



Agenda

Board of Commissioners Regular Meeting

7:00 PM September 11, 2023

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

This meeting will be live streamed on the [Town of Hillsborough YouTube channel](#)

1. Public charge

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

2. Audience comments not related to the printed agenda

3. Agenda changes and approval

4. Public hearing

[A.](#) Public hearing to collect public comment on System Development Fees

5. Presentations

[A.](#) Update presentation for the US-70 Multimodal Corridor Plan

6. Appointments

[A.](#) Board of Adjustment – Re-appointment of Portia Made-Jamison for a term ending Sept. 30, 2026

[B.](#) Tree Board – Appointment of Jon Simpson for a term ending Sept. 30, 2026

[C.](#) Planning Board – Appointment of Christian Schmidt for a term ending Sept. 30, 2026

7. Items for decision – consent agenda

[A.](#) Minutes

– Regular meeting Aug. 14, 2023

– Special meeting Aug. 28, 2023

– Work session with joint WSAC meeting Aug. 28, 2023

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

[C.](#) Acceptance of Water and Sewer Utilities in Harmony at Waterstone (Parcel 17)

[D.](#) Approval of a Water and Sewer Extension Contract for 420 W. Tryon St.

8. Items for decision - regular agenda

[A.](#) Unified Development Ordinance text amendment – Section 6.13.3.4, Minimum Number of Parking Spaces Required – Places of Worship (Applicant Initiated)

[B.](#) Unified Development Ordinance text amendment- Section 6.17, Sidewalks (Staff Initiated)

[C.](#) Resolution to adopt System Development and Capital Facilities Fees

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

[D.](#) Hot topics for work session Sept. 25, 2023

9. Updates

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

10. Adjournment

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



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
Department: Utilities
Agenda Section: Public Hearing
Public hearing: Yes
Date of public hearing: Sept. 11, 2023

PRESENTER/INFORMATION CONTACT

Utilities Director K. Marie Strandwitz, PE

ITEM TO BE CONSIDERED

Subject: Public hearing to collect public comment on System Development Fees

Attachments:

None

Summary:

Raftelis Financial Consultants virtually presented a study and proposal for Hillsborough's system development fees at the Aug. 28, 2023 Board of Commissioners work session and joint meeting with the Water and Sewer Advisory Committee.

Financial impacts:

N/A

Staff recommendation and comments:

N/A

Action requested:

Receive public comment on System Development Fees



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
Department: Community Services
Agenda Section: Presentation
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Matt Efird, Assistant Town Manager
Stephanie Trueblood, Public Space & Sustainability Manager

ITEM TO BE CONSIDERED

Subject: Update presentation for the US-70 Multimodal Corridor Plan

Attachments:

US-70 Multimodal Corridor Presentation

Summary:

Orange County staff, with support from the town, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) and other agencies, have been working with consultant VHB to analyze the US-70 corridor for potential widening with multimodal accommodations. The first round of public workshops has been completed, and Orange County staff is providing an update on the draft existing conditions report, public workshop outcomes, and next steps.

Orange County Transportation Director Nishith Trivedi, will be present to provide the update to the board.

Financial impacts:

N/A

Staff recommendation and comments:

Staff recommends that the board receive the report and provide feedback on the US-70 Multimodal Corridor Plan.

Action requested:

Receive report.



ORANGE COUNTY
NORTH CAROLINA

US 70 Multimodal Corridor Plan

Hillsborough

US 70 Study Overview

- In-depth review of US 70 Corridor
 - NC 119 in Mebane to Orange/Durham County line (NC 751)
 - US 70 Business from NC 86 (Churton Street) to US 70
- Develop long-term vision for:
 - US 70 roadway itself
 - Surrounding communities and natural areas
- Focus is on preserving/enhancing:
 - Safety
 - Multi-modal options (access & connectivity)
 - Environmental features
 - Economic opportunities
- Project Study Team
 - City of Mebane & Town of Hillsborough
 - BGMPO & DCHC MPO
 - Alamance and Orange Counties
 - NCDOT
 - Consultant Team (VHB and Rose & Associates)



US 70 Study Background

- US 70 Corridor
 - ~19 miles: US 70 (minor arterial)
 - 3 miles: US 70 Bus (major collector/other arterial)
 - Links Durham, Hillsborough & Mebane
 - I-85 and I-40 handle bulk of traffic
 - Alternate route during I-85 incidents
 - Crucial northern access via NC 86 & NC 57
- Land Use Context
 - Significant natural & cultural constraints
 - Rural/Suburban/Urban: Varies by segment
 - Economic potential

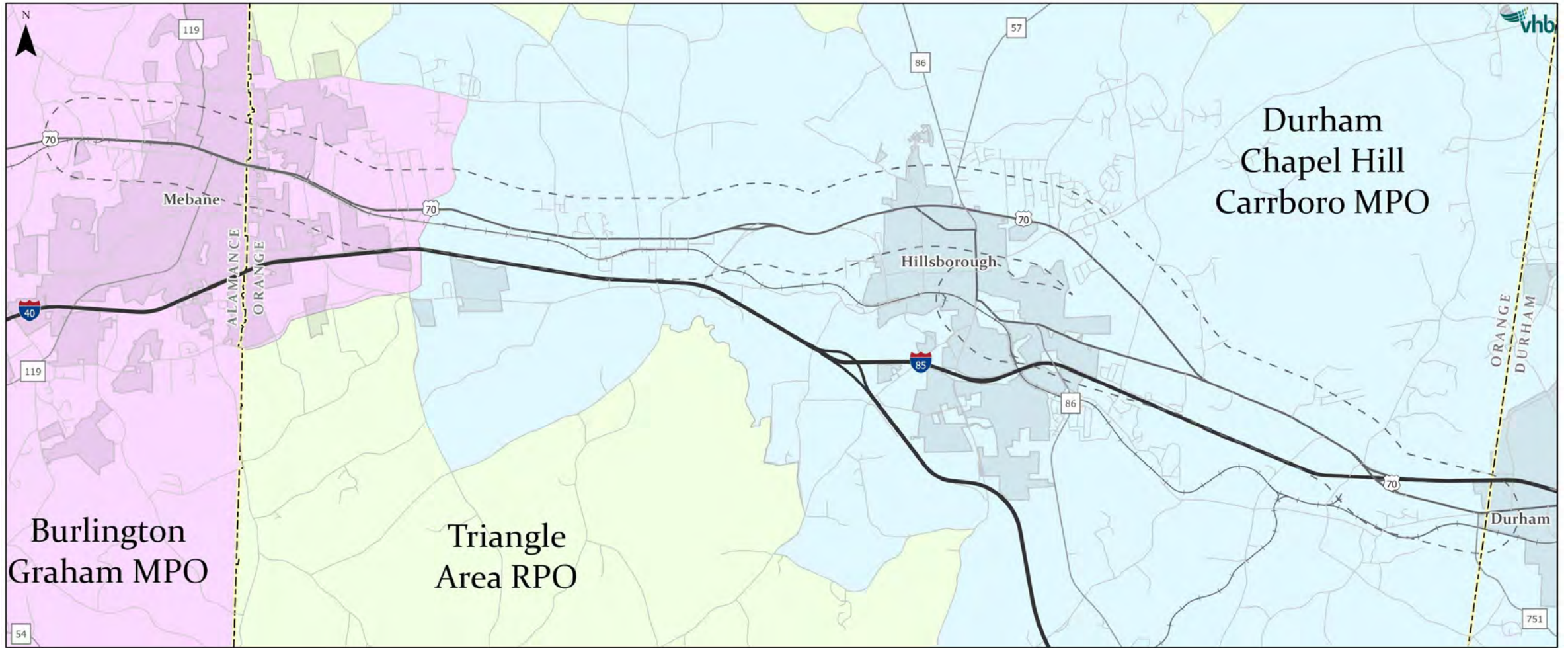


US 70 Study Background

- Roadway Characteristics
 - Primarily 2-lane with 4' paved shoulders
 - 120' ROW (RR constraints in Mebane)
 - 13 traffic signals
 - Primarily 45-mph speed limit
 - Rolling terrain & curvature in segments; limited passing
 - No bicycle facilities; limited pedestrian facilities
- Need better multi-modal access & functionality
 - **Safety!**
 - Transit options and access
 - Preserve & enhance environment
 - Provide economic opportunities
 - Balance desired improvements with long-term maintenance
 - Municipal/County/State



Corridor Location & Planning Jurisdictions



Legend

- US 70 Corridor Study Buffer
- Municipal Boundary
- Burlington Graham MPO
- Boundary
- Railroad Track
- Durham Chapel Hill Carrboro MPO
- Triangle Area RPO

Corridor Segments



Legend

- | | | | |
|---|---|--|--|
| — Segment A | — Segment D | US 70 Corridor Study Buffer | — Railroad Track |
| — Segment B | — Segment E | County Boundary | Municipal Boundary |
| — Segment C | — Segment F | | |

Segment A - US 70 from NC 119 to Mace Road

Segment B - US 70 from Mace Road to Lloyds Dairy Road

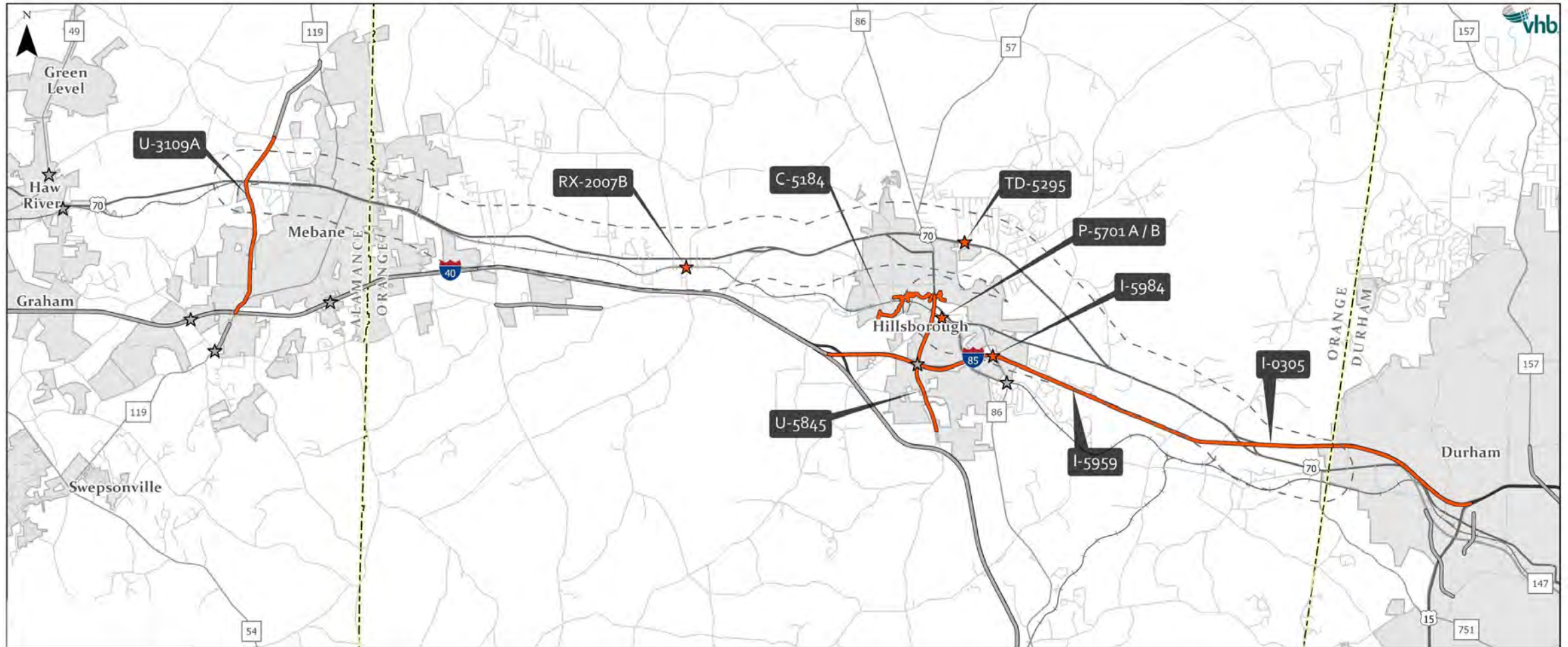
Segment C - US 70 from Lloyds Dairy Road to east of NC 86 (Churton Street)

Segment D - US 70 from east of NC 86 (Churton Street) to US 70 Business

Segment E - US 70 from US 70 Business to the Orange / Durham County Line

Segment F - US 70 Business from NC 86 (Churton Street) to US 70

Current 2020-2029 NCDOT STIP Projects



Legend

- US 70 Corridor Study Buffer
- Municipal Boundary
- ★ STIP Points within Project Area
- STIP Lines within Project Area
- Other STIP Projects
- ★ Other STIP Projects
- Railroad Track

Project Website

- General project information
- www.us70west.com
- Interactive map/comment opportunity
- Public Meeting details

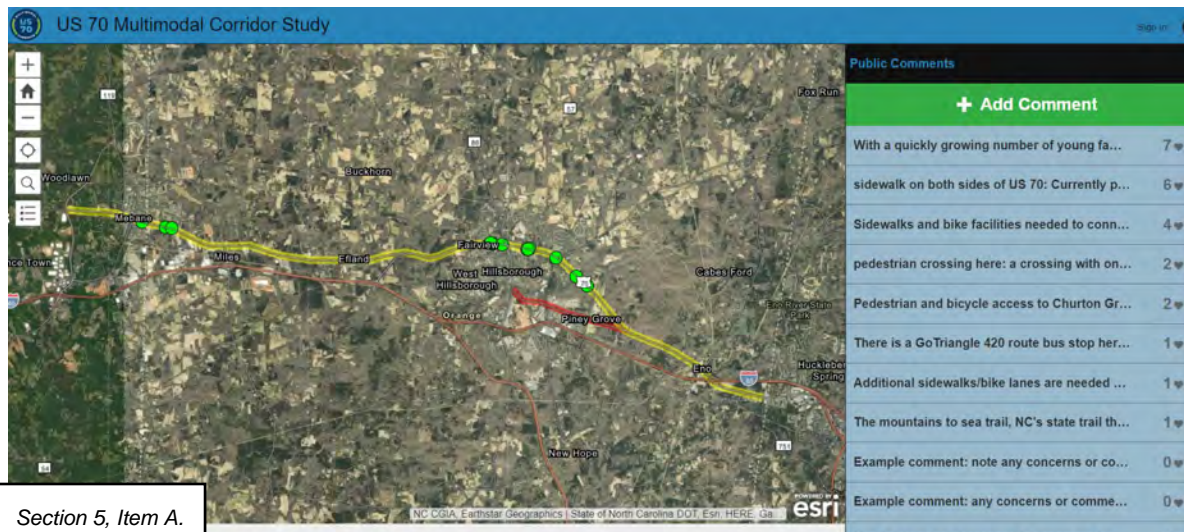


Welcome to the US 70 Multimodal Corridor Study

The Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCMCO-MPO) is conducting a study of **U.S. 70 West, from NC 119 in Mebane to U.S. 751 in Orange County**. The Corridor Study ("the Study") will provide recommendations for future development of the transportation corridor.

A corridor study for a transportation corridor defines policies and actions that will guide how a corridor should be maintained or changed. This is a process that is community-led and relies on significant community involvement. This website will serve as the announcement board for events pertaining to the study and various activities the study will be undertaking.

The US 70 West Corridor has experienced and will continue to experience an explosion of residential and employment growth. Planning transportation use of the corridor moving forward will be integral to maintaining the community vision and character of the area, while celebrating growth and development.





Section 5, Item A.



Project Newsletter

Learn more at www.us70west.com NEWSLETTER | FEBRUARY 2023 1

US 70 Multimodal Corridor Study

The Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCHC-MPO) is conducting a study of U.S. 70 West, from NC 119 in Mebane to U.S. 751 in Orange County. The Study will provide recommendations for future development of the transportation corridor with specific focus on multimodal facilities.

A corridor study for a transportation corridor defines policies and actions that will guide how a corridor should be maintained or changed. This is a process that is community-led and relies on significant community involvement. The project website (www.us70west.com) is a convenient resource for tracking the progress of the study, providing feedback, and checking the schedule and location of outreach activities.

Planning for the transportation use of the corridor moving forward is integral to maintaining the community vision and character of the area, while supporting growth and development.

Corridor Study Status

The study is expected to take approximately fifteen months, culminating with a published report in Fall 2023. The study team has analyzed the existing corridor with respect to traffic speeds and volumes, crashes, pedestrian and bicycle travel, transit service, and the character and condition of the roadway itself. Initial findings related to existing conditions will be available at the first round of community meetings. The team understands that the corridor is made up of many unique segments that will require tailored recommendations, and we need your input to help identify and prioritize both problems and potential solutions.

Learn more at www.us70west.com NEWSLETTER | FEBRUARY 2023 2

Project Schedule



2022	2023
JUL	AUG
SEP	OCT
NOV	NOV
DEC	DEC
JAN	JAN
FEB	FEB
MAR	MAR
APR	APR
MAY	MAY
JUN	JUN
JUL	JUL
AUG	AUG
SEP	SEP
OCT	OCT

- JULY 2022 Kick-off**
- AUGUST 2022-JANUARY 2023 Existing Conditions & Market Analysis**
- JANUARY-FEBRUARY 2023 Stakeholder Interviews**
- MARCH-APRIL 2023 Community Events**
- FEBRUARY 2023-OCTOBER 2023 Plan Preparation**
- JUNE-JULY 2023 Community Events**

Community Meetings Round #1

★ MARCH 7 | 5:00 - 7:00 PM
 Passmore Center
 103 Meadowlands Dr
 Hillsborough, NC 27278

★ MARCH 9 | 5:00 - 7:00 PM
 Mebane Arts and Community Center
 633 Corregidor Street
 Mebane, NC 27302

★ MARCH 14 | 5:00 - 7:00 PM
 Town Hall Annex
 105 E Corbin Street
 Hillsborough, NC 27278

Your Input is Needed!

Please visit the project website (www.us70west.com) to sign up for project updates. The website includes an online map to virtually provide your comments and concerns regarding the U.S. 70 West Corridor. We would like to hear where you might also like to see improvements including bicycle and pedestrian connections, and enhancements to local and regional bus service and facilities.

The meeting will be an open house informational meeting with a short presentation at 5:00 and 6:00 PM. There will also be an opportunity for interactive activities to express your thoughts as well as speak directly with study team members.

Other Ways to Get Involved

Visit the project website to sign-up for email updates (www.us70west.com), provide more comments, and review project materials.

PROJECT CONTACT

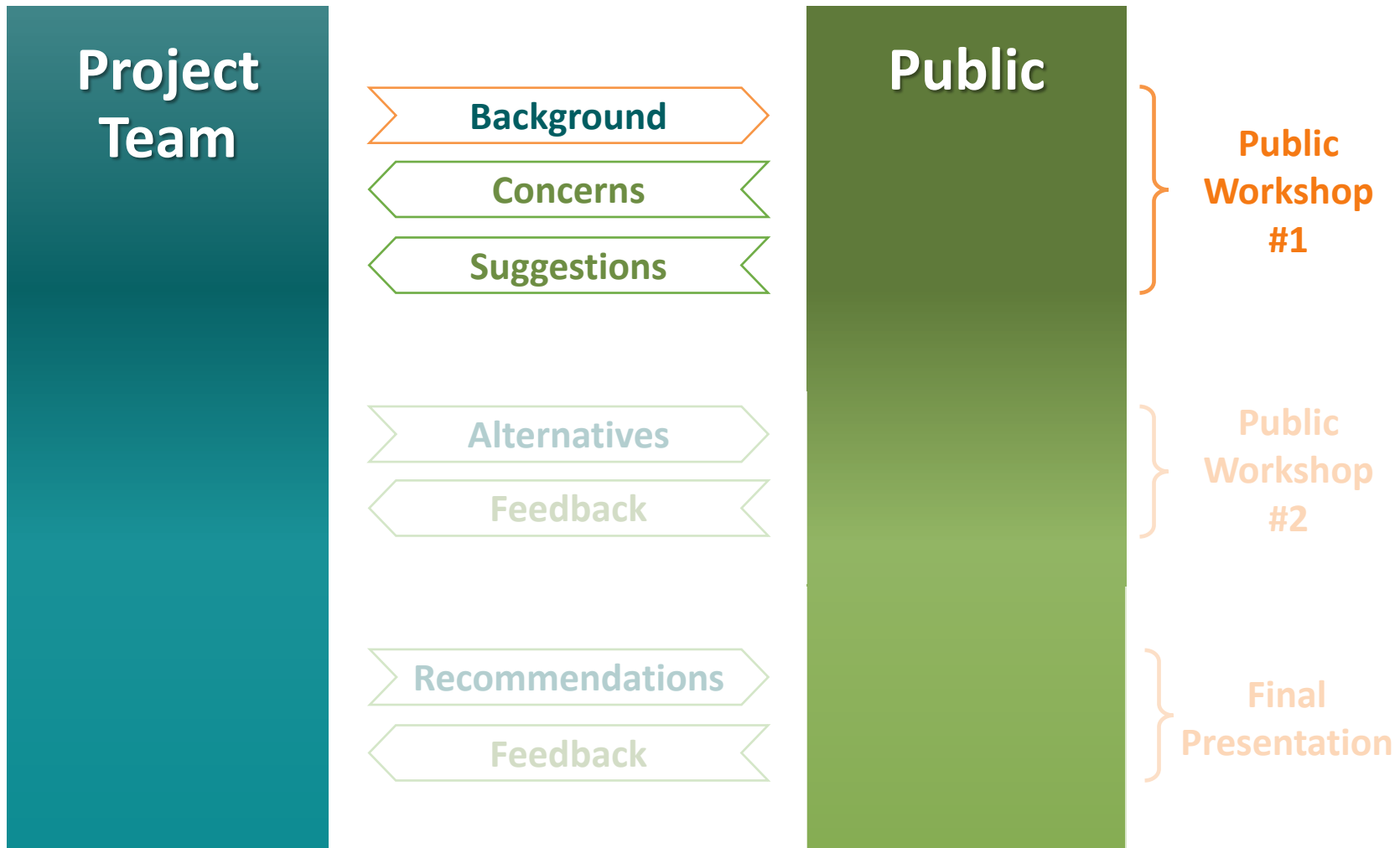
Nishith Trivedi
 Project Manager, Orange County Public Transportation
 (919) 245-2007
ntrivedi@orangecountync.gov



Community Meetings Round #1

- ★ **MARCH 7 | 5:00-7:00 PM**
Passmore Center
103 Meadowlands Dr, Hillsborough, NC 27278
- ★ **MARCH 9 | 5:00-7:00 PM**
Mebane Arts and Community Center
633 Corregidor Street, Mebane, NC 27302
- ★ **MARCH 14 | 5:00-7:00 PM**
Town Hall Annex
105 E Corbin Street, Hillsborough, NC 27278

Public Participation – Round 1



Workshop Format

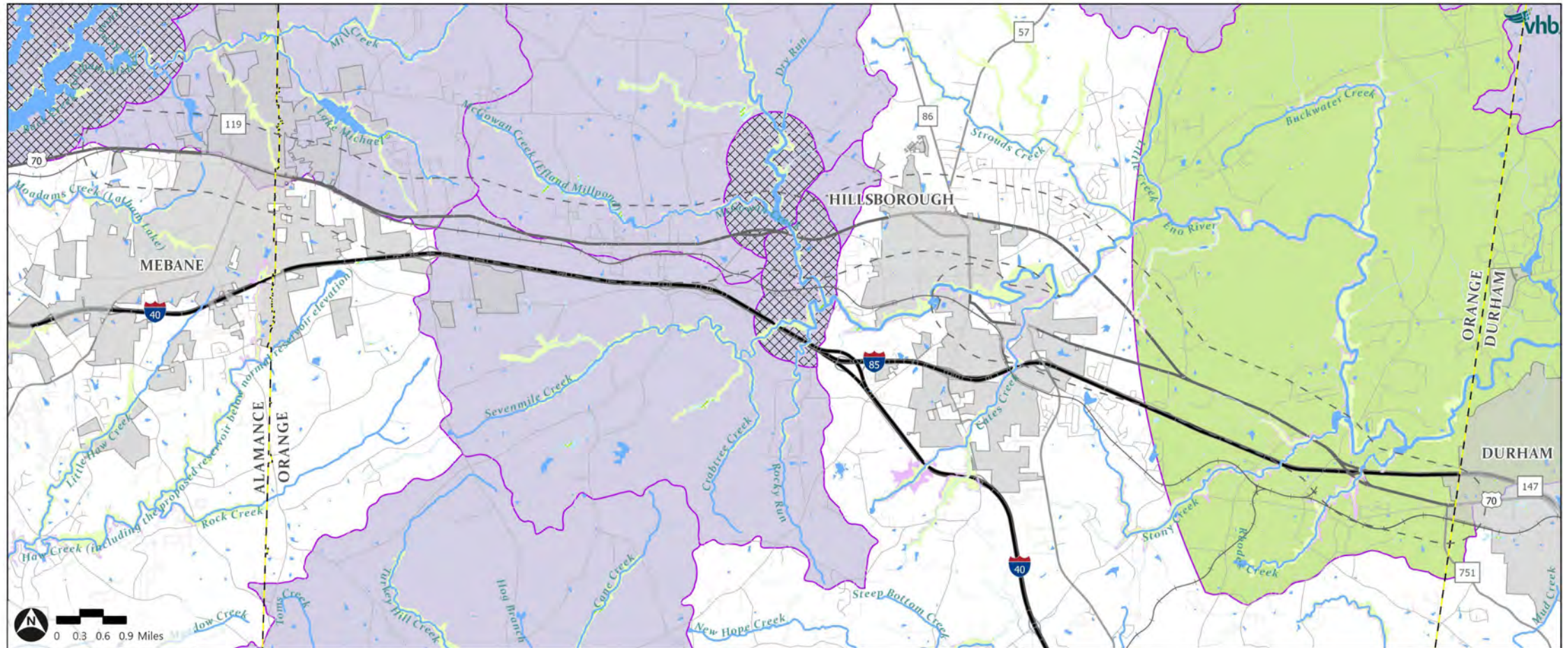
- Technical presentation at 5pm and 6pm
- Information boards with team members to have 1:1 discussions
- Interactive Activities
 - Sticker activity for problem identification
 - Bead voting activity to identify local priorities for improvements



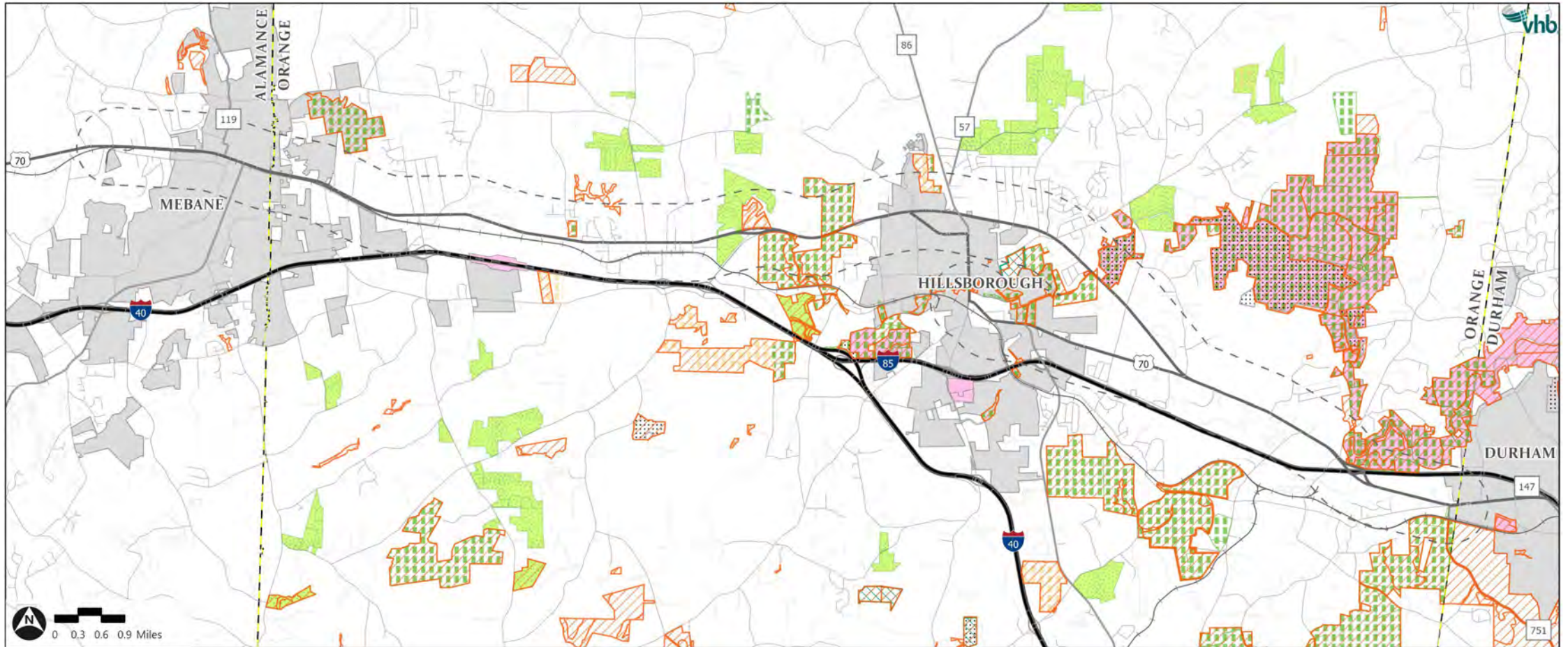


Environmental Context

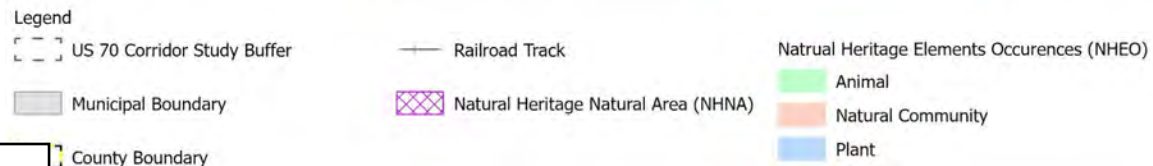
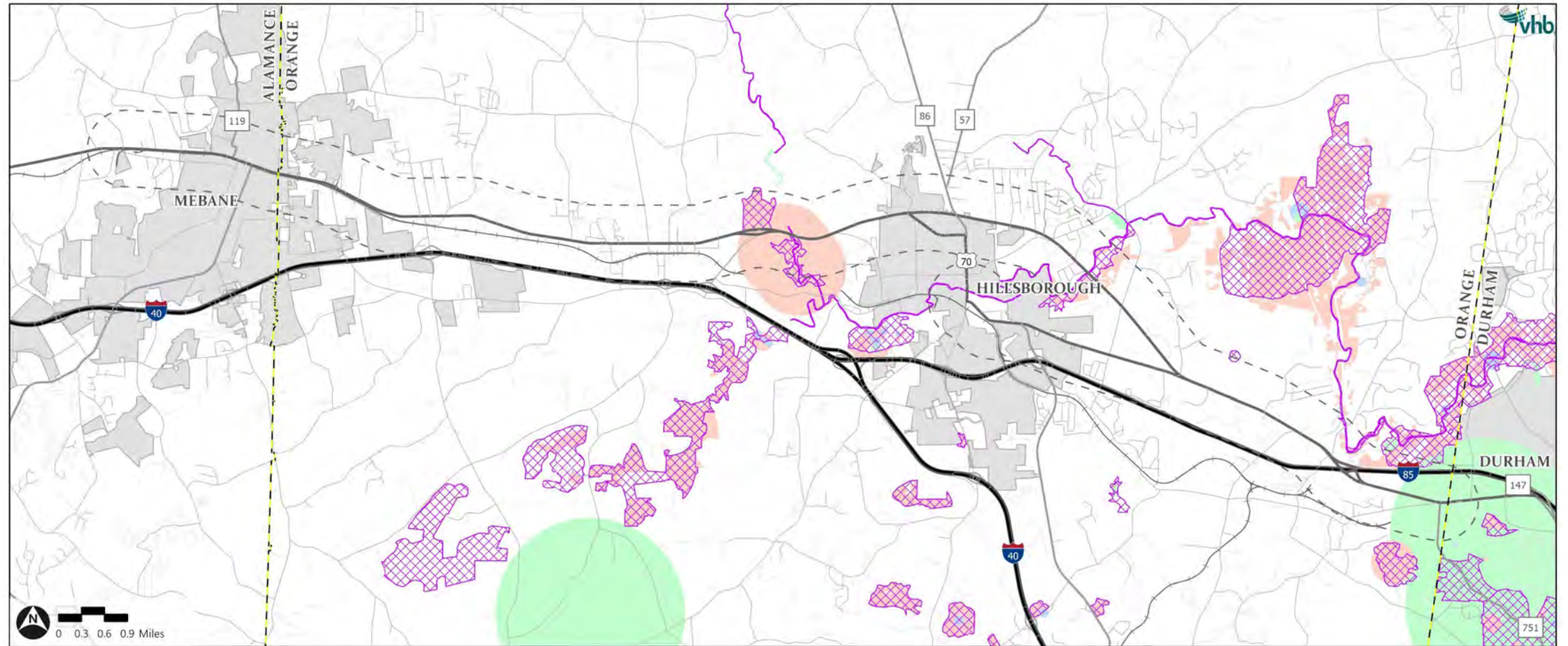
Water Quality, Sources, & Watersheds



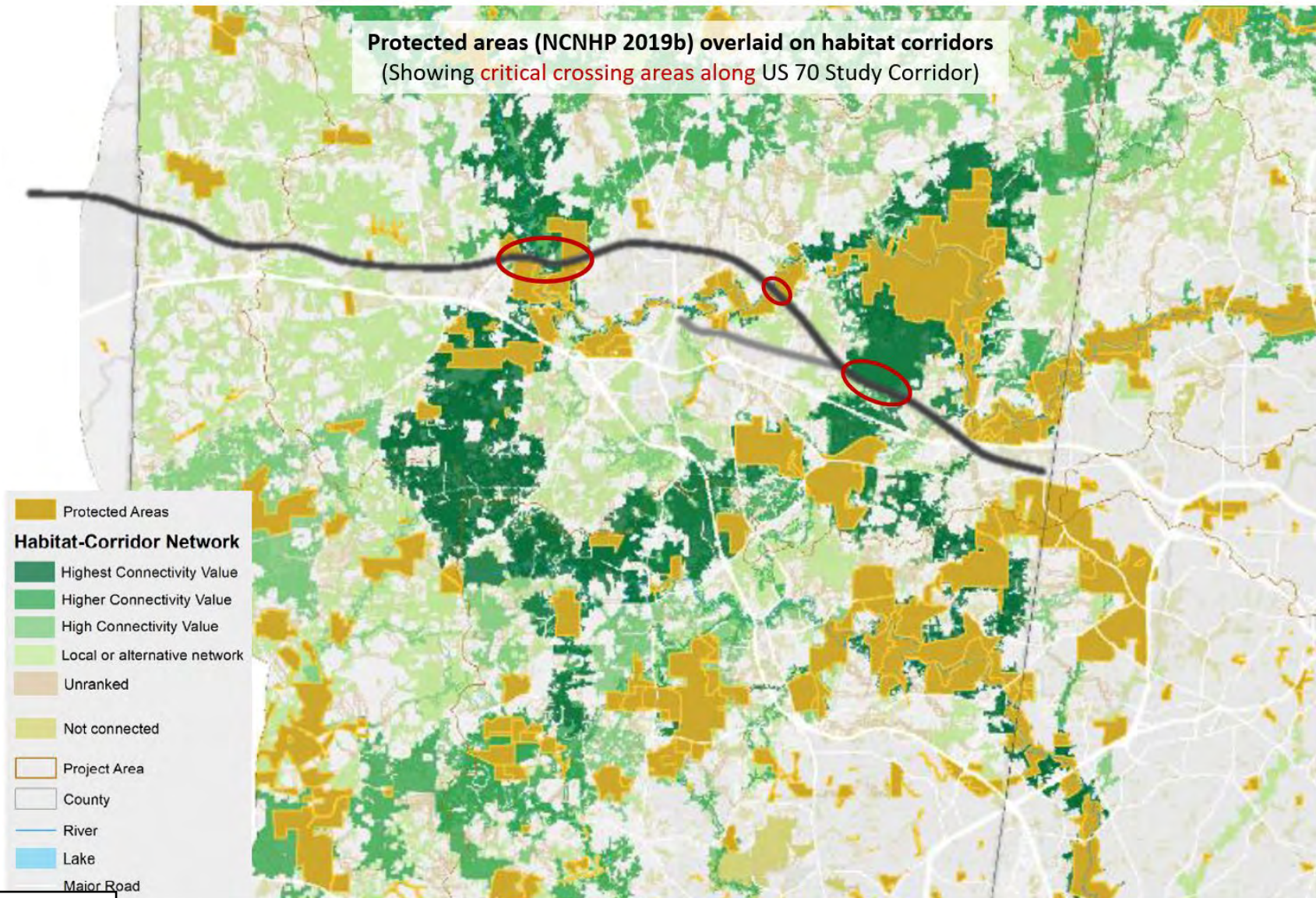
Natural Features



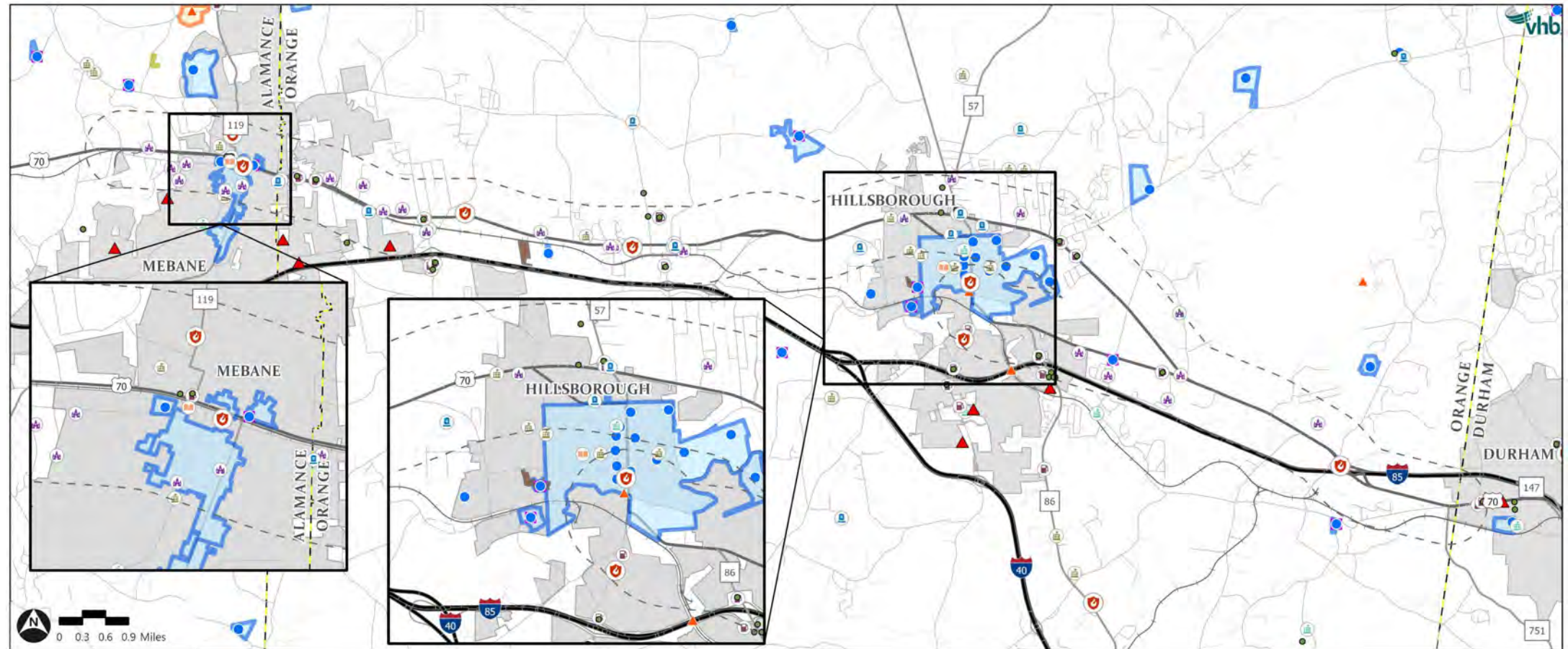
Wildlife Resources



Major Wildlife Corridors & Critical US 70 Crossing Areas



Places of Interest



Legend

- | | | | | | |
|-----------------------------|----------------|--------------------------|----------------------|--------------------------------------|--------------------------|
| US 70 Corridor Study Buffer | Airport | Fire Station | Hazardous Waste Site | Brownfield Boundary | Historic District |
| County Boundary | Cemetery | Gas Station | Places of Worship | Historic Points | NR |
| Municipal Boundary | Public Library | Underground Storage Tank | Public School | National Register individual listing | SLDOE |
| Railroad Track | | Private School | | NR and Local Landmark | DOE |
| | | | | Determined Eligible - DOE | |



Transportation

Existing Pedestrian & Bicycle Networks



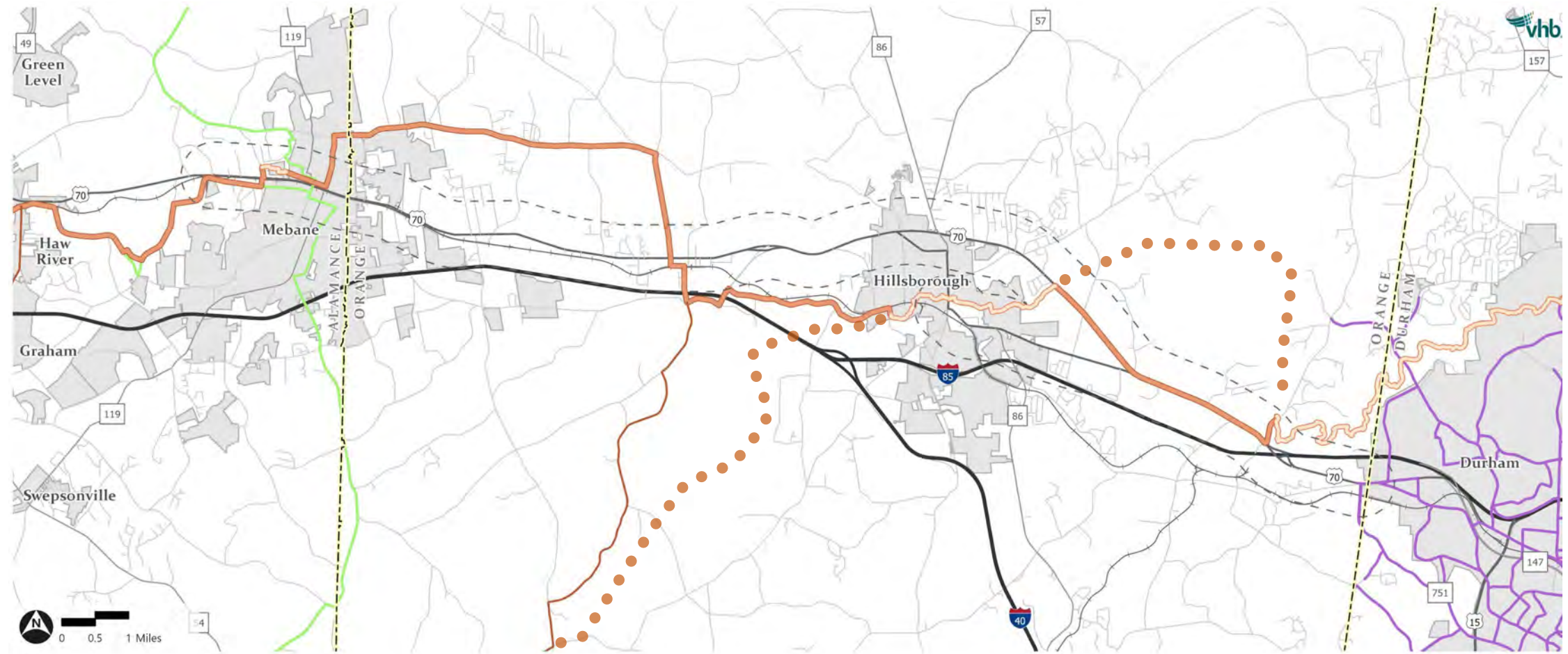
- Legend**
- US 70 Corridor Study Buffer
 - Municipal Boundary
 - County Boundary
 - Railroad Track
 - Existing Shared Use Path
 - Existing Sidewalk
 - Existing Bike Lane
 - NC Bike Route System
 - County
 - Urban



Existing Transit Routes

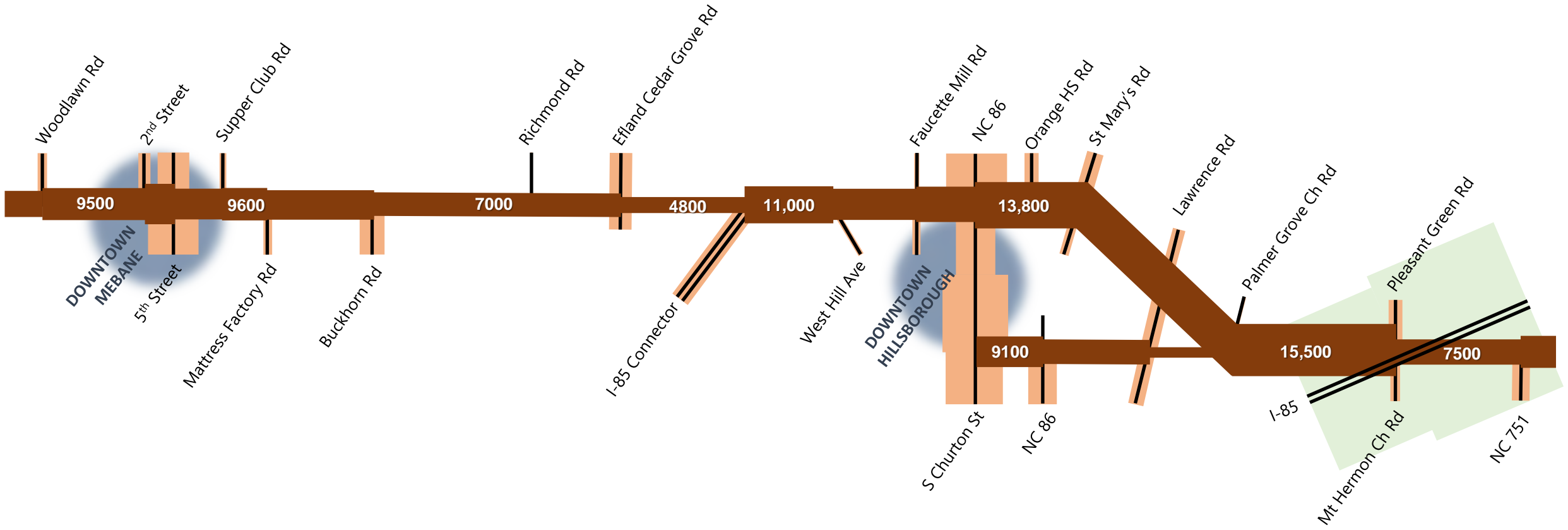


Regional Hiking & Biking Routes

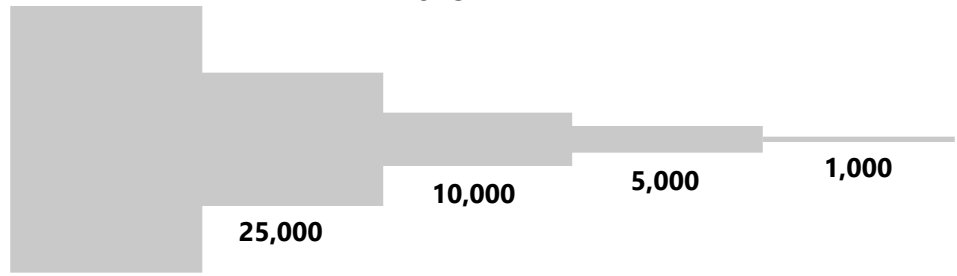


- Legend
- US 70 Corridor Study Buffer
 - Municipal Boundary
 - County Boundary
 - Railroad Track
 - Mountains to Sea Trail
 - Roads
 - Trails
 - Alternate Routes
 - NC Bike Route System
 - County
 - Urban

Relative 2019 Traffic Volumes in Study Area

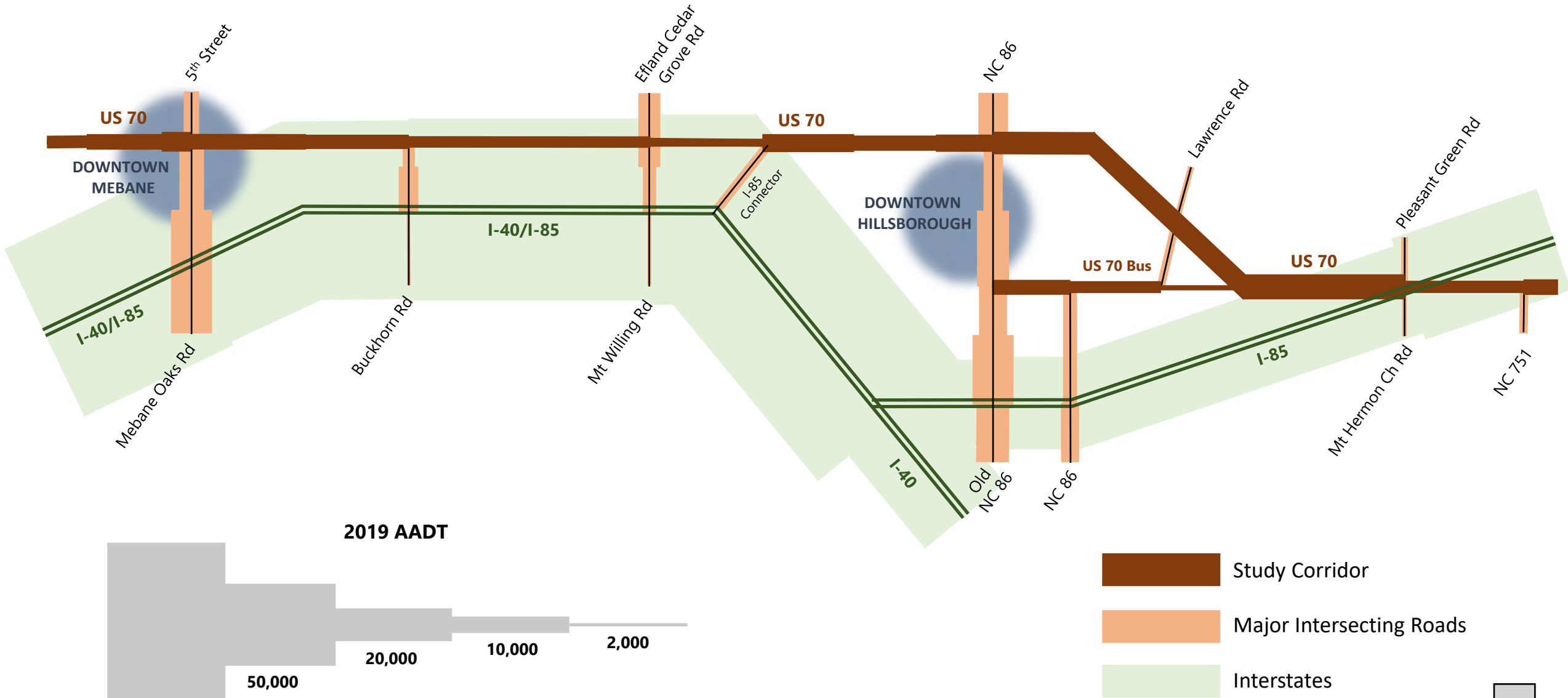


2019 AADT



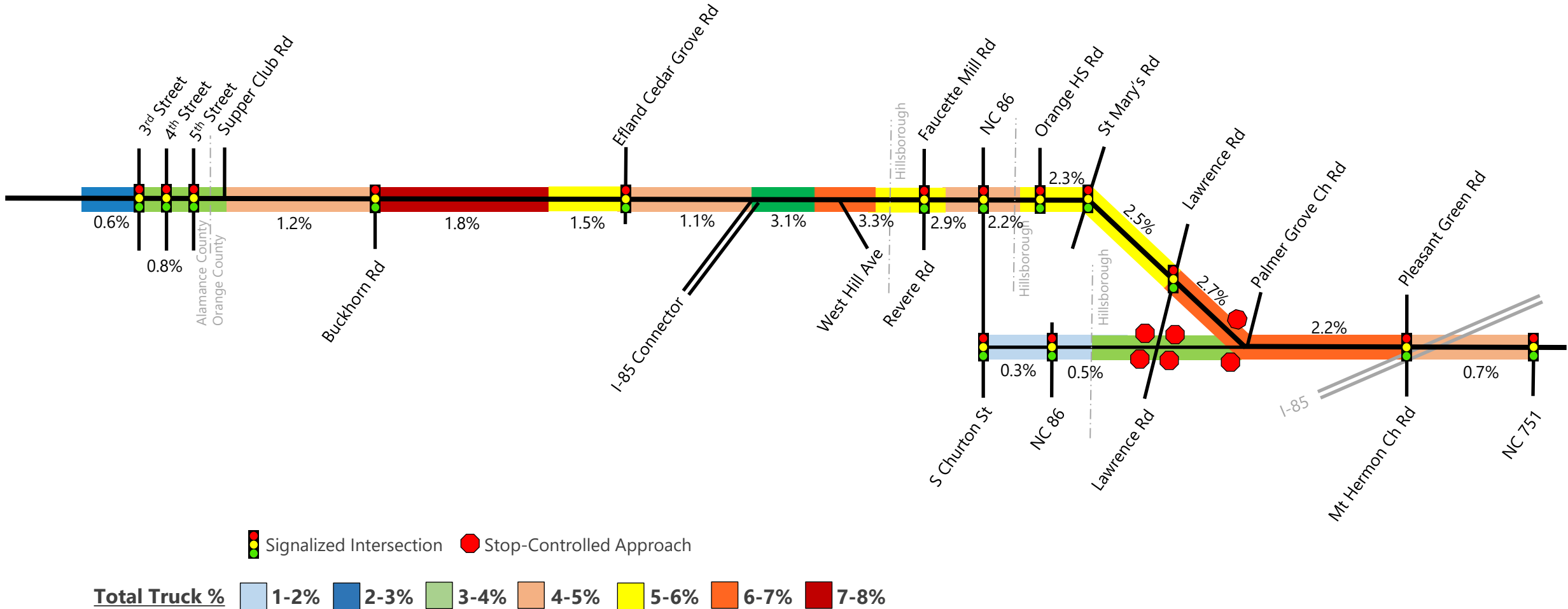
- Study Corridor
- Major Intersecting Roads
- Interstates

Relative 2019 Traffic Volumes in Study Area



Total Truck Percentages

Estimated from 2019 Location-Based Services



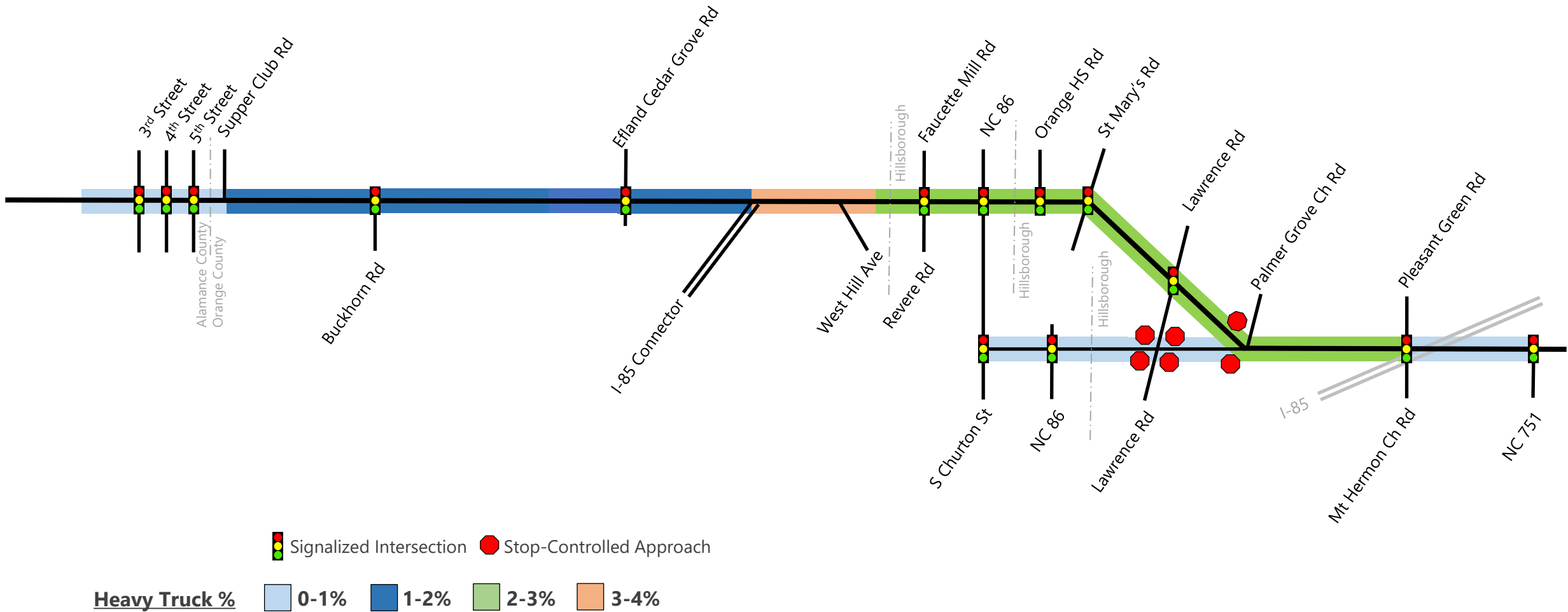
■ Signalized Intersection
 ● Stop-Controlled Approach

Total Truck %
 1-2% 2-3% 3-4% 4-5% 5-6% 6-7% 7-8%

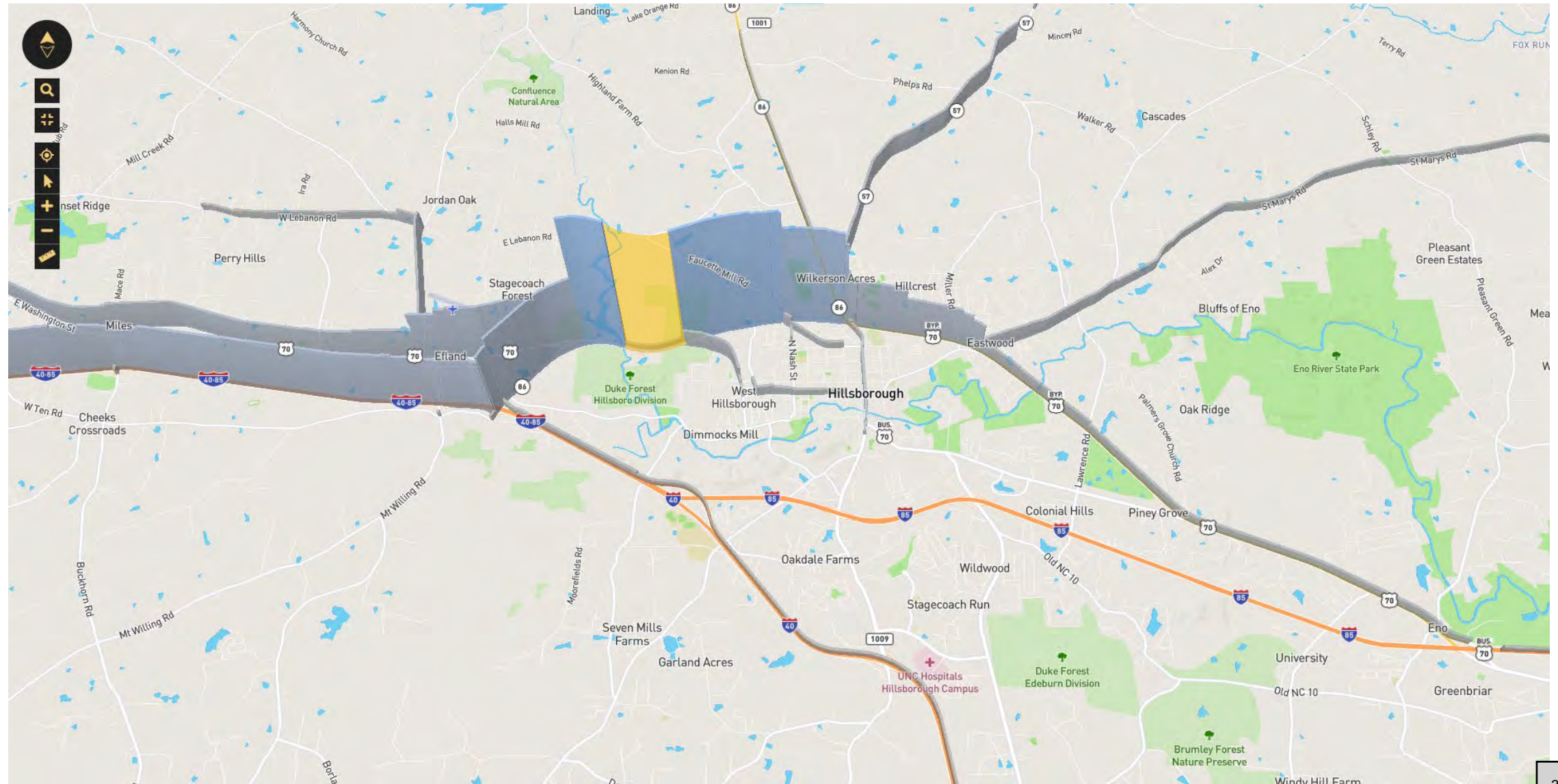
X.X% - Heavy Truck %

Heavy Truck Percentages

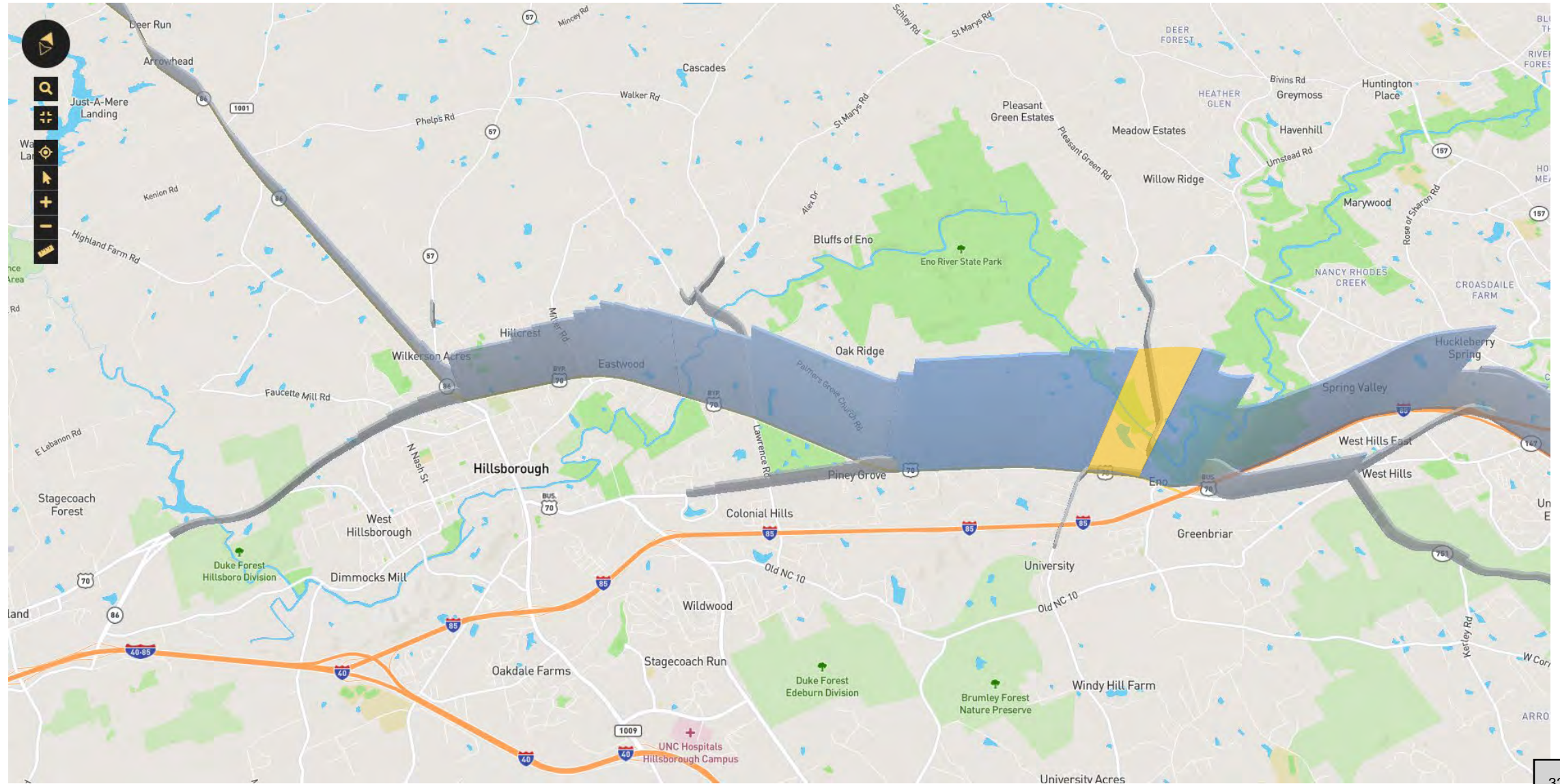
Estimated from 2019 Location-Based Services



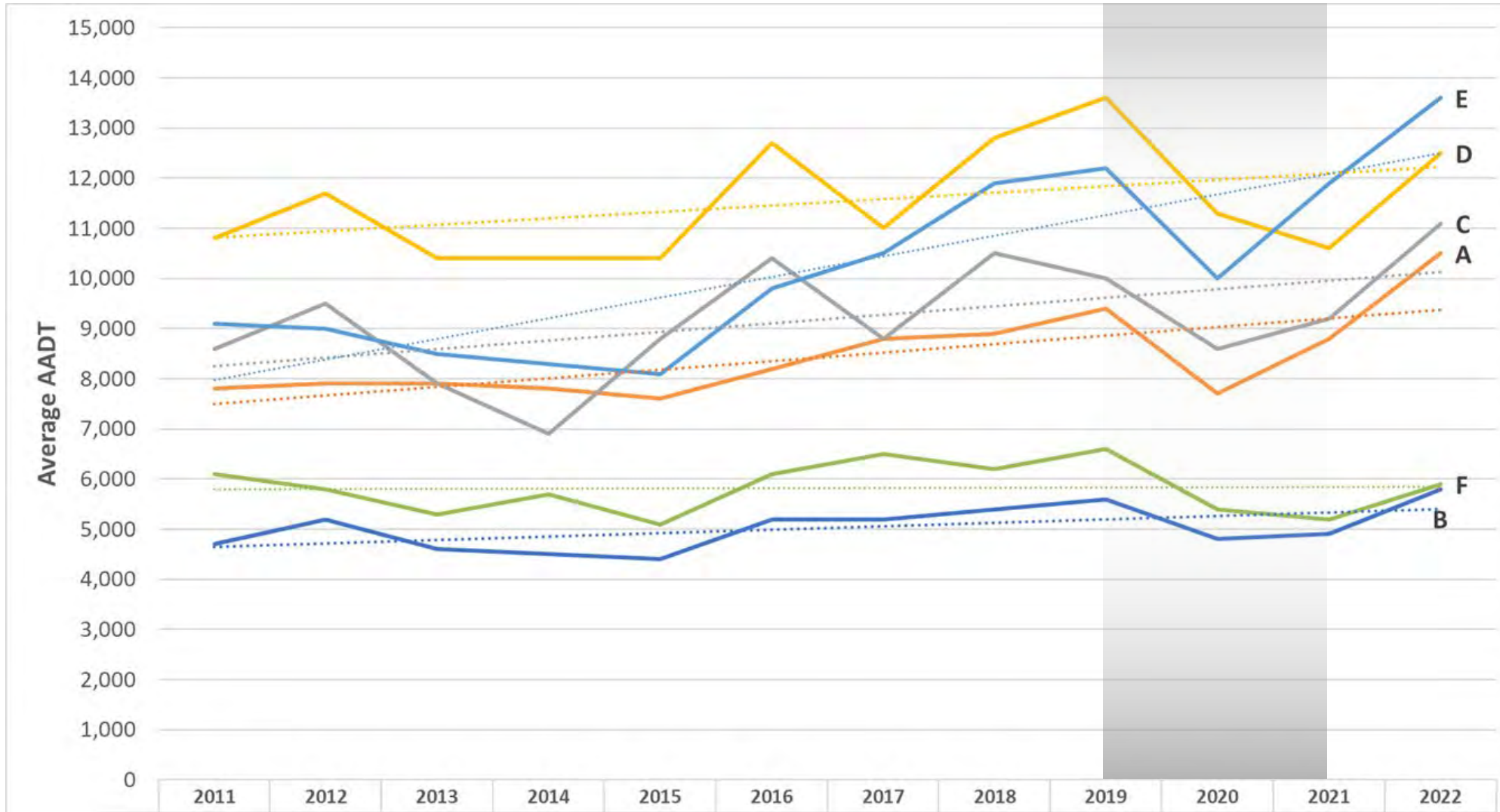
Distribution of US 70 trips for point west of West Hill St (2019 StreetLight LBS Data)



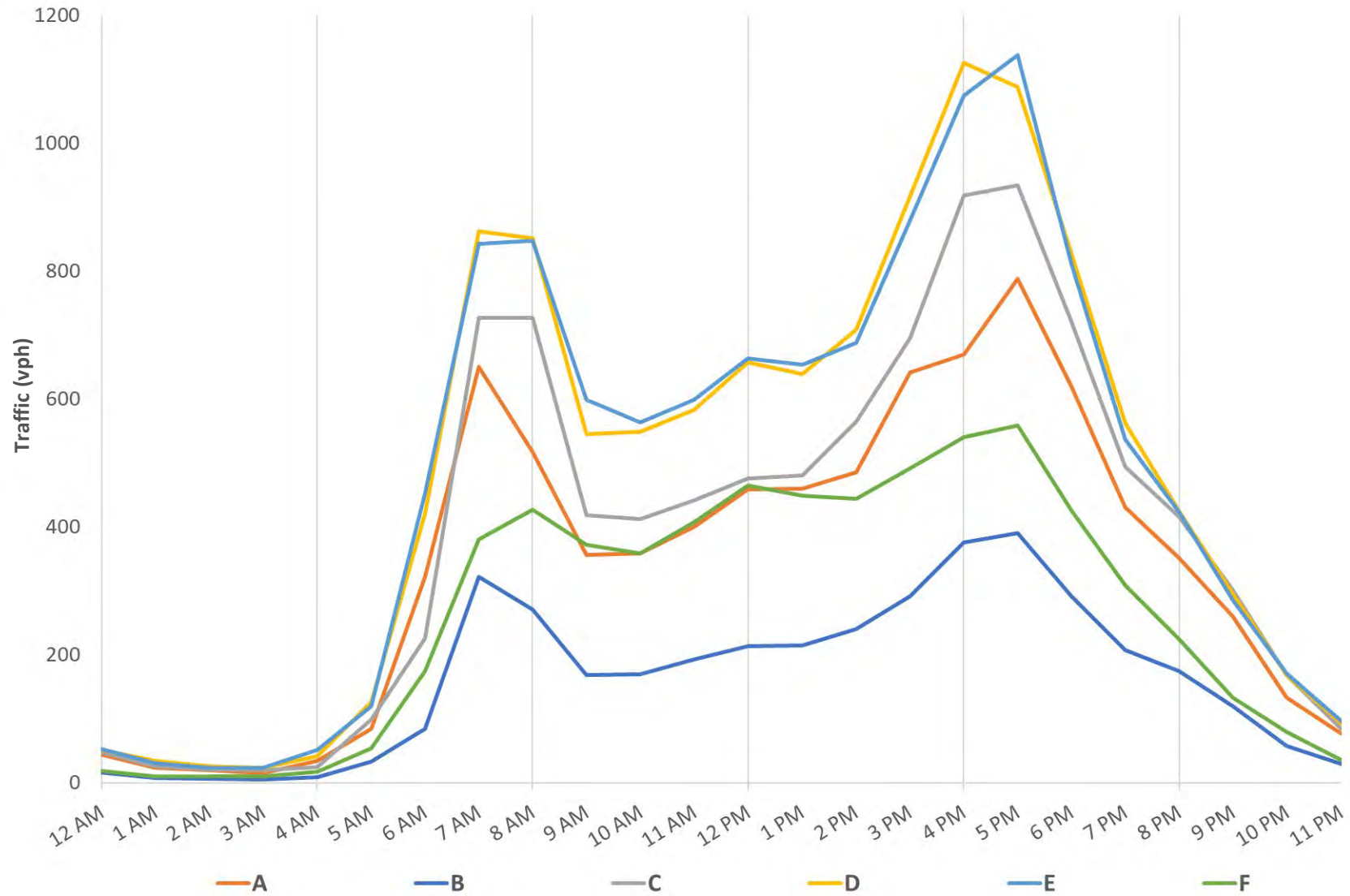
Distribution of US 70 trips for point west of Pleasant Green Rd (2019 StreetLight LBS Data)



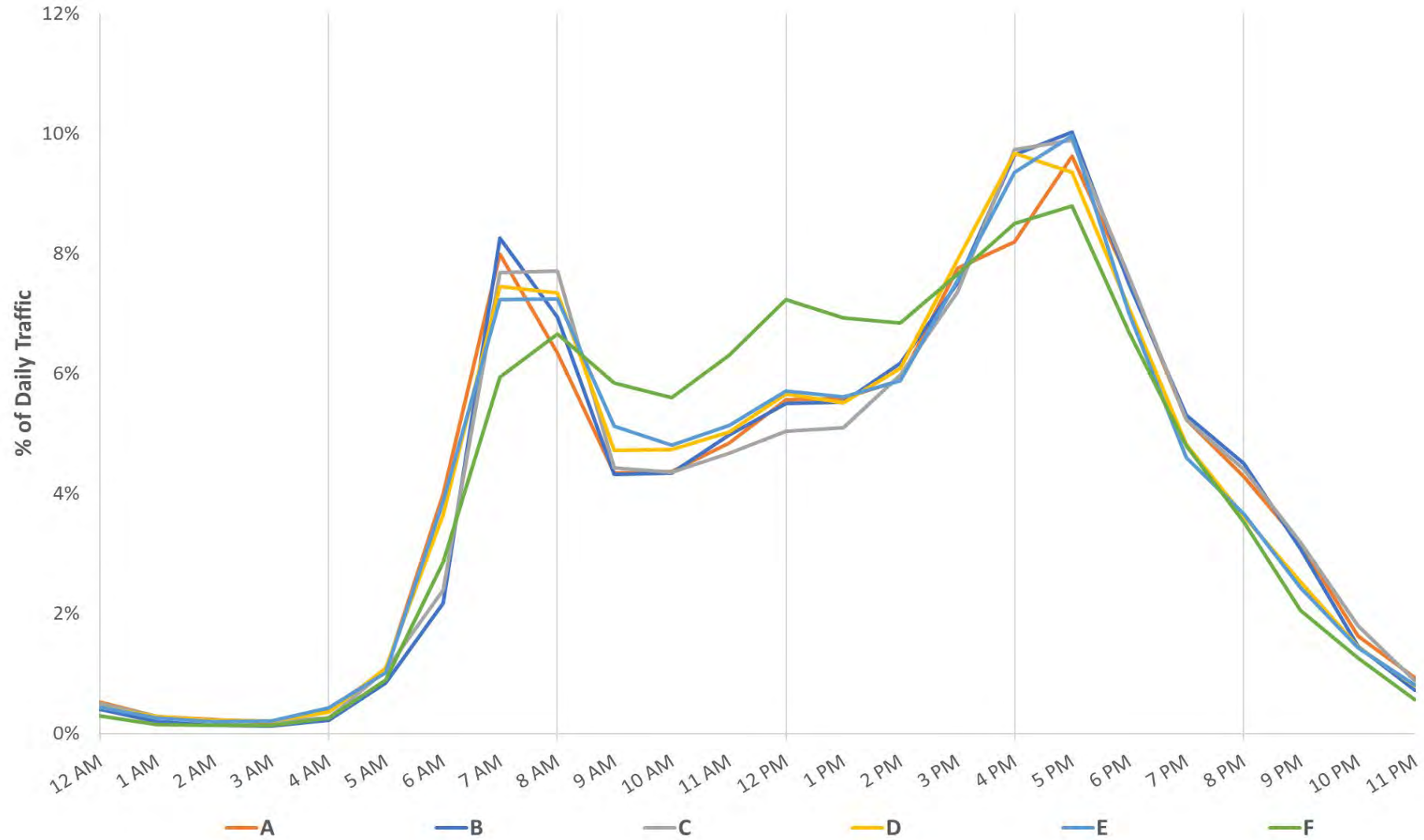
Historic Traffic Volume Trends by Study Segment



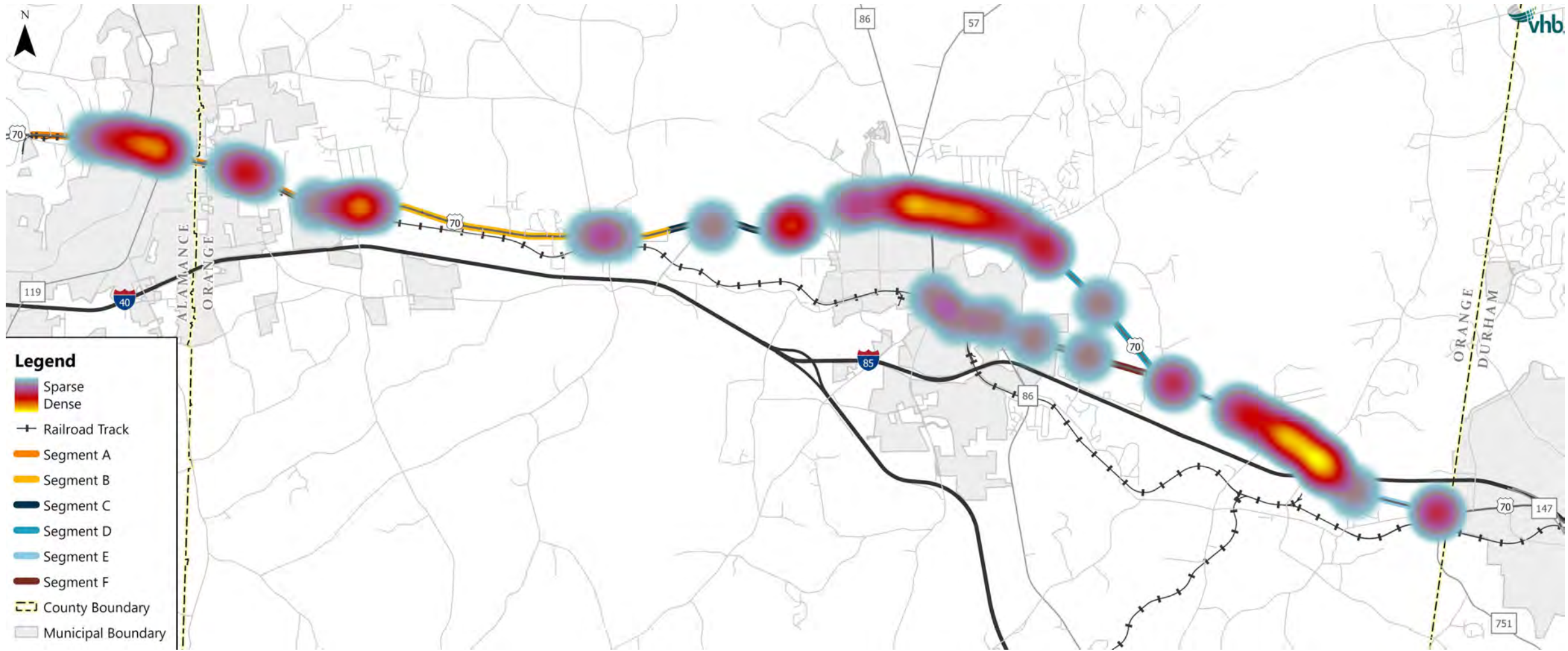
Hourly Traffic Volume by Time-of-Day (by Segment)



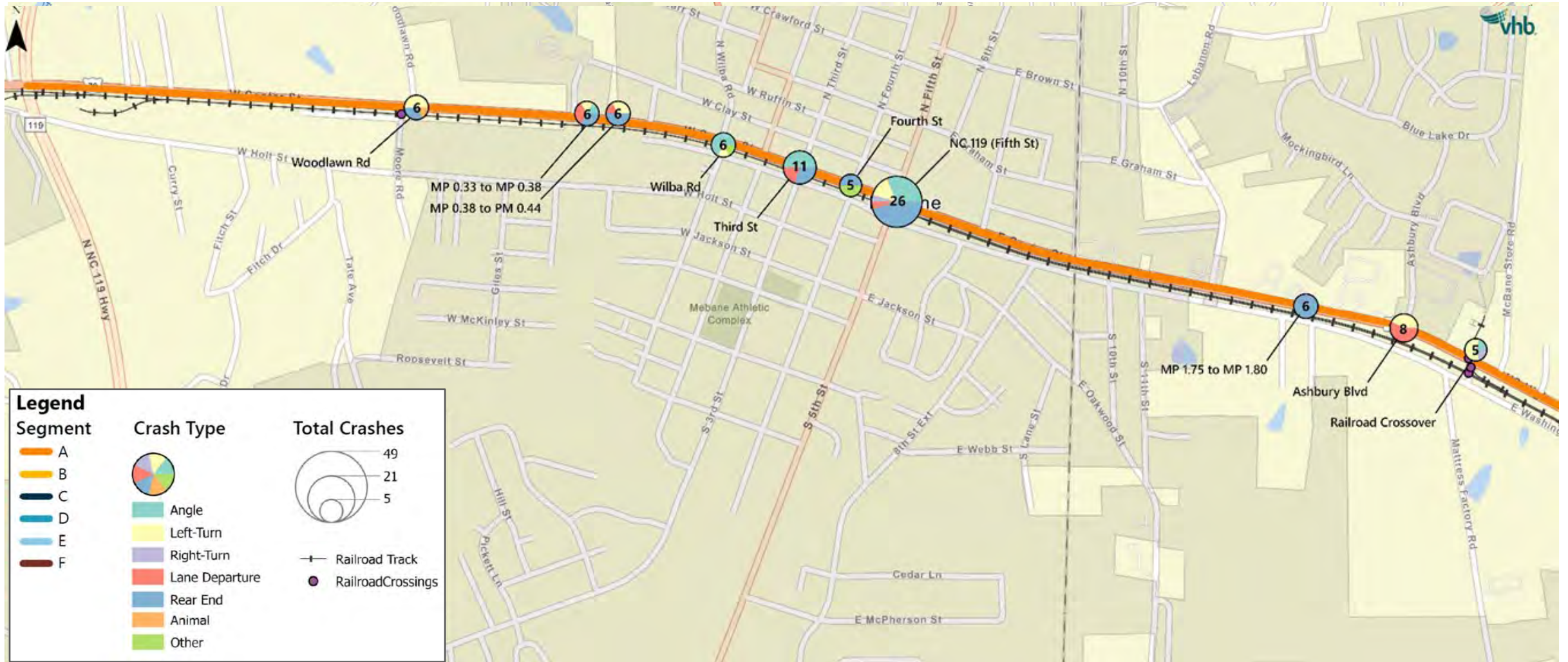
% of Daily Traffic by Time-of-Day (by Segment)



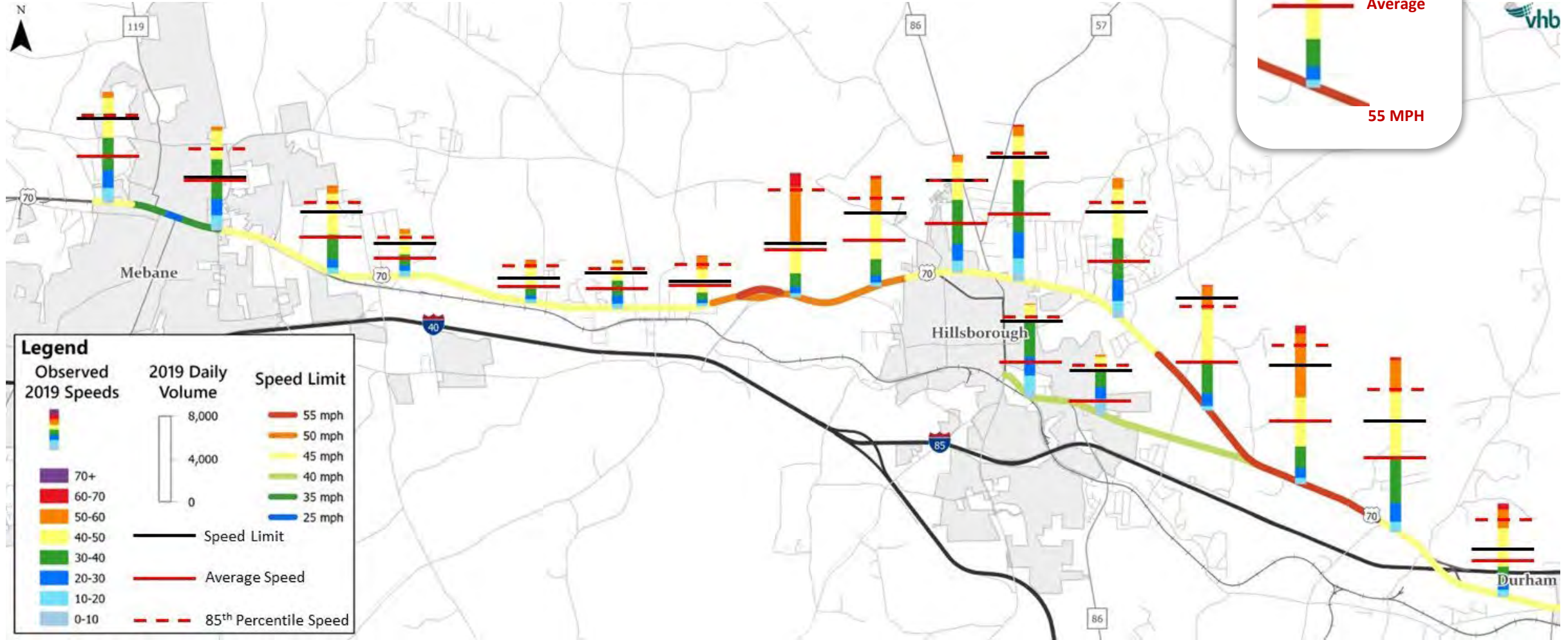
Crash Density



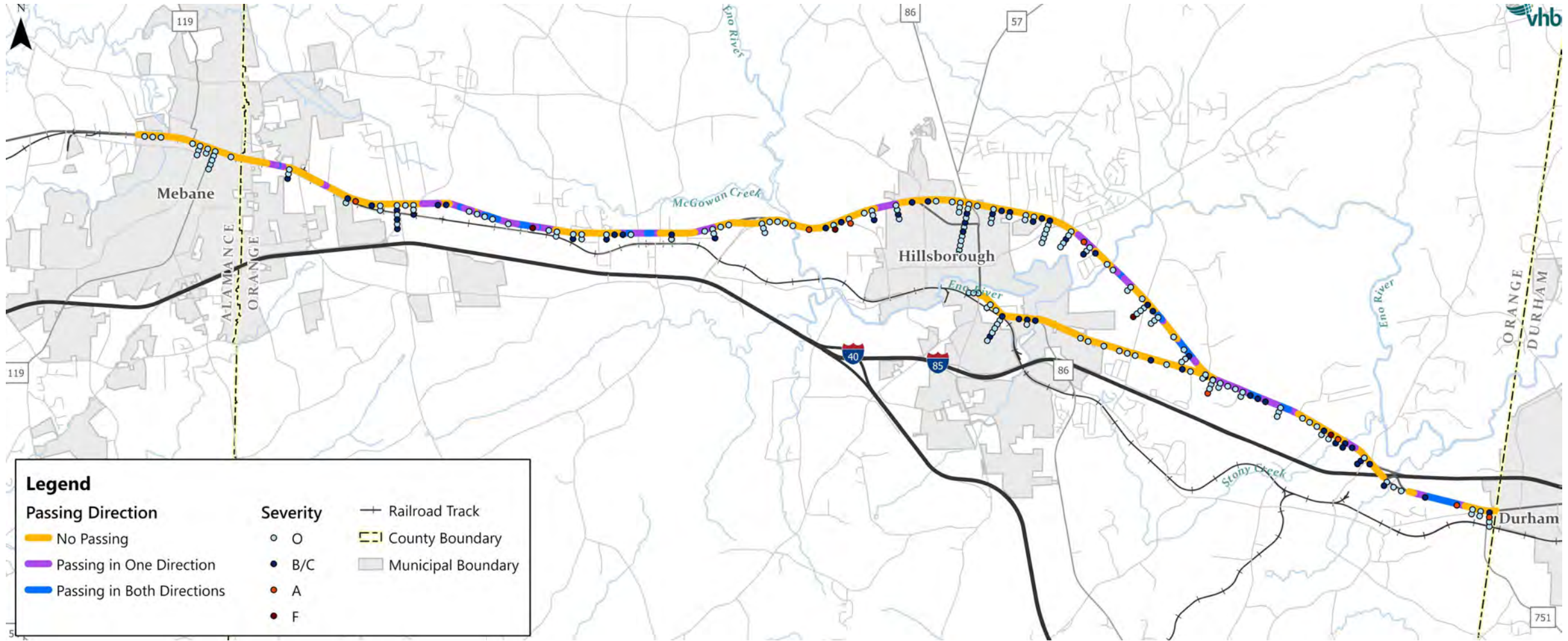
Detailed Crash Totals by Type & Location



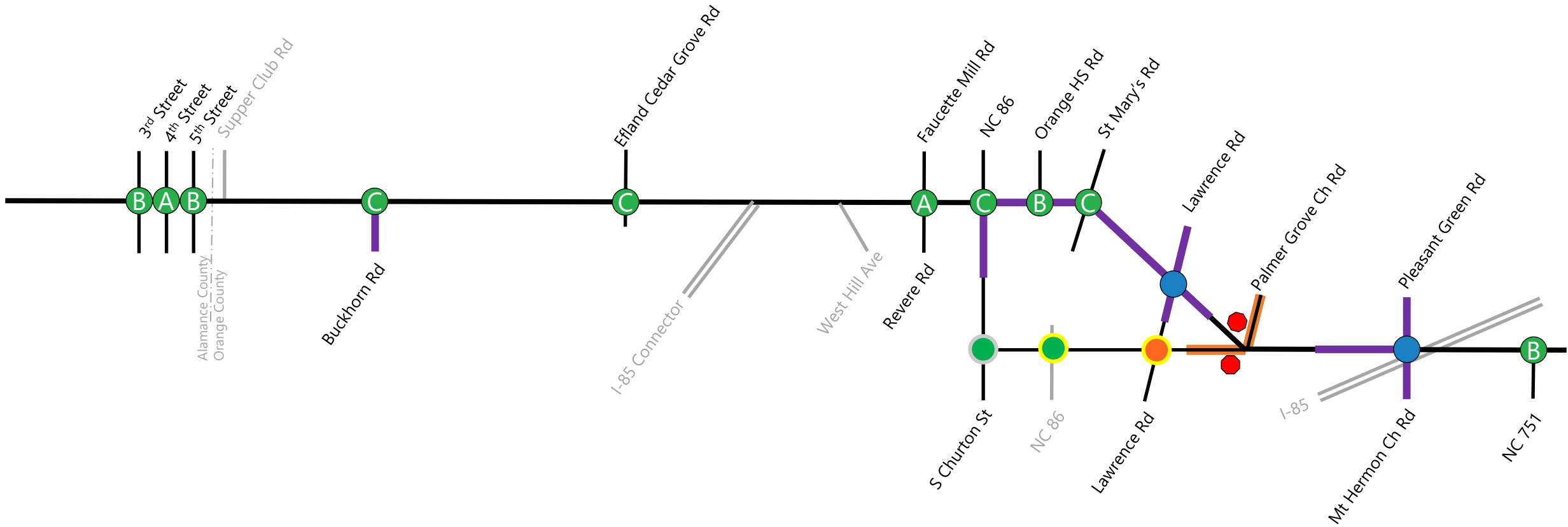
Speed Data with Statutory Limits



Run-Off Road Crashes with Severities & Passing Zones



Intersection Level-of-Service (LOS)

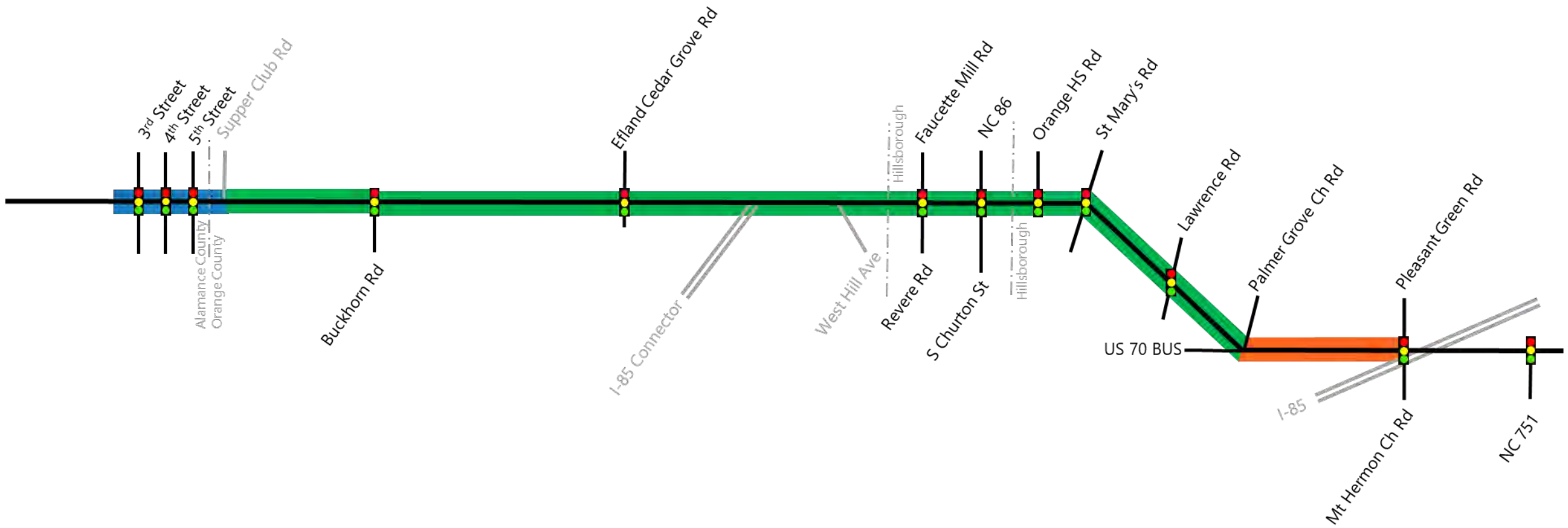


- Signalized Intersection ● Stop-Controlled Approach
- LOS*** ● A-C ● D ● E-F — Potential Queuing Problems
- * Worst case from AM and PM peaks
- From Lawrence Road Development TIA ○ From NC 86 Connector Study

QUALITY OF TRAFFIC FLOW DECREASES →

Considered an acceptable LOS				Considered an unacceptable LOS	
LOS A	LOS B	LOS C	LOS D	LOS E	LOS F
• Light traffic • Free flow speeds	• Slightly increased traffic levels • Still free flow speeds	• Approaching moderate congestion levels • Speeds near free flow	• Speeds reduced • Lane changes restricted due to traffic	• Congestion • Irregular traffic flow	• Road at capacity • Gridlock with frequent stops

Level-of-Service (LOS) by Corridor Segment



Signalized Intersection

LOS* A-C D E-F

* Worst case from AM and PM peaks

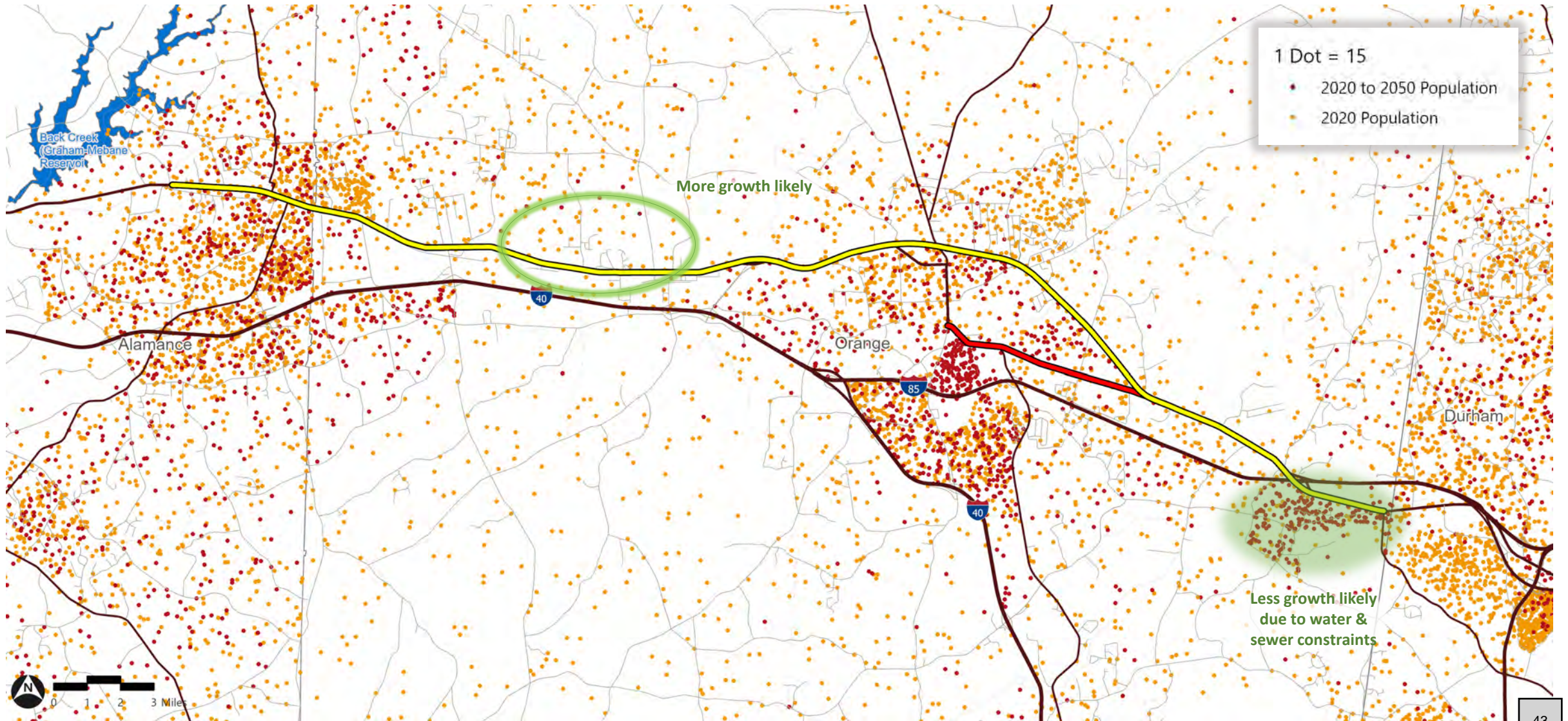
QUALITY OF TRAFFIC FLOW DECREASES →

Considered an acceptable LOS				Considered an unacceptable LOS	
LOS A	LOS B	LOS C	LOS D	LOS E	LOS F
<ul style="list-style-type: none"> Light traffic Free flow speeds 	<ul style="list-style-type: none"> Slightly increased traffic levels Still free flow speeds 	<ul style="list-style-type: none"> Approaching moderate congestion levels Speeds near free flow 	<ul style="list-style-type: none"> Speeds reduced Lane changes restricted due to traffic 	<ul style="list-style-type: none"> Congestion Irregular traffic flow 	<ul style="list-style-type: none"> Road at capacity Gridlock with frequent stops



Growth

Population Growth, 2020 to 2050

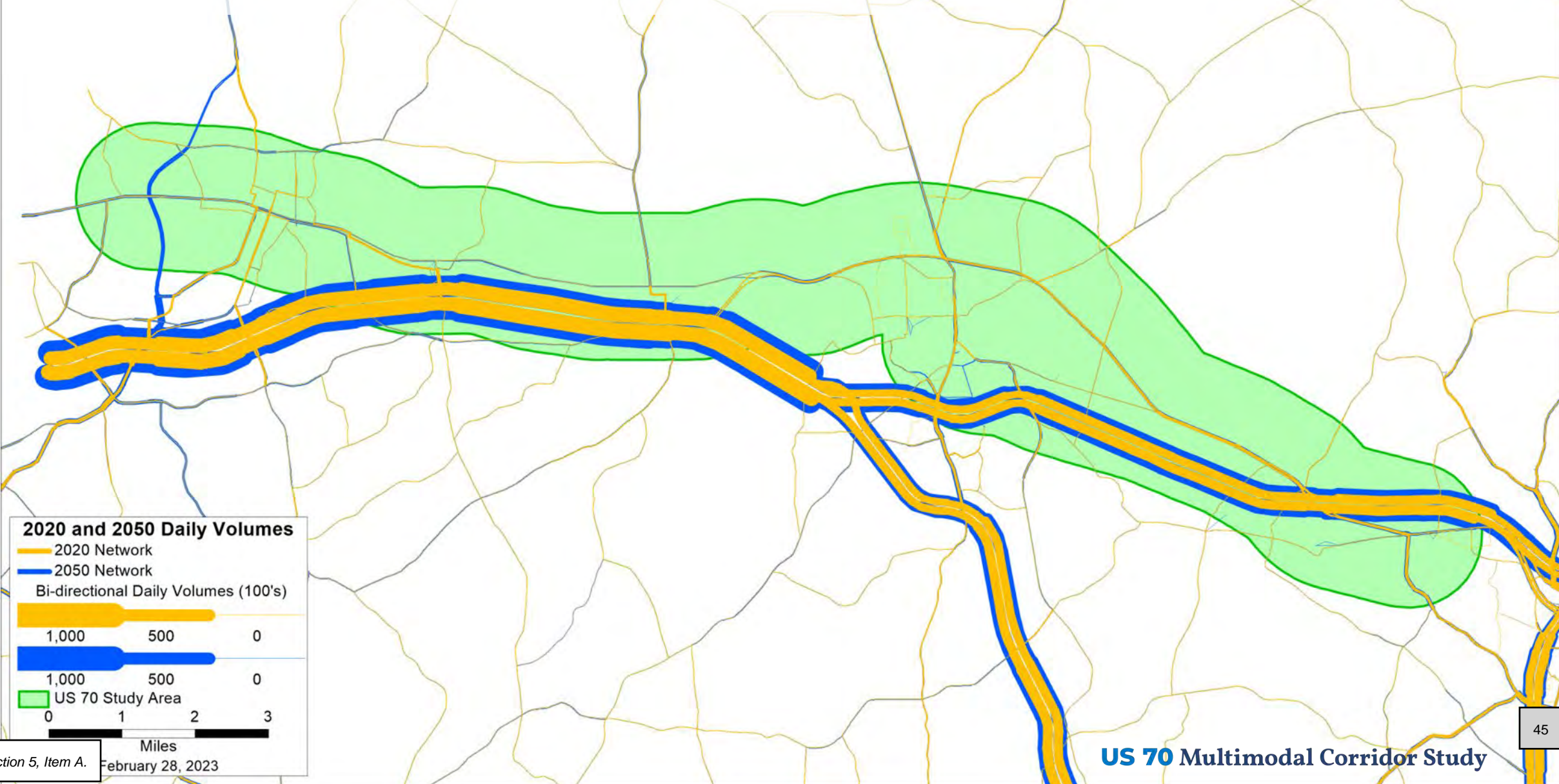


Employment Growth, 2020 to 2050

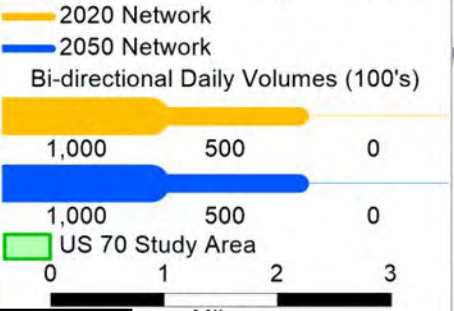


Estimated Daily Traffic Volumes, 2020 vs 2050

(Triangle Regional Travel Model)

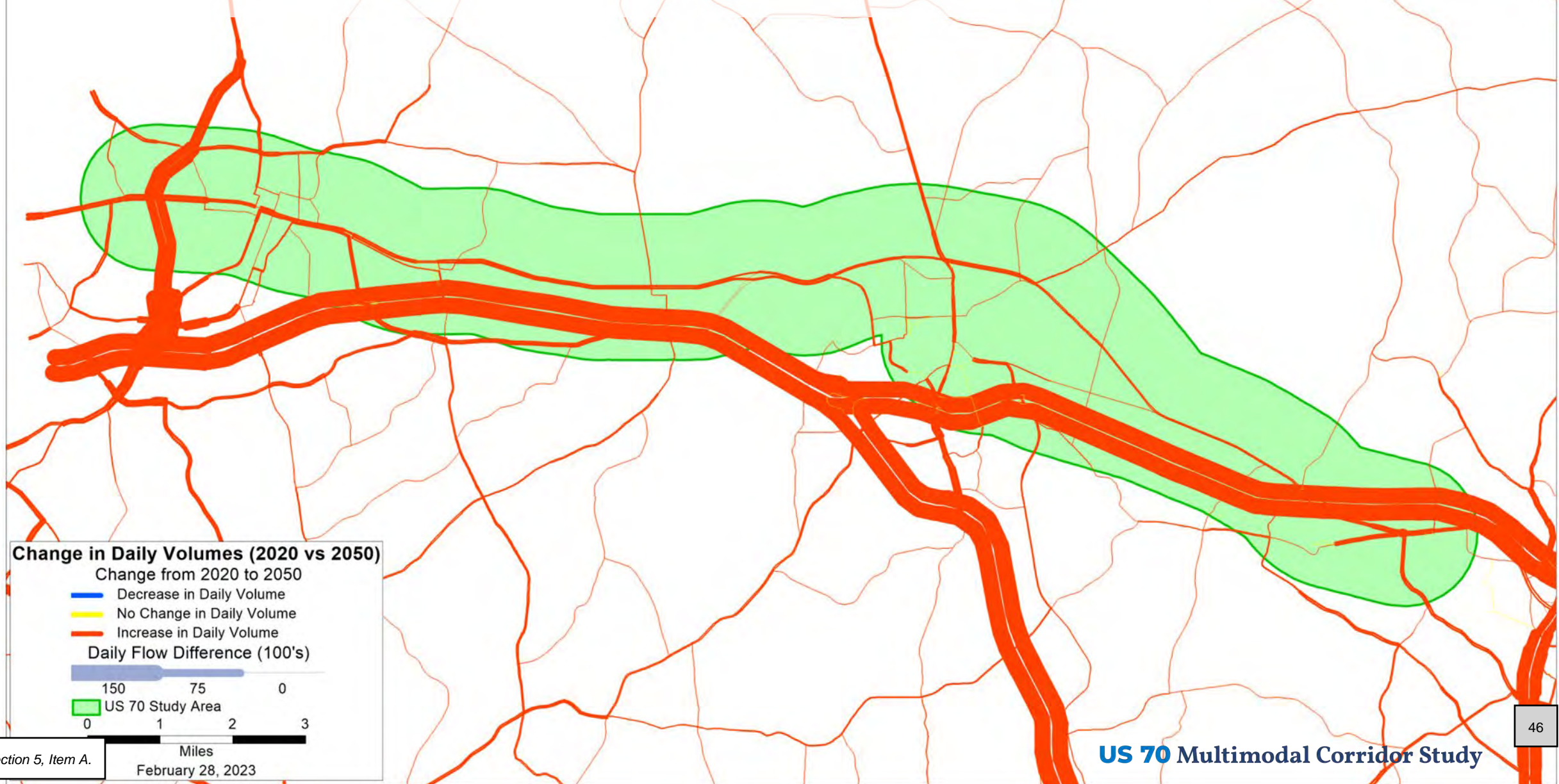


2020 and 2050 Daily Volumes



Estimated Change in Daily Traffic Volumes, 2020 to 2050

(Triangle Regional Travel Model)





Next Steps

Findings to Date

- ✓ Traffic has returned to pre-COVID levels
 - Higher speeds
 - More trucks
- ✓ High crash rates & speeds in some locations
- ✓ Need pedestrian & bicycle improvements
 - *Safety – Health – Economy – Transit*
- ✓ Anticipate moderate, localized traffic growth
- ✓ Rail ROW constrains parts of western corridor
- ✓ I-85 improvements critical to US 70 traffic
- ✓ Full access needed at I-85 Connector
- ✓ NC 86 & NC 57 access via US 70 is important

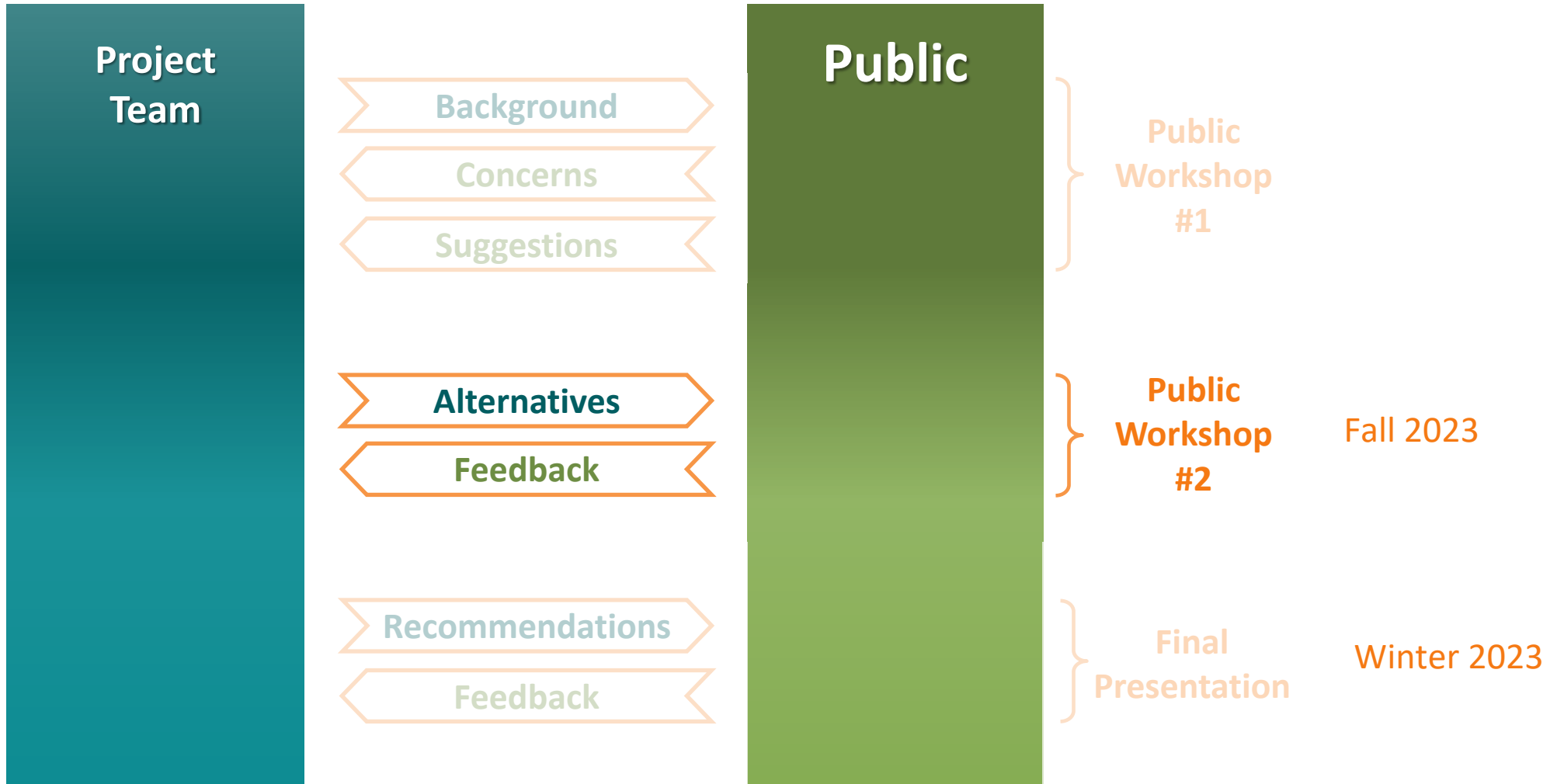


Develop & Test Solutions

- ✓ Safety
- ✓ Walk & bike connections
 - Crossing/along US 70
- ✓ Intersection operations
 - RR interactions
- ✓ Transit service
- ✓ Roadway cross-sections
- ✓ Environmental protection
- ✓ Supportive land uses & policies
- ✓ Project priorities & phasing



Public Participation – Round 2





Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
Department: Community Services
Agenda Section: Appointments
Public hearing: No
Date of public hearing: NA

PRESENTER/INFORMATION CONTACT

Senior Planner/Secretary to the BOA (Board of Adjustment), Tom King
Planning & Economic Development Division Manager, Shannan Campbell

ITEM TO BE CONSIDERED

Subject: Board of Adjustment – Re-appointment of Portia Made-Jamison for a term ending Sept. 30, 2026

Attachments:

Volunteer application for Portia Made-Jamison

Summary:

Portia Made-Jamison was appointed to the BOA on Oct. 10, 2022, to fill former in-town regular member Joe Becker’s unexpired term after Becker’s June 3, 2022, resignation. Becker’s term was set to expire Sept. 30, 2023. While the BOA has only met three times since Made-Jamison’s appointment, she has faithfully attended all meetings; one being a specially called meeting to attend a remote/virtual quasi-judicial board training event sponsored by the UNC School of Government.

Financial impacts:

None beyond funds necessary for occasional training opportunities.

Staff recommendation and comments:

Re-appoint Portia Made-Jamison as an in-town regular BOA member effective Oct. 1, 2023, with a term ending Sept. 30, 2026.

Action requested:

Consider re-appointing Made-Jamison as an in-town regular BOA member effective Oct. 1, 2023, with a term ending Sept. 30, 2026.



Advisory Board Application

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

Name:

Portia Made-Jamison

Home address:

615 WILDARO CT

Home phone number:

9192659144

Email address:

bvt3made@gmail.com

Birth date:

Feb. 26, 1967

Gender:

Female

Ethnic origin:

Black

Boards you would be willing to serve on:

First choice — Board of Adjustment

Second choice — Planning Board

Third choice — Tourism Board

Reasons for wanting to serve:

I have lived in this community for over 25 years. In that time there have been physical and mindset changes in the community. The town is also growing exponentially and attracting diversity. I think it is my civic duty to actively participate in the decisions for change and development in my community.

Have you served or are you currently serving on a town board? If so, which ones and when?

No

Relevant work, volunteer or educational experience:

I have never been a board member, but I have a few years of experience as an administrator for several boards.

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

I live and own property in Hillsborough.

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

Yes, I think the plan is very comprehensive and forward facing while being careful to preserve the town's historic characteristics. I also like the plan's progressive tone.

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

Yes, I'm encouraged by the initiatives in the plan. The 3FY-year forecasting strategy the town uses which allows time enough to pivot is inspired. I'm excited about the addition of a rail-station, the expansion of part of Churton St to ease the traffic has become an issue in the last few years and other diversity initiatives. I especially appreciate the focus on affordable housing in light of the rising cost of living and the high price of properties for potential home buyers.

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

I have looked at upcoming approved projects which will especially address the fast growing population of the town, but the pace of business growth does not seem in line with the demands of the projected population growth. Strategies to attract more industry and diverse businesses is much needed. More businesses will result in an increase in local employment and added tax revenue. The town should aim to build more opportunities for money to circulate more often in our community than without.

How you heard about this opportunity:

Other

Agreement:

✓ I have been advised that I am committing to attend the volunteer board's regular meetings. Attendance at the regular meetings shall be considered a prerequisite for maintaining membership on the board. The Board of Commissioners may declare a vacancy on the board because of non-attendance.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
Department: Public Space and Sustainability
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space and Sustainability Manager

ITEM TO BE CONSIDERED

Subject: Tree Board – Appointment of Jon Simpson for a term ending Sept. 30, 2026

Attachments:

Volunteer application for Jon Simpson

Summary:

Jon Simpson has volunteered to serve a term of three years on the Hillsborough Tree Board.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

Consider appointment of Jon Simpson as a member of the Tree Board whose term will expire on Sept. 30, 2026.



Appointed Boards Application

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

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

First name (required):

Jonathan

Last name (required):

Simpson

Home address (required):

2203 Woodbury Drive

Home phone number:

19195368488

Work phone number:

Email address (required):

hborojon@gmail.com

Place of employment:

Fullsteam Brewery

Job title:

Head Brewer

Birth date (required):

Sept. 26, 1971

Gender (required):

Male

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

White

First choice (required):

Tree Board

Second choice (required):

Parks and Recreation Board

Third choice (required):

Water and Sewer Advisory Committee

Reasons for wanting to serve (required):

I've lived in Hillsborough for over 20 years. I'd like to contribute some of my time to the community

Have you served or are you currently serving on a town board? If so, which ones and when? (required)?

No

Relevant work, volunteer or educational experience (required):

I have a BS in in Nuclear Medicine and still hold Emeritus status with the NMTCB. Over the last 6 or so years I have worked more exclusively in the brewing industry starting with Hillsborough's former Mystery Brewing and now as Head Brewer at Fullsteam

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

I have lived in Hillsborough over 20 years and have owned property here for the same. I've been here since Beckett's Ridge became the second subdivision in Hillsborough ■

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

Yes. Im particularly interested in protecting Hillsborough's natural resources and unique biome. I'm also interested in ensuring the tax base is not just increasingly property tax based. That is a barrier to a diverse community

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

I have looked primarily at the 2030 plan

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

I'd like to ensure that we don't lose sight of the unique environment we have as the community continues to grow. Growth is great, but we also need to be stewards of the land.

How did you hear about this opportunity (required)?

Internet

Check the box to confirm (required):

✓



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
Department: Planning and Economic Development
Agenda Section: Appointments
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Planning and Economic Development Manager Shannan Campbell

ITEM TO BE CONSIDERED

Subject: Planning Board – Appointment of Christian Schmidt for a term ending Sept. 30, 2026

Attachments:

Volunteer Board Application

Summary:

Hillsborough in-town resident Christian Schmidt would like to serve on the Planning Board in a vacant in-town seat. Schmidt attended the last joint public hearing of the town board and planning board to get an idea of the topics of discussion with regard to planning and development. Schmidt is interested in planning and development and works for a planning firm based out of Chapel Hill, so they also have some unique city planning experience to bring to the board.

Financial impacts:

None, except for occasional board training opportunities.

Staff recommendation and comments:

Appoint Christian Schmidt to the Planning board.

Action requested:

Appointment.



Appointed Boards Application

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

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

First name (required):

Christian

Last name (required):

Schmidt

Home address (required):

206 S Nash St, Apt 268

Home phone number:

5204278534

Work phone number:

Email address (required):

schmidt.e.christian@gmail.com

Place of employment:

Clarion Associates

Job title:

Associate Urban Planner

Birth date (required):

July 25, 1997

Gender (required):

Male

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

Hispanic or Latino

First choice (required):

Planning Board

Second choice (required):

Historic District Commission

Third choice (required):

Parks and Recreation Board

Reasons for wanting to serve (required):

I love small towns. I moved to Hillsborough fairly recently for work (as an urban planner for a Chapel Hill-based consultant) with the clear intent to stop being so transient and to actually get involved in my community. I've lived in 10-some states in the past 6 years, and am tired of being so mobile, especially because I know how valuable proximity is to creating the good relationships that make life so worthwhile. I moved to Hillsborough specifically because I thought it (as compared to places like Durham, Cary, or Chapel Hill) offered the greatest potential of being a place where I could genuinely feel like I was a part of my community and helping the people who live here. Being involved

on a board and putting my skillsets to the use of my own community (rather than just those in South Carolina, Georgia, and Virginia, as I currently do as a consultant) would give me that on-ramp into being a part of Hillsborough, rather than just "being here" and not giving back in a meaningful way.

Have you served or are you currently serving on a town board? If so, which ones and when? (required)?

I am not currently on a town board! Back in high school, I served on the Youth Council in my hometown (Tucson, AZ), but it always felt somewhat like a joke and I'd be excited to spend my time on a board where I would actually have the ability to contribute to the community.

Relevant work, volunteer or educational experience (required):

I work at Clarion Associates in Chapel Hill. We're a national urban planning (we do a lot of small towns and counties, though, but we wrote Philadelphia's zoning code a couple years ago too) and zoning consulting firm that does a lot of work in North Carolina. Currently, we're working on the new Orange County Comprehensive Plan, and generally live and work in Orange County. As for education, I graduated from Harvard with my masters in urban planning before moving to North Carolina, and got my bachelors in political science with minors in urban studies and municipal political theory. I also volunteer as a catechist at Holy Family Catholic Church!

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

I live at Bellevue Mill Apartments next door to Gold Park and Hillsborough BBQ.

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

I have! I'm impressed by its conciseness, its focus on things other than land use, and its emphasis on measurable implementation. In terms of specific policies, I appreciate Goals 2B and 2F a lot (celebrating diverse neighborhoods and encouraging live/work arrangements in residential areas). That said, I wish there was even more emphasis on increasing quality of life in Hillsborough (especially for low-income populations and for our workforce), and that the character section was not focused so predominantly on aesthetic but also on promoting welcoming, neighborly, and friendly culture.

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

On the welcoming, neighborly, and friendly culture front, I really appreciate that the new Comprehensive Sustainability Plan is keen on improving Social Systems & Public Space. I especially like the implementation goals—even the little things like keeping the community calendar updated, which can be a big boon to newer residents seeking out connections, or encouraging crime protection not through increased police presence but through environments that make people less likely to want to commit crimes. On a different note, I'm super impressed with the clarity of the budget summary. While I'm someone who greatly enjoys combing through budgets (and am paid to do so at work), I think documents like this that simply and honestly explain these sorts of concepts really help bridge the gap between citizens and their government and lower the barrier for people to genuinely get involved. I've reviewed some of the other documents as well but will address those in the next section.

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

The sewer capacity situation seems like a bottleneck that's going to be tricky to resolve, and is going to require the Water/Sewer Advisory Committee to work with the Planning Commission and Council to all work together. Between the situation with Falls Lake effluent restrictions and the lack of funding, Hillsborough seems to be nearing full buildout, and it's difficult to see where new development is going to fit. That said, Hillsborough is super cute, and the demand for housing here is only going to go up, so if proactive measures aren't taken to make sure that some housing stays affordable despite the inability to potentially build large swaths of new housing, the workforce will continue to dwindle and eventually the town will find itself in a tough place, economically. Innovative, adventurous solutions that press on different financial, social, and infrastructural levers are going to be key to making sure the town stays its vibrant self going forward. What else? Interjurisdictional conversation is going to be important, especially with Orange County looking at the Rural Buffer, OWASA working on figuring out what it's going to do with the new Jordan Lake treatment station, and Mebane's continued growth. Working with the State to try and figure out what's going to be done (if anything) about Churton traffic is going to be important as well, especially with new traffic pressures in Danville. Lastly, I'm a smidge unimpressed by the Parks plan. While there's nothing deafeningly wrong with it, I would love to see further emphasis on programming and working with Orange County Parks and private providers, even if the town isn't planning to create its own systems. Passivity, in my opinion, doesn't necessarily breed the sort of community spirit that makes small towns such wonderful places to live. Lastly, the Churton Street strategic corridor plan hits a lot of points I'd like to make squarely on the head. South of the river, Churton suddenly takes on the character of a generic suburb, to the point of making it feel like Hillsborough has simply exported all of the "ugly but necessary" things south of the river, and especially south of I-85. Does Hillsborough want to stay cute, vibrant, and unique throughout town limits? Or is the area south of I-85 simply being sacrificed to the corporate developers to provide the windfall to keep "Real" (frightening in its own right) Historic Hillsborough looking the way it does? What does a modern version of Hillsborough with 15 or 20,000 people look like?

How did you hear about this opportunity (required)?

Other

Check the box to confirm (required):

✓



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11 2023
Department: Town Clerk
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Town Clerk Sarah Kimrey

ITEM TO BE CONSIDERED

Subject: Minutes

Attachments:

1. Regular meeting Aug. 14, 2023
2. Special meeting Aug. 28, 2023
3. Work session Aug. 28, 2023

Summary:

None.

Financial impacts:

None.

Staff recommendation and comments:

Approve minutes as presented.

Action requested:

To approve minutes of the Board of Commissioners regular meeting Aug. 14, 2023, special meeting Aug. 28, 2023 and work session Aug. 28, 2023.



Minutes

Board of Commissioners Regular Meeting

7 p.m. Aug. 14, 2023

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

Present: Mayor Jenn Weaver and commissioners Mark Bell, Robb English, Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd

Staff: Human Resources Manager Haley Thore, Assistant Town Manager and Community Services Director Matt Efird, Budget and Management Analyst Josh Fernandez, Police Chief Duane Hampton, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Finance Director Dave McCole, Town Manager Eric Peterson, Utilities Director Marie Strandwitz and Communications Manager Catherine Wright

Opening of the meeting

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

1. Public charge

Weaver did not read the public charge.

2. Audience comments not related to the printed agenda

There was none.

3. Agenda changes and approval

Commissioner Matt Hughes joined the meeting. He later asked during presentation of the consent agenda to have Item 6F: Contract for design and maintenance of new town website moved to the regular agenda.

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

Vote: 5-0.

4. Presentations

A. Fiscal Year 2021-22 Audit Presentation

Robert Bittner, a partner with the independent auditing firm PBMares, reported the town received a clean unmodified opinion for FY22. He noted four findings of weaknesses or deficiencies in internal control, including late completion of the audit, due to staff turnover and low staffing that have been resolved. He also noted four related performance indicators of concern defined by the Local Government Commission, including the lack of a board-appointed finance officer for the full fiscal year. Bittner said the Financial Services Department entered the current fiscal year fully staffed and with qualified individuals, including a new finance officer. The commission concerns require the Board of Commissioners to respond to the commission within 60 days of the audit presentation.

Hillsborough Finance Director Dave McCole gave an overview of the growth and health of the town's financial funds between fiscal years 2020 and 2022, noting the town's financial stability and resiliency entering and exiting the COVID-19 pandemic. He said he is pleased with the staff in his department, detailing

their ability to catch up on accounting tasks and the addition of an accounting technician position for sufficient staffing.

5. Appointments

- A. Historic District Commission – Appointment of Sara Riek to fill a vacancy for a term expiring Aug. 31, 2026

Motion: Commissioner Matt Hughes moved to approve the appointment as presented. Ferguson seconded.

Vote: 5-0.

6. Items for decision – consent agenda

- A. Minutes
– Regular meeting June 12, 2023
– Work session June 26, 2023
– Work session closed session June 26, 2023
- B. Miscellaneous budget amendments and transfers
- C. Brough Law Firm Memorandum of Understanding for Fiscal Year 2024
- D. 2023 Board of Commissioners meeting schedule amendment
- E. Special Event Permit – Hog Day 2023
- ~~F. Contract for design and maintenance of new town website~~
- G. Selection of Artwork from Up roar Public Art Festival for Town Hall Campus

Motion: Hughes moved to pull Item 6F from the consent agenda for discussion.

Motion: Bell moved to approve the consent agenda as amended. Ferguson seconded.

Vote: 5-0. Nays: None.

7. Items for decision - regular agenda

- A. Employee ID cards for use in future elections
Human Resources Manager Haley Thore presented the topic, which had been suggested by Hughes. She noted an expiration date would need to be added to the town’s identification cards to allow the cards to be used for identification purposes for voting in North Carolina. The board discussed and identified the following for more exploration:
- Costs associated with equipment and processes, including comparing costs of lost work time obtaining a free ID from the North Carolina Department of Motor Vehicles with costs of the town producing and maintaining updated IDs.
 - Allocation of staff resources, including monitoring for potential changes in voting regulations or procedures and updating the cards for those changes.
- B. Retention schedule for meeting audio and video recordings
Town Clerk and Human Resources Technician Sarah Kimrey presented the topic, noting the adoption of the state’s retention schedule in 2021 allows disposal of both meeting audio and video recordings once the minutes for a meeting are approved. The town previously had established a period of up to three years for retention. Kimrey noted that the town attorney advised formulating a written policy on the retention of recordings. The board discussed the value of preservation for historical and research purposes as well as balancing that with staff time and the required duty to the public. Staff will further explore various policy options, methods of retention, and costs for discussion again later this year.
- C. Hot topics for work session Aug. 28, 2023
The following was noted for the Aug. 28 work session:

- Joint meeting with the Water and Sewer Advisory Committee, with discussion on backflow prevention regarding residential swimming pools.
- Update on the fiber project in and around town.

D. Contract for design and maintenance of new town website
Communications Manager Catherine Wright answered questions from the board, including the website vendors being considered, CivicPlus and Granicus. She noted updated pricing information for implementation and the first year and for subsequent years.

Motion: Hughes moved to approve a budget amendment to cover a design and maintenance contract for a new town website. Ferguson seconded.

Vote: 5-0. Nays: None.

8. Updates

A. Board members

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

B. Town manager

Town Manager Eric Peterson introduced Marshall Grayson, a Lead for North Carolina fellow who started a yearlong fellowship with the town this month through a program administered by the School of Government at the University of North Carolina at Chapel Hill. About 90 jurisdictions competed for 35 fellows, who were matched with the jurisdictions based on their interest.

C. Staff (written reports in agenda packet)

The mayor suggested the Police Department provide a comparative look after two full years of its quarterly transparency reports to show items such as differences in arrests after traffic stops.

Assistant Town Manager and Community Services Director Matt Efirm noted a Disaster Relief and Mitigation Grant from the North Carolina Emergency Management Division has been approved, allowing the town to be reimbursed \$1 million in the \$1.3 million spent for an emergency project to replace a large culvert on Valley Forge Road, which had washed out after a large rain event in 2020.

9. Adjournment

Mayor Weaver adjourned the meeting at 8:59 p.m.

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

FY 2023-2024

**TOWN OF HILLSBOROUGH
 BUDGET CHANGES REPORT
 DATES: 08/15/2023 TO 08/15/2023**

<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 10-00-9990-5300-000 CONTINGENCY Contingency To cover website design and maintenance.	41139	08/15/2023	JFernandez	450,000.00	-40,000.00	264,356.00
Admin. 10-10-4200-5300-458 DATA PROCESSING SERVICES Services To cover website design and maintenance.	41138	08/15/2023	JFernandez	40,836.00	40,000.00	80,836.00
					<u>0.00</u>	

APPROVED: 5/0

DATE: 8/14/23

VERIFIED: *Janet E. Kimrey*

DRAFT

FY 2023-2024

**TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT**

DATES: 07/01/2023 TO 08/14/2023

	<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	10-00-9990-5300-000 CONTINGENCY						
Contingency	To cover P&L premium	34819	08/14/2023	EBRADFORI	450,000.00	-33,144.00	416,856.00
	To cover SWANC Conference	34820	08/14/2023	EBRADFORI	450,000.00	-2,000.00	414,856.00
	To cover small rear loader	34824	08/14/2023	EBRADFORI	450,000.00	-14,887.00	399,969.00
	To cover PW trailer rental	34826	08/14/2023	EBRADFORI	450,000.00	-400.00	399,569.00
	To cover facility cleaning contract	34827	08/14/2023	EBRADFORI	450,000.00	-46,413.00	353,156.00
	Move WWTP HVAC maint to Facility M _g	34830	08/14/2023	EBRADFORI	450,000.00	-7,200.00	345,956.00
	To cover expected FY24 recruitment expe	41091	08/14/2023	JFernandez	450,000.00	-6,500.00	339,456.00
	To cover benefits management system.	41136	08/14/2023	JFernandez	450,000.00	-35,100.00	304,356.00
Admin. Services	10-10-4200-5100-021 PERSONNEL EXPANSION - SALARIES						
	For School of Government LFNC Progran	41134	08/14/2023	JFernandez	40,000.00	-7,500.00	32,500.00
Admin. Services	10-10-4200-5300-113 LICENSE FEES						
	To cover NeoGov invoice.	41081	08/14/2023	JFernandez	17,872.00	465.00	18,337.00
	To cover FY24 licensing expenditures.	41085	08/14/2023	JFernandez	17,872.00	460.68	18,797.68
Admin. Services	10-10-4200-5300-454 C.S.-CATV/ASCAP-BMI/COD/TRANS/PAY S						
	To cover FY24 Contracted Services.	41086	08/14/2023	JFernandez	43,206.00	372.00	43,578.00
	To cover benefits management system.	41137	08/14/2023	JFernandez	43,206.00	35,100.00	78,678.00
Admin. Services	10-10-4200-5300-474 RECRUITMENT						
	To cover expected FY24 recruitment expe	41090	08/14/2023	JFernandez	0.00	6,500.00	6,500.00
Admin. Services	10-10-4200-5300-570 MISCELLANEOUS						
	To cover FY24 licensing and Contracted S	41087	08/14/2023	JFernandez	57,553.00	-832.68	56,720.32
	For School of Government LFNC Progran	41135	08/14/2023	JFernandez	57,553.00	7,500.00	64,220.32
Admin. Services	10-10-4200-5300-577 WELLNESS PROGRAM ACTIVITIES						
	To cover NeoGov invoice.	41082	08/14/2023	JFernandez	6,000.00	-465.00	5,535.00
Facilities Mgmt.	10-10-5000-5300-145 MAINTENANCE - BUILDINGS						
	To cover facility cleaning contract	34828	08/14/2023	EBRADFORI	200,896.00	46,413.00	247,309.00
	Move WWTP HVAC maint to Facility M _g	34829	08/14/2023	EBRADFORI	200,896.00	7,200.00	254,509.00
Facilities Mgmt.	10-10-5000-5300-158 MAINTENANCE - EQUIPMENT						
	To cover generator preventative maintena	41097	08/14/2023	JFernandez	0.00	1,100.00	1,100.00
Facilities Mgmt.	10-10-5000-5300-570 MISCELLANEOUS						
	To cover generator preventative maintena	41098	08/14/2023	JFernandez	22,000.00	-1,100.00	20,900.00
Facilities Mgmt.	10-10-5000-5400-910 DEBT SERVICE						
	Separation of debt service principal and ir	41109	08/14/2023	JFernandez	200,171.00	-59,085.98	141,085.02
Facilities Mgmt.	10-10-5000-5400-920 DEBT SERVICE - INTEREST						
	Separation of debt service principal and ir	41110	08/14/2023	JFernandez	0.00	59,085.98	59,085.98
Public Space	10-10-6300-5400-910 DEBT SERVICE						
	Separation of debt service principal and ir	41111	08/14/2023	JFernandez	73,352.00	-851.88	72,500.12
Public Space	10-10-6300-5400-920 DEBT SERVICE - INTEREST						
	Separation of debt service principal and ir	41112	08/14/2023	JFernandez	0.00	851.88	851.88
Safety & Risk Mgmt.	10-10-6600-5300-540 INSURANCE						
	To cover P&L premium	34818	08/14/2023	EBRADFORI	330,000.00	33,144.00	363,144.00
IT	10-10-6610-5300-112 POSTAGE						
	To cover audit laptop return shipping	41099	08/14/2023	EBRADFORI	50.00	5.00	55.00
IT	10-10-6610-5300-570 MISCELLANEOUS						
	JFernandez		08/07/2023	4:55:38PM			
	fl142r03						

FY 2023-2024

TOWN OF HILLSBOROUGH
 BUDGET CHANGES REPORT

DATES: 07/01/2023 TO 08/14/2023

	<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 audit laptop return shipping	41100	08/14/2023	EBRADFORI	5,000.00	-5.00	4,995.00
Police	10-20-5100-5300-145 MAINTENANCE - BUILDINGS						
	To cover alarm contract	34815	08/14/2023	EBRADFORI	15,000.00	-120.00	14,880.00
Police	10-20-5100-5300-481 C.S./MOBILE DATA TERMINALS						
	To cover MDT expenses	34817	08/14/2023	EBRADFORI	5,110.00	368.00	5,478.00
Police	10-20-5100-5300-490 C.S./ALARM						
	To cover alarm contract	34814	08/14/2023	EBRADFORI	370.00	120.00	490.00
Police	10-20-5100-5300-730 DRUG ENFORCEMENT OPERATIONS						
	To cover MDT expenses	34816	08/14/2023	EBRADFORI	5,000.00	-368.00	4,632.00
Fleet	10-30-5550-5400-910 DEBT SERVICE						
Maintenance	Separation of debt service principal and ir	41113	08/14/2023	JFernandez	112,117.00	-2,670.48	109,446.52
Fleet	10-30-5550-5400-920 DEBT SERVICE - INTEREST						
Maintenance	Separation of debt service principal and ir	41114	08/14/2023	JFernandez	0.00	2,670.48	2,670.48
Streets	10-30-5600-5300-363 RENTAL - BUILDING						
	To cover PW trailer rental	34825	08/14/2023	EBRADFORI	6,528.00	400.00	6,928.00
	To cover trailer rental	41093	08/14/2023	EBRADFORI	6,528.00	150.00	7,078.00
Streets	10-30-5600-5300-570 MISCELLANEOUS						
	To cover trailer rental	41092	08/14/2023	EBRADFORI	1,000.00	-150.00	850.00
Solid Waste	10-30-5800-5300-080 TRAINING/CONF./CONV.						
	To cover SWANC Conference	34821	08/14/2023	EBRADFORI	2,500.00	2,000.00	4,500.00
Solid Waste	10-30-5800-5300-583 VEHICLE TAX & TAGS						
	To cover small rear loader	34823	08/14/2023	EBRADFORI	3,906.00	428.00	4,334.00
Solid Waste	10-30-5800-5400-910 DEBT SERVICE						
	Separation of principal and interest.	41117	08/14/2023	JFernandez	62,617.00	-2,628.97	59,988.03
Solid Waste	10-30-5800-5400-920 DEBT SERVICE - INTEREST						
	Separation of principal and interest.	41118	08/14/2023	JFernandez	0.00	2,628.97	2,628.97
Solid Waste	10-30-5800-5700-740 CAPITAL - VEHICLES						
	To cover small rear loader	34822	08/14/2023	EBRADFORI	130,000.00	14,459.00	144,459.00
Special Approp.	10-60-6900-5400-910 DEBT SERVICE						
	Separation of debt service principal and ir	41115	08/14/2023	JFernandez	69,501.00	-7,615.96	61,885.04
Special Approp.	10-60-6900-5400-920 DEBT SERVICE - INTEREST						
	Separation of debt service principal and ir	41116	08/14/2023	JFernandez	0.00	7,615.96	7,615.96
Billing & Collections	30-80-7240-5400-910 DEBT SERVICE						
	Separation of debt service principal and ir	41107	08/14/2023	JFernandez	39,125.00	-11,548.78	27,576.22
Billing & Collections	30-80-7240-5400-920 DEBT SERVICE - INTEREST						
	Separation of debt service principal and ir	41108	08/14/2023	JFernandez	0.00	11,548.78	11,548.78
WTP	30-80-8120-5300-550 ALUM SLUDGE REMOVAL						
	To cover actual alum sludge quote for FY.	41122	08/14/2023	JFernandez	72,943.00	11,250.00	84,193.00
WTP	30-80-8120-5400-910 DEBT SERVICE						
	Separation of debt service principal and ir	41105	08/14/2023	JFernandez	82,305.00	-6,082.54	76,222.46
WTP	30-80-8120-5400-920 DEBT SERVICE - INTEREST						
	Separation of debt service principal and ir	41106	08/14/2023	JFernandez	0.00	6,082.54	6,082.54
WFER	30-80-8130-5400-910 DEBT SERVICE						

JFernandez
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TOWN OF HILLSBOROUGH
 BUDGET CHANGES REPORT

FY 2023-2024

DATES: 07/01/2023 TO 08/14/2023

	<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>
	Separation of debt service principal and ir	41103	08/14/2023	JFernandez	839,737.00	-492,736.36	347,000.64
WFER	30-80-8130-5400-920 DEBT SERVICE - INTEREST						
	Separation of debt service principal and ir	41104	08/14/2023	JFernandez	0.00	492,736.36	492,736.36
Water Dist.	30-80-8140-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover annual Utility Cloud service.	41126	08/14/2023	JFernandez	131,440.00	-1,482.00	129,958.00
Water Dist.	30-80-8140-5300-441 C.S./ENGINEERING						
	Upfront master plan costs - later reimburs	41121	08/14/2023	JFernandez	0.00	100,000.00	100,000.00
Water Dist.	30-80-8140-5300-458 DATA PROCESSING SERVICES						
	To cover annual Utility Cloud service.	41129	08/14/2023	JFernandez	9,000.00	1,482.00	10,482.00
	To balance WD and WWC budget capacit	41132	08/14/2023	JFernandez	9,000.00	-500.00	9,982.00
WW Collect.	30-80-8200-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover WinCan software for CCTV equ	41124	08/14/2023	JFernandez	80,500.00	-5,000.00	75,500.00
	To cover annual Utility Cloud service.	41127	08/14/2023	JFernandez	80,500.00	-1,482.00	74,018.00
WW Collect.	30-80-8200-5300-458 DATA PROCESSING SERVICES						
	To cover WinCan software for CCTV equ	41125	08/14/2023	JFernandez	8,000.00	5,000.00	13,000.00
	To cover annual Utility Cloud service.	41128	08/14/2023	JFernandez	8,000.00	1,482.00	14,482.00
	To balance WD and WWC budget capacit	41133	08/14/2023	JFernandez	8,000.00	500.00	14,982.00
WW Collect.	30-80-8200-5300-570 MISCELLANEOUS						
	To cover Managed Generator installation.	41131	08/14/2023	JFernandez	1,500.00	-1,294.00	206.00
WW Collect.	30-80-8200-5700-741 CAPITAL - EQUIPMENT						
	To cover Managed Generator installation.	41130	08/14/2023	JFernandez	20,000.00	1,294.00	21,294.00
WWTP	30-80-8220-5300-323 SUPPLIES - CHEMICALS						
	To cover DI water maintenance contract.	41083	08/14/2023	JFernandez	56,380.00	-260.00	56,120.00
	To cover electrical safety uniforms.	41088	08/14/2023	JFernandez	56,380.00	-2,700.00	53,420.00
WWTP	30-80-8220-5300-350 UNIFORMS						
	To cover electrical safety uniforms.	41089	08/14/2023	JFernandez	620.00	2,700.00	3,320.00
WWTP	30-80-8220-5300-413 C.S./DI WATER SYSTEM SERVICE						
	To cover DI water maintenance contract.	41084	08/14/2023	JFernandez	3,950.00	260.00	4,210.00
WWTP	30-80-8220-5300-441 C.S./ENGINEERING						
	Move WW master plan to Engineering	41096	08/14/2023	EBRADFORI	0.00	100,000.00	100,000.00
WWTP	30-80-8220-5300-570 MISCELLANEOUS						
	Move WW master plan to Engineering	41095	08/14/2023	EBRADFORI	104,410.00	-100,000.00	4,410.00
WWTP	30-80-8220-5400-910 DEBT SERVICE						
	Separation of debt service principal and ir	41101	08/14/2023	JFernandez	1,130,980.00	-240,479.62	890,500.38
WWTP	30-80-8220-5400-920 DEBT SERVICE - INTEREST						
	Separation of debt service principal and ir	41102	08/14/2023	JFernandez	0.00	240,479.62	240,479.62
W&S Contingency	30-80-9990-5300-000 CONTINGENCY						
	Upfront master plan costs - later reimburs	41119	08/14/2023	JFernandez	400,000.00	-100,000.00	300,000.00
	To cover actual alum sludge quote for FY.	41123	08/14/2023	JFernandez	400,000.00	-11,250.00	288,750.00
NC-86	60-05-3980-3980-104 INSTALL FIN/NC86 RENOVATION						
	Adj per FY24 budget ordinance	34839	07/01/2023	EBRADFORI	2,000,000.00	2,500,000.00	4,500,000.00
NC-86	60-05-5600-5700-775 NC86 - CONSTRUCTION						
	Adj per FY24 budget ordinance	34838	07/01/2023	EBRADFORI	2,000,000.00	2,500,000.00	4,500,000.00

JFernandez
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**TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT**

FY 2023-2024

DATES: 07/01/2023 TO 08/14/2023

	<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>
Rail Station	60-23-3700-3700-101 STATE TIP Adj per FY24 budget ordinance	41044	07/01/2023	EBRADFORI	0.00	5,314,000.00	5,314,000.00
Rail Station	60-23-3700-3700-102 TRANSIT TAX Adj per FY24 budget ordinance	41045	07/01/2023	EBRADFORI	116,000.00	286,000.00	402,000.00
Rail Station	60-23-3980-3980-001 DEBT ISSUANCE PROCEEDS Adj per FY24 budget ordinance	41047	07/01/2023	EBRADFORI	0.00	560,000.00	560,000.00
Rail Station	60-23-6510-5700-000 CONTINGENCY Adj per FY24 budget ordinance	41041	07/01/2023	EBRADFORI	0.00	560,000.00	560,000.00
Rail Station	60-23-6510-5700-720 CONSTRUCTION Adj per FY24 budget ordinance	41043	07/01/2023	EBRADFORI	0.00	5,600,000.00	5,600,000.00
Skate Park	60-27-3870-3870-407 TRANSFER FROM GF - SKATE PARK Adj per FY24 budget ordinance	34837	07/01/2023	EBRADFORI	20,000.00	300,000.00	320,000.00
Skate Park	60-27-6300-5700-780 SKATE PARK Adj per FY24 budget ordinance	34836	07/01/2023	EBRADFORI	20,000.00	300,000.00	320,000.00
Ridgewalk Greenway	60-28-3870-3870-408 TRANSFER FROM GF - RIDGEWALK Adj per FY24 budget ordinance	34835	07/01/2023	EBRADFORI	0.00	209,003.00	209,003.00
Ridgewalk Greenway	60-28-6300-5700-782 RIDGEWALK GREENWAY Adj per FY24 budget ordinance	34834	07/01/2023	EBRADFORI	0.00	209,003.00	209,003.00
Adron F. Thompson	69-18-3980-3980-306 INSTALL. FIN./ADRON THOMPSON RENO Adj per FY24 budget ordinance	34833	07/01/2023	EBRADFORI	0.00	3,000,000.00	3,000,000.00
Adron F. Thompson	69-18-8200-5700-723 ADRON THOMPSON FACILITY RENOVATION Adj per FY24 budget ordinance	34831	07/01/2023	EBRADFORI	290,000.00	3,000,000.00	3,290,000.00
River Pump Station	69-22-3800-3800-350 MISCELLANEOUS Adj per FY24 budget ordinance	41078	07/01/2023	EBRADFORI	1,935,000.00	3,797,175.00	5,732,175.00
River Pump Station	69-22-3870-3870-200 TRANSFER FROM WSF-PERP MAINT FEE Adj per FY24 budget ordinance	41079	07/01/2023	EBRADFORI	33,800.00	915,460.00	949,260.00
River Pump Station	69-22-3870-3870-801 TRANSFER FROM FUND 70-RIVER PS Adj per FY24 budget ordinance	41080	07/01/2023	EBRADFORI	1,080,000.00	27,386.00	1,107,386.00
River Pump Station	69-22-8200-5700-738 RIVER PUMP STATION Adj per FY24 budget ordinance	41077	07/01/2023	EBRADFORI	3,448,800.00	4,740,021.00	8,188,821.00
OWASA Booster PS	69-34-3300-3310-015 GRANT - FEMA - BRIC Adj per FY24 budget ordinance	41058	07/01/2023	EBRADFORI	0.00	1,010,000.00	1,010,000.00
OWASA Booster PS	69-34-3980-3980-308 INSTALL. FIN./OWASA BPS Adj per FY24 budget ordinance	41059	07/01/2023	EBRADFORI	0.00	565,600.00	565,600.00
OWASA Booster PS	69-34-8140-5700-853 OWASA BOOSTER PUMP STATION Adj per FY24 budget ordinance	41055	07/01/2023	EBRADFORI	90,000.00	1,575,600.00	1,665,600.00
US-70 Water	69-35-3870-3870-703 TRANSFER FROM FUND 75-US 70 WTR IMP Adj per FY24 budget ordinance	41062	07/01/2023	EBRADFORI	0.00	275,000.00	275,000.00
US-70 Water	69-35-8140-5700-854 US-70 WATER IMPROVEMENTS Adj per FY24 budget ordinance	41060	07/01/2023	EBRADFORI	30,000.00	275,000.00	305,000.00
Elizabeth Brady PS	69-36-3870-3870-802 TRANSFER FROM FUND 70-ELIZ BRADY PS Adj per FY24 budget ordinance	41071	07/01/2023	EBRADFORI	0.00	300,000.00	300,000.00
Elizabeth Brady PS	69-36-8200-5700-855 ELIZABETH BRADY PS & FORCE MAIN UPG JFernandez		08/07/2023	4:55:38PM			

FY 2023-2024

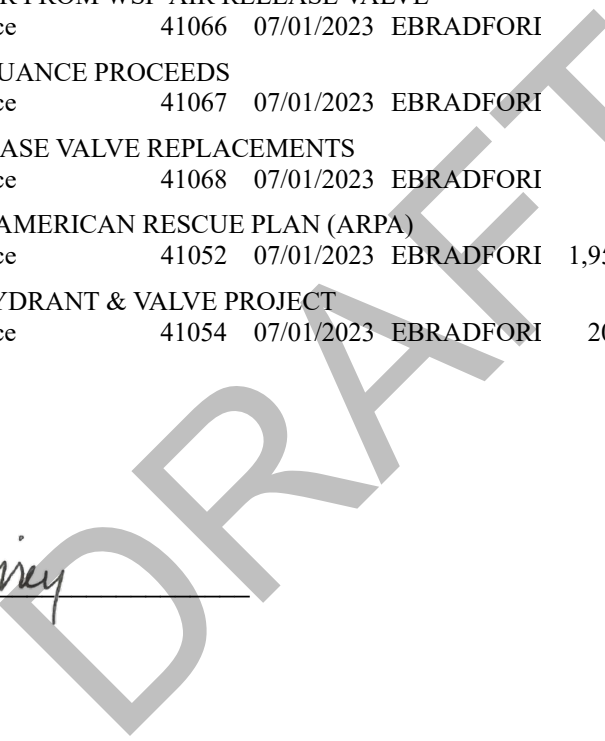
**TOWN OF HILLSBOROUGH
 BUDGET CHANGES REPORT
 DATES: 07/01/2023 TO 08/14/2023**

<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 per FY24 budget ordinance	41072	07/01/2023	EBRADFORI	0.00	300,000.00	300,000.00
Exchange69-37-3870-3870-514 TRANSFER FROM WSF-EXCHANGE CLUB INT						
Club Int. Adj per FY24 budget ordinance	41075	07/01/2023	EBRADFORI	0.00	190,000.00	190,000.00
Exchange69-37-8200-5700-856 EXCHANGE CLUB INTERCEPTORS						
Club Int. Adj per FY24 budget ordinance	41076	07/01/2023	EBRADFORI	0.00	190,000.00	190,000.00
Hassell 69-38-3300-3310-016 GRANT - AIA						
Water Tank Adj per FY24 budget ordinance	41050	07/01/2023	EBRADFORI	0.00	40,000.00	40,000.00
Hassell 69-38-8140-5700-857 HASELL WATER TANK REPLACEMENT						
Water Tank Adj per FY24 budget ordinance	41051	07/01/2023	EBRADFORI	0.00	40,000.00	40,000.00
W&S Air 69-39-3870-3870-516 TRANSFER FROM WSF-AIR RELEASE VALVE						
Release Adj per FY24 budget ordinance	41066	07/01/2023	EBRADFORI	0.00	29,074.00	29,074.00
W&S Air 69-39-3980-3980-300 DEBT ISSUANCE PROCEEDS						
Release Adj per FY24 budget ordinance	41067	07/01/2023	EBRADFORI	0.00	120,926.00	120,926.00
W&S Air 69-39-8140-5700-858 AIR RELEASE VALVE REPLACEMENTS						
Release Adj per FY24 budget ordinance	41068	07/01/2023	EBRADFORI	0.00	150,000.00	150,000.00
ARPA 77-00-3300-3310-006 GRANT - AMERICAN RESCUE PLAN (ARPA)						
Hydrant Adj per FY24 budget ordinance	41052	07/01/2023	EBRADFORI	1,958,460.00	200,000.00	2,158,460.00
ARPA 77-25-3001-5700-788 ARPA - HYDRANT & VALVE PROJECT						
Hydrant Adj per FY24 budget ordinance	41054	07/01/2023	EBRADFORI	200,000.00	200,000.00	400,000.00
					39,279,248.00	

APPROVED: 5/0

DATE: 8/14/23

VERIFIED: *Sam E Kimrey*



Meeting Schedule: 2023

BOARD OF COMMISSIONERS



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

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

Regular meetings

Regular meetings typically occur the second Monday of the month.

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

Work sessions

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

Jan. 23		May 30	Budget workshop - CANCELED
Jan. 28	Budget retreat, 9 a.m. to 2:30 p.m.	June 26	Budget adoption, if needed
Feb. 27		Aug. 28	With joint WSAC meeting
March 27		Sept. 25	
April 24	With State of the Town Address	Oct. 23	
May 22	Budget workshop, public hearing	Nov. 27	

Joint public hearings

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

Jan. 19		Aug. 17
April 20		Oct. 19

Joint meetings

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

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

Board of Commissioners Special Meeting

4:30 p.m. Aug. 28, 2023

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

Present: Mayor Jenn Weaver and commissioners Mark Bell and Kathleen Ferguson

Absent: Commissioners Robb English, Matt Hughes and Evelyn Lloyd

Staff: Assistant Town Manager and Community Services Director Matt Efird, Town Clerk and Human Resources Technician Sarah Kimrey and Town Manager Eric Peterson

1. Opening of the special meeting

The meeting started at 4:47 p.m. A quorum of board members was not present.

2. Agenda changes and approval

There were no changes.

3. In-depth discussion and topics

A. Transportation discussion with GoRail

Christy Sammon introduced herself to board members and staff as a state director of GoRail, a nonprofit group that educates local government officials and community leaders about the public benefits of freight rail investments.

Sammon provided a brief overview of GoRail. GoRail is organized by congressional districts, and Sammon is visiting District 4 to educate local leaders that Congresswoman Valerie Foushee has been appointed to the House Committee on Transportation and Infrastructure and that they can reach out to Foushee with issues regarding transportation. GoRail is concentrating on ensuring that no added regulations are placed on freight rail. Freight rail has been privately held for 40 years, and there is a desire to remain private. From an economic standpoint, this structure has been going well, Sammon said, noting that freight rail reinvests 39 cents of \$1 back into its infrastructure. GoRail monitors federal regulations that may change the logistics or structure of freight rail. Sammon welcomed questions from board members and staff.

Mayor Jenn Weaver informed Sammon that Hillsborough has a railway that travels directly through town and that the town board and staff are very interested in stringent safety regulations. Weaver mentioned that Hillsborough is building a new passenger rail station that will be important to the local economy. The town is also a member of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO), which is interested in expanding passenger rail. Weaver acknowledged the importance of moving freight for the economy and the interest in balance for passenger rails. She noted that the interface between passenger and freight is a point of curiosity and anxiety.

Commissioner Mark Bell asked for Sammon's thoughts on passenger versus freight rail and for sharing the infrastructure. Sammon said federal law mandates that freight rail must go second and passenger rail first when the rail is shared.

Sammon asked about the planning status for the town's future train station. Assistant Town Manager and Community Services Director Matt Efird shared that the town is at a 30% design level and in the final stages of agreement processes with the North Carolina Railroad and Amtrak to serve the station.

Weaver raised the town's concern for safety and asked for Sammon's feedback. Sammon mentioned that since the incident in East Palestine, GoRail has been making sure people understand that safety is its number one concern and has been educating folks about a mobile app for first responders called "AskRail." Sammon explained that the app provides first responders with immediate access to data about what type of hazardous materials a railcar is carrying in the case of an emergency.

Regarding regional transportation projects, Efird noted that the freight industry could be helpful in terms of advocating for several improvement projects, such as radius, trestle and redundant crossing improvements in and around the town that are competing for diminishing state funds. The improvement projects would benefit the town's passenger rail station and pedestrian safety, and the town could use the freight industry's assistance in advocating for funding.

Sammon referenced an informational packet shared with the group that includes rail-related safety grant information. She pointed out two grants that are the most widely used for a town Hillsborough's size. Sammon advised making the Metropolitan Planning Organization aware that funds are available and that GoRail and/or Foushee could write a letter of support during the application process. Sammon also mentioned another resource on GoRail's website called Rail Grant Hub.

4. **Adjournment**

The meeting ended at 5:16 p.m.

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

DRAFT



Minutes

Board of Commissioners Work Session

Joint meeting with Water and Sewer Advisory Committee

7 p.m. Aug. 28, 2023

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

Present

Town board: Mayor Jenn Weaver and commissioners Mark Bell, Robb English, Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd

Advisory board: Chair Jenn Sykes, Vice Chair Saru Salvi and members Grace Beeler, Mo Rasheed, Daniel Rawlins and Steed Robinson

Absent: Water and Sewer Advisory Committee Member Barry Weston

Staff: Assistant Town Manager and Community Services Director Matt Efird, Civil Engineering Technician Tyler Freeman, Environmental Engineering Supervisor Bryant Green, Town Attorney Lydia Lavelle, Utilities Infrastructure Protection Supervisor Troy Miller, Town Clerk and Human Resources Technician Sarah Kimrey, Town Manager Eric Peterson, Utilities Director Marie Strandwitz and Communications Manager Catherine Wright

1. Opening of the work session

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

2. Public charge

Weaver did not read the public charge.

3. Agenda changes and approval

Commissioner Mark Bell asked to add discussion of the 2024 Assembly of Governments meeting.

Motion: Commissioner Kathleen Ferguson moved to approve the agenda as amended. Commissioner Matt Hughes seconded.

Vote: 5-0.

4. Items for decision - consent agenda

A. Miscellaneous budget amendments and transfers

B. Special Event Permit: Historic Hillsborough Half Marathon and 5K

Motion: Ferguson moved to approve all items on the consent agenda. Hughes seconded.

Vote: 5-0. Nays: 0.

5. Board of Commissioners and Water and Sewer Advisory Committee joint meeting

A. System Development Fee Analysis Presentation

Raftelis Financial Consultants virtually presented a study and proposal for Hillsborough's system development fees —one-time charges to new development to pay for water and sewer facilities needed to support growth or to recoup costs for existing utilities facilities.

Raftelis Senior Consultant Vanessa Waller said no written public comments had been received thus far. A public hearing and vote on the revised fees will take place at the board's regular meeting in September.

Waller reported that the capacity buy-in method was used to calculate the town's proposed fees because Hillsborough's existing water and sewer facilities potentially have enough capacity to serve new customers for the next several years. The state requires a new study at least every five years.

The buy-in cost per gallon for Hillsborough's existing facilities was found to be \$9.09 for water and \$9.72 for sewer. The consultant based the proposed fees for residential and nonresidential structures on the average number of gallons used per day for each type of structure in North Carolina.

B. Water and Sewer Advisory Committee recommendations

1. Utility rate structure

Alan Pennington, director of plant operations at UNC Hospitals Hillsborough Campus, spoke about the facility's use of water, its regulations and what it does to minimize water use, including the installation of landscaping that does not require irrigation. He noted higher rates would be passed onto customers.

Water and Sewer Advisory Committee Chair Jenn Sykes reviewed the committee's work to keep the utilities system solvent but to also provide financial relief to customers. She said the committee is requesting the board allow a consultant to evaluate how the institutional class of water and sewer customers would be affected by changing the utilities rate structure to an increasing block structure with higher rates for higher usage. She said the committee wants to determine if the change could bring financial relief to residential and small business customers.

There was discussion among commissioners about a wariness to place additional charges on schools. It was clarified that the institutional class is typically government agencies, university systems, public and community schools, and churches. Utilities Director Marie Strandwitz noted the town has partnered with schools in the past to waive facility fees or make other financial contributions for infrastructure.

Committee members and staff noted an increasing block structure could incentivize water conservation and the pursuit of grants to make schools greener. Conservation also could help boost the town's raw water supply during the hottest months when schools typically irrigate and UNC Hospitals uses water to regulate its cooling system.

Ferguson noted a desire to explore the option. Others on the board noted that increased conservation in the institutional class could lead to no change in revenue and that \$9,000 could be spent to learn what is already known.

It was clarified that the potential increasing block structure would apply to all customers but would affect the institutional class of customers the most. There was discussion that low-income customers with large families might end up paying more under such a structure.

The mayor called for a vote.

Motion: Ferguson moved to authorize a utility rate structure study. There was not a second.

The motion failed. The mayor thanked the committee for its work.

2. Cross connection code changes

Utility customers George Prebula, Kevin Cheshire and Saru Salvi spoke about the proposed changes to the code regarding residential in-ground pools and backflow prevention. Prebula and Cheshire noted discomfort with proposed site visits to check for other hazards. Salvi noted loss of money to install a reduced pressure

zone assembly to prevent backflow due to her in-ground pool and well. The vice chair for the Water and Sewer Advisory Committee had recused herself from this portion of the meeting.

The town board and committee discussed proposed changes to the Hillsborough Code of Ordinances related to cross-connection requirements for owners of existing residential in-ground swimming pools to prevent water from flowing backward into the water supply with potential contaminants.

During discussion of proposed site visits from staff to check for hazards, Customer Eric Lindblom spoke about his experience, noting the visit was brief, taking about 10 minutes. He added that he believes the code changes are not needed based on the data about risks.

Sykes left the meeting at 8:44 p.m.

The Board of Commissioners directed staff to revise the proposed changes to keep requirements simple and manageable for staff and customers, provide clear boundaries for site inspections, and clearly define the hazards that would require a reduced pressure zone assembly to prevent backflow. Additional information was requested to determine whether the backflow prevention device should be required for all new residential pools or only those directly piped to the town's water system for autofilling.

- C. Discussion of the Assembly of Governments meeting (added item)
Commissioner Mark Bell asked commissioners about Jan. 23 as the proposed date for the meeting with Orange County and other town governments in the county. He asked commissioners to send him potential topics for discussion. One noted topic was discussion of services and which government entity provides the services.
- 6. Committee updates and reports**
Board members gave updates on the committees and boards on which they serve.
- 7. Adjournment**
Weaver adjourned the meeting at 9:32 p.m.

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

FY 2023-2024

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

DATES: 08/28/2023 TO 08/28/2023

REFERENCE	CHANGE NUMBER	DATE	USER	ORIGINAL BUDGET	BUDGET CHANGE	AMENDED BUDGET
GF 10-00-9990-5300-000 CONTINGENCY						
Contingency For design graphic on new garbage truck.	41141	08/28/2023	JFernandez	450,000.00	-1,275.00	263,081.00
Solid 10-30-5800-5300-330 SUPPLIES - DEPARTMENTAL						
Waste For design graphