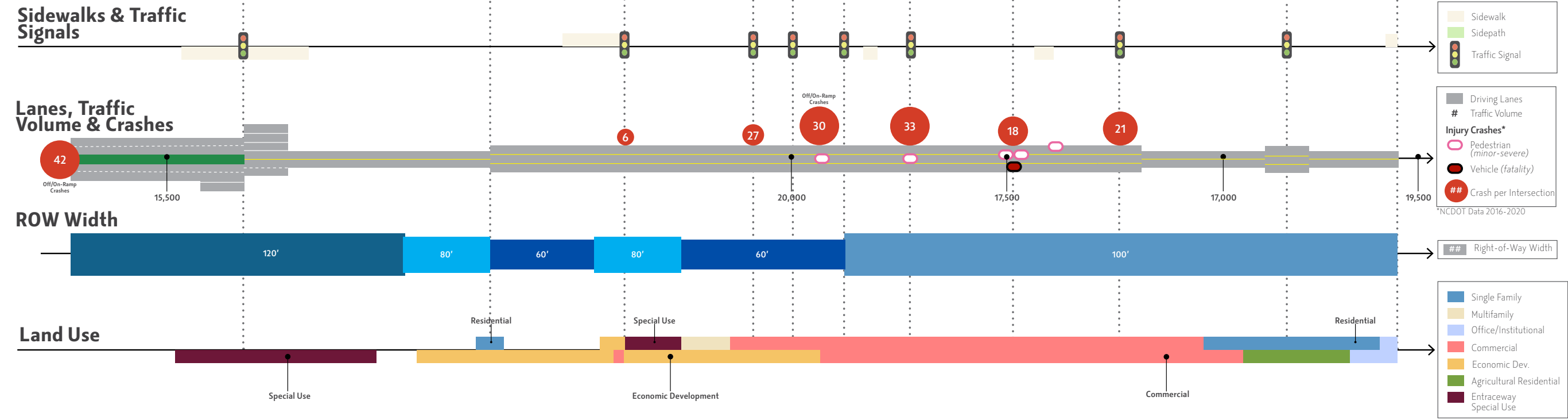


Built Context

Figure 2.5: Corridor Profile, South Churton Street.



« The Corridor Profile depicts different elements of South Churton Street’s built context to reveal relationships between its design and operations.



## Utilities & Rights of Way

Utilities & rights-of-way play a prominent role in corridor design, as they can represent significant constraints on the ultimate location of design treatments and retrofits. Like all major corridors, Churton Street is also home to utilities and power lines; knowing their location and conditions allows for their accounting in developing and evaluating design alternatives.

### UTILITIES:

Figure 2.5 shows the location of major utilities. Power lines dot both sides of the corridor along Churton Street; many of these are “feeder” poles, relaying power to neighboring businesses and homes. Feeder lines are easier to relocate, and represent a soft constraint. Transmission lines are prevalent along the west side of the corridor, and represent a greater constraint. At the northern end of the corridor near Orange Grove Road, an existing utilities easement crosses Churton.

### RIGHT-OF-WAY:

Right-of-Way varies significantly along the corridor. At its narrowest, between Cates Creek Parkway and I-85, the corridor is only 60' wide. Designs to widen the corridor could meet a challenge with property impacts in this section. Elsewhere, the corridor widens to between 100' to 120' of right-of-way, which permits greater consideration of multimodal and motor vehicle facilities.

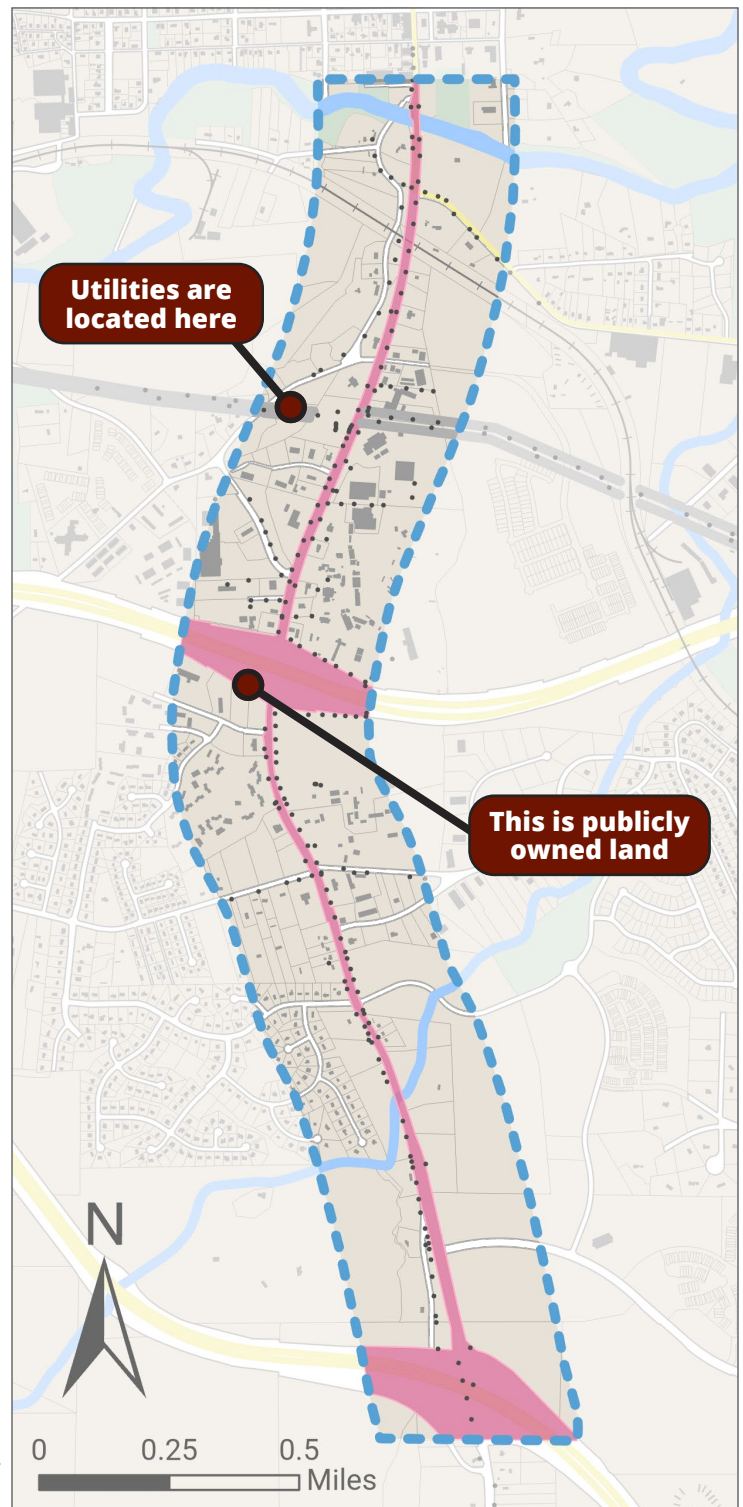
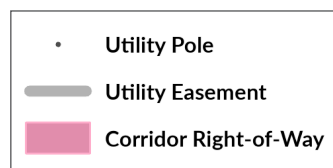


Figure 2.6: Utility easements and Right of Way.



## Existing Cross-Sections

Churton Street has three primary cross-sections:



### **TWO-LANES**

(Downtown to Orange Grove Road; Cates Creek Parkway to Waterstone Drive)

In this section of the corridor, the roadway profiles as a two-lane roadway with lower speeds as travelers navigate the transition to and from downtown. There are no sidewalks or bike facilities in this section despite the proximity of the Riverwalk and downtown.



### **THREE-LANES**

(Orange Grove Road to Cates Creek Parkway)

This cross-section is the predominant cross-section for Churton Street and sees the bulk of traffic volumes during the day. Through much of the corridor, Churton Street features two travel lanes and a center two-way left-turn lane that becomes a left turn lane at key intersections. Bicycle and pedestrian facilities remain limited to non-existent in this section.



### **FOUR-LANES**

(Waterstone Drive to Southern Extent / I-40)

This cross-section concentrates on the area closest to Waterstone Drive and the I-40 interchange. With two travel lanes in either direction, this area may also feature one or more turn lanes at the Waterstone Drive intersection. With University, hospital, and civic/institutional developments in this area, Churton may see increased traffic volumes in the future.

# Transportation Context

## Vehicle Conditions

### LEVEL OF SERVICE

Vehicular Level-of-Service (VLOS) categorizes corridor functionality for motor vehicles based on congestion and movement. Taking into account traffic speed and volume, travel times, pavement condition and type, travel lanes and roadway capacity, and traffic signal timing, VLOS combines data to rank users’ perceived satisfaction with the facility. This aids in understanding how differing conditions impact motorists and identifying specific areas of concern for those users.

Churton’s conditions vary progressing down the corridor. Nearest to Orange Grove Road, where traffic volumes are highest, the corridor experience modest congestion approaching roadway capacity during peak periods. Traveling south along the corridor, volumes decline beyond the interstate interchanges, reflecting the regional movement Churton facilitates – but also improving conditions for motor vehicles.

## Multimodal Conditions

Bicyclists and pedestrians face difficult circumstances attempting to travel along or across Churton Street.

### BIKING

With higher volumes and a posted speed limit of 45 miles per hour, biking conditions are at their most dangerous and stressful along Churton. Yet there are no dedicated facilities along the corridor, forcing anyone choosing to bike to travel in mixed traffic. At the northern extent of the corridor, Churton Street connects with the Hillsborough Riverwalk, creating a desirable connection for recreation or transportation, but without safe facilities, this connection represents a need unmet.

### WALKING

Pedestrians face similar challenges. For much of the corridor, sidewalks are not present, and those that have been built have taken place through redevelopment and are disconnected from a broader network. This presents challenge for walking along Churton Street. Intersection conditions are also poor, presenting challenges in walking across the street. With a wide cross-section, crossing distances are high, yet all intersections lack refuge islands, and most lack basic crossing amenities such as crosswalks or pedestrian countdown signals.

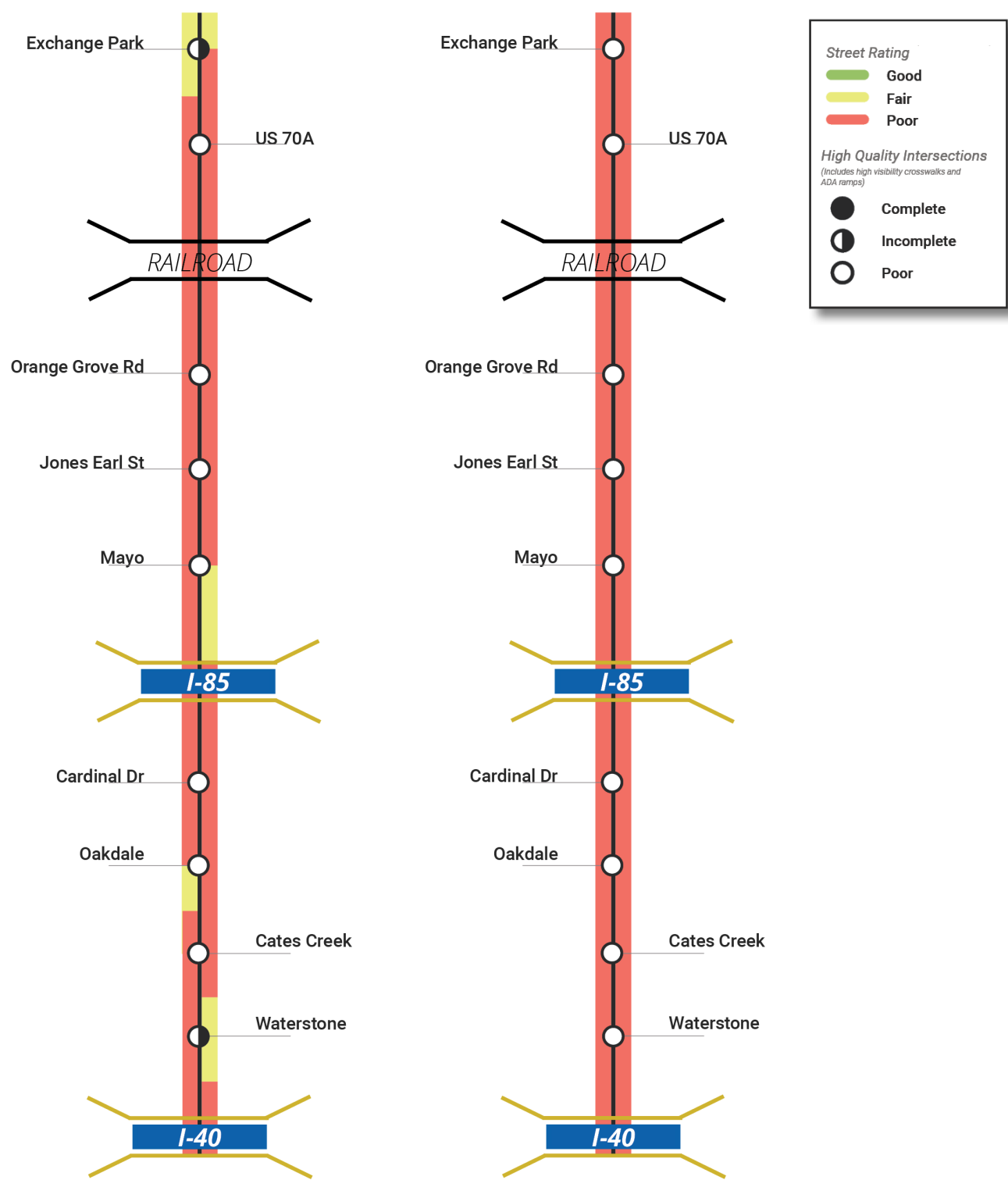


Figure 2.7: Multimodal conditions for pedestrians (left) and bicyclists (right).

# Crashes & Safety

Crash analysis summaries tell us about broader safety trends along the corridor. Geospatial analyses highlight locations of particular concern, revealing specific intersections or corridors where roadway deficiencies may contribute to concentrations or patterns of crashes. Both are critical to understanding a roadway and how it serves, or fails to serve, its community.

Crashes are a concern along Churton Street, particularly between Orange Grove Road and the I-85 interchange where volumes are highest. These volumes, combined with a three-lane cross-section may indicate congestion is a contributing factor, backed up by the fact that **50% of all crashes on South Churton Street are rear-end (slowing or stopping) crashes**. Despite this, fatal and severe crashes (FSI) occur more often on Churton Street: **the corridor’s FSI crash rate is 1.34 times higher than similar roads in North Carolina**.

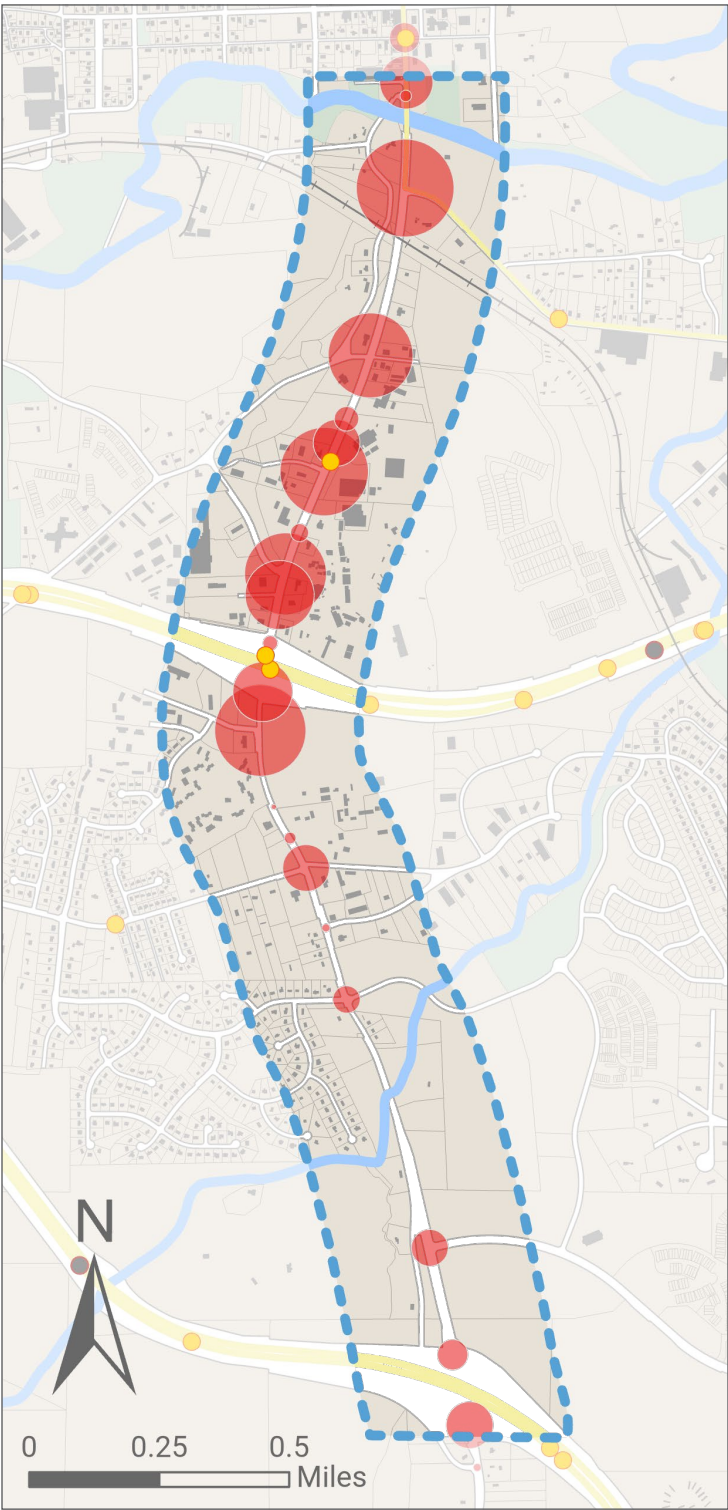
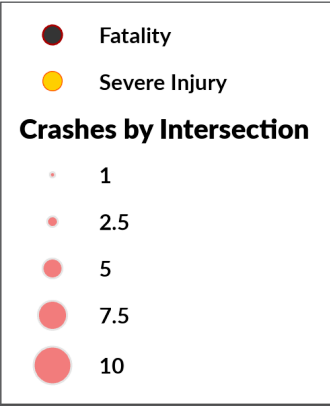


Figure 2.8: Crash map.

Finally, crashes aren't only a concern for motor vehicles. From 2007 to 2020, four bicycle- or pedestrian-involved crashes occurred in the study area. All pedestrian crashes were **non-fatal**. While none involved bicyclists, this may indicate that the lack of facilities and high speeds depress biking activity in the area.

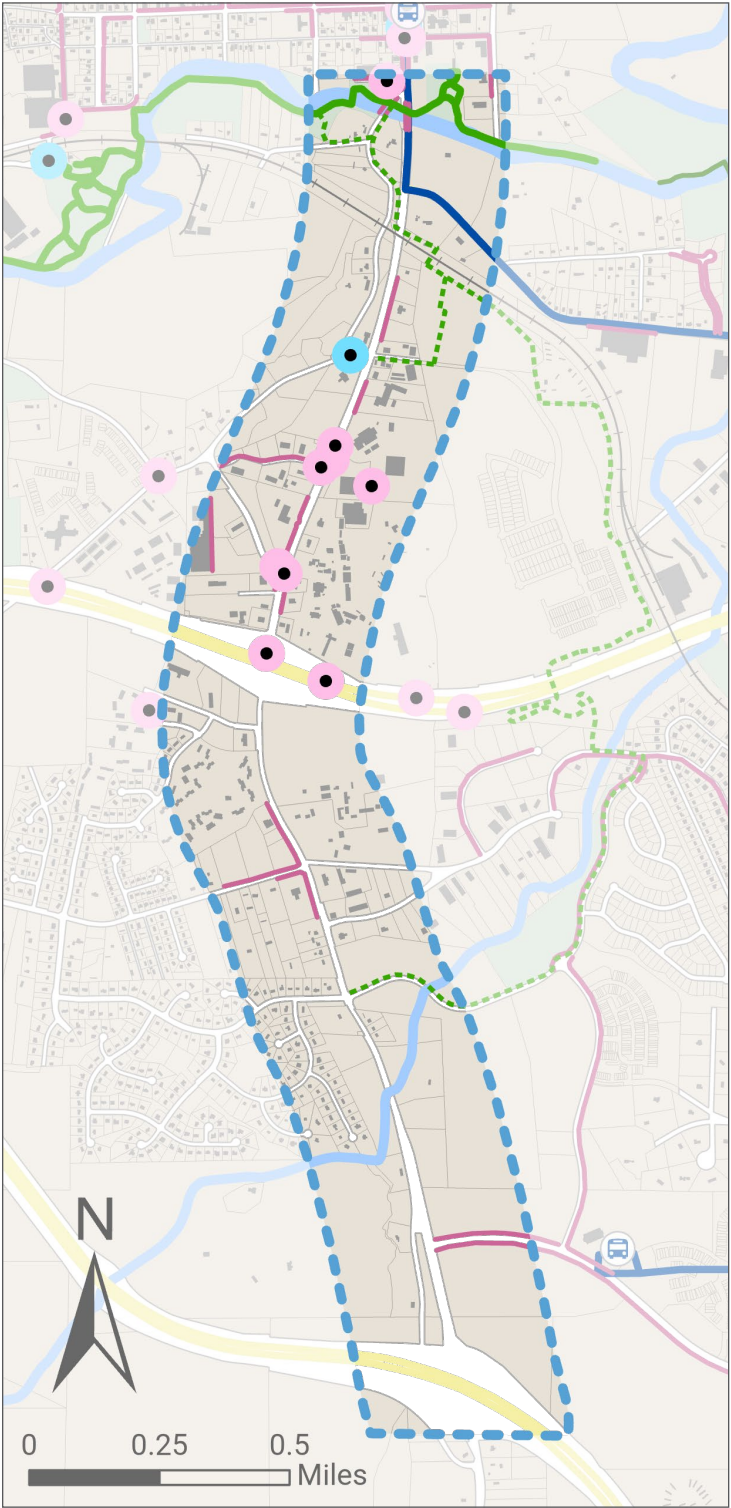


Figure 2.9: Crash map.

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# ENGAGEMENT



## CHAPTER 03

# Engagement



View of Open House #1 in action.

**Authentic public engagement plays an integral role in any design or study, as the results will impact the lives of community members and local businesses. Meaningful engagement leads to more appropriate plan recommendations and strengthens community support, making plan implementation more likely.**

This chapter documents the public engagement process. In addition to data from the technical analyses, online engagement methods, public meetings, and stakeholder discussions revealed further insights. These perspectives describe the corridor more accurately, define community values, and establish priorities and preferences for how a reimagined South Churton Street should look, feel, and operate.

## *This Chapter Covers:*

- Online Engagement
- Stakeholder Discussions
- In-Person Meetings
- Key Takeaways



# Online Engagement

## Project Webpage

Early in the process, the town launched a project webpage to provide residents, property and business owners, and other stakeholders with information on the planning process and ways for them to discuss the study. Ahead of public events, the town shared email blasts to subscribers to alert them to website updates and new event postings.



**Figure 3.1:** View of the South Churton Street Multimodal Corridor project webpage.  
<https://www.hillsboroughnc.gov/community/public-projects/south-churton-street-multi-modal-corridor/>

# Community Survey

The community survey, available in English and Spanish, was accessible on the project webpage and was open from May 2023 until September 2023. The goal of the survey was to generate community feedback to learn about key destinations, dangerous intersections, reoccurring problems, and desired improvements.

- General Survey: 926 total responses
- Spanish Survey: 14 total responses

Respondents identified the corridor’s biggest problem **as a lack of safe alternatives to driving**. People also consistently reported that they felt safer while driving than they do when walking or riding a bike along South Churton Street.

**Most respondents use Churton Street REGULARLY.**

*98% of respondents use the corridor at least once a week.*





**There are not enough safe TRAVEL OPTIONS on Churton Street.**

*60% said lack of sidewalks was a primary issue.*





**Drivers feel safe, but OTHERS DO NOT.**

*People reported that they felt safer driving than walking or riding a bike.*





**91% of respondents feel unsafe walking along the corridor.**

## Interactive Map

An interactive map illustrated the public's key problem areas and points of interest within the corridor. Using the ArcGIS Online mapping platform, respondents identified needed intersection improvements, safety hazards, lighting issues, barriers to walking or biking, and more, marked with icons. This tool provided a different, and needed, perspective on these corridor-level issues that could not be fully captured through traditional survey methods or focus groups. A sample of representative comments are displayed in Figure 3.2.

**33**  
map comments total

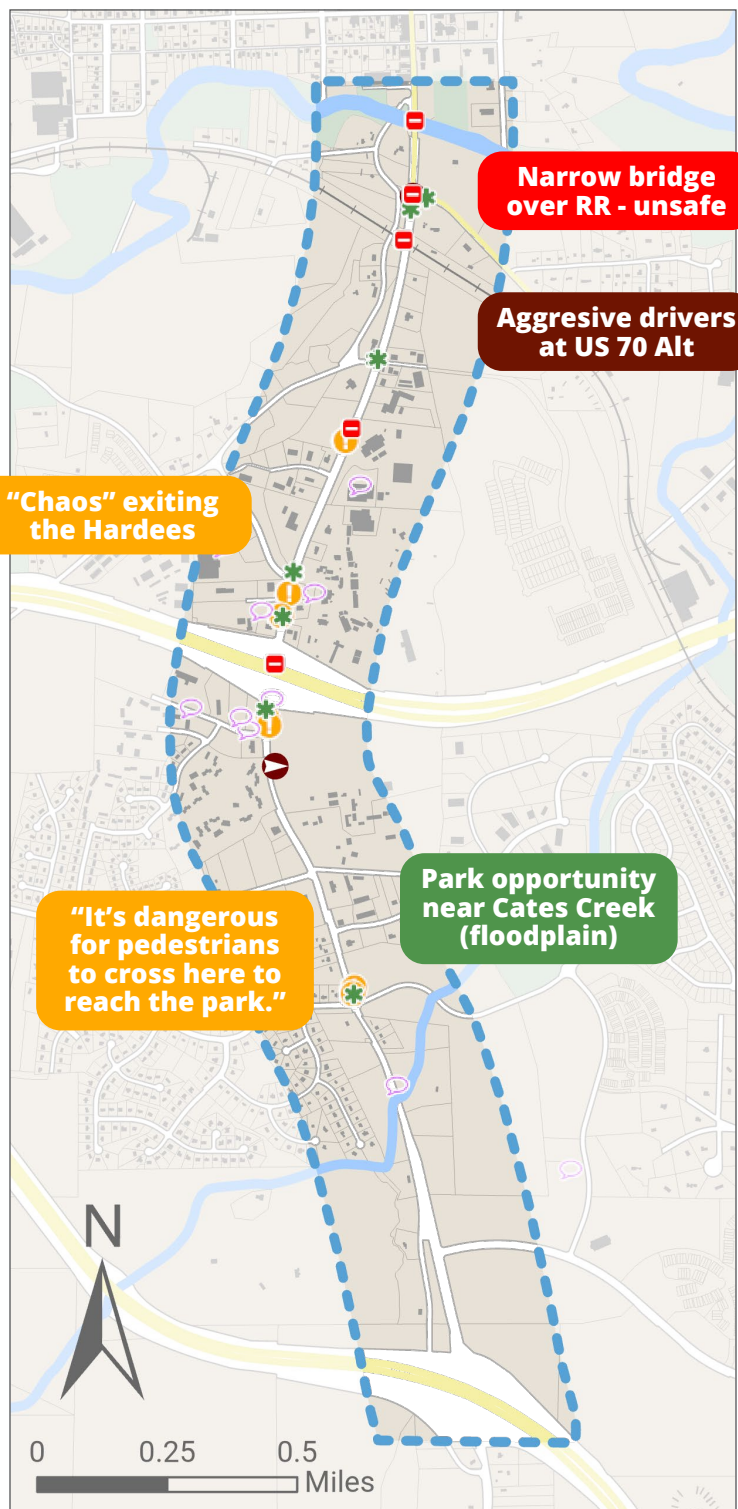
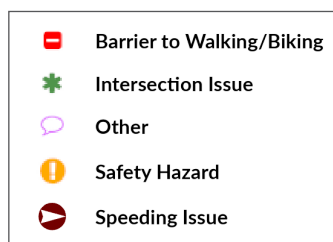


Figure 3.2: Interactive map with public comments.

# Stakeholder Discussions

## Project Management Team

The Project Management Team (PMT), comprised of technical staff, practitioners, and representatives of various groups who implement policy inside the study area, served as an advisory board for the project. Meeting virtually seven times, the PMT reviewed progress, gave direction and input, and provided feedback to the project team. PMT members also helped publicize the project webpage, survey, and public meeting opportunities to their constituents.

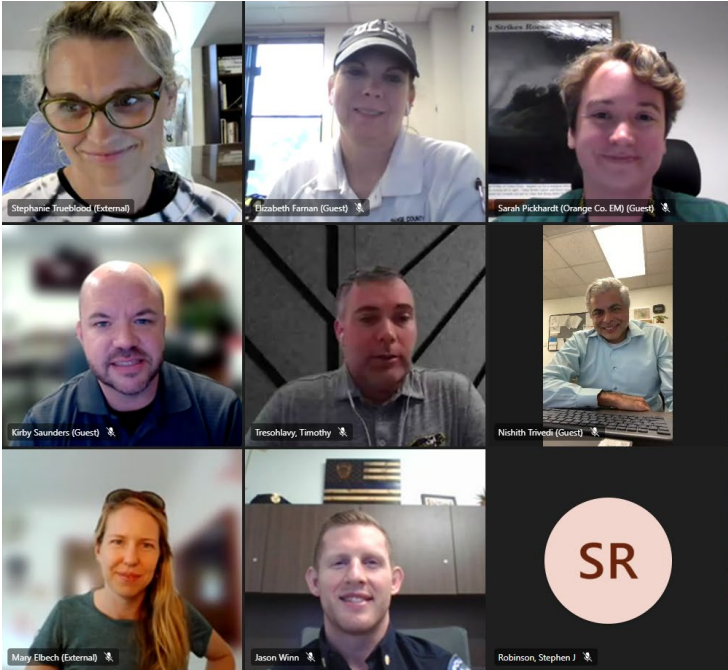
## Focus Groups

Early on, focus group discussions were conducted with several stakeholder groups along South Churton Street. Meetings were held between July and September of 2023 as a series of one-hour, open-ended discussions, centering on a general topic. Group members were identified by town staff for their ability to offer innovative ideas and potential solutions. These meetings provided local insights and perspectives not captured by quantitative data while identifying areas of concern.

Six meetings were held with the following groups:

- Residents
- Developers and Chamber of Commerce
- Transit providers, biking and walking
- Town staff and officials
- Churton Street (I-40 to I-85) businesses and landowners
- Churton Street (I-85 to Downtown) businesses and landowners

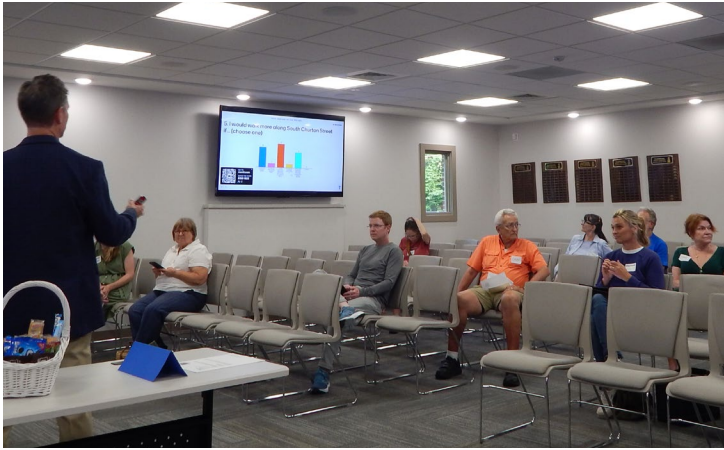
**67**  
total attendees for  
all groups



# In-Person Meetings

## Open House #1 & #2

Open House events were held in-person, on Thursday June 15th and Tuesday June 20th, 2023, offering the first opportunities for the public to collaborate with the project team. The team received vital feedback on project principles and objectives, which was used to refine key themes and principles that guide subsequent design phases of the planning process.

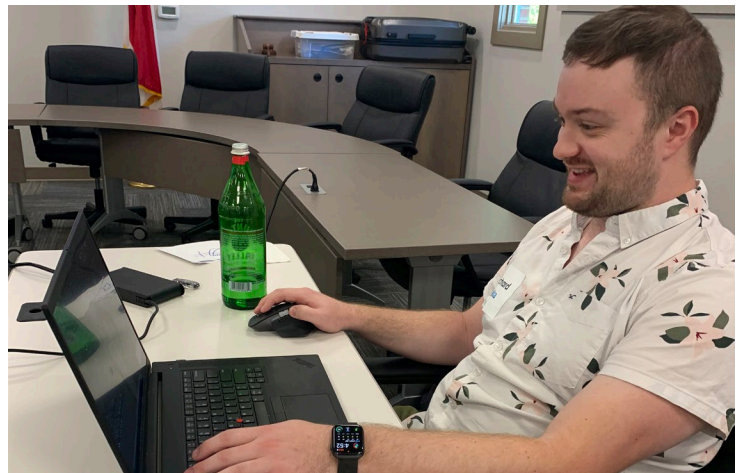
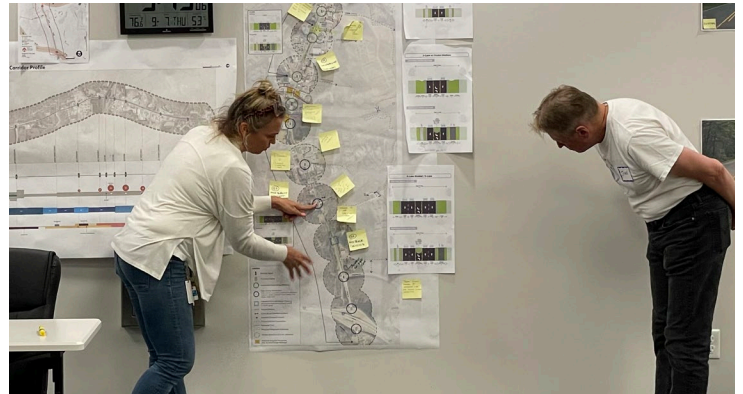


**25+**  
total attendees for  
Open House #1 & #2

## Design Workshop

The design workshop, held between Wednesday September 6th and Thursday September 7th, 2023, was the largest and most coordinated effort for the study. A multidisciplinary team of planners, urban designers, and engineers collaborated to generate and refine concepts for a redesigned, reimagined Churton Street that were based on concerns identified through data analysis and public engagement.

Stakeholder meetings were held concurrently during these two days, reviewing design nuances and potential tradeoffs, while evening presentations allowed additional community members to attend, provide feedback, and view the influence of their participation on the iterative concept design. Following the workshop, all materials produced during the week were viewable through the project webpage.



# Final Open House

The final open house was held Tuesday December 12, 2023 and was well attended. Feedback was used to refine the conceptual design recommendations.



TOWN OF  
HILLSBOROUGH  
NORTH CAROLINA

**Have questions?**  
Contact:  
Stephanie Trueblood  
Stephanie.Trueblood@hillsboroughnc.gov  
919-296-9481

Can't make it?  
Please leave us your comments at:  
[hillsboroughnc.gov/south-churton](https://hillsboroughnc.gov/south-churton)

## PUBLIC OPEN HOUSE

South Churton Street Multimodal Corridor Study

**We need your thoughts!** Come out to see the new concept design for South Churton Street. Join us to help identify anything we missed and make your voice heard!

**WHERE:** Hillsborough Town Hall Annex  
105 E. Corbin St.  
Hillsborough, NC

**WHEN:** Dec. 12, 2023  
5:30-7 p.m.

**Drop in any time during the Public Open House!**



View of the Town Hall Annex




»  
Digital flyer created for the Final Open House event.



View of the Final Open House in action.

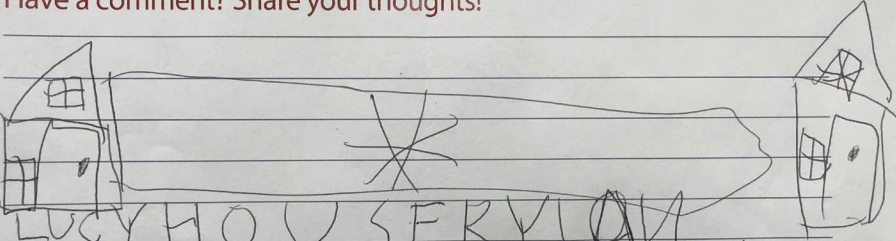
### COMMENT CARD

(Please write your answer below.)



TOWN OF  
HILLSBOROUGH  
NORTH CAROLINA

Have a comment? Share your thoughts!

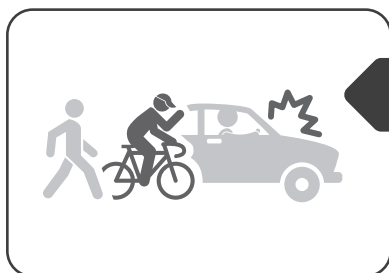


LUCY HOUSERVLAM  
I want to walk to Rylan's house from the Speedway.  
Lucy, age 5 (Rylan is in waterstone)

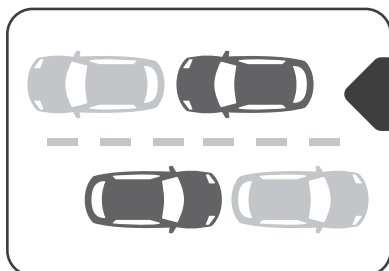
«  
Comment card from a young attendee asking for more walkability.

# Key Takeaways

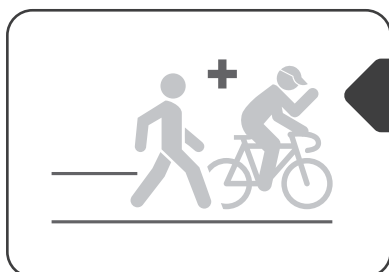
Chapter 2 (Investigation) and Chapter 3 (Engagement) examined the corridor's current operations, as well as the public perception of South Churton Street, providing the project team with insight on how the corridor serves its residents. From this data, a select number of important issues and observations emerged. These issues, summarized below, represent the key takeaways of this phase in the project.

**1**

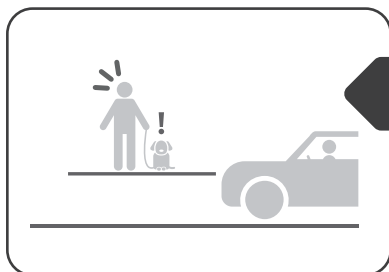
**The corridor is unsafe for biking and walking.**

**2**

**Reoccurring congestion issues, especially at intersections, hamper traffic operations.**

**3**

**Missing facilities are forcing users to drive.**

**4**

**Safe crossing opportunities are missing and prevent walking activity.**

**5**

**Expected future growth will further worsen conditions on the corridor.**

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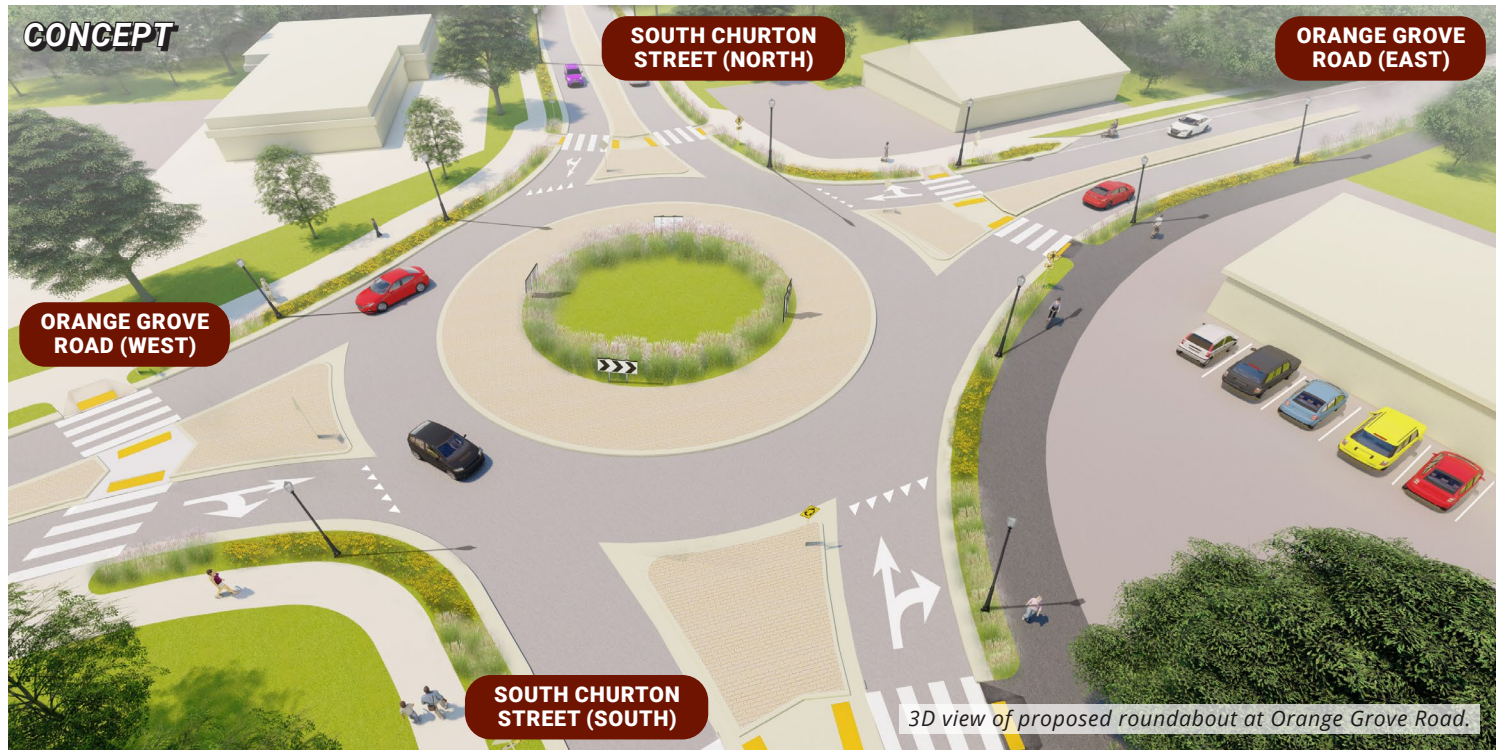


# RECOMMENDATIONS



Section 6, Item B.

# Recommendations



**This chapter defines the design elements of a multimodal corridor, describing how they align with the project vision, feedback received, and the conceptual design.**

The project team blends a.) public engagement from chapter 3 with b.) data analysis from Chapter 2, and c.) industry best practices for Complete Streets to inform this recommendations chapter. All three elements are essential to the planning process.

## *This Chapter Covers:*

- Guiding Principles
- Toolkit for Complete Streets
- Preferred Access Plan
- Design Recommendations



# Guiding Principles

For car-centric corridors like South Churton Street, the addition of design treatments that improve walking and biking are key to improve functionality and safety for all users. Engineering design priorities were influenced by public engagement and data analysis, helping establish the five guiding principles below. These principles are different from a project purpose and needed because they help to describe the many competing interests that are influencing the future design of this corridor, its everyday use, and future development opportunities around the corridor.

## Principle #1: The Safety of All Users is Paramount

Over several decades, South Churton has evolved into a destination corridor for commercial, residential and light industrial activity. In that same time frame, few physical improvements have been made for walking or biking, allowing the area to become increasingly dangerous for non-motorized travel.

Many comments received from the public were about safety-related issues, specifically the lack of connected sidewalks, missing intersection crossings and pedestrian signals, speeding vehicles and no bikeway treatments. Non-motorized travelers are vulnerable users as they are not surrounded by steel, glass, and safety equipment. Improving safety for all users means incorporating crash reduction strategies and improving the perception of safety, which may involve non-physical improvements.

Among survey respondents, 91% felt unsafe walking and 77% felt unsafe biking along the South Churton Street corridor, compared with 26% of drivers who felt unsafe.

FEEDBACK IS CLEAR: safety for bicyclists and pedestrians must be a priority.

## Principle #2: Address Reoccurring Congestion Issues



About 22,000 vehicles per day drive along portions of this three-mile corridor, and there are peak periods when traffic congestion frequently contributes to delays for motorists. The level of congestion at some intersections causes vehicles to back up onto adjacent roads or driveways. Strategies to improve traffic operations (or flow) and roadway capacity (i.e., widening to add more lanes) are needed to address these recurring, inconvenient, traffic congestion issues.

## ***Principle #3: Right-size South Churton Street***

Today's safety and traffic congestion issues have been influenced by decades of residential and commercial development alongside insufficient transportation planning. Symptoms of poorly planned transportation infrastructure include:

- Extra driveways (frequency and placement)
- Lack of interconnected parking lots that provide cross access between adjacent properties
- Traffic signals that are not synchronized



These symptoms contribute to more vehicles along the main corridor, additional turning movements and higher chances of collisions, faster vehicle speeds, increased driver confusion and/or frustration.

The objective is for South Churton Street to be redesigned into a more Complete Street by greater exposure to incorporating traffic calming elements, improved sightlines, pedestrian-level lighting, access management best practices and policies for improved standards (e.g., stub out street requirements, shared driveways, enhanced connectivity) that coordinate future development.

## ***Principle #4: Embrace Environmental Stewardship and Sustainability***

The Town of Hillsborough has embraced environmental quality and the protection of its water resources, including the Eno River and Cates Creek. This study includes opportunities for integrating key environmental design treatments like stormwater best management practices along the median and roadside, planting street trees that provide shade beside sidewalks and reduce the urban heat index effect, and limiting excessive light pollution. These elements contribute to the Town's overall goals for promoting community health and function.

## ***Principle #5: Support Surrounding Uses through Attractive Urban Design***

There remains a substantial amount of land that is undeveloped or underdeveloped along South Churton Street, and land use must be coordinated with mobility needs. This corridor does not simply move vehicles into the Town of Hillsborough; it provides access to jobs, residential neighborhoods, parks or civic uses, sustains land values, and encourages redevelopment opportunities.

Investment in the public right of way will encourage future private investment along the corridor. Creating attractive and convenient destinations along the corridor through placemaking and quality urban design is paramount to the functionality of this corridor.



# Toolkit for Complete Streets



## Fundamentals of Complete Streets

Complete Streets are streets designed for everyone.  
According to the National Complete Streets Coalition:

***“They are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities.”***

A Complete Streets version of South Churton Street would make it easier to cross the corridor, walk to businesses, or bike to and from locations along the street safely.

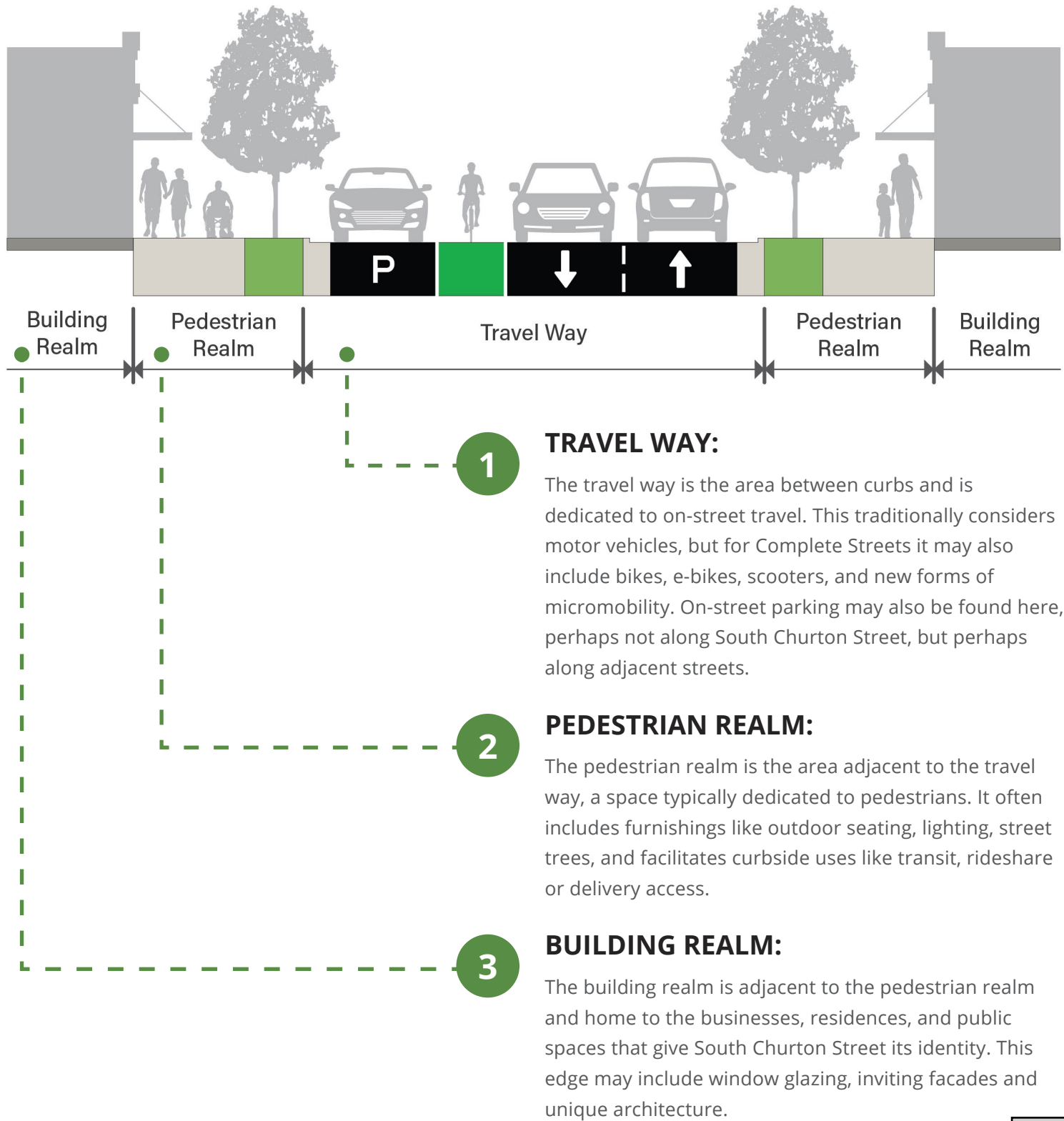
A Complete Streets approach is not one size fits all – it’s a process. Redesign of a roadway must be tailored to existing and future travel demands in the specific community, along with surrounding development and land use.

A Complete Street:

- Considers all modes and users
- Provides safe travel options for users of all ages and abilities
- Accommodates both present and future needs
- Contributes to a community’s environmental sustainability and resiliency
- Values public spaces and real estate holistically, considering direct and indirect costs
- Is a vibrant, attractive place in all seasons and contributes to an improved quality of life

# Elements of a Complete Street

A Complete Streets approach identifies three zones, reflected in the graphic below: the travel way, the pedestrian realm, and frontage / setback. Each zone serves different users and mobility needs.



## Examples of Complete Street Treatments

A Complete Streets approach identifies three zones, reflected in the graphic below: the travel way, the pedestrian realm, and frontage / setback. Each zone serves different users and mobility needs.



### PEDESTRIAN COUNTDOWNS:

- Ensure that signals are visible to pedestrians
- When possible, provide a walk interval for every traffic signal cycle
- Provide auditory (non-visual) guidance for pedestrians with sensory restrictions
- Marked crosswalks should be installed in conjunction with pedestrian signals

### HIGH-VISIBILITY CROSSWALKS:

- Use solid white lines, 6 inches to 2 feet in width
- Minimum 6 feet width of walkway, and wider than the pedestrian facility it connects with



### CENTER MEDIAN ISLANDS:

- Narrow travel lanes to reduce vehicle speeds
- Pedestrian refuge islands
- Widths range from 4 - 12 feet
- Mountable curb enables emergency response vehicles to pass

### SIDEWALKS AND STREETSCAPE:

- Minimum 5 feet (6 feet preferred) pedestrian zone recommended
- Wide space provides room for street trees, benches, bike racks, and other enhancements that separate pedestrians from traffic



### SHARED-USE PATH:

- Off-street facility, above the curb
- Shared for bicyclists and pedestrians
- Minimum 10 feet wide (ideally 12 feet or more)
- Separate from the curb with grass or plantings

### STREET TREES:

- Space approximately 15- 30 feet apart
- Canopy shade trees cool the biking and walking environment
- Vertical height creates "side friction," helping to slow vehicle speeds
- Use tree wells and soil cells to direct roots downward and prevent damage to sidewalks and curbing

## Roundabouts

In the South Churton Street concept design, three intersections are recommended to be converted into roundabouts. Roundabouts are a powerful tool for calming traffic and improving safety, maintaining traffic flow, and can address several of the problems facing South Churton Street:

### WHAT ADVANTAGES DO ROUNDABOUTS HAVE OVER SIGNALIZED INTERSECTIONS?

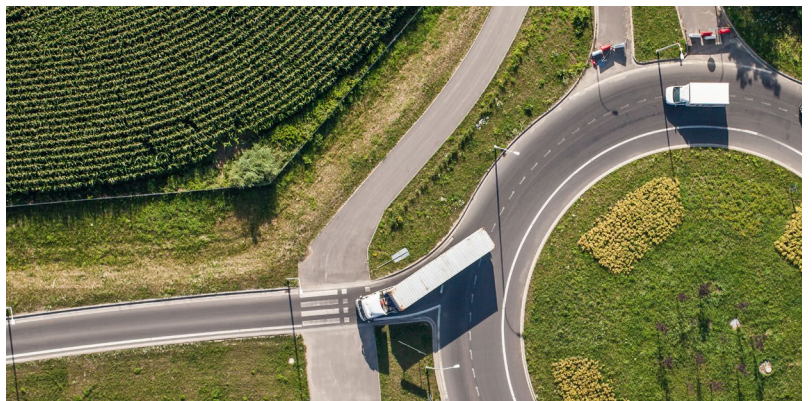
- **Continuous traffic flow:** With roundabouts, traffic only needs to yield before entering, rather than wait for a green light.
- **Traffic calming:** Drivers must slow down before entering the roundabout, typically reducing speeds to between 15 and 20 miles per hour.
- **Predictable movement:** Traffic flows counterclockwise, reducing the number of conflict points, and the potential for crashes.



### HOW DO ROUNDABOUTS IMPACT LARGE VEHICLES, LIKE FIRE TRUCKS, OR AMBULANCES?

Well-designed roundabouts are no impediment to large vehicles. Modern roundabouts have several features to serve large vehicles without causing delays.

- **Aprons:** Traversable sections of the center island or even splitter medians.
- **Design vehicle standards:** Turning radii for large trucks can be accommodated in the size and shape of the roundabout.
- **Curb-to-curb width:** Curb widths at entrance and departure points from the roundabout can be widened to facilitate passing stopped vehicles.



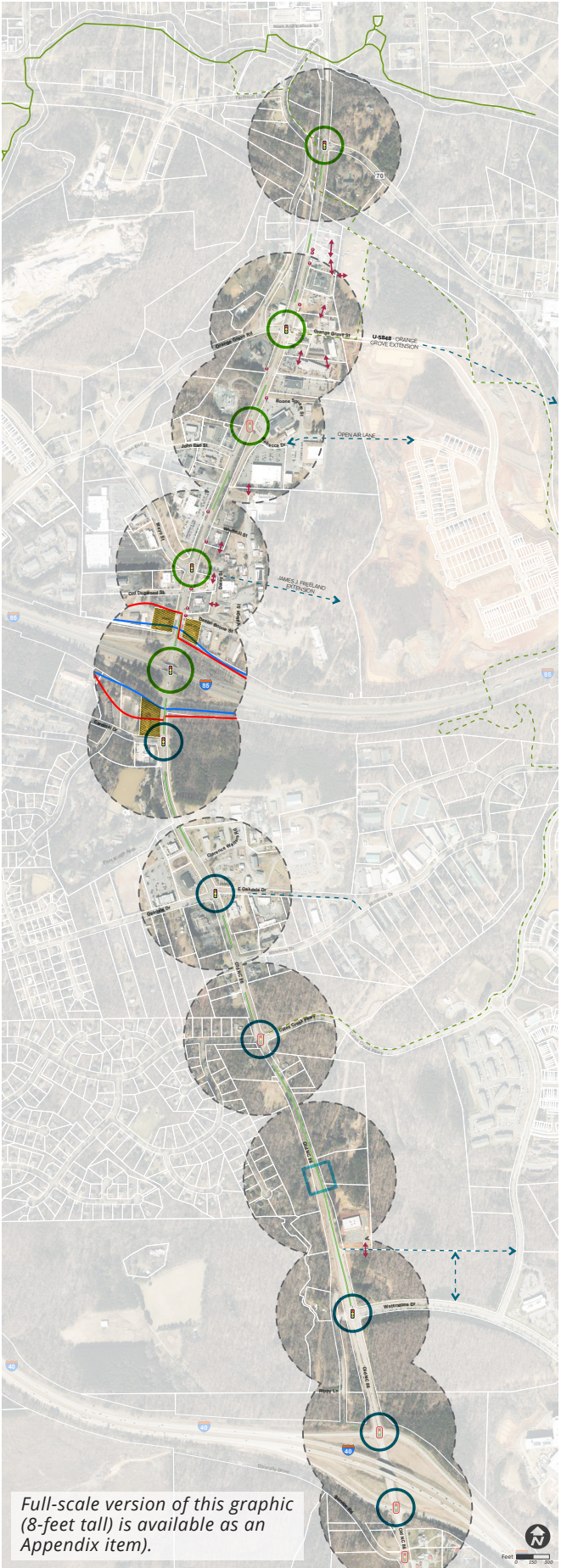
# Preferred Access Plan

The Preferred Access Plan (PAP) represents an initial blueprint or general framework for how the proposed corridor design treatments work together. As a planning tool, the PAP incorporates key design elements like connectivity, median treatments, driveway consolidation, and activity nodes for crossing the corridor. Activity nodes are intersections where pedestrians can safely cross the road, and are recommended for high quality intersection treatments such as high visibility crosswalks, pedestrian countdown timers, ADA-compliant curb ramps, and pedestrian-level lighting.

**WALKSHEDS** - the general distance or area that is reachable on foot for the average person, assuming 3-miles per hour walking speed. When an 1/8th mile walkshed is applied to safe crossing locations along the entire corridor, you can visualize that a person should not walk more than 2.5 minutes to cross.



Figure 4.1: Preferred Access Plan.



Full-scale version of this graphic (8-foot tall) is available as an Appendix item.



## Existing & Proposed Cross-Sections

The South Churton Street corridor does not have one consistent street cross-section. There are two different areas, with different street cross-sections. For the purpose of this study, we’ve chosen to present the existing and proposed treatments according to these two areas:

- 1 Mayo Street to US 70 Business
- 2 I-40 to Mayo Street

### 1. Mayo Street to US 70 Business

#### EXISTING

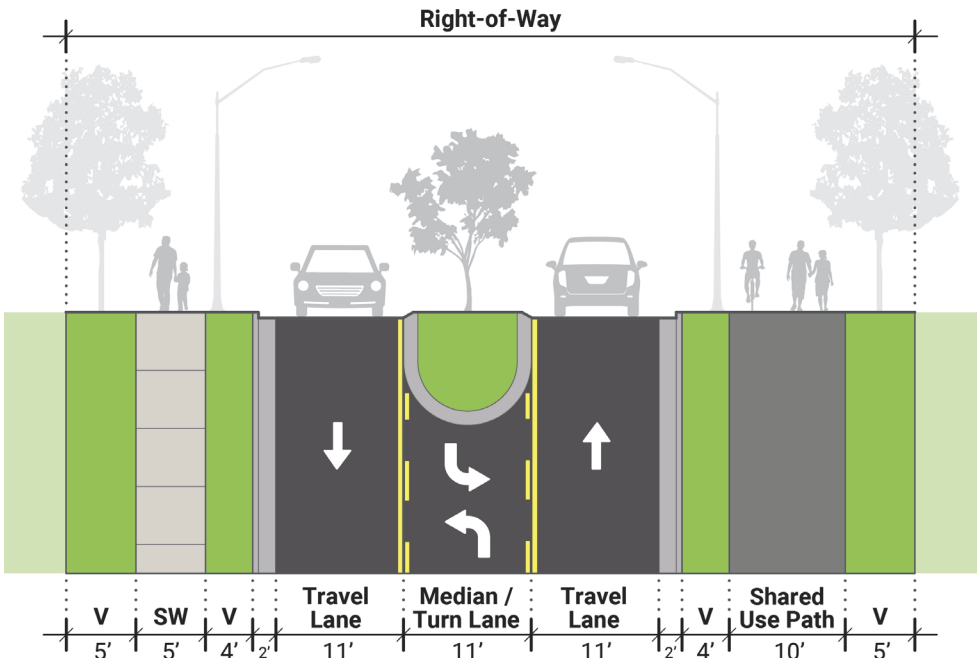
This section is currently 35 mph posted speed, with two travel lanes and a center turn lane (two-way left turn lane), as well as a right-turn lane approaching John Earl Street with a short section of curb and gutter. Roadside ditch and swale are predominant, and existing intersections or driveways are excessively wide. Many properties have more than one driveway access point, or one very large driveway than can be used by three cars or more at once.

There are short sections of existing sidewalks along the west side of South Churton Street in front of the Capital Ford dealership; however, these sidewalks are disconnected from intersection crossings.

An electric substation with overhead transmission lines and easement is present near Rebecca Drive, with many utility poles present, limited shoulder area, and a steep uphill slope along the west side of the corridor.

#### PROPOSED

The recommended typical cross-section for this portion of the corridor is two lanes, 11 feet wide with curb and gutter, and several locations for a median that is either concrete (mountable) or bioretention areas for stormwater, where possible. A combination of sidewalks (5 foot minimum) or side paths (10 foot minimum) are recommended along both sides of this section. This cross-section narrows to two lanes only at the railroad bridge crossing.



CONCEPT

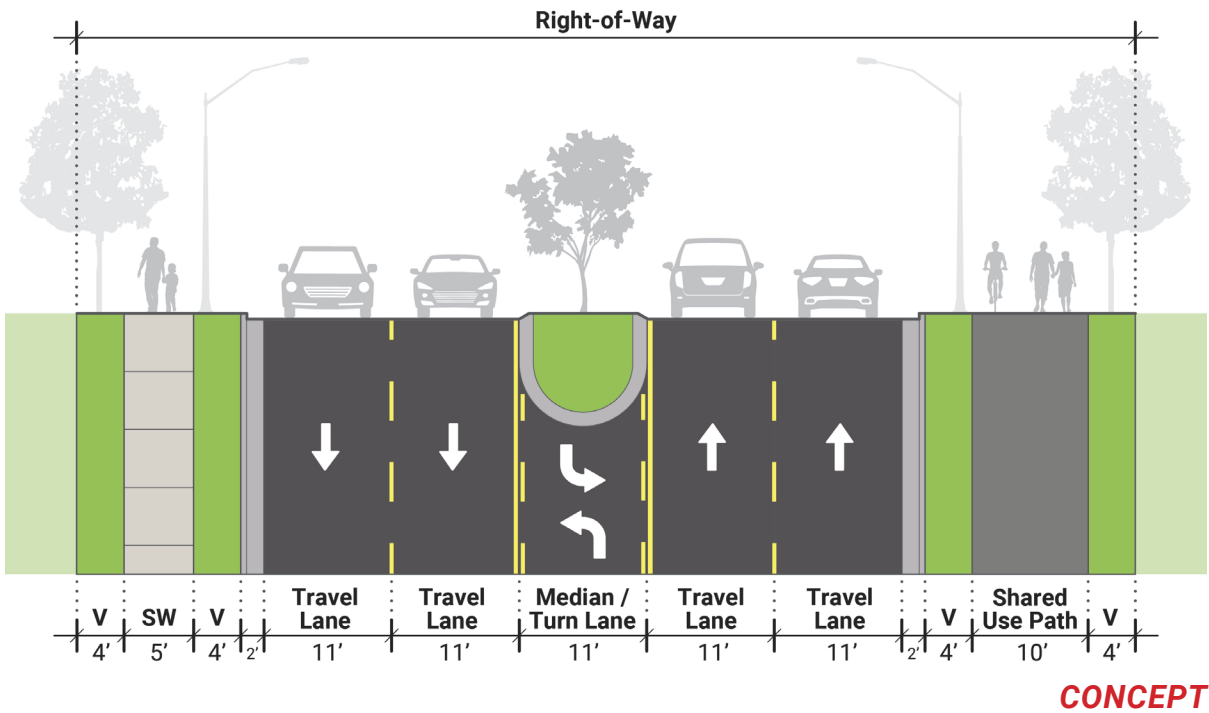
2. I-40 to Mayo Street

EXISTING

The existing corridor transitions from 45 to a 35 mph posted speed limit in this section, with two travel lanes and a center two-way left turn lane. Roadside ditch and swale are predominant. South of Cates Creek Parkway this corridor is two lanes with narrow shoulders and no center turn lane. The corridor transitions again near Waterstone Drive to four lanes, with planted medians, some sections of curb and gutter, sidewalks along the east side, and a traffic signal at Waterstone Drive that lacks pedestrian crosswalks.

PROPOSED

A consistent four lane cross-section is recommended for this portion of the corridor, with partial medians or bioretention areas, where appropriate. The proposed speed limit should be reduced to a consistent 35 mph, where feasible. Sidewalks along the west side, and a 10 foot wide side path are recommended along the east side to maintain connection with the planned Ridgeway Greenway.



# Design Recommendations

## Concept Design

The design considerations for the entire corridor study area are described first, followed by the concept design (15% to 20% level of detail), using MicroStation software. This section shows how the proposed cross-sections create a context-sensitive design that address the multimodal needs of the entire corridor. This concept is designed to scale so that the physical footprint and potential impacts to utilities and right-of-way (ROW) can be determined. It also provides specific intersection details.

Renderings and redevelopment opportunities complement the concept design. These visuals provide street-level perspectives of what the proposed treatments might look like, as well as imagery of built examples, where applicable.

## Corridor-Wide Design Considerations and Recommendations



### Optional Intersection Design:

- Mayo Street: Partial dual lane roundabout or traditional signalized intersection



### Roundabout Design:

- Consider partial dual-lane roundabout at Mayo Street
- Consider single-lane roundabout at Rebecca Drive (southern)
- Consider single-lane roundabout at Orange Grove Road



### Intersection Redesign:

- Add new traffic signal for Cates Creek Parkway
- Reconfigure intersection at John Earl Street



### Non-signalized Intersections:

- Proposed midblock crossing with Pedestrian Hybrid Beacon (PHB) between Waterstone Drive and Cates Creek Parkway intersections





### Design Vehicle:

- WB-40 truck (tractor-trailer, with 42' long box)



### Lane Width:

- Standard 11 foot travel lanes



### Bike Facilities:

- Continuous 10 foot shared-use path along east side of the corridor (I-40 and Orange Grove Road)



### Pedestrian Facilities:

- Continuous sidewalk (minimum 5 foot width) along west side
- Sidepath (minimum 10 feet wide) along east side between I-40 and Orange Grove Road
- Connect with planned Ridgewalk Greenway near Cates Creek Parkway and Orange Grove Road

## LANDSCAPING -

### This plan recommends:

- *Street trees to provide shade along curbside,*
- *Median trees and shrubs that don't limit visibility for drivers,*
- *Maintenance will be assumed by the City of Hillsborough.*

NCDOT Roadside Environmental Unit manages landscaping within the public right-of-way.

### Guidelines for planting within their right-of-way:

- [\*Guidelines for Planting within Highway Right-of-Way\*](#)

### NCDOT's approved trees and shrubs lists:

- [\*Trees.pdf \(ncdot.gov\)\*](#)
- [\*Shrubs.pdf \(ncdot.gov\)\*](#)

**NORTHERN SEGMENT**

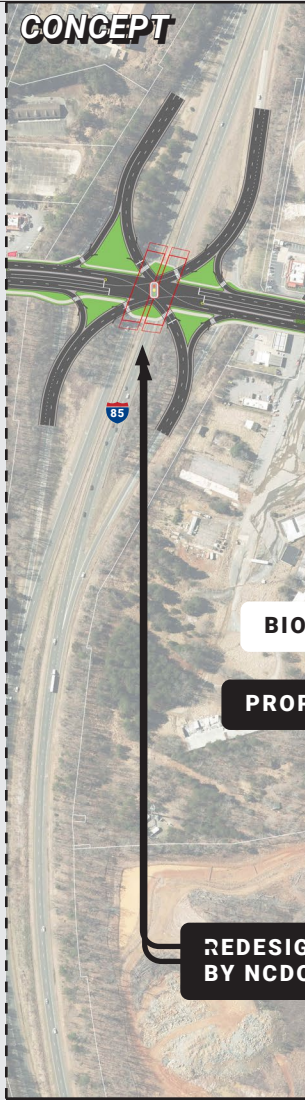
Given the number of businesses in this segments of the corridor, it's recommended to consolidate driveways and segments of median to reduce dangerous left turns and encourage safer right-in, right-out movements. The intersection of John Earl Street is the exception, which will retain left-turn access for northbound vehicles.

Two roundabouts are proposed that will maintain traffic flow and allow access to businesses by performing a U-turn and right-in movement, rather than an unsafe left turn.

A proposed roundabout at Orange Grove Road is suggested to replace the existing traffic signal with the goal of slowing traffic, improving safety, maintaining traffic flow and decreasing vehicle delays. Installing the roundabout will likely require additional right of way.

The Mayo Street intersection is recommended for two potential treatments: a partial dual-lane roundabout or a traditional signalized intersection. This planning-level multimodal corridor study will proceed with both potential treatments and allow future engineering design to evaluate and determine the final design.

S«



A sidepath 10' to 12' wide is proposed along the east side of this segment, and should be aligned to fit within the right-of-way, except at specific locations where permanent easements may be required. The sidepath is intended to accommodate walking and bicyclists while connecting with the proposed Ridgewalk Greenway near Orange Grove Road and future train station.

Significant topography constraints require that the shared-use path divert at Orange Grove Road and connect to the planned Ridgewalk Greenway. North of Orange Grove Road, sidewalks are recommended on both sides and should be a minimum width of 5 feet and ADA-compliant.

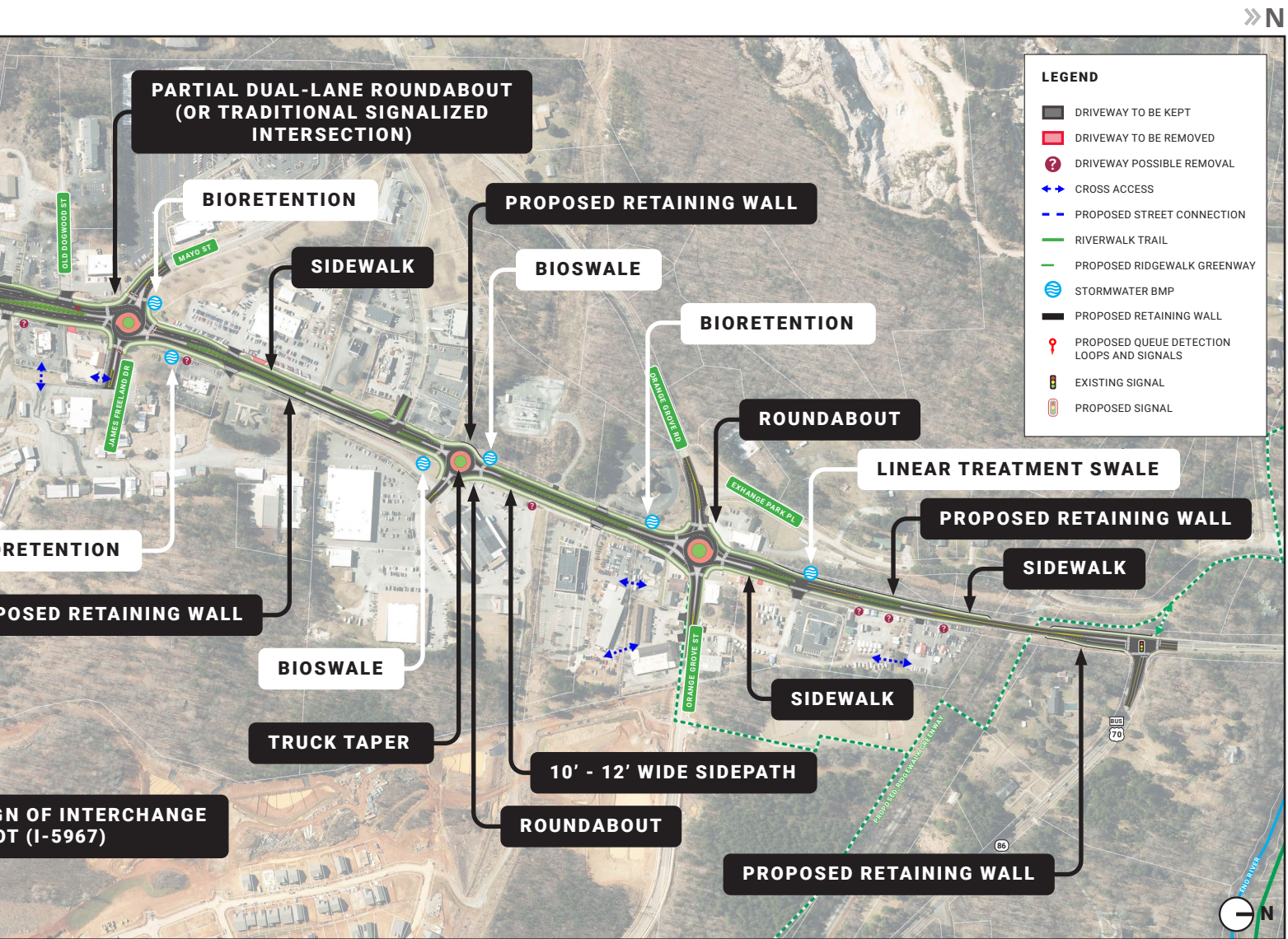


Figure 4.2: Concept Design, Northern Segment

# SOUTHERN SEGMENT

The I-85 interchange is under separate engineering design review as part of the I-5967 project, and therefore our recommendation is to incorporate this project’s final design. At the time of this study, the proposed interchange being considered is a single-point urban interchange (SPUI), with a traffic signal at the center.

The southern segment is recommended for a consistent four-lane cross-section with partial medians, or bioretention areas, where appropriate. This area has high development potential and connects with many existing residential developments that generate vehicular traffic.



The proposed speed limit should be reduced to a consistent 35 mph, where feasible. Sidewalks along the west side, and a 10' wide sidepath is recommended along the east side to maintain continuity and connection with the proposed Ridgewalk Greenway that travels through several residential communities.

A new traffic signal is proposed at the Cates Creek Parkway, and a midblock crossing is planned between the Waterstone Drive and Cates Creek Parkway signals. Two new traffic signals are proposed at the I-40 interchange ramps; however, NCDOT traffic operations will determine when these are needed.

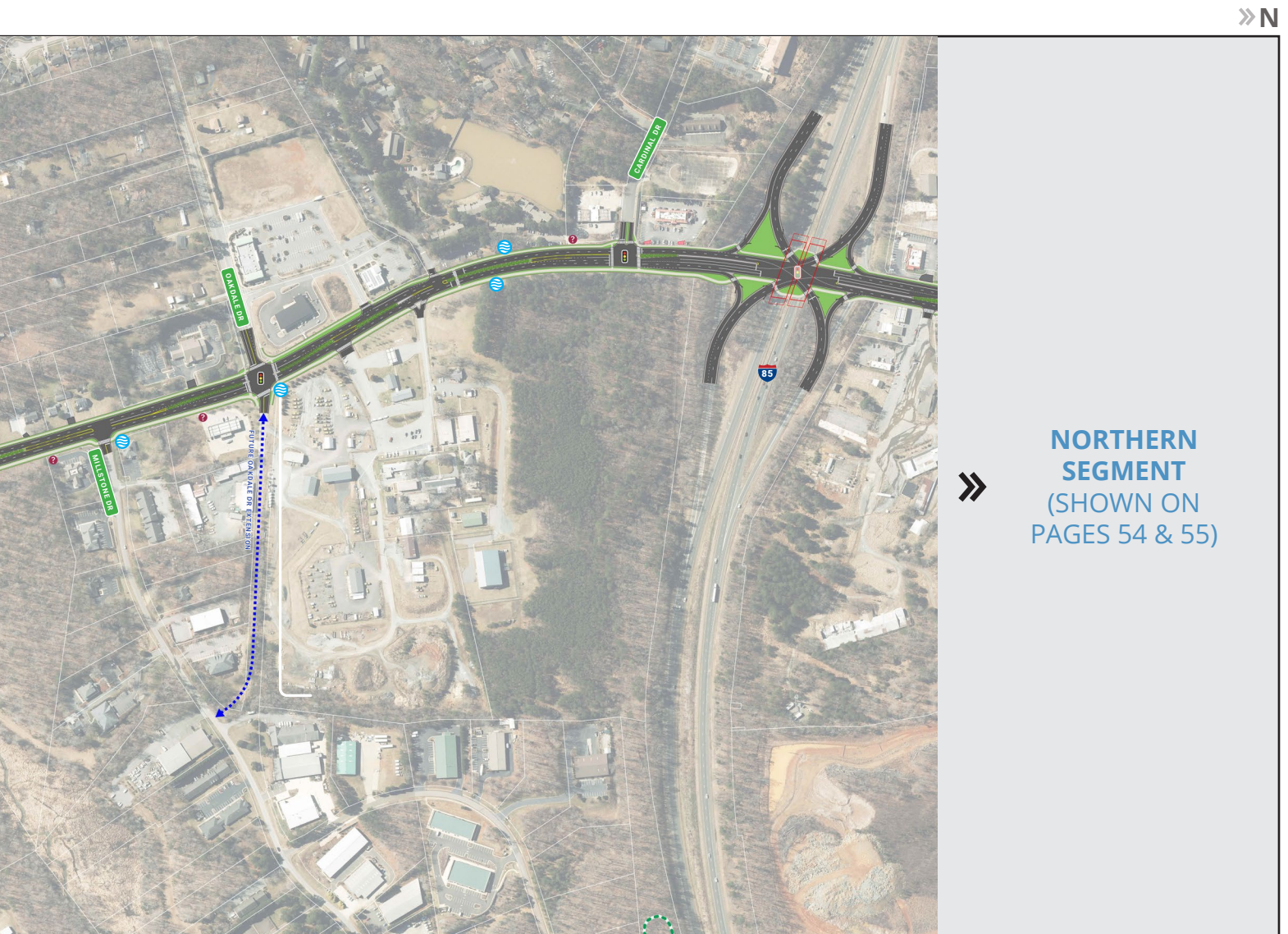


Figure 4.3: Concept Design, Southern Segment

Rendering 1: Roundabout at Orange Grove Road



DESIGN CONSIDERATIONS:

- Regionally important collector road (to the west)
- Primary entrance and exit to Collins Ridge Development (to the east)
- Access to proposed Hillsborough train station
- Right of way constraints
- Existing development on all four corners
- Utility pole relocations
- Opportunity to begin slowing vehicles heading toward downtown
- Stormwater challenges at current signalized intersection
- Opportunity for bioretention
- Potential connection with proposed Ridgeway Greenway

## Rendering 2: Centerline at John Earl Street

Orange Grove Road  
Roundabout

Cates Creek Parkway  
Intersection



**John Earl Street**  
Centerline

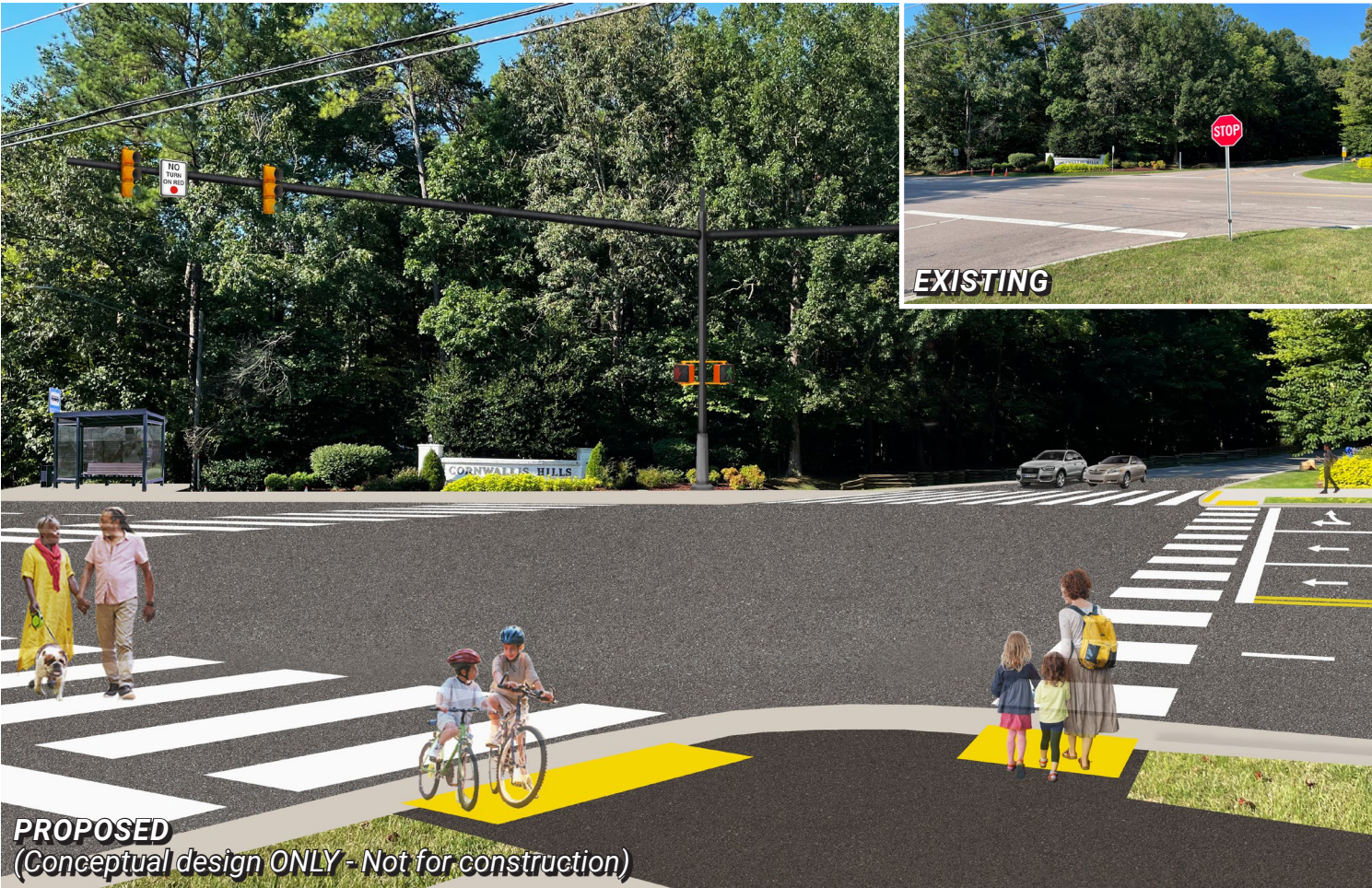
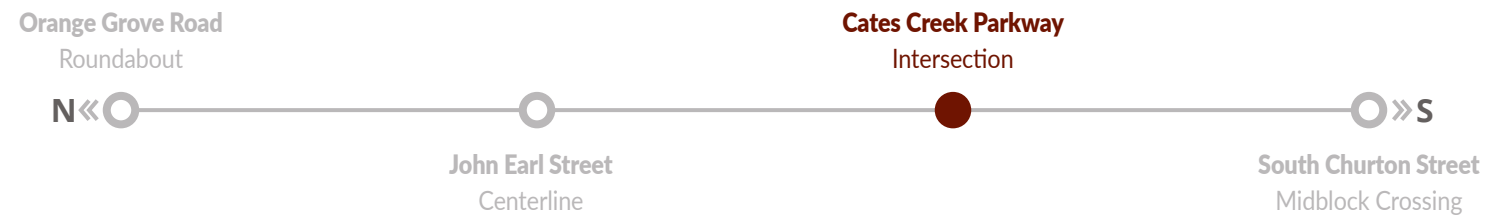
**South Churton Street**  
Midblock Crossing



### DESIGN CONSIDERATIONS:

- Existing sidewalk segments to connect (or reconstruct)
- Opportunity to consolidate driveways for access management
- Utility pole relocations
- Topography challenges (both sides)
- Potential to reduce posted speed limit
- Opportunity for bioretention within the median (stormwater)
- Potential retaining wall needed on east side
- Well-lit pedestrian areas and shade trees

# Rendering 3: Intersection at Cates Creek Parkway



## DESIGN CONSIDERATIONS:

- |   |   |
|---|---|
| ■ Conversion of stop-control to traffic signal            | ■ Opportunity for bioretention            |
| ■ Improved visibility and sightlines for turning vehicles | ■ Pedestrian countdown signals            |
| ■ Addition of marked crosswalks                           | ■ Potential for enhanced bus stop/shelter |

## Rendering 4: Midblock Crossing along South Churton Street

Orange Grove Road

Roundabout

Cates Creek Parkway

Intersection

N « O

John Earl Street  
Centerline

» S

South Churton Street  
Midblock Crossing



### DESIGN CONSIDERATIONS:

- Four lanes with landscaped median proposed
- Half-mile segment of roadway without a safe crossing
- Cates Creek Hardpan Forest (Natural Heritage Area)
- Pedestrian Hybrid Beacon (PHB)
- Potential to reduce traffic speeds and improve safety
- Regular maintenance needed for pedestrian refuge island, curb ramps, and lighting
- Reduce speed limit to 35 mph

# Stormwater / Bioretention Recommendations



## DESIGN CONSIDERATIONS:

- Capture and treat stormwater closer to its source
- Reduce quantity and quality of stormwater runoff
- Regular maintenance needed
- Opportunity to incorporate native vegetation

# IMPLEMENTATION

## CHAPTER 05

# Implementation



**This chapter addresses the question of “How do we get started?” with considerations for policy integration and potential funding opportunities.**

Implementation is an often overlooked, yet essential, step to move from planning and design to construction. The previous chapters established a purpose, vision and conceptual recommendations built upon current conditions and public feedback.

## ***This Chapter Covers:***

- Cost Estimates (planning-level)
- Policy Considerations
- Potential Funding and Partnerships

## **Purpose of This Study**

A reminder from Chapter 1: the purpose of the South Churton Street Multimodal Corridor Study is to develop design concepts that convey the town’s interests and accomplish the goals of the state-funded project. The concepts and cross sections (from chapter 4) were developed and refined with NCDOT partners and will inform the STIP project (U-5845) about the town’s goals and preferred design treatments.



# Cost Estimates

This section identifies planning-level cost estimates that are separated into tangible, constructible segments of the corridor, and provide the estimated overall cost for design, construction fees, and contingency requirements. The redesigned I-85 interchange (NCDOT project I-5967) is not included within this cost estimate, as the department is concurrently preparing engineering design review for a proposed interchange reconfiguration, including considerations for a single-point urban interchange (SPUI).

The quantity of materials, like concrete or pavement, as well as the number or length of treatments such as traffic signals, retaining walls, bioswales, or crosswalks were itemized from Microstation design files. Unit cost estimates from 2023 construction projects approximated the material costs for each segment.

A word of caution: there has been high variability with the actual cost of materials and construction labor in recent years. Supply chain, availability of labor, and number of active construction projects all influence costs on a weekly or monthly basis.

Planning-level costs are shown by segment and include assumptions for engineering design (15%), construction, engineering, and inspection (CEI 30%), as well as contingency (30%) and NCDOT oversight (5%). As the project moves forward, final engineering design will incorporate field survey of existing slopes, utilities, and property boundaries, meaning that a more detailed final construction and right-of-way cost estimate will be prepared in the future as part of STIP project U-5845.

Planning-level Cost Estimate	Northern Segment	Southern Segment
Approximate location	North of I-85	South of I-85
Segment length	1.0 miles	1.6 miles
Estimated material costs	\$13,200,000	\$12,900,000
Design, construction, inspection costs	\$8,600,000	\$7,800,000
Cost Estimate Range	\$22M - \$23.8M	\$20M - 21.7M
Potential utilities impact	High	Low
Potential ROW impact*	1.5 acres	6.5 acres

**Table 5.1:** Project Cost Estimates, by segment, with assumptions.

Note: Planning-level costs represent the best information available at the time of this study. Estimates incorporate individual unit cost from 2023 construction estimates for materials, and assumptions for preliminary engineering (15%), construction engineering and inspection (15%), contingency (30%), and NCDOT oversight (5%).

\*Potential impact to utilities and additional ROW is quantified, however, acquisition costs are not included.

Future ROW acquisition will be necessary. The existing South Churton Street corridor has segments of ROW that are as narrow as 60-feet, and as wide as 120-feet. The recommended future cross-section includes segments that are 50-feet, 70-feet, and 90-feet wide.

A planning study's primary objective is to inform future development, so these individual decisions better align with, not hinder, the comprehensive vision for this Complete Streets corridor. This is most effectively accomplished through town policy, described in the next section.

# Policy Considerations

This section identifies additional policy items to aid in the implementation of this plan's recommendations. These are not specific ordinance revisions, but rather planning-level strategies, or suggestions, to better align with project objectives. Policy ideas were compiled from discussions with stakeholders, peer reviews, and best practices with similar Complete Streets projects within, and outside of North Carolina.

## Town Policy

The Town of Hillsborough continually incorporates plans and study recommendations into their strategic plan, budget development, and departmental priorities. The 2023 Comprehensive Sustainability Plan describes the importance, phasing, and strategy for implementation of many town plans or initiatives, and should remain the guiding document for town policy. The South Churton Street plan recommends the following policy considerations in the near- and mid-term:

- **Adopt a Complete Streets policy** that guides the design, construction, operation, and maintenance of streets, sidewalks, bikeways, and greenways. Consider provisions for access management, including the consolidation of adjacent driveways, and development requirements for providing property cross-access between complementary land uses.
- **Review the town's traffic calming policy** which outlines the guidelines and procedures for managing vehicle speeds along town owned residential streets. This policy is found within the Street Manual, under Appendix B.
- **Adopt a Vision Zero policy** that establishes a town commitment to the elimination of fatal and severe injury crashes along public roads in Hillsborough.
- **Develop a Safety Action Plan** that sets actionable goals for limiting risk factors that contribute to fatal crashes, and incorporating a Safe Systems Approach to transportation.
- **Dedicate funding** specifically earmarked for the local-match contribution of the South Churton Street project (TIP U-5845) from each annual Town budget. This can be completed in coordination with development of a local funding plan for priority transportation and connectivity projects (Comprehensive Sustainability Plan recommendation).

Looking further ahead, the Town of Hillsborough is preparing to rewrite the Unified Development Ordinance (UDO). This process would provide opportunities to add complementary policies or programs that align land use and development requirements with transportation needs, for example:

- **Adopt an Access Management policy** that directly relates to the Complete Streets policy, connecting this guidance with the UDO and Street Standards requirements.
- **Formalize maintenance agreements** for sidewalk, side path and greenway facilities to include routine inspection and reporting, debris removal, and landscaping upkeep. This agreement is also a requirement by NCDOT for incorporating multimodal facilities within design projects (TIP).
- **Establish a sidewalk payment in lieu program** that creates a fund for new construction and/or maintenance of sidewalks from new development projects.
- **Formalize street tree planting requirements** that guide the placement and species of trees to support the growth of the urban canopy along public roadways.
- **Review utility placement** along public ROW and in coordination with planned projects to promote consistency and limit potential impacts.

<i>Topic / Consideration</i>	<i>Timeline</i>	<i>Lead Department</i>	<i>Supporting Partners</i>	<i>Relates with</i>
<b>Complete Streets Policy</b>	Near-term	Public Space and Sustainability	Town Board	UDO Chapter 7 – Streets and Sidewalks – Appendix A
<b>Traffic Calming Program</b>	Mid-term	Public Space and Sustainability	Town Board, Public Works Division	Street Standard – Appendix B
<b>Vision Zero Policy</b>	Near-term	Public Space and Sustainability	Town Board, NCDOT Division 7	Commitment to safety
<b>Safety Action Plan</b>	Mid-term	Planning and Economic Development	Public Works Division	Vision Zero Policy
<b>Dedicated funding for South Churton Street</b>	Near-term	Town Board	NCDOT Division 7 - U-5845 project	Local funding plan and strategy
<b>UDO re-write</b>	Near-term	Planning and Economic Development		Private development requirements, and review process
<b>Access Management Policy</b>	Mid-term	Public Space and Sustainability	Town Board, Public Works Division	UDO re-write, Complete Streets Policy
<b>Maintenance agreements</b>	Mid-term	Public Space and Sustainability	Public Works Division	UDO re-write, Streets Standard
<b>Sidewalk payment in lieu</b>	Mid-term	Planning and Economic Development	Planning and Economic Development	UDO re-write, Complete Streets Policy
<b>Street tree planting requirements</b>	Mid-term	Planning and Economic Development	Planning and Economic Development	UDO re-write, Streets Standard
<b>Utility placement</b>	Long-term	Planning and Economic Development	Public Works Division	UDO re-write, Streets Standard

**Table 5.2:** Summary of Policy Considerations for the Town of Hillsborough.

# Potential Funding and Partnerships

South Churton Street is also old NC-86 and maintained by NCDOT who will be a town partner moving forward. Conceptual design recommendations from this study will be integrated within the ongoing TIP project (U-5845) to follow the federally required National Environmental Policy Act (NEPA) project development process for public involvement, agency coordination, identification of potential impacts, selection of a locally preferred alternative, and/or mitigation strategy.

Funding and implementation can take one of two possible paths for the Town of Hillsborough:

## Option A

Fund this project through the traditional North Carolina Strategic Transportation Investments (STI) prioritization process, with the town providing only the required local match contribution (typically 20%).

Under this option, NCDOT steers the engineering and construction process. This includes the project timeline and agency coordination for the NEPA process, acquiring permits, public engagement and Title VI requirements. The department covers the project costs using federal funding (hence the NEPA project development process) and seeks reimbursement. This involves the following:

- Engineering design, public review and comment, and the creation of construction documents for the contractor bidding and selection process; and
- Construction, Engineering, Inspection (CEI) oversight of the prime contractor and subcontractors during construction.

The Town of Hillsborough would be responsible for funding their portion of the local match, which is typically 20% for roadways projects that make use of federal formula funds. North Carolina’s Complete Streets Implementation Guide (2019) defines the local match requirements for bike, pedestrian and transit elements of a transportation project. Local requirements are determined by two primary elements:

- Documented within an approved plan: whether the facilities are part of the Comprehensive Transportation Plan (CTP), or a locally adopted plan that both (a) address a transportation need, and (b) meet NCDOT design standards (MUTCD, AASHTO Green Book, and NCDOT Roadway Design Manual)
- Identified need: whether the demand for bike, pedestrian and transit facilities are identified through the Complete Streets evaluation process

Facilities that do not meet these two criteria are labeled as “betterments” – requested improvements that exceed the recommendation or identified need.

- For facilities that are in a plan and the need is identified, NCDOT will pay 100% of these walking, biking or transit facilities.
- For those that are not in a plan but where need is identified, local matches depend on population. For Hillsborough, this match will be 10% of the additional cost to the project.
- For facilities that are not in a plan and where needs are not identified, the town must pay 100% of the cost for these multimodal improvements.

## Option B

Fund the South Churton Street improvements through Capital Improvement Plan (CIP) funds.

This option may still rely on NCDOT, but the Town of Hillsborough would provide 100% of the funds to move the project to the top of NCDOT's prioritization list. This may involve issuing transportation bond(s), or use of general funds that come from property tax revenues.

Under this option, the NCDOT remains the party responsible for administering the project, and manages the same process as in Option A above. The difference between options relates to the proportion of costs that the Town of Hillsborough must pay, and the expedited timeline.

## Maintenance

Under both options, the Town of Hillsborough and NCDOT must enter into an agreement during the project development process which will cover maintenance responsibilities after construction. The department will typically maintain facilities within the right of way that are not identified as betterments, such as roadway facilities and on-road bike facilities where need has been determined.

The town will be responsible for maintenance of all separated bike and pedestrian facilities that are above the curb, such as shared-use paths, sidewalks, grass strips, stormwater BMPs, and other plantings.

What happens if a local agreement can't be reached? If Hillsborough and NCDOT cannot come to a maintenance agreement, the department will proceed with evaluating whether on-road bike facilities may be incorporated into the roadway design.

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# **SOUTH CHURTON STREET**

## **Multimodal Corridor Study**

U-5845

**Town Board - Workshop**

June 10<sup>th</sup>, 2024



TOWN OF HILLSBOROUGH



250

# Project Team

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Public Space &  
Sustainability Manager  
*Stephanie.Trueblood@hillsboroughnc.gov*



**Amber Lewis**  
Stantec  
Task Manager  
*Amber.Lewis@stantec.com*



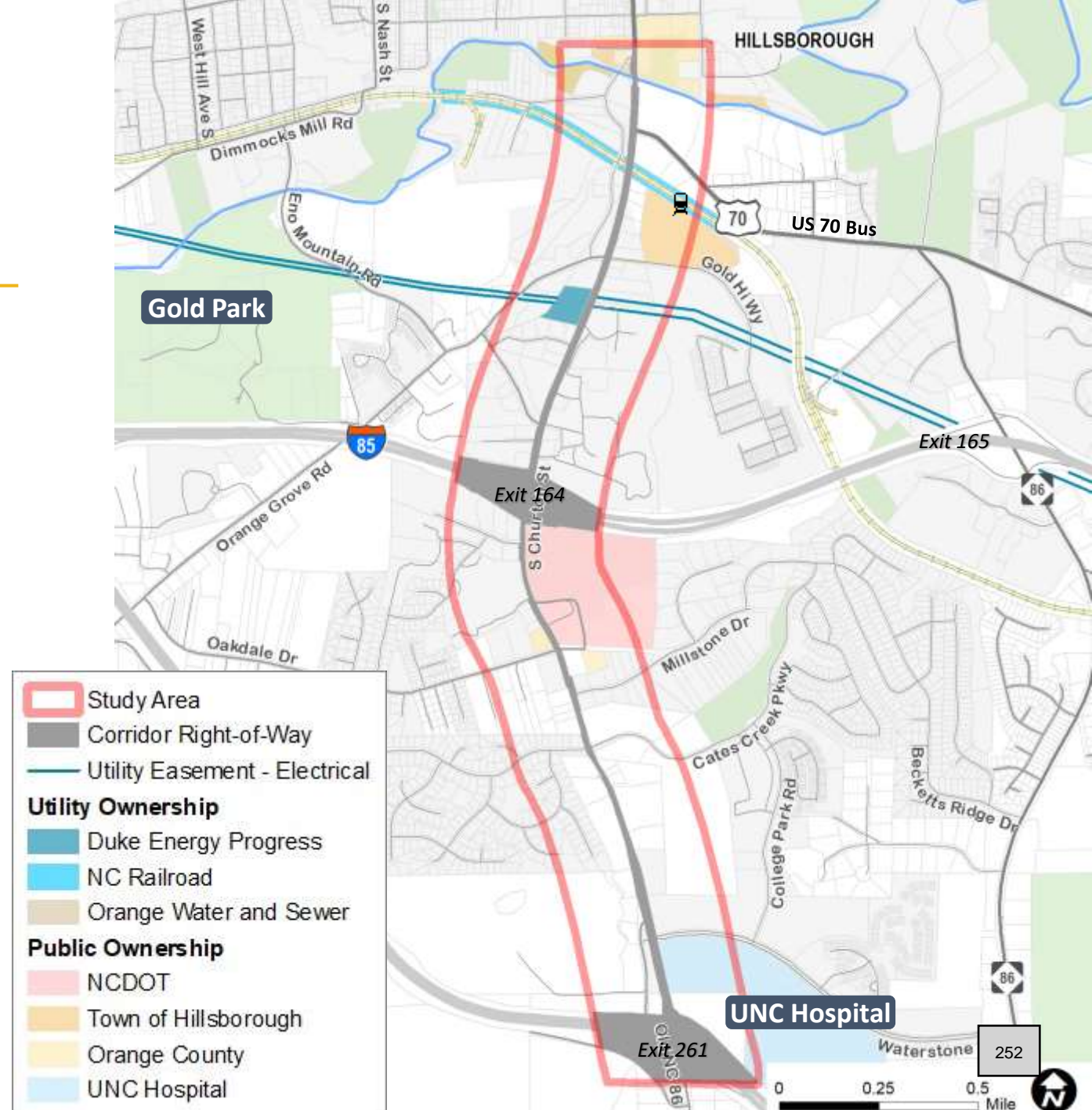
**Mike Rutkowski**  
Stantec  
Project Manager  
*Mike.Rutkowski@stantec.com*



# Corridor Background

## Where is the *study* corridor?

- Churton Street / Old NC 86
- 2.4 miles
  - I-40 to US 70 Bus.
- Gateway into Downtown



## Stephanie –

- [illegible]

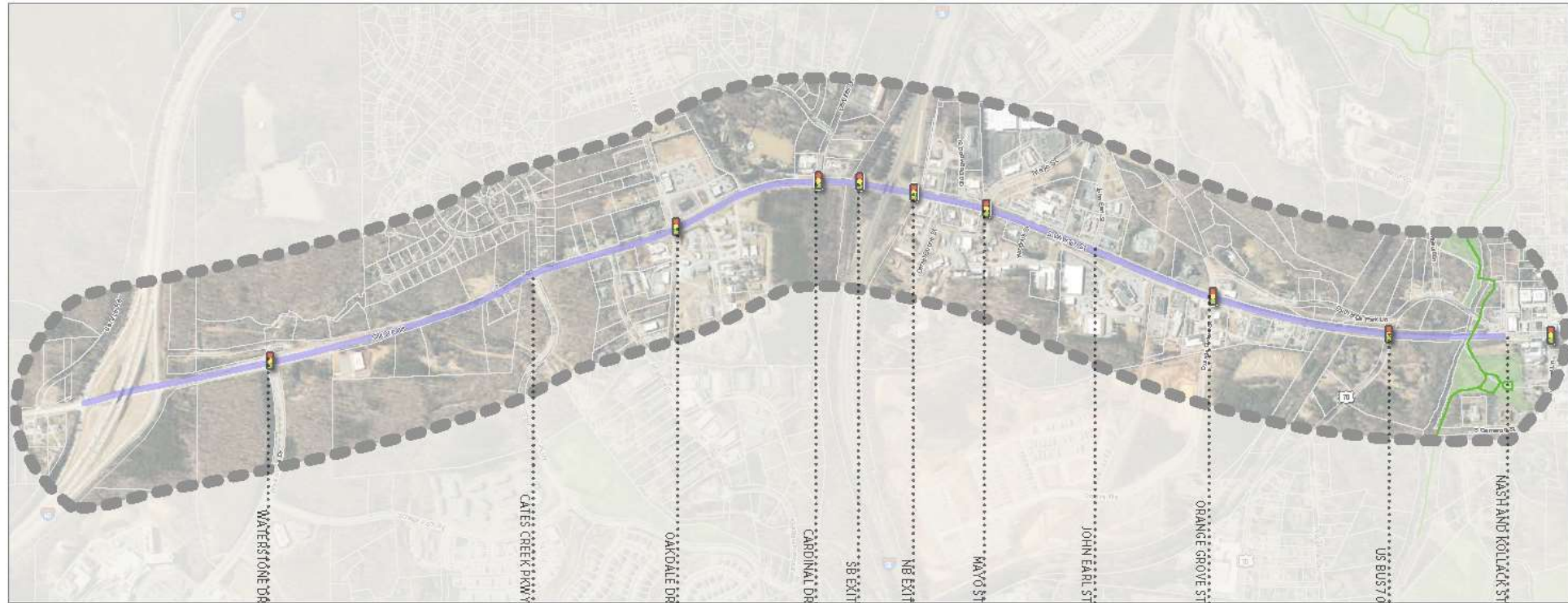
# *Why are we here?* PROJECT SCHEDULE

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## Project Timeline



# Churton Street Corridor Profile

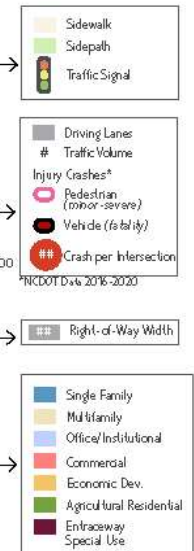


## Sidewalks & Traffic Signals

## Lanes, Traffic Volume & Crashes

## ROW Width

## Land Use



# Corridor Background

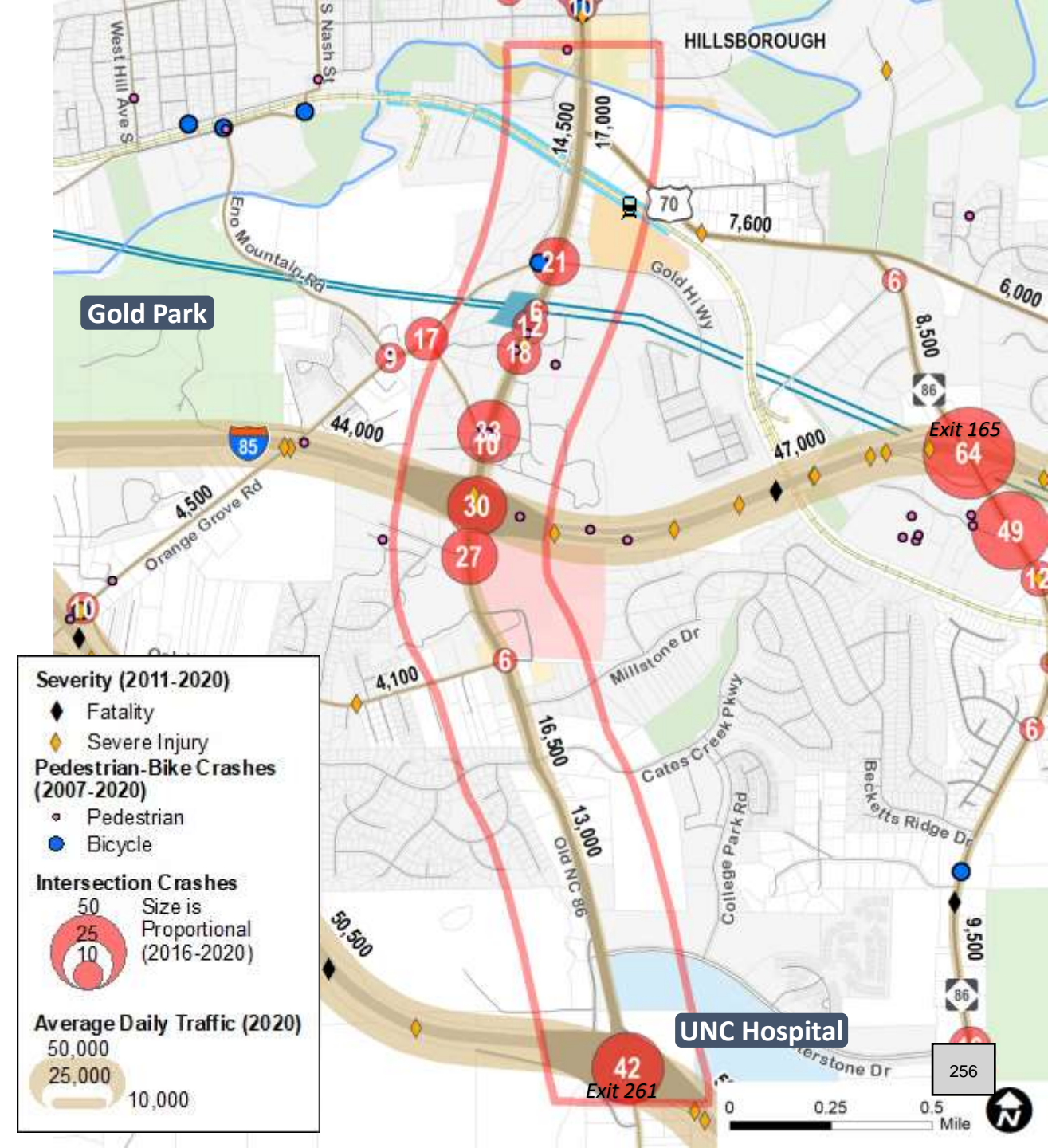
- **Crash / Safety Review**

(2011-2020 & 2021-2022 data sets)

- Intersection crashes (#)  
Highest concentration around Mayo St
- Fatal Crash Rate:  
1.34x the State Average

- **Churton Street daily traffic**

- 13k (I-40) to 21k (I-85 exits)



# Survey Results

**926**  
Total Responses  
(General Survey)

**14**  
Total Responses  
(Spanish Survey)

**26**  
Total Responses  
(Business Survey)

Drivers feel safe, but others?  
Not so much.



Drivers

**50%**  
Felt **safe** driving  
during the day



Pedestrians  
& Bicyclists

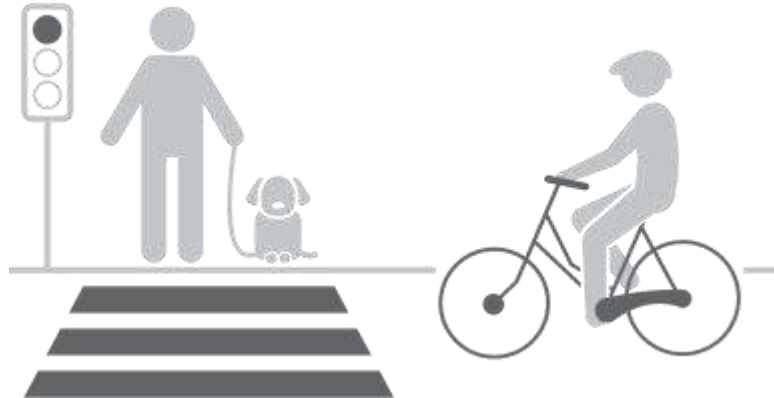
**23%**  
Felt **safe** walking or  
biking during the day

Felt **unsafe** along  
the corridor

---

**91%** Pedestrians  
**77%** Bicyclists

Biggest  
problem?



Lack of **Mobility Options** **29%**

**17%**

Lack of sidewalks /  
safe pedestrian  
crossings

**12%**

Lack of  
mobility choices

Residents want to  
**RELIEVE CONGESTION.** How?  
Not widening:

**Better  
Connectivity**

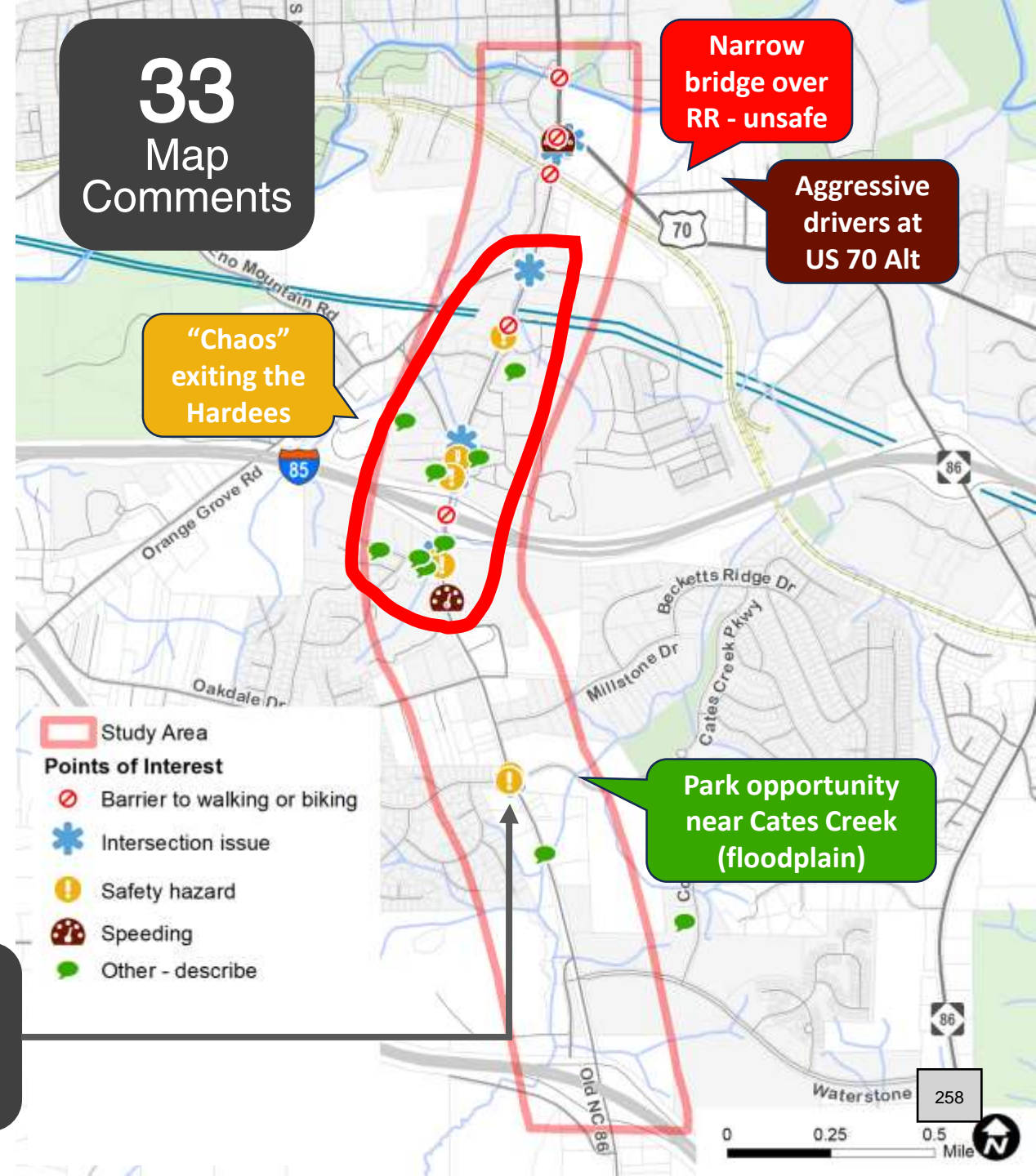
**Better Access  
Management**

**More Multimodal  
Improvements**  
in the STIP

# Interactive Map

- **9** Intersection Issues
- **7** Safety Hazards
- **5** Barriers to Biking or Walking
- **2** Speeding Issues
- **10** Other(s)

**“It’s dangerous for pedestrians to cross here to reach the park.”**



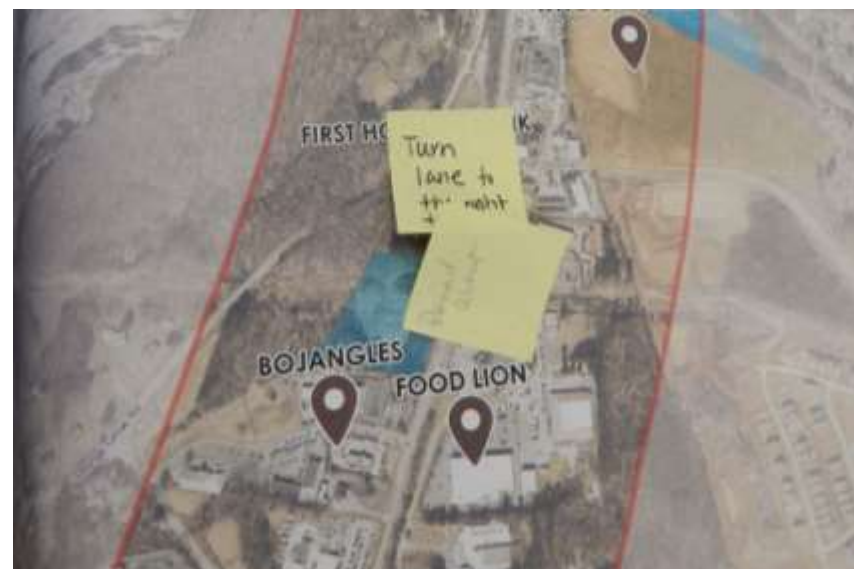
# Open Houses #1 & #2

## Two sessions:

- June 15<sup>th</sup>, 2023
- June 20<sup>th</sup>, 2023

## Takeaways:

1. Residents agree: walking & biking need help
2. Safety and connectivity are currently lacking



# Design Workshop



# Takeaways



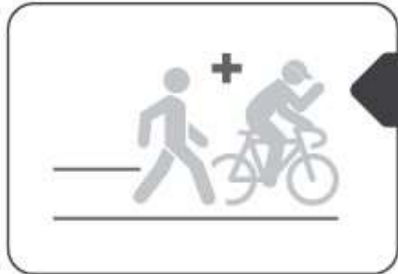
1

The corridor is unsafe for biking and walking.



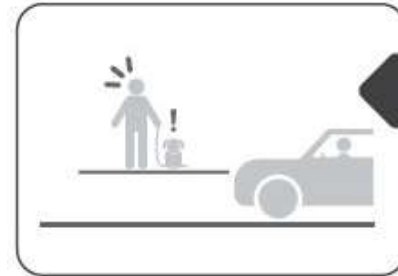
2

Reoccurring congestion issues, especially at intersections, hamper traffic operations.



3

Missing facilities are forcing users to drive.



4

Safe crossing opportunities are missing and prevent walking activity.



5

Expected future growth will further worsen conditions on the corridor.

# Design Considerations

---



## Optional Intersection Design:

- Mayo Street: Partial dual lane roundabout or traditional signalized intersection



## Roundabout Design:

- Consider partial dual-lane roundabout at Mayo Street
- Consider single-lane roundabout at Rebecca Drive (southern)
- Consider single-lane roundabout at Orange Grove Road



## Intersection Redesign:

- Add new traffic signal for Cates Creek Parkway
- Reconfigure intersection at John Earl Street



## Non-signalized Intersections:

- Proposed midblock crossing with Pedestrian Hybrid Beacon (PHB) between Waterstone Drive and Cates Creek Parkway intersections

# Design Considerations

---



## Design Vehicle:

- WB-40 truck (tractor-trailer, with 42' long box)



## Lane Width:

- Standard 11 foot travel lanes



## Bike Facilities:

- Continuous 10 foot shared-use path along east side of the corridor (I-40 and Orange Grove Road)



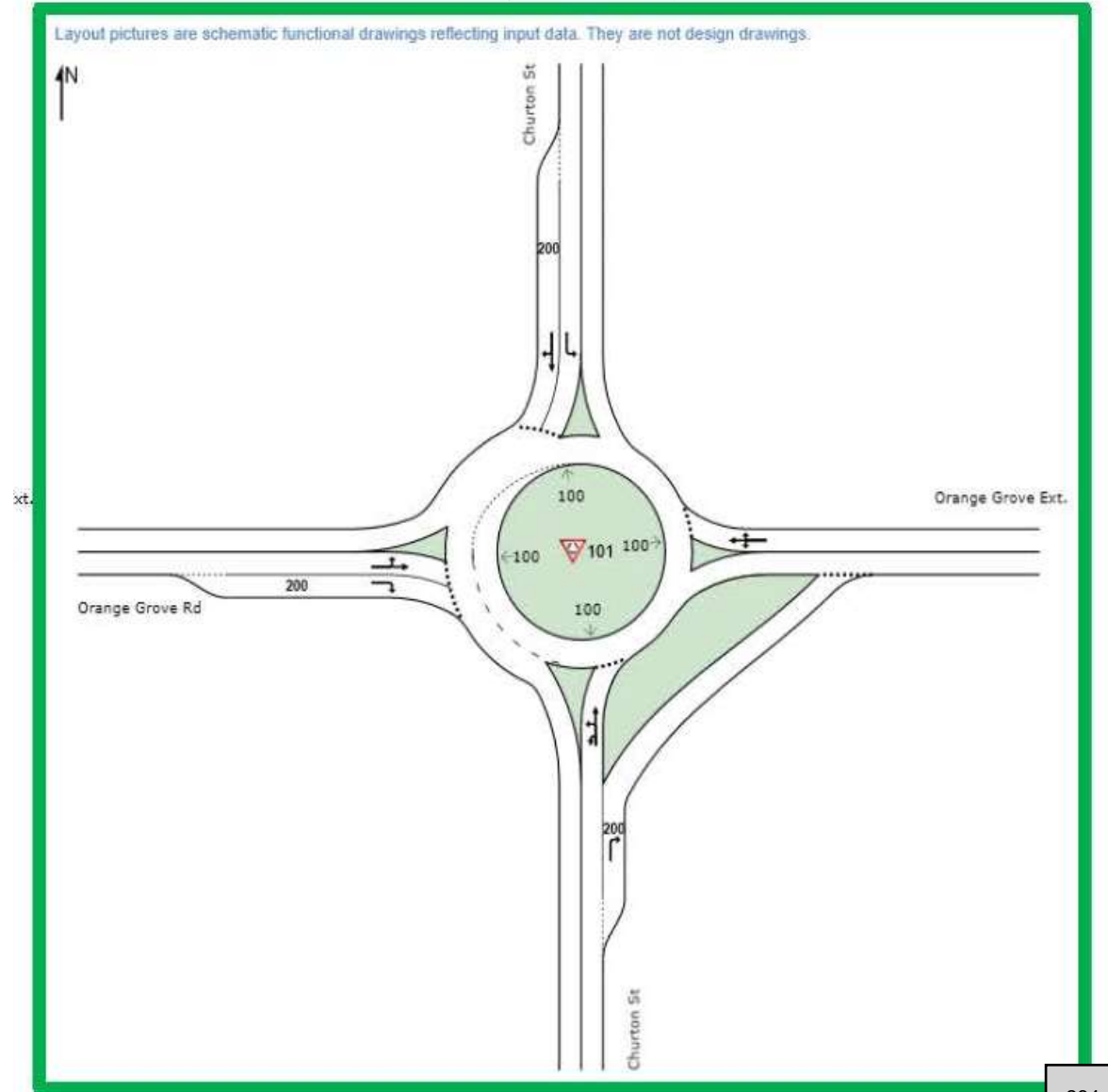
## Pedestrian Facilities:

- Continuous sidewalk (minimum 5 foot width) along west side
- Sidepath (minimum 10 feet wide) along east side between I-40 and Orange Grove Road
- Connect with planned Ridgewalk Greenway near Cates Creek Parkway and Orange Grove Road

# Traffic Analysis

- We started with U-5845 (NCDOT)
- Traffic operations for intersections (2016 & 2040):
  - Mayo Street
  - Orange Grove Road
- Tested the roundabouts
- Revised laneage as needed
- *Note: two options for Mayo Street to address potential spillback issues from proposed I-85 interchange*

## Needed for Acceptable Operations in 2040



# Preferred Access Plan (PAP)



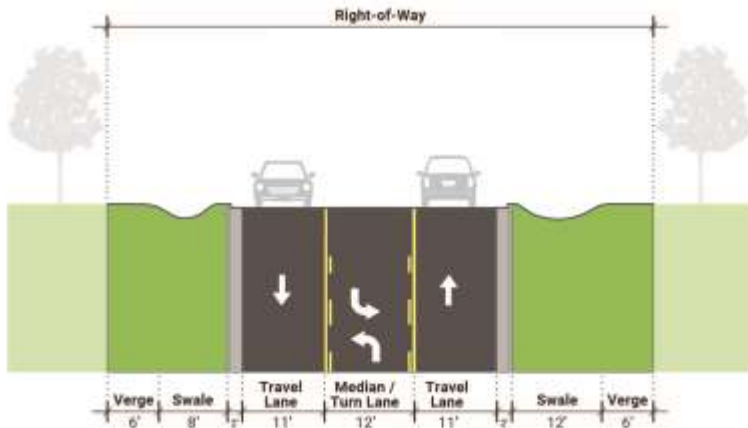
## LEGEND

- Existing Signal
- Proposed Signal
- Intersection/Interchange Redesign
- High Quality Intersection  
(High visibility crosswalks, pedestrian countdowns, mast arm signals, pedestrian-level lighting, ADA ramps, street trees)
- Potential/Future Mid-Block Crossing  
(Rectangular Rapid Flashing Beacon (RRFB) or HAWK signal)
- Planted Median
- Cross Access (Redevelopment)
- Potential Driveway Closure
- Proposed Street Connection
- Riverwalk Trail
- Proposed Ridgeway Greenway
- 1/8-Mile Walkshed (2.5 min. distance)
- Potential Acquired Properties  
Due To Interchange Redesign

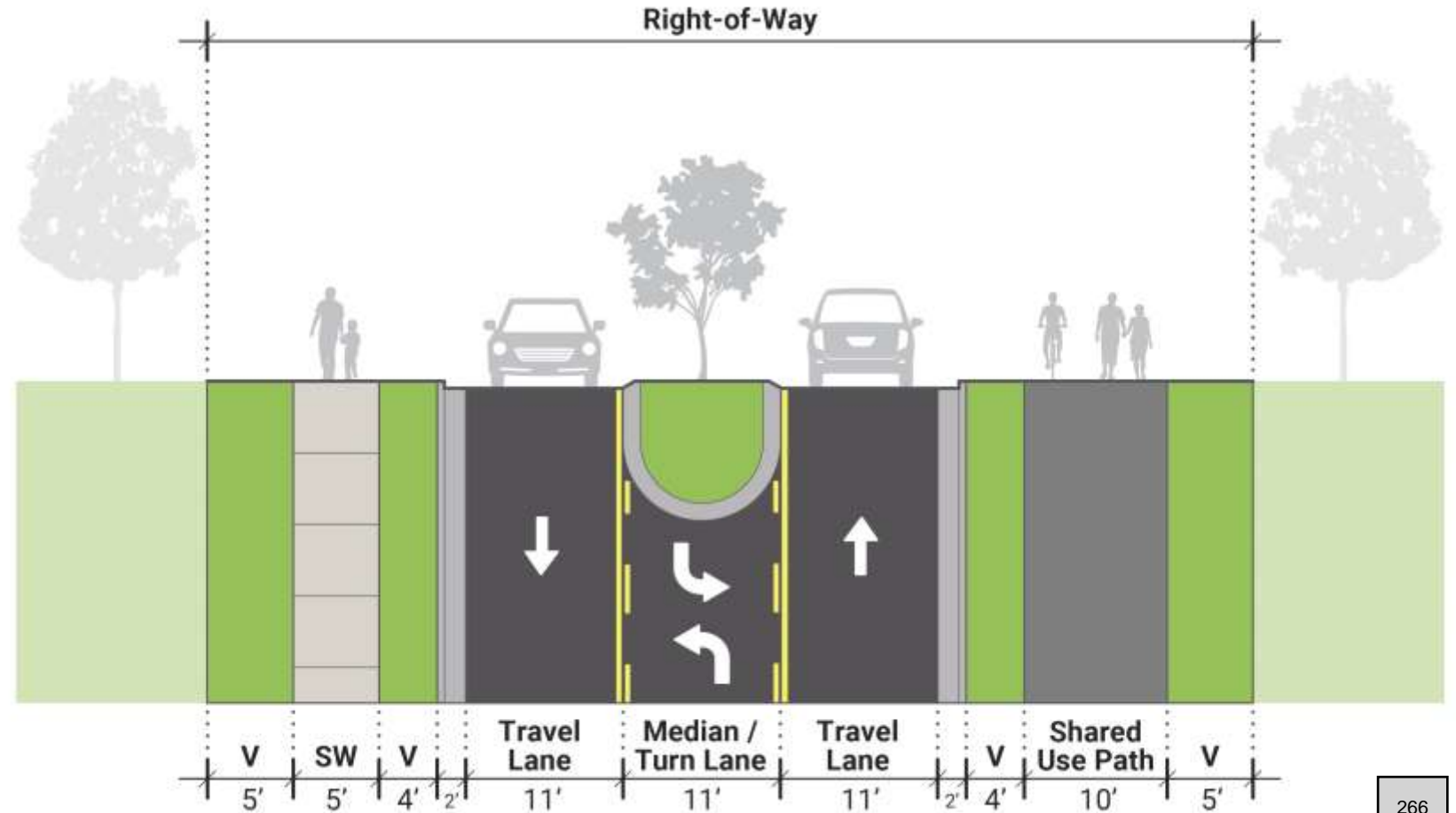
# Proposed Cross-Sections

Existing three-lane section:

**Downtown to  
Mayo Street**



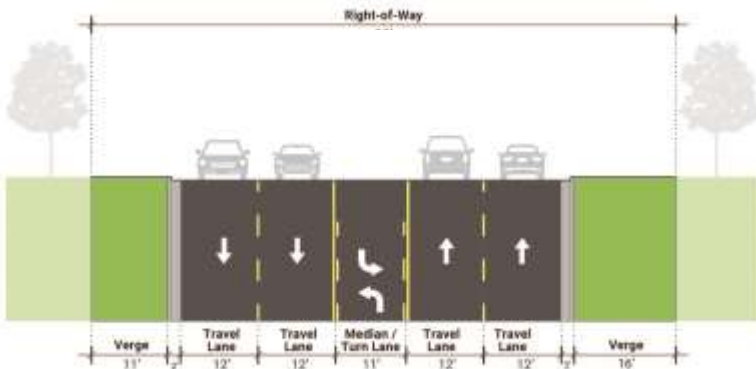
**PROPOSED**



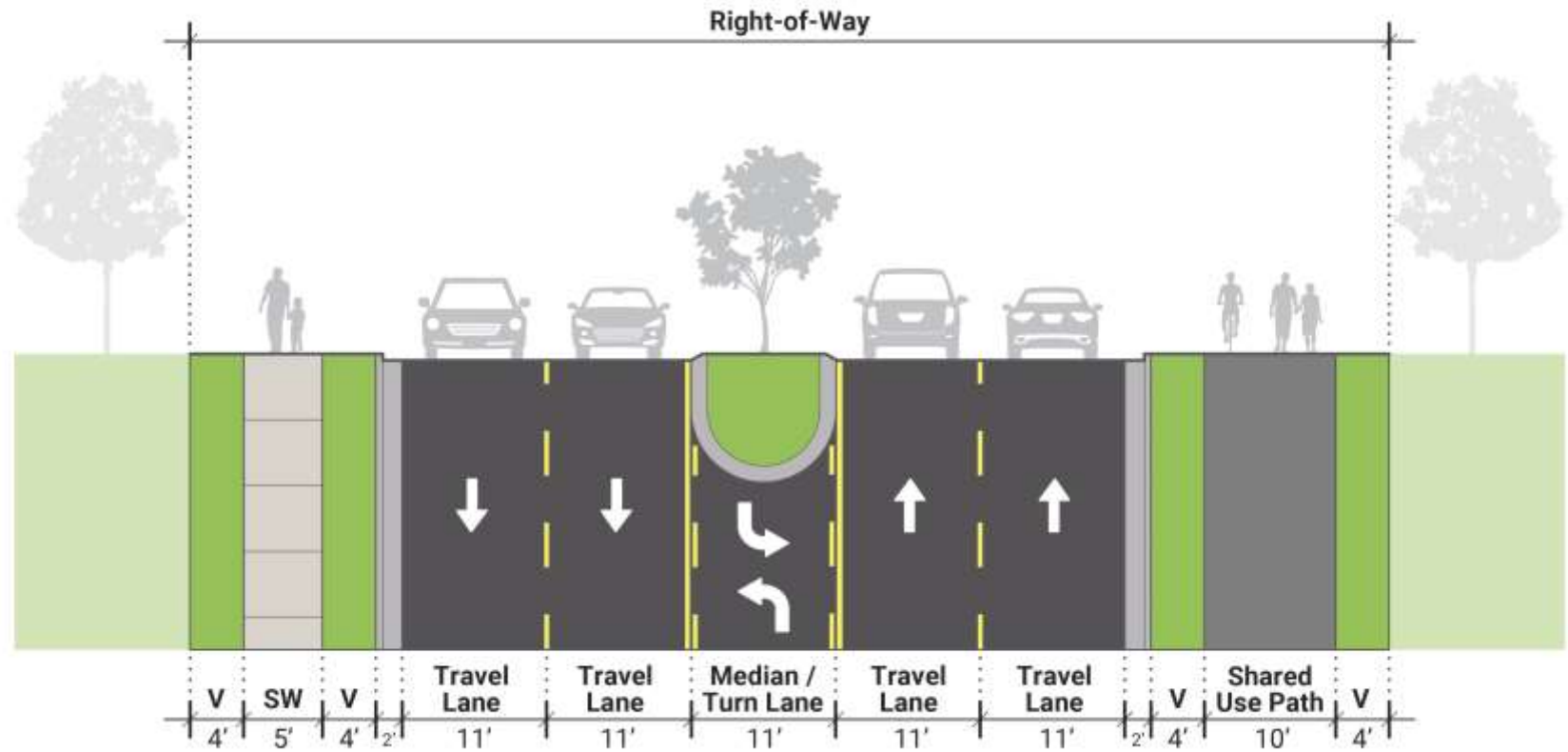
# Proposed Cross-Sections

Existing four-lane section:

**Mayo Street to I-40**



**PROPOSED**

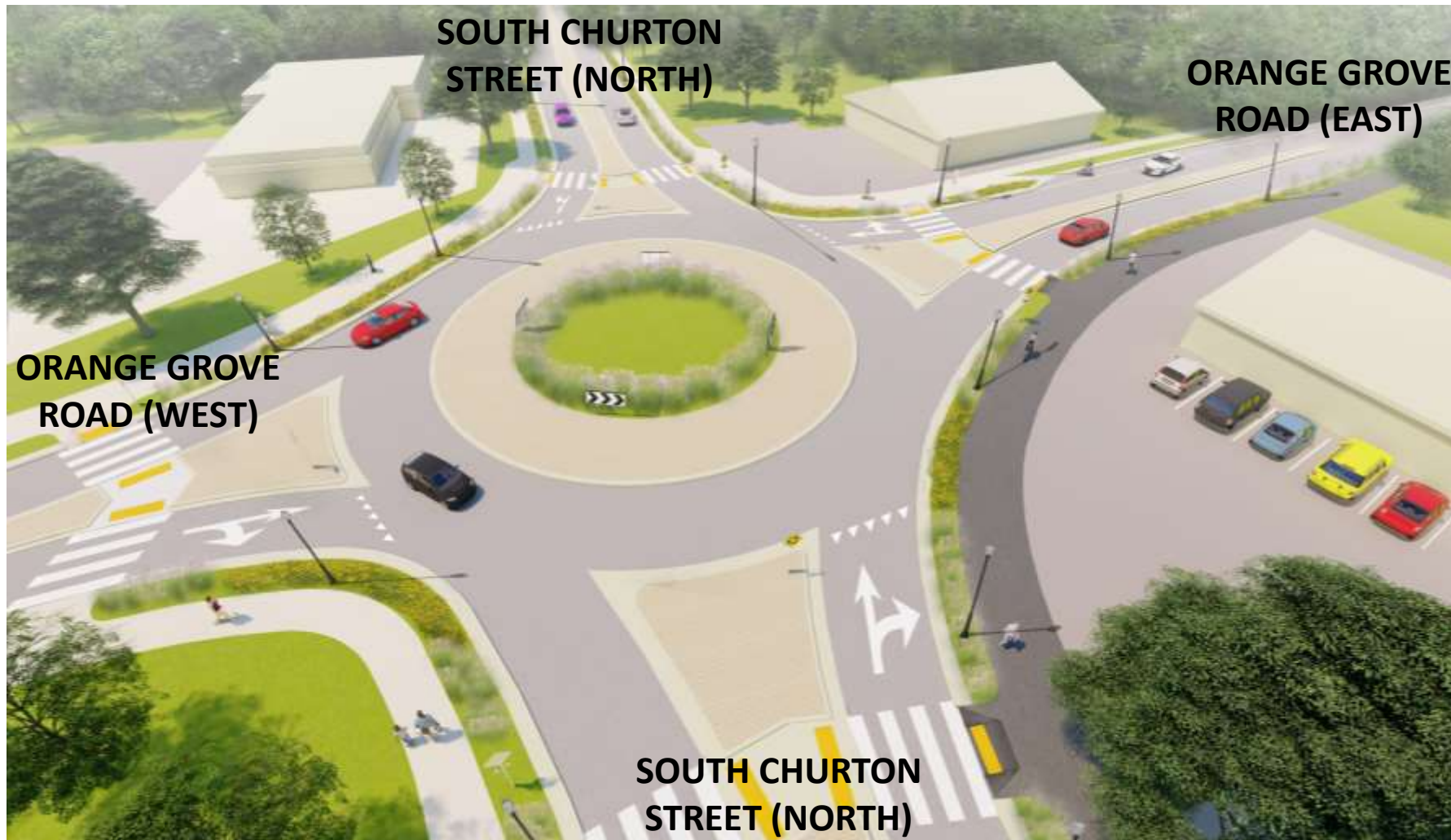


# Final Concept Design



# Photosims

## Roundabout at Orange Grove Road



## Centerline at John Earl Street / Ford Dealership



**EXISTING**



**PROPOSED (Conceptual – Not for construction)**

## Intersection at Cates Creek Parkway



**EXISTING**



**PROPOSED** (Conceptual – Not for construction)

## Midblock Crossing along South Churton Street



**EXISTING**



**PROPOSED (Conceptual – Not for construction)**

# Construction Cost

<i><b>Planning-level Cost Estimate</b></i>	<i><b>Northern Segment</b></i>	<i><b>Southern Segment</b></i>
Approximate location	North of I-85	South of I-85
Segment length	1.0 miles	1.6 miles
Estimated material costs	\$13,200,000	\$12,900,000
Design, construction, inspection costs	\$8,600,000	\$7,800,000
<i><b>Cost Estimate Range</b></i>	<i><b>\$22M - \$23.8M</b></i>	<i><b>\$20M - 21.7M</b></i>
<i>Potential utilities impact</i>	<i>High</i>	<i>Low</i>
<i>Potential ROW impact*</i>	<i>1.5 acres</i>	<i>6.5 acres</i>

# Policy Considerations

<i>Topic / Consideration</i>	<i>Timeline</i>	<i>Lead Department</i>	<i>Supporting Partners</i>	<i>Relates with</i>
<b>Complete Streets Policy</b>	Near-term	Public Space and Sustainability	Town Board	UDO Chapter 7 – Streets and Sidewalks – Appendix A
<b>Traffic Calming Program</b>	Mid-term	Public Space and Sustainability	Town Board, Public Works Division	Street Standard – Appendix B
<b>Vision Zero Policy</b>	Near-term	Public Space and Sustainability	Town Board, NCDOT Division 7	Commitment to safety
<b>Safety Action Plan</b>	Mid-term	Planning and Economic Development	Public Works Division	Vision Zero Policy
<b>Dedicated funding for South Churton Street</b>	Near-term	Town Board	NCDOT Division 7 - U-5845 project	Local funding plan and strategy
<b>UDO re-write</b>	Near-term	Planning and Economic Development		Private development requirements, and review process
<b>Access Management Policy</b>	Mid-term	Public Space and Sustainability	Town Board, Public Works Division	UDO re-write, Complete Streets Policy
<b>Maintenance agreements</b>	Mid-term	Public Space and Sustainability	Public Works Division	UDO re-write, Streets Standard
<b>Sidewalk payment in lieu</b>	Mid-term	Planning and Economic Development	Planning and Economic Development	UDO re-write, Complete Streets Policy
<b>Street tree planting requirements</b>	Mid-term	Planning and Economic Development	Planning and Economic Development	UDO re-write, Streets Standard
<b>Utility placement</b>	Long-term	Planning and Economic Development	Public Works Division	UDO re-write, Streets Standard

The background of the slide features a collection of hands from various people, all making a thumbs-up gesture. The hands are positioned at different heights and angles, creating a sense of collective approval or celebration. The image is slightly faded to allow the text to stand out.

# THANK YOU!



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
Department: Administration  
Agenda Section: Regular  
Public hearing: Yes  
Date of public hearing: May 28, 2024

#### PRESENTER/INFORMATION CONTACT

Emily Bradford, Budget Director

#### ITEM TO BE CONSIDERED

**Subject:** Fiscal Year 2025 Budget Adoption

##### Attachments:

1. FY2024-25 Budget Ordinance
2. Fees & Charges Schedule
3. Financial Summary – General Fund
4. Financial Summary – Water & Sewer Fund
5. Financial Summary – Stormwater Fund
6. Crosswalk: Recommended to Adopted
7. Capital Project Ordinance Amendment – Ridgewalk Greenway
8. Capital Project Ordinance Amendment – Fire Station
9. Capital Project Ordinance Amendment – Passenger Rail/Multi-Modal Station
10. Capital Project Ordinance Amendment – Fiber Loop
11. Capital Project Ordinance Amendment – Adron F. Thompson Facility Renovation
12. Capital Project Ordinance Amendment – Hassell Water Tank Replacement
13. Capital Project Ordinance Amendment – Exchange Club Interceptors
14. Capital Project Ordinance Amendment – Lawndale Basin Rehabilitation

##### Summary:

The FY2025 budget was presented at the May 13, 2024 board meeting. The public hearing and Water & Sewer Fund budget workshop were held on May 28. The General and Stormwater Fund workshops were held on June 3. The budget has been updated to include the items discussed at the budget workshops. These changes are noted on the recommended vs adopted crosswalk.

##### Financial impacts:

The financial impacts are outlined in the financial summaries and crosswalk.

##### Staff recommendation and comments:

Adopt the FY2024-25 budget.

##### Action requested:

Adopt the FY2024-25 budget.



# ORDINANCE

## Town of Hillsborough Budget

### FY2024-25

The Hillsborough Board of Commissioners ordains that the following budget ordinance is hereby adopted:

#### Section 1. General Fund:

It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Current & Prior Year Property Taxes	10,270,000
Local Option Sales Tax	3,355,000
Licenses, Permits and Fees	97,600
Intergovernmental Revenue	1,667,889
Other	99,600
Investment Earnings	425,000
Transfers	724,500
Fund Balance Appropriation	<u>3,527,010</u>
<b>TOTAL</b>	<b>\$20,166,599</b>

The following amounts are hereby appropriated in the General Fund for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2024 and ending June 30, 2025 in accordance with the Chart of Accounts heretofore established for the Town of Hillsborough:

General Government	5,892,173
Public Safety	7,164,045
Public Works	5,768,611
Special Appropriations	891,770
Contingency	<u>450,000</u>
<b>TOTAL</b>	<b>\$20,166,599</b>

#### Section 2. Water & Sewer Fund:

It is estimated that the following revenues will be available in the Water and Sewer Fund for the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Licenses, Permits, and Fees	12,181,000
Other	13,500
Investment Earnings	385,500
Transfers	474,468
Retained Earnings Appropriated	<u>472,436</u>
<b>TOTAL</b>	<b>\$13,526,904</b>

The following amounts are hereby appropriated in the Water and Sewer Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2024, and ending June 30, 2025 in accordance with the Chart of Accounts heretofore established for the Town of Hillsborough:

Administration of Enterprise	3,076,440
Utilities Administration	897,253
Billing & Collections	912,657
Water Treatment Plant	1,557,069
West Fork Eno Reservoir	899,320
Water Distribution	1,747,889
Wastewater Collection	1,499,125
Wastewater Treatment Plant	2,537,151
Contingency	<u>400,000</u>
<b>TOTAL</b>	<b>\$13,526,904</b>

**Section 3. Stormwater Fund:**

It is estimated that the following revenues will be available in the Stormwater Fund for the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Licenses, Permits, and Fees	835,100
Investment Earnings	25,000
Retained Earnings Appropriated	<u>268,561</u>
<b>TOTAL</b>	<b>\$1,128,661</b>

The following amounts are hereby appropriated in the Stormwater Fund for the operation of the stormwater utilities for the fiscal year beginning July 1, 2024, and ending June 30, 2025 in accordance with the Chart of Accounts heretofore established for the Town of Hillsborough:

Stormwater	\$1,128,661
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**Section 4. Special Assessment District:**

Revenues totaling \$533,364 are hereby approved for the following line-items:

Special Assessment Taxes Collected	\$533,364
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A total of \$533,364 is hereby authorized to be expended from Special Assessment District:

Payments - Regions Bank	\$533,364
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**Section 5. Tax Rate:**

There is hereby levied a tax of \$0.607 per one hundred dollars (\$100) valuation of property as listed for taxes as of January 1, 2024, for the purpose of raising the revenue listed as "Property Taxes" in the General Fund in Section I of the ordinance.

This tax rate is based on an estimated total valuation of real and personal property (excluding motor vehicles) for the purposes of taxation of \$1,584,605,717 and an estimated rate of collection of 97% and an estimated total valuation of motor vehicles of \$150,308,259 and an estimated rate of collection of 97%.

**Section 6. Encumbered Funds:**

Operating funds encumbered on the financial records as of June 30, 2024, are hereby re-appropriated to this budget.

**Section 7. Fees and Charges:**

There is hereby maintained a Fees and Charges Schedule for the purpose of raising revenue listed in the General Fund, Water & Sewer Fund, and Stormwater Fund, Sections I, II & III of this ordinance. See the Fees and Charges Schedule for a detailed listing.

**Section 8. Recycling:**

Orange County is hereby authorized to collect and administer a fee established for the purpose of providing recycling services within the Town limits.

**Section 9. Budget Ordinance:**

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 budget.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 10<sup>th</sup> day of June in 2024.

Ayes:

Noes:

Absent or excused:

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Mark Bell, Mayor

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Sarah E. Kimrey, Town Clerk



# Fees & Charges Schedule

## FY2025 Operating & Capital Budget

### Accounting

Description	Rate	Basis
Food & Beverage		
Food & Beverage Tax (failure to pay)	\$ 500.00	Not to exceed \$500.00
Single-Day Pre-Paid Food & Beverage Fee	\$ 15.00	
Mobile Food Vendor Permit Fee <sup>1</sup>	\$ 50.00	
Beer and Wine License		
On-premise malt beverage	\$ 15.00	
Off-premise malt beverage	\$ 5.00	
On-premise unfortified wine, on-premise fortified wine, or both	\$ 15.00	
Off-premise unfortified wine, off-premise fortified wine, or both	\$ 10.00	
<sup>1</sup> Mobile food vendor permits are valid as long as permit holder timely files Food & Beverage tax receipts and reports.		

### Administration

Description	Rate	Basis
Photocopies	\$ 0.10	per page
Laser Printer Copies	\$ 0.10	per page
Town Clerk Certified Copies	\$ 1.00	per page
Board of Commissioners Meeting Notification Listing	\$ 20.00	annually
Town Code:		
Bound Copy	\$ 40.00	
Unbound Copy	\$ 25.00	
Supplements	\$ 0.10	per page
Motor Vehicle License Fee	\$ 30.00	per vehicle
Franchise Fees (Cable)		5% of gross receipts

### Billing & Collections

Description	Rate	Basis
Returned Check / Bank Draft Fee	\$ 25.00	per occurrence
Disconnect / Reconnect for Returned Item	\$ 40.00	per occurrence
Connection Fee	\$ 20.00	
Security Deposits:		
Water/Sewer Service		
Inside Town	\$ 75.00	
Outside Town	\$ 150.00	
Delinquent Fee	\$ 40.00	
Late Fee (after 25th of month)	15%	
Reconnection Fee:		
Business Hours	No Charge	
After Hours (Town Error)	No Charge	
Same Day Turn-On Service	\$ 50.00	
After Hours (Customer Request)	\$ 50.00	
Account Servicing Fee for Payments Made with Unwrapped Coins		
A \$1.00 fee for 100 coins or fraction thereof that the town is required to count in excess of the first \$10.00 of unwrapped coins submitted for payment of the utility bill.	\$ 1.00	per 100 coins
Water Use Reduction Rebate		
One time rebate per water and/or sewer customer for new or replacement installation of low-flow faucets, showerheads and toilets (receipt or billing invoice of work required).	\$ 10.00	per customer

## Cemetery

Description	Rate	Basis
Lot Fee:		
Resident	\$ 500.00	
Non-Resident	\$ 1,000.00	
Lot Transfer		
Transfer Between One Pair of Lots	No Charge	
Transfer Between 3 or More Lots	\$ 50.00	per pair of lots

## Planning

Description	Rate	Basis
<b>Special Event Permits</b>		
Public and Private Events on Private Property	\$ 25.00	
Public and Private Events on Public Property	\$ 40.00	
Street or Greenway Use Events	\$ 65.00	
<b>Applications for Review</b>		
Future Land Use Map or Comprehensive Sustainability Plan Amendment	\$ 300.00	
Unified Development Ordinance Text Amendment	\$ 400.00	
Rezoning to Planned Development District	The greater of \$2,000 or \$200	per acre
Rezoning to general use, traditional conditional use, or overlay zoning district	The greater of \$500 or \$50	per acre
Special Use Permit	The greater of \$1,000 or \$200	per acre
SUP Modification Requiring Public Hearing	\$ 500.00	
SUP Modification not Requiring Public Hearing	\$ 300.00	
Masterplan and Planned Development Amendments	\$ 500.00	
Minor Subdivision Review (1-4 lots with or without streets)	\$ 300.00	
Major Subdivision Review (5-19 lots with or without streets)	\$ 600.00	
Subdivision Review (4th review and subsequent additional reviews)	\$ 150.00	
Site Plan Review	\$ 600.00	
Site Plan Review (4th review and subsequent additional reviews)	\$ 200.00	
Construction Plan Review <sup>2</sup>		
Total building size less than 10,000 sf	\$ 600.00	
Total building size equal to or greater than 10,000 sf	\$ 1,000.00	
Construction Plan Review (4th review and subsequent additional reviews)	\$ 200.00	
Variance	\$ 300.00	
Street Closing Request	\$ 150.00	
Street Renaming Request	\$ 200.00	
Historic District Certificate of Appropriateness Minor Work (Staff Approval)	The greater of \$25 or \$1	per \$1,000 of construction costs
Historic District Certificate of Appropriateness Major Work (HD Commission Approval)	The greater of \$150 or \$1	per \$1,000 of construction costs
Certificate of Appropriateness, after the fact (work done without a COA or not in accordance with the approved COA, Minor and Major work)	\$ 300.00	
Zoning Compliance Letter	\$ 40.00	
Appeals	\$ 300.00	
<b>Fees in Lieu of Construction</b>		
Sidewalks		125% of written, sealed, engineer's estimate for the cost of required sidewalk installation
<b>Documents &amp; Maps<sup>1</sup></b>		
Unified Development Ordinance	\$ 25.00	
Historic District Design Guidelines	\$ 25.00	
Community Connectivity Plan	\$ 15.00	
Administrative Manual	\$ 10.00	
Parks & Recreation Plan and Small Area/Corridor Plans	\$ 10.00	
Zoning Map or Other Color Plot/Map (larger than 11x17)	\$ 10.00	
Town Street Map with Street Grid (11x17 Black & White)	\$ 2.00	
Future Land Use Map & Other 11x17 Color Maps	\$ 2.00	
Photocopies	\$ 0.10	per page
<sup>1</sup> All town produced documents and maps can be provided in electronic form (pdf, jpeg, word, or excel) at no cost if we are provided with the media.		
<b>Zoning Compliance Permits</b>		
Home Occupation	\$ 25.00	
Signs (New or Replacement):		
Wall Mounted	\$ 40.00	
Free-Standing	\$ 75.00	
Sandwich Board	\$ 10.00	

Event Sign Package (package of signs allowed by 6.18.6.2)	\$	20.00	
Banner (allowed by 6.18.6.3 & without other temporary signage)	\$	5.00	
Change of Use (one business use to another or change in ownership)		No Charge	
Site Change (ie. fences, sheds, gazebos, decks, porches, ADUs)	\$	50.00	
New Residential and Commercial Construction			
Projects costing \$499,999 or less - rounded to nearest thousand	\$	1.00	per \$1,000 of construction cost; \$5 minimum
Projects costing \$500,000 or more - rounded to nearest thousand	\$	2.00	per \$1,000 of construction cost; \$5 minimum
NOTE: The following items are all included in the "construction cost" used to determine the permit fee: grading, landscaping, site preparation, stormwater control, utilities, paving and structures. ZCPs will be issued for "grading only" and "paving only" projects consistent with the UDO.			
<b>Other Charges</b>			
Consultant Fee Reimbursement		Consultant Fee Reimbursement	
Projects constructing new roads will reimburse the Town for consultant fees to review road construction plans, specifications, and Traffic Impact Analysis (TIA) if needed.			
Zoning Compliance Penalty Fee		No-Permit Penalty	
Work begun without the necessary Zoning Compliance Permits or not in accordance with approved Zoning Compliance Permits will be charged a \$100 ZCP fee or the standard fee will be doubled, whichever is greater. Work requiring both a COA and ZCP shall only pay the increased COA fee.			

## Police

Description	Rate	Basis
Excessive Noise Violation	Fine up to \$250.00	
Fire Lane Parking Violation	\$ 25.00	
Handicap Parking Violation	\$ 100.00	
No-Through Truck Violation	\$ 50.00	
Parking Citation	\$ 10.00	
Sidewalk Table Service Permit Violation	Fine up to \$500.00	

## Public Space

Description	Rate	Basis
Portions of town parks may be reserved for private events according to the fees below.		
Large Picnic Shelter in Gold Park		
In-town resident	\$ 20.00	per 3 hours
Out-of-town resident	\$ 40.00	per 3 hours
Multi-Use Field in Gold Park or Cates Creek Park		
In-town resident	\$ 20.00	per hour
Out-of-town resident	\$ 40.00	per hour

## Solid Waste

Description	Rate	Basis
Roll-Out Refuse Container	\$ 65.00	per container
Residential Refuse Collection		
1 Roll-Out Container	No Charge	
2 or More Roll-Out Containers	TBD	
Bulk Pick-Up / Oversized Load (fee at the discretion of the Public)		
Works Supervisor and dependent on quantity, size and weight) <sup>1</sup>	\$ 50.00	minimum
Special Brush/Vegetation Collection	\$ 130.00	
<sup>1</sup> Oversized loads are those larger than the bed of a standard pick-up truck. This fee is set at staff discretion to limit overuse of the service covered by general tax revenues.		

## Stormwater

<b>Plan Review</b>		
Single Lot Residential <sup>1</sup>	\$ 100.00	per plan
LID Project <sup>2</sup>	\$ 250.00	per plan
Standard Project (less than 1-acre of new impervious)	\$ 500.00	per plan
Standard Project (greater than 1-acre of new impervious) <sup>3</sup>	\$ 500.00	per plan plus \$50/acre of new impervious

Standard Phased Projects <sup>4</sup>	\$	250.00	per each subsequent phase submittal
<sup>1</sup> Not part of a larger common plan for development or sale.			
<sup>2</sup> Projects that meet the State of North Carolina's Low Impact Development requirements and calculations.			
<sup>3</sup> For standard projects (non-LID projects) requiring stormwater management approval, the fee includes one project review meeting with staff and no more than three rounds of staff comments. If stormwater plans are still incomplete after the third review or if additional meetings with staff are required, the applicant will be required to pay an additional \$500 review fee to cover the significant staff time spent reviewing incomplete or non-compliant stormwater management plans.			
<sup>4</sup> Phased development projects are required to obtain a stormwater management plan approval for the entire project; as each subsequent phase is submitted, an additional fee will be required to ensure the phase plans comply with the overall stormwater management plan approval.			
<b>Stormwater Fee</b>			
Residential Property	\$	90.00	per year
Tier 1, Non-residential Property (0 to 10,000 sq. ft.)	\$	180.00	per year
Tier 2, Non-residential Property (10,001 to 30,000 sq. ft.)	\$	630.00	per year
Tier 3, Non-residential Property (30,001 to 100,000 sq. ft.)	\$	2,070.00	per year
Tier 4, Non-residential Property (100,001 to 200,000 sq. ft.)	\$	4,860.00	per year
Tier 5, Non-residential Property (200,001 to 600,000 sq. ft.)	\$	12,870.00	per year
Tier 6, Non-residential Property (600,001 to 800,000 sq. ft.)	\$	22,500.00	per year

## Streets

Description	Rate	Basis
Driveway Permit - new/maintenance not with new construction	\$ 50.00	
Utility Cut Permit application	\$ 50.00	each
Failure to repair initial cut within 30 calendar days	\$ 150.00	each
Failure to make warranty repair within 14 calendar days	\$ 150.00	each
Failure to obtain a permit prior to making a non-emergency cut	\$ 150.00	each
If owner requests town to do the work, the owner will also reimburse the town the full cost of materials in addition to the permit amount.		
Driveways constructed in conjunction with new construction will be reviewed concurrently with the permit for construction at no additional fee.		
Owners must call/schedule inspection of driveway installation at least 24 hours in advance.		

## Water & Sewer

Description	Rate	Basis
<b>Water Treatment &amp; Distribution Use Fees</b>		
Water System Development or Capital Facilities Fee <sup>1</sup>		
Unit Cost of Capacity	\$ 9.09	per gallon/day
Residential		
One-bedroom	\$ 1,091.00	120 gallons/day
Two-bedroom	\$ 2,181.00	240 gallons/day
Three-bedroom	\$ 3,272.00	360 gallons/day
Four-bedroom	\$ 4,363.00	480 gallons/day
Five-bedroom	\$ 5,453.00	600 gallons/day
Six-bedroom	\$ 6,544.00	720 gallons/day
Non-Residential <sup>2,3</sup>		
General Business/Office Facilities	\$ 227.00	25 gallons/employee
Restaurant (full service)	\$ 364.00	40 gallons/seat
Store (without food service)	\$ 909.00	100 gallons/1,000 sq. ft.
Hotel (without in-room cooking)	\$ 1,091.00	120 gallons/room
Irrigation	Average Monthly Use x Unit Cost of Capacity	Average usage based on facility type (residential or non-residential)
<sup>1</sup> The System Development Fee shall be applied to new development that connects to the utility system. New development shall be defined as any of the following: 1) the subdivision of land, 2) the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure which will or potentially result in additional water and sewer use after July 1, 2017. The Capital Facility Fee shall apply to existing development that connects to the system, or redevelopment of a parcel, vacant or otherwise, with a prior water or sewer connection that was in existence before January 1, 1990. Code 14-71		
<sup>2</sup> For non-residential customers, system development fees are scaled <sup>3</sup> for various categories of demand as specified by the North Carolina Administrative Code 15A NCAC 02T.0114 Wastewater Design Flow Rates.		
<sup>3</sup> The maximum cost justified system development fees for non-residential customers may also be calculated by dividing estimated flow from the Administrative Code by the one-bedroom gallons per day.		
<b>Volume Charges:</b>		
Residential Volume Charges - Inside Town		
Residential Service:		
Block 1 (0-2,000 gallons/month)	\$ 23.06	
Block 2 (> 2,000 gallons/month)	\$ 11.53	per 1,000 gallons
Residential Volume Charges - Outside Town		
Residential Service:		
Block 1 (0-2,000 gallons/month)	\$ 44.97	
Block 2 (> 2,000 gallons/month)	\$ 22.48	per 1,000 gallons
Bulk Water	\$ 22.48	per 1,000 gallons

Water Connection Charge		
Front Footage Fee <sup>1,2</sup> :		
0 - 50 Feet	\$ 750.00	per connection
> 50 Feet	\$ 15.00	per foot per connection
<sup>1</sup> For a lot abutting two or more water lines, the front footage fee will be calculated on the longest length of the side abutting the main.		
<sup>2</sup> To recover a portion of the costs of town-installed water mains, hydrants, valves and appurtenances after 1987 which are necessary to provide water service to abutting properties.		
Lateral Fee:		
Licensed utility contractors shall make connections to the town's existing water system after an approved connection request and payment of an application fee of \$200, which includes a preconstruction meeting, town observation and technical assistance about the tapping work. Tapping shall be at the owner's / applicant's expense. Where a licensed contractor makes connections as part of an approved water extension project there shall be no separate connection application required. The town may make water connections under emergency circumstances related to environmental health whereby no other option is available. Such connections will be made by the town at actual cost including time, materials, equipment, and restoration. (Code 14-48)		
Water Meter Fees <sup>1</sup>		
5/8"	\$ 385.00	
3/4"	\$ 500.00	
1"	\$ 555.00	
1.5"	\$ 925.00	
> 1.5"	Actual Cost of Meter to Town + \$100 Installation Fee	
<sup>1</sup> Note that water meters over 1" need to be installed by a plumber or contractor with observation by the town. Meters, strainers and spacers when needed are provided by the town.		
<sup>2</sup> Meter pricing is based upon disc type meters. If the meter supervisor determines an ultrasonic meter is better suited for a use, pricing will be at town cost + \$100.		
Strainer Fees <sup>1</sup>		
2"	\$ 482.00	
3"	\$ 971.00	
4"	\$ 1,794.00	
6"	\$ 2,549.00	
8"	\$ 4,259.00	
10"	\$ 6,548.00	
<sup>1</sup> Strainers are not required if Neptune Mach 10 Ultrasonic Meters are used. For other meters, strainers are required for 2" or larger and will be at cost.		
Fire Hydrant Meter Fees		
Fire Hydrant Meter Security Deposit	\$ 2,000.00	
Fire Hydrant Rental Fees (fees are in addition to deposit)		
Daily Rate	\$ 20.00	
Weekly Rate	\$ 100.00	
Monthly Rate	\$ 300.00	
Semi-Annual Rate	\$ 1,300.00	
Annual Rate	\$ 2,500.00	
Fire Hydrant Meter Relocation Fee	\$ 100.00	
Wastewater Collection System Use Fees		
Wastewater System Development or Capital Facilities Fee <sup>1</sup>		
Unit Cost of Capacity	\$ 9.72	per gallon/day
Residential		
One-bedroom	\$ 1,166.00	120 gallons/day
Two-bedroom	\$ 2,333.00	240 gallons/day
Three-bedroom	\$ 3,499.00	360 gallons/day
Four-bedroom	\$ 4,666.00	480 gallons/day
Five-bedroom	\$ 5,832.00	600 gallons/day
Six-bedroom	\$ 6,999.00	720 gallons/day
Non-Residential <sup>2,3</sup>		
General Business/Office Facilities	\$ 243.00	25 gallons/employee
Restaurant (full service)	\$ 389.00	40 gallons/seat
Store (without food service)	\$ 972.00	100 gallons/1,000 sq. ft.
Hotel (without in-room cooking)	\$ 1,166.00	120 gallons/room
<sup>1</sup> The System Development Fee shall be applied to new development that connects to the utility system. New development shall be defined as any of the following: 1) the subdivision of land, 2) the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure which will or potentially result in additional water and sewer use after July 1, 2017. The Capital Facility Fee shall apply to existing development that connects to the system, or redevelopment of a parcel, vacant or otherwise, with a prior water or sewer connection that was in existence before January 1, 1990. Code 14-71		
<sup>2</sup> For non-residential customers, system development fees are scaled <sup>3</sup> for various categories of demand as specified by the North Carolina Administrative Code 15A NCAC 02T.0114 Wastewater Design Flow Rates.		
<sup>3</sup> The maximum cost justified system development fees for non-residential customers may also be calculated by dividing estimated flow from the Administrative Code by the one-bedroom gallons per day.		
Volume Charges:		
Inside Town		
Block 1 (0-2,000 gallons/month)	\$ 32.44	
Block 2 (> 2,000 gallons/month)	\$ 16.22	per 1,000 gallons
Outside Town		
Block 1 (0-2,000 gallons/month)	\$ 63.26	
Block 2 (> 2,000 gallons/month)	\$ 31.63	per 1,000 gallons

Wastewater Connection Charge		
Front Footage Fee <sup>1</sup> :		
0 - 50 Feet	\$ 1,000.00	
> 50 Feet	\$ 20.00	per foot per connection
<sup>1</sup> For a lot abutting two or more sewer lines, the front footage fee will be calculated on the longest side of the lot abutting the main.		
<sup>2</sup> To recover a portion of the costs of town-installed public sewer mains and appurtenances after 1987 which are necessary to provide sewer service to abutting properties.		
Lateral Fee:		
Licensed utility contractors shall make connections to the town's existing sewer system after an approved connection request and payment of an application fee of \$200, which includes a preconstruction meeting, town observation and technical assistance about the tapping work. Tapping shall be at the owner's/applicant's expense. Where a licensed contractor makes connections as part of an approved sewer extension project there shall be no separate connection application required. The town may make connections under emergency circumstances related to environmental health whereby no other option is available. Such connections will be made by the town at actual cost including time, materials, equipment, and restoration. (Code 14-48)		
Engineering		
Water / Sewer Availability Review		
	No charge and then rounded to next dollar hourly rate of involved staff	
< 2 hours of effort		
Outside Engineering or Legal Costs (includes legal assistance in drafting easements, water and sewer extension contracts and other legal matters)	Actual Cost to Town	
		per project for pre-site plan submittal evaluations for capacity and identification of necessary improvements
Entitlement Change Utilities Review Fee	\$ 500.00	
Engineering Construction Drawing Review		
Site Plan Review Fee	\$ 150.00	per review
Non-Residential Construction Drawings without Extensions <sup>1</sup>	\$ 1,200.00	per review
Water Main Extension Review <sup>1</sup>	\$ 3.50	per linear foot
Sewer Main Extension Review <sup>1</sup>	\$ 3.50	per linear foot
Pumping Stations (engineering review, inspection, start-up and acceptance)	\$ 8,000.00	for up to two reviews and comments
Preliminary and Final Plat Reviews (Each)	\$ 60.00	per review
<sup>1</sup> This includes up to two reviews of plans, specifications, and permit and encroachment applications plus ability to serve documents. Plan changes and significant spec edits or additions after two full reviews will be \$300 each. A change in project scope or design after plan approval will restart the process. Review fees will be charged upon intake of plans.		
Construction Observation / As Built Review		
The town will observe all water and sewer meaningful work on projects not involving an extension of mains. On approved main extensions, inspectors will periodically stop by and confer with the 3rd party inspector on progress or when called by the contractor. The town inspector shall be present for all tapping of existing mains, acceptance testing and for planned shut downs for all work unless delegated or waived. A penalty will be incurred for performing tapping work without authorization or coordination.		
General Inspection	\$ 75.00	per hour
Return trip for acceptance testing	\$300 + \$0.25/lf of main over 1,000 lf + general inspection time	
FOG Device	\$ 200.00	
Sewer System CCTV	\$ 1.00	per lf
Rejected CCTV due to nonconformance with specifications	\$ 100.00	each occurrence
Reinspection of service taps (including sewer cleanout, meter box, curb stop), mainline valves, hydrants, manholes, air release valves, and other singular items	\$ 50.00	each + general inspection time
As-Built Plan Review Fee	\$300 + \$.25/linear foot of water and sewer mains	
Other		
	\$50 or associated parts cost + \$50	At request or fault of customer
Meter Replacement Fee		
Meter Relocation Fee (includes physically moving the meter to a newly set box but not the tapping or relocation of the meter box)	\$ 100.00	
Special Meter Read	\$ 10.00	
Meter Test Charge	\$ 35.00	
Hydrant Flow Test	\$ 250.00	
Meter Pressure Test	\$ 25.00	Unless confirmed problem due to public system operation
Interruptible Water Meter Install - Return Trip	\$ 50.00	per trip
Special Irrigation Permit	\$ 20.00	each
Water Irrigation & Restriction Violations		Town Code 14-19, 14-41.1
Cross Connection Control Violations		Town Code 14-56
Perpetual Maintenance (new sewage pump stations)	Per Formula in Town Code	
Tampering Fees		Town Code 14-16 (a) (6) (i) and (ii)
Meter Tampering Fee	\$ 350.00	
Meter Tamping Civil Penalty <sup>1</sup>	\$ 500.00	
Hydrant Tampering Fee	\$ 500.00	
Hydrant Tampering Civil Penalty <sup>2</sup>	\$ 3,000.00	
Making tap connections to water and sewer without approval or notification of work	\$ 1,000.00	each
<sup>1</sup> The civil penalty shall be doubled for any future offenses within a two-year period.		
<sup>2</sup> The civil penalty shall be doubled for any future offenses by the same person.		



# General Fund

## FY2025 Operating & Capital Budget

### Revenues

#### 10 - GF Revenue Summary by Type

	2022-23 Actual	2023-24 Estimate	2024 - 25 Budget	2025 - 26 Budget	2026 - 27 Budget
Property Tax	\$9,656,518	\$9,822,080	\$10,270,000	\$10,770,000	\$10,950,000
Sales Tax	\$3,200,726	\$3,358,404	\$3,355,000	\$3,355,000	\$3,355,000
Intergovernmental	\$1,595,880	\$1,608,414	\$1,667,889	\$1,591,500	\$1,591,500
Fund Balance Appropriated	\$0	\$573,574	\$3,527,010	\$949,764	\$1,404,665
Interfund Transfers	\$0	\$170,000	\$724,500	\$855,000	\$220,000
Interest	\$418,762	\$715,000	\$425,000	\$125,000	\$125,000
Other	\$350,222	\$301,533	\$99,600	\$99,600	\$99,600
Licenses/Permits/Fees	\$139,540	\$148,802	\$97,600	\$97,600	\$97,600
Debt Issuance Proceeds	\$128,756	\$0	\$0	\$0	\$0
TOTAL	\$15,490,404	\$16,697,807	\$20,166,599	\$17,843,464	\$17,843,365

### Expenditures

#### 10 - GF Expenditure Summary by Function

	2022-23 Actual	2023-24 Estimate	2024 - 25 Budget	2025 - 26 Budget	2026 - 27 Budget
Public Safety	\$5,872,610	\$6,868,371	\$7,164,045	\$7,485,345	\$7,690,602
General Government	\$4,719,025	\$5,469,219	\$5,892,173	\$5,519,986	\$5,612,803
Public Works	\$2,367,824	\$3,923,724	\$5,752,861	\$3,201,294	\$2,578,699
Special Appropriations	\$196,703	\$421,113	\$891,770	\$1,171,089	\$1,505,511
General Government/Water and Sewer/Stormwater	\$0	\$0	\$450,000	\$450,000	\$450,000
Cemetery	\$3,369	\$15,380	\$15,750	\$15,750	\$5,750
Economic Development	-\$39,505	\$0	\$0	\$0	\$0
TOTAL	\$13,120,026	\$16,697,807	\$20,166,599	\$17,843,464	\$17,843,365

### Financial Summary

#### 10 - GF Revenues vs. Expenditures Financial Summary

	2022-23 Actual	2023-24 Estimate	2024 - 25 Budget	2025 - 26 Budget	2026 - 27 Budget
Revenues	\$15,490,404	\$16,697,807	\$20,166,599	\$17,843,464	\$17,843,365
Expenses	\$13,120,026	\$16,697,807	\$20,166,599	\$17,843,464	\$17,843,365
REVENUES LESS EXPENSES	\$2,370,379	\$0	\$0	\$0	\$0

### Fund Balance

	FY23 Actual	FY24 Estimate	FY25 Budget	FY26 Projection	FY27 Projection
Fund Balance Appropriation		\$77,887	\$3,260,960	\$949,764	\$1,404,665
Balance	\$12,102,425	\$12,024,538	\$8,763,578	\$7,813,814	\$6,409,149
FUND BALANCE %	92.2%	72.0%	43.5%	43.8%	35.9%



# Water & Sewer Fund

## FY2025 Operating & Capital Budget

### Revenues

#### 30 - W&S Revenue by Type

	2022-23 Actual	2023-24 Estimate	2024 - 25 Budget	2025 - 26 Budget	2026 - 27 Budget
<b>Licenses/Permits/Fees</b>	\$11,452,032	\$11,763,928	\$12,181,000	\$13,088,000	\$14,060,000
<b>Fund Balance Appropriated</b>	\$0	\$1,941,668	\$472,436	\$251,165	\$712,430
<b>Interfund Transfers</b>	\$0	\$2,529,422	\$474,468	\$350,000	\$0
<b>Interest</b>	\$387,355	\$615,005	\$385,500	\$50,000	\$50,000
<b>Other</b>	\$38,027	\$120,000	\$13,500	\$13,500	\$13,500
<b>TOTAL</b>	<b>\$11,877,414</b>	<b>\$16,970,023</b>	<b>\$13,526,904</b>	<b>\$13,752,665</b>	<b>\$14,835,930</b>

### Expenditures

#### 30 - W&S Expenditures by Department

	2022-23 Actual	2023-24 Estimate	2024 - 25 Budget	2025 - 26 Budget	2026 - 27 Budget
<b>Water and Sewer</b>					
Administration of Enterprise	\$2,296,131	\$2,635,037	\$3,076,440	\$3,070,661	\$3,210,970
Wastewater Treatment Plant	\$2,248,636	\$2,566,026	\$2,537,151	\$2,441,373	\$2,416,830
Wastewater Collection	\$984,438	\$3,969,929	\$1,499,125	\$1,585,230	\$2,659,346
Water Distribution	\$1,313,903	\$3,036,708	\$1,747,889	\$1,658,175	\$2,120,043
Water Treatment Plant	\$1,151,331	\$1,877,943	\$1,557,069	\$1,839,683	\$1,390,050
West Fork Eno Reservoir	\$904,650	\$916,993	\$899,320	\$907,385	\$898,167
Billing & Collections	\$820,105	\$827,680	\$912,657	\$902,528	\$915,102
Utilities Administration	\$695,384	\$999,345	\$897,253	\$947,630	\$825,422
Transfer to Water/Sewer CRF	\$179,377	\$140,362	\$0	\$0	\$0
<b>WATER AND SEWER TOTAL</b>	<b>\$10,593,954</b>	<b>\$16,970,023</b>	<b>\$13,126,904</b>	<b>\$13,352,665</b>	<b>\$14,435,930</b>
<b>General Government/Water and Sewer/Stormwater</b>					
Contingency	\$0	\$0	\$400,000	\$400,000	\$400,000
<b>GENERAL GOVERNMENT/WATER AND SEWER/STORMWATER TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$400,000</b>	<b>\$400,000</b>	<b>\$400,000</b>
<b>Non-Departmental</b>	\$326,671	\$0	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$10,920,625</b>	<b>\$16,970,023</b>	<b>\$13,526,904</b>	<b>\$13,752,665</b>	<b>\$14,835,930</b>

### Financial Summary

#### 30 - W&S Revenues vs. Expenditures Financial Summary

	2022-23 Actual	2023-24 Estimate	2024 - 25 Budget	2025 - 26 Budget	2026 - 27 Budget
<b>Revenues</b>	\$11,877,414	\$16,970,023	\$13,526,904	\$13,752,665	\$14,835,930
<b>Expenses</b>	\$10,920,625	\$16,970,023	\$13,526,904	\$13,752,665	\$14,835,930
<b>REVENUES LESS EXPENSES</b>	<b>\$956,788</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

### Fund Balance

	FY23 Actual	FY24 Estimate	FY25 Budget	FY26 Projection	FY27 Projection
<b>Fund Balance Appropriation</b>		\$1,026,208	\$406,244	\$251,165	\$712,430
<b>Balance</b>	\$11,802,548	\$10,776,340	\$10,370,096	\$10,118,931	\$9,406,501
<b>FUND BALANCE %</b>	<b>108.1%</b>	<b>63.5%</b>	<b>76.7%</b>	<b>73.6%</b>	<b>63.4%</b>

# Rate Coverage

Rate	Water Operations			Sewer Operations		
	FY25	FY26	FY27	FY25	FY26	FY27
7.5% per year rate increase	\$ 420,000	\$ 870,000	\$ 1,350,000	\$ 415,000	\$ 860,000	\$ 1,340,000
Continuation + Expansion +/-	\$ (277,328)	\$ (351,243)	\$ (236,132)	\$ (128,917)	\$ 100,078	\$ (476,298)
			W&S Total	\$ (406,244)	\$ (251,165)	\$ (712,430)



# Stormwater Fund

## FY2025 Operating & Capital Budget

### Revenues

#### 35 - SW Revenues by Type

	2022-23 Actual	2023-24 Estimate	2024 - 25 Budget	2025 - 26 Budget	2026 - 27 Budget
Licenses/Permits/Fees	\$729,456	\$719,000	\$835,100	\$970,100	\$1,110,100
Fund Balance Appropriated	\$0	\$177,607	\$268,561	\$246,907	\$134,185
Interest	\$28,619	\$45,000	\$25,000	\$10,000	\$10,000
TOTAL	\$758,075	\$941,607	\$1,128,661	\$1,227,007	\$1,254,285

### Expenditures

#### 35 - SW Expenditures by Function

	2022-23 Actual	2023-24 Estimate	2024 - 25 Budget	2025 - 26 Budget	2026 - 27 Budget
Stormwater	\$692,719	\$941,607	\$1,128,661	\$1,227,007	\$1,254,285
Non-Departmental	\$29,557	\$0	\$0	\$0	\$0
TOTAL	\$722,277	\$941,607	\$1,128,661	\$1,227,007	\$1,254,285

### Financial Summary

#### 35 - SW Revenues vs. Expenditures Financial Summary

	2022-23 Actual	2023-24 Estimate	2024 - 25 Budget	2025 - 26 Budget	2026 - 27 Budget
Revenues	\$758,075	\$941,607	\$1,128,661	\$1,227,007	\$1,254,285
Expenses	\$722,277	\$941,607	\$1,128,661	\$1,227,007	\$1,254,285
REVENUES LESS EXPENSES	\$35,798	\$0	\$0	\$0	\$0

### Fund Balance

	FY23 Actual	FY24 Estimate	FY25 Budget	FY26 Projection	FY27 Projection
Fund Balance Appropriation		\$177,607	\$268,561	\$246,907	\$134,185
Balance	\$1,103,587	\$925,980	\$657,419	\$410,512	\$276,327
FUND BALANCE %	152.8%	98.3%	58.2%	33.5%	22.0%



# Crosswalk: Recommended to Adopted

## FY2024 Operating & Capital Budget

### General Fund

Department	Request	Description	FY25	FY26	FY27	Notes
Governing Body	Central Pines Regional Council	Increase budget amount to reflect increase in dues	\$ 124	\$ 124	\$ 124	Increased to \$3,900/yr
Governing Body	Women in Municipal Government Conference	Increase budget amount for out of state conference	\$ 1,400	\$ 1,400	\$ 1,400	Increased to \$2,500/yr
Governing Body	Inter Cities Visit	Increase budget amount to reflect anticipated increased cost of visit	\$ 1,300	\$ -	\$ 1,300	Increased to \$16,000
Governing Body	National League of Cities	Increase budget amount to reflect increase in dues	\$ 1,023	\$ 1,023	\$ 1,023	Increased to \$2,300/yr
Special Appropriations	Hillsborough Merchant's Association	2-yr public-private partnership pilot program	\$ 15,000	\$ 15,000	\$ -	
Special Appropriations	O.C. Veteran's Memorial	Multi-year funding commitment	\$ 7,500	\$ 7,500	\$ 7,500	
Special Appropriations	The Exchange Club	Community Re-Investment Funds	\$ 7,599	\$ -	\$ -	
Special Appropriations	Hillsborough Arts Council	Community Re-Investment Funds	\$ 21,000	\$ -	\$ -	
Special Appropriations	Orange Congregations in Ministry	Community Re-Investment Funds	\$ 10,000	\$ -	\$ -	

### Water & Sewer Fund

Department	Request	Description	FY25	FY26	FY27	Notes
N/A	N/A	N/A	N/A	N/A	N/A	

### Stormwater Fund

Department	Request	Description	FY25	FY26	FY27	Notes
N/A	N/A	N/A	N/A	N/A	N/A	



# ORDINANCE

## Capital Project Amendment

### Ridgewalk Greenway Phase I & II

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 adopted:

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

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Ridgewalk Greenway	\$125,003	\$333,000	\$458,003

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

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Ridgewalk Greenway	\$125,003	\$333,000	\$458,003

**Section 3.** This ordinance shall be amended in any manner to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital project, so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

**Section 4.** This capital project will close automatically upon projection completion.

**Section 5.** 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 10<sup>th</sup> day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

---

Sarah E. Kimrey, Town Clerk



**ORDINANCE**  
**Capital Project Amendment**  
**Fire Station**

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.

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Fire Station	\$450,000	\$300,000	\$750,000

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

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Fire Station	\$450,000	\$300,000	\$750,000

**Section 3.** This ordinance shall be amended in any manner to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital project, so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

**Section 4.** This capital project will close automatically upon projection completion.

**Section 5.** 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 10<sup>th</sup> day of June in 2024.

Ayes:  
Noes:  
Absent or excused:

\_\_\_\_\_  
Sarah E. Kimrey, Town Clerk



# ORDINANCE

## Capital Project Amendment

### Passenger Rail / Multi-Modal Station

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.

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Passenger Rail / Multi-Modal Station	\$8,239,000	\$2,200,000	\$10,439,000

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

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Passenger Rail / Multi-Modal Station	\$8,239,000	\$2,200,000	\$10,439,000

**Section 3.** This ordinance shall be amended in any manner to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital project, so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

**Section 4.** This capital project will close automatically upon projection completion.

**Section 5.** 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 10<sup>th</sup> day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

---

Sarah E. Kimrey, Town Clerk



**ORDINANCE**  
**Capital Project Amendment**  
**Fiber Loop**

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.

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Fiber Loop	\$400,000	\$50,000	\$450,000

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

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Fiber Loop	\$400,000	\$50,000	\$450,000

**Section 3.** This ordinance shall be amended in any manner to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital project, so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

**Section 4.** This capital project will close automatically upon projection completion.

**Section 5.** 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 10<sup>th</sup> day of June in 2024.

Ayes:  
Noes:  
Absent or excused:

\_\_\_\_\_  
Sarah E. Kimrey, Town Clerk



# ORDINANCE

## Capital Project Amendment

### Adron F. Thompson Facility Renovation

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.

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Adron F. Thompson Facility Renovation	\$3,795,600	\$3,500,000	\$7,295,600

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

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Adron F. Thompson Facility Renovation	\$3,795,600	\$3,500,000	\$7,295,600

**Section 3.** This ordinance shall be amended in any manner to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital project, so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

**Section 4.** This capital project will close automatically upon projection completion.

**Section 5.** 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 10<sup>th</sup> day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

---

Sarah E. Kimrey, Town Clerk



# ORDINANCE

## Capital Project Amendment

### Hassell Water Tank Replacement

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.

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Hassell Water Tank Replacement	\$40,000	\$75,000	\$115,000

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

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Hassell Water Tank Replacement	\$40,000	\$75,000	\$115,000

**Section 3.** This ordinance shall be amended in any manner to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital project, so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

**Section 4.** This capital project will close automatically upon projection completion.

**Section 5.** 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 10<sup>th</sup> day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

---

Sarah E. Kimrey, Town Clerk



# ORDINANCE

## Capital Project Amendment

### Exchange Club Interceptors

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.

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Exchange Club Interceptors	\$190,000	\$20,000	\$210,000

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

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Exchange Club Interceptors	\$190,000	\$20,000	\$210,000

**Section 3.** This ordinance shall be amended in any manner to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital project, so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

**Section 4.** This capital project will close automatically upon projection completion.

**Section 5.** 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 10<sup>th</sup> day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

---

Sarah E. Kimrey, Town Clerk



# ORDINANCE

## Capital Project Amendment

### Lawndale Basin Rehabilitation

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.

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Lawndale Basin Rehabilitation	\$935,000	\$1,165,000	\$2,100,000

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

	<i>Current Budget</i>	<i>+/-</i>	<i>Amended Budget</i>
Lawndale Basin Rehabilitation	\$935,000	\$1,165,000	\$2,100,000

**Section 3.** This ordinance shall be amended in any manner to add additional appropriations, modify or eliminate existing capital projects, and/or add new capital project, so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

**Section 4.** This capital project will close automatically upon projection completion.

**Section 5.** 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 10<sup>th</sup> day of June in the year 2024.

Ayes:

Noes:

Absent or excused:

---

Sarah E. Kimrey, Town Clerk



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
Department: Administrative Services  
Agenda Section: Regular  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Town Manager Eric Peterson

#### ITEM TO BE CONSIDERED

**Subject:** Hot topics for work session June 24, 2024

**Attachments:**

None

**Summary:**

Possible topics for the June 24 work session include:

- Budget adoption (if needed)
- Update on Corbinton Commons

**Financial impacts:**

None

**Staff recommendation and comments:**

None

**Action requested:**

None



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: June 10, 2024  
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.



# TOWN OF HILLSBOROUGH

## Administrative Services Report May 2024

### Budget

- Presented FY25 Manager's Recommended Budget.
- Held FY25 Budget Public Hearing.
- Held FY25 Water & Sewer Fund Workshop.
- Completed Raftelis Water & Sewer Rate Model and Financial Analysis.

### Communications

- Website — Worked toward launch on June 17 with help from department staff. Hired and started intern to help with pre-launch tasks May 20-June 12. Started contract for web accessibility application and added external widget to site in development. Staff will train on internal dashboard after launch. Completed setup and initial testing of Calendly for reservations through new site.
- Utilities Outreach — Social media posts highlighted irrigation reminders, wipes video, number for water and sewer emergencies and Star Saturday post on utility system supervisor. News release issued on easement mowing. Bill insert highlighted irrigation requirements. Bill message noted irrigation requirements and calling 811 before digging.
- Other — Updated text on cemeteries and park signs and created additional parks signs.

### Fleet Maintenance

- No updates.

### Human Resources/Town Clerk

- Biweekly payrolls

RECRUITMENT AND SELECTION	
Position	Status
Administrative Support Specialist – Utilities	Closed 5/19.
Equipment Operator I	Started 5/20.
Meter Services Technician	Stated 5/20.
Police Officer	Continuous recruitment.
Senior Customer Service Representative	Started 6/3.
Utilities System Mechanic	Closes 6/9.
Utilities Intern	Closed 6/2.

### Diversity, Equity and Inclusion

- Continuing to test and make revisions to the equity assessment lens.
- Continued collaboration with the One Orange team, with current focus on enhancing the data dashboard and developing a countywide racialized history document.

# TOWN OF HILLSBOROUGH

## DETAIL ACCOUNT INQUIRY BY ACCOUNT

PERIOD: 07/01/2023 TO 06/30/2024

FY 2023-2024

10-10-4100-5300-080 TRAINING/CONF./CONV.			BUDGET	PERIOD TO DATE		ENC AMT	REM BAL
			12,445.00	7,081.26		0.00	5,363.74
DATE	MOD	REFERENCE	JE # or VOUCHER#	CHECK#	DEBIT	CREDIT	BALANCE
		BALANCE FORWARD					0.00
08/14/2023	AP	BANK OF AMERICA NA NATIONAL LEAGUE	58037	5849	400.00		400.00
		WOMEN IN MUNICIPAL GOV SUMMER CONFERENCE - K FERGUSON					
09/11/2023	AP	BANK OF AMERICA NA TRYON RESORT	58583	6011	447.00		847.00
		QTY 3 - LODGING NCARCOG FORUM MEETING- RUTHERFORDTON, NC- K FERGUSON - 08/02/23 - 08/04/23					
09/11/2023	AP	BANK OF AMERICA NA TRYON RESORT	58583	6011	13.41		860.41
		OCCUPANCY TAX					
09/11/2023	AP	BANK OF AMERICA NA HILTON CHARLOTTI	58584	6011	595.84		1,456.25
		QTY 2 - LODGING - WIMG CONF - K FERGUSON - 08/09/23 - 08/11/23					
09/11/2023	AP	BANK OF AMERICA NA HILTON CHARLOTTI	58584	6011	48.00		1,504.25
		PARKING					
09/11/2023	AP	BANK OF AMERICA NA HILTON CHARLOTTI	58584	6011	35.75		1,540.00
		OCCUPANY TAX					
09/11/2023	AP	BANK OF AMERICA NA HILTON CHARLOTTI	58584	6011	11.92		1,551.92
		SPECIAL ASSESSMENT TAX					
09/11/2023	AP	BANK OF AMERICA NA N C MAYORS ASSOC	58725	6011	100.00		1,651.92
		REGISTRATION - NC MAYORS ASSOCIATION FALL MTG - J WEAVER - 9/20/23-9/21/23					
09/11/2023	AP	BANK OF AMERICA NA HILTON ADVPURCH	58727	6011	220.19		1,872.11
		LODGING - NC MAYORS ASSOCIATION FALL MTG - J WEAVER - 09/20/23					
09/11/2023	AP	BANK OF AMERICA NA HILTON ADVPURCH	58727	6011	13.21		1,885.32
		OCCUPANY TAX					
10/11/2023	AP	BANK OF AMERICA NA SCHOOL OF GOVERN	59002	6268	195.00		2,080.32
		SOCIAL MEDIA STRATEGIES/BEST PRACTICES - M BELL- 09/21/23					
10/11/2023	AP	BANK OF AMERICA NA DOUBLETREE BY HI	59262	6268	22.00		2,102.32
		PARKING - MAYORS ASSN FALL MEETING - J WEAVER - 09/20/23					
12/11/2023	AP	BANK OF AMERICA NA NC LEAGUE OF MUN	60208	6665	65.00		2,167.32
		NCLM TRAININGS - M BELL - 11/09/23					
12/11/2023	AP	BANK OF AMERICA NA LGBTQ VICTORY INS	60249	6665	250.00		2,417.32
		INT'L LGBTQ LEADERS CONF - WASHINGTON, DC - M HUGHES - 11/30/23 - 12/02/23					
12/11/2023	AP	BANK OF AMERICA NA AMERICAN AIRLINE	60250	6665	252.80		2,670.12
		AIRFARE - INT'L LGBTQ LEADERS CONF - WASHINGTON, DC - M HUGHES - 11/30/23 - 12/02/23					
12/11/2023	AP	BANK OF AMERICA NA ALLIANZ TRAVEL IN	60251	6665	26.85		2,696.97
		AIRFARE INSURANCE - INT'L LGBTQ LEADERS CONF - WASHINGTON, DC - M HUGHES - 11/30/23 - 12/02/23					
12/11/2023	AP	BANK OF AMERICA NA SCHOOL OF GOVERN	60350	6665	350.00		3,046.97
		ESSENTIALS OF MUNICIPAL GOVERNMENT - M DARAB - 02/22/24					

01/10/2024	AP	BANK OF AMERICA NA MARRIOTT DESTINATION FEE/TAX	60880	6861	28.99	3,075.96
01/10/2024	AP	BANK OF AMERICA NA MARRIOTT LODGING/LGBTQ CONF 11/30-12/3 M HUGHES	60881	6861	747.90	3,823.86
02/02/2024	AP	BANK OF AMERICA NA NCLM NC MAYORS ASSN MEETING 2/7-2/8 - M BELL	61187	7038	100.00	3,923.86
02/02/2024	AP	BANK OF AMERICA NA NC LEAGUE OF MUN NCLM TOWN & STATE DINNER - - K FERGUSON- 3/20/24	61369	7038	80.00	4,003.86
03/11/2024	AP	BANK OF AMERICA NA NC LEAGUE OF MUN 2024 NCLM CITY VISION ANNUAL CONFERENCE 4/23- 4/25 - K.FERGUSON	61776	7233	450.00	4,453.86
03/11/2024	AP	BANK OF AMERICA NA EVENT*MSN 2024 VISIT NC TOURISM CONFERENCE - 3/17-3/19/24 - GREENVILLE,NC - MATT HUGHES	61796	7233	525.00	4,978.86
03/11/2024	AP	BANK OF AMERICA NA NC LEAGUE OF MUN 2024 CITY VISION ANNUAL CONFERENCE - WINSTON- SALEM, NC - 4/23-4/25/24 - M.HUGHES	61797	7233	440.00	5,418.86
04/10/2024	AP	BANK OF AMERICA NA HOLIDAY INN - GREI QTY 2 - HOLIDAY INN- GREENVILLE,NC - 2024 VISIT NC CONFERENCE - 03/17- 03/18/24	62336	7422	294.68	5,713.54
05/13/2024	AP	BANK OF AMERICA NA WINSTON-SALEM M. K FERGUSON CITY VISION 4/23-4/26	62864	7560	569.22	6,282.76
05/13/2024	AP	BANK OF AMERICA NA CITY OF WS 6 CHR T. PARKING- FOR CITY VISION CONFERENCE - 04/23-26/24	62865	7560	27.00	6,309.76
05/13/2024	AP	BANK OF AMERICA NA KIMPTON CARDINAL M HUGHES CITY VISION 4/23-4/26	62893	7560	747.50	7,057.26
05/13/2024	AP	BANK OF AMERICA NA 54384-ONE WEST FOI PARKING - M HUGHES CITY VISION 4/23-4/26	62894	7560	24.00	7,081.26
SUBTOTALS FOR ACCOUNT 10-10-4100-5300-080 :					7,081.26	0.00
					7,081.26	0.00

TOWN OF HILLSBOROUGH  
DETAIL ACCOUNT INQUIRY BY ACCOUNT

PERIOD: 07/01/2023 TO 06/30/2024

FY 2023-2024

10-10-4100-5300-530 DUES & SUBSCRIPTIONS				<u>BUDGET</u>	<u>PERIOD TO DATE</u>	<u>ENC AMT</u>	<u>REM BAL</u>
				25,304.00	19,751.00	0.00	5,553.00
<u>DATE</u>	<u>MOD</u>	<u>REFERENCE</u>	<u>JE # or VOUCHER#</u>	<u>CHECK#</u>	<u>DEBIT</u>	<u>CREDIT</u>	<u>BALANCE</u>
		BALANCE FORWARD					0.00
07/07/2023	AP	HILLSBOROUGH/OC CHAMBER OF COMMER	57242	5579	6,000.00		6,000.00
		TRUSTEE MEMBER RENEWAL - 07/23 - 06/24					
07/07/2023	AP	N C LEAGUE OF MUNICIPALITIES I00044849	57245	71570	10,470.00		16,470.00
		SERVICE FEE FY 2023-2024					
07/07/2023	AP	N C LEAGUE OF MUNICIPALITIES I00044849	57245	71570	22.00		16,492.00
		QTY 11 - SOUTHERN CITY SUBSCRIPTIONS					
08/11/2023	AP	SCHOOL OF GOVERNMENT 6310	58047	71638	1,414.00		17,906.00
		2023-24 SOG MEMBERSHIP DUES					
09/11/2023	AP	BANK OF AMERICA NA PAYPAL NCMAYORS	58726	6011	300.00		18,206.00
		NC MAYORS ASSOCIATION MEMBER DUES - FY 2023/2024					
		- J WEAVER					
09/22/2023	AP	N C BLACK ELECTED I0002183	58466	71745	75.00		18,281.00
		FY 2023-2024 MEMBERSHIP DUES - MATTHEW HUGHES					
10/06/2023	AP	NC WOMEN IN MUNICIPAL GOVERNMENT I0	58788	71772	75.00		18,356.00
		FY 2023/2024 MEMBERSHIP DUES - KATHLEEN					
10/27/2023	AP	CHAPEL HILL-CARRBORO CHAMBER OF COM	59072	71835	1,395.00		19,751.00
		BUSINESS BUILDER MEMBERSHIP					
SUBTOTALS FOR ACCOUNT 10-10-4100-5300-530 :					19,751.00	0.00	
					19,751.00	0.00	

## Information Technology

- Completed first sessions of 2024 IT Security Awareness training. Final in-person sessions are scheduled for June 12<sup>th</sup> at 10 am and 1 pm. Recording will be made available for those unable to attend in-person sessions.
- Completed first round of asset management software demonstrations.
- NCDIT completed site visit for the fiber project.
- Completed site visit at WWTP with A3 Communications for building access and security project.
- IT department security and standard operating procedures submitted for review and approval.

## Safety and Risk Management

- New Safety and Risk Manager Phil Cundiff is scheduled to start late June.



TOWN OF  
**HILLSBOROUGH**  
NORTH CAROLINA

To: Eric Peterson, Manager

From: David McCole, Finance Director *DM*

Ref: March 31, 2024, General Fund Financial Report

**Revenues-March:**

		FY 23/24		Increase/ (Decrease) over FY 22/23	% Increase/ (Decrease) over FY 22/23
REVENUES	Budget	Actual	FY 22/23 Actual		Actual
Ad valorem	\$ 9,947,250	\$ 9,548,306	\$ 9,315,859	\$ 232,447	2.4%
Other taxes and licenses	7,300	5,230	6,022	(792)	-15.1%
Unrestricted Intergovernmental revenues	4,229,500	2,597,478	2,386,250	211,228	8.1%
Restricted intergovernmental revenues	306,425	306,425	272,524	33,901	11.1%
Use and rental fees	81,500	88,790	58,855	29,935	33.7%
Investment earnings	100,000	567,294	314,073	253,221	44.6%
Miscellaneous revenues	274,895	225,796	146,826	78,970	35.0%
Total revenues	14,946,870	13,339,319	12,500,409	838,910	6.3%

Revenues are up year over year through March by \$838,910. Ad Valorem taxes are up year over year by \$232,447. It should be noted that the budgeted 2023 tax levy collected is 97.5% through March. The same time last year the 2022 tax levy collected was 105% of the budgeted amount. Investments earnings are up year over year in the amount of \$253,221. The increase in interest revenue is the result of an increase in interest rates by the Federal Reserve to bring down inflation. Sales Tax, which is part of Unrestricted Intergovernmental Revenues, is up year over year by \$170,279. The increase in Miscellaneous Revenue is due to a refund from Hillsborough Automotive Group in the amount of \$67,390. The expenditure happened last fiscal year, but the refund occurred in the current fiscal year.

**Expenditures March:**

		FY 23/24		Increase/ (Decrease) over FY 22/23	% Increase/ (Decrease) over FY 22/23
EXPENDITURES	Budget	Actual	FY 22/23 Actual		Actual
Current:					
General government	\$ 4,539,452	\$ 2,255,408	\$ 2,407,098	\$ (151,690)	-6.7%
Public safety	6,897,277	4,856,018	4,400,307	455,711	9.4%
Transportation	2,045,758	691,831	808,203	(116,372)	-16.8%
Environmental protection	1,228,333	1,006,906	478,530	528,376	52.5%
Community activities and projects	599,254	158,970	175,112	(16,142)	-10.2%
Parks and recreation	837,266	478,645	442,000	36,645	7.7%
Contingency	10,579			-	
Total expenditures	\$ 16,157,919	\$ 9,447,778	\$ 8,711,250	\$ 736,528	7.8%

Expenditures are up year over year through February by \$736,528. Public Safety has increased in the amount of \$455,711. The Police Department expenditures increased year over year through March by \$308,017 due to the increase in salaries & wages and vehicle expenditures in FY 23/24. The Safety & Risk Management Department increased year over by \$180,147. Most of the increase is attributable to including Property and Liability insurance within the Safety & Risk Management Department for FY 23/24. Environmental Protection has increased to the amount of \$528,376. The Solid Waste Department increased year over year through March by \$517,208. The increase is due to the purchase of vehicles in the amount of \$491,592. The decrease in General Government expenditures for FY 23/24 is due to the Administration Department. The decrease can be attributed to moving Property and Liability insurance from the Administration Department to the Safety & Risk Department for FY 23/24. One department that had a large increase within General Government was the Planning Department in the amount of \$129,073. Much of the increase can be attributed to an increase in expenditures to the Tourism Board & Tourism Development Board. The increase is due to the timing of postings through March compared to posting at this same time last year for the Occupancy and Food & Beverage tax revenue that is due to the Tourism Board and Tourism Development Board. Transportation expenditures are down year over year due to the timing of projects being completed as well as the purchase of vehicles last year.

#### Other Financing Sources (Uses) March:

	Budget	FY 23/24 Actual	FY 22/23 Actual	Increase/ (Decrease) over FY 22/23	% Increase/ (Decrease) over FY 22/23 Actual
<b>OTHER FINANCING SOURCES (USES)</b>					
Transfers from other funds	\$ 170,000			-	
Transfers to other funds	(1,421,579)	(1,421,579)		(1,421,579)	100.0%
IT subscription agreement	-			-	
Other financing sources (uses), net	\$ (1,251,579)	\$ (1,421,579)	\$ -	(1,421,579)	

The increase in transfers over the last year is due to the timing of the journal entry being done earlier this year.

#### Fund Balance March:

	Budget	FY 23/24 Actual	FY 22/23 Actual	Increase/ (Decrease) over FY 22/23
<b>APPROPRIATED FUND BALANCE</b>	2,462,628			
Net change in fund balances	-	2,469,962	3,789,159	(1,319,197)
Fund balances, beginning of year	14,223,419	14,223,419	11,853,037	2,370,382
Fund balances, end of the year	\$ 14,223,419	\$ 16,693,381	\$ 15,642,196	\$ 1,051,185

Fund balance grew \$2.5 million month ended March 2024. This is \$1.3 million less than last year at this point. The decrease in growth in the fund balance is due to the timing of transfers to other funds being done earlier this year. It should be noted that revenue over expenditures is \$3.9 million at March month end compared to \$3.8 million at this same point and time last year.



TOWN OF  
**HILLSBOROUGH**  
NORTH CAROLINA

To: Eric Peterson, Manager

From: David McCole, Finance Director *DM*

Ref: March 31, 2024, Water/Sewer Fund Financial Report

**Overall Performance:**

Revenues were \$1.398 million more than expenditures through March. Last year at this time revenues were \$1.717 million more than expenditures. The decrease in net operating income of \$319,160 over last year at this time can be attributed to an increase in operating expenditures this fiscal year in the amount of \$955,765.

**Revenues-March:**

				Increase/ (Decrease) over FY 22/23	% Increase/ (Decrease) over FY 22/23 Actual
REVENUES	Budget	FY 23/24 Actual	FY 22/23 Actual		
OPERATING REVENUES					
Water charges	\$ 5,745,200	\$ 4,017,125	\$ 3,850,760	\$ 166,365	4.3%
Sewer charges	5,702,800	3,999,057	3,828,536	170,521	4.5%
System Development fees	117,454	129,076	157,435	(28,359)	-18.0%
Other receipts	265,500	442,173	293,037	149,136	50.9%
Total operating revenues	11,830,954	8,587,431	8,129,768	457,663	5.6%
Non-operating revenues:					
Investment earnings	30,000	466,797	287,855	178,942	62.2%
Total revenues	11,860,954	9,054,228	8,417,623	636,605	7.6%

Revenues are up year over year through March by \$636,605. Water and sewer charges are a combined \$336,886 higher than last year due to the increase in rates in FY 23/24. Investment earnings are up year over year in the amount of \$178,942. The increase in interest revenue is the result of an increase in interest rates by the Federal Reserve to bring down inflation. Other receipts are higher year over year through February due to miscellaneous revenues in the amount of \$91,590.

**Expenditures-March:**

				Increase/ (Decrease) over FY 22/23	% Increase/ (Decrease) over FY 22/23 Actual
<b>EXPENDITURES</b>	<b>Budget</b>	<b>FY 23/24 Actual</b>	<b>FY 22/23 Actual</b>		
Adminstration of Enterprise	\$ 3,028,960	\$ 2,246,530	\$ 1,844,967	\$ 401,563	21.8%
Utilities Adminstration	1,137,010	600,594	468,330	132,264	28.2%
Billing and Collections	874,595	614,247	526,181	88,066	16.7%
Water Treatment Plant	1,945,286	1,021,728	770,108	251,620	32.7%
West Fork Eno Reservoir	929,115	381,560	898,788	(517,228)	-57.5%
Water Distribution	1,539,690	763,321	737,426	25,895	3.5%
Wastewater Collection	1,978,352	998,966	579,558	419,408	72.4%
Wastewater Treatment Plant	2,602,280	1,029,040	874,863	154,177	17.6%
Total expenditures	14,035,288	7,655,986	6,700,221	955,765	14.3%

Expenditures are up year over year in the amount of \$955,765. Wastewater Collections is up year over year through February in the amount of \$419,408 due to an increase capital outlay in the amount of \$278,233. Much of the increase of the Administration of Enterprise are the service charges in the amount of \$383,922. Most of the increase in Water Treatment Plant expenditures year over year are due to sludge removal in the amount of \$86,208 and capital equipment in the amount of \$89,200. Wastewater Treatment Plant expenditures are up year over year due to the increase in personnel cost in the amount of \$96,598.

**Other Financing Sources (Uses) March:**

				Increase/ (Decrease) over FY 22/23
<b>OTHER FINANCING (USES)</b>	<b>Budget</b>	<b>FY 23/24 Actual</b>	<b>FY 22/23 Actual</b>	
Transfer to Water/Sewer CR	\$ (117,454)	\$ (117,454)		\$ (117,454)
Transfer to Water Treatment Plant	(90,000)	(90,000)		(90,000)
Transfer to Water Distribution Project	(1,264,984)	(1,264,984)		(1,264,984)
Transfer to Wastewater Collection Project	(2,307,798)	(2,307,798)		(2,307,798)
Transfer from WFER-Carrstore/Mill Creek Road Project	284,167	284,167		284,167
Transfer from ARPA Funds		2,022,647		2,022,647
Total other financing uses	(3,496,069)	(1,473,422)	-	(1,473,422)

The increase in transfers to and from other funds is due to nothing being budgeted last year.



## Public Works Report: May 2024

### Work Orders

15 completed within two days.

### Public Spaces

73 staff hours

### Stormwater Maintenance

605 linear feet, 58 staff hours. 60 Storm drains cleaned.

### Inspections

1 utility cut inspection, 3 sidewalk inspections

### Special Events

Last Friday's – 4 Staff hours, River Park Concert – 4 Staff hours, Banner Install and removal for Memorial Day and Pride Month – 15 staff hours, Handmade Parade – 12 Staff hours

### Training

2 staff attended training through ITRE, 1 staff attended an APWA Leadership and Management Conference

### Cemetery

Marked 1 grave and 2 Headstones

### Asphalt Repairs

2 utility cuts repaired, 3 road repairs, 4 potholes



TOWN OF  
**HILLSBOROUGH**

**Utilities Department Status Report for May 2024 (covering Apr. 2024)**

PROJECT/ CATEGORY	STATUS
WTP	<ul style="list-style-type: none"> <li>○ Check valves needed for replacement on raw water pumps are delayed until July 23. Vendor trying to expedite.</li> <li>○ Paving of drive is almost complete. The contractor is demobilizing.</li> <li>○ Filter room and ground-level bathroom floors were redone.</li> </ul>
WWTP	<ul style="list-style-type: none"> <li>○ All is well.</li> </ul>
West Fork of the Eno Reservoir	<ul style="list-style-type: none"> <li>○ The reservoir is spilling.</li> <li>○ Spring mowing was completed.</li> <li>○ Seeding of bare areas on the dam was completed.</li> <li>○ The entrance to the tower walkway has been spruced up.</li> </ul>
Developments/ Other	<ul style="list-style-type: none"> <li>○ Working towards invoicing of fees for Persimmon at Cates Creek. WSEC just approved.</li> <li>○ WSEC for Nash Place (4 lots) presented on consent agenda for 6/10.</li> <li>○ Request received for Triangle West High School charter school at Eno River Mill is going to reserve 6,600 gpd of capacity for two years if the letter is revised to come from the school board.</li> <li>○ Capkov project planning board meeting delayed until possibly July.</li> <li>○ Comet proposal is in TRC. They want to change the approved parcel masterplan from commercial/hotel to multifamily.</li> <li>○ McAdams Rd Water Main replacement will be done early, but there will be a few change orders due to field conflicts.</li> <li>○ A precon meeting for the Collins Ridge James J. Freeland water main and to fix a sewer main with a retaining wall within the easement will occur soon. The water main will provide a 2<sup>nd</sup> connection to our system providing needed redundancy. Staff is working to get Phase 1A acceptance of water and sewer completed and may assemble a team of our own to go through again and create a final punch list.</li> </ul>
Staffing	<ul style="list-style-type: none"> <li>○ The administrative position for utilities been advertised with an overwhelming response. Staff recently received from HR an initial 15 screened applications of over 166 for review.</li> <li>○ Utilities is no longer fully staffed as we now have a collection crew opening for which the advertisement closes 6/9.</li> </ul>
Funding	<ul style="list-style-type: none"> <li>○ We recently received the documents for what we are calling the BRIC overrun grant. It is actually a state grant that will overlay the BRIC funding for an additional ~ \$941,000 for River pumping station project. The Starfield BPS project was not awarded additional funding.</li> <li>○ We received documents for formal acceptance of the Hassel St Tank and US 70A Water Main study grant from the state. This is an ARPA funded project through the state. We have been working on this project since the award letter last year so are surprised to see this paperwork appear now. This acceptance resolution is on the 6/10 consent agenda.</li> </ul>
Water and Sewer Advisory Committee (WSAC) Activities	Two out of town vacancies are open and there have been no applicants in the past several months. WSAC is scheduled for 6/6 and generally will receive updates to projects and budget. WSAC and the BOC have a joint meeting in August and wish to discuss viability.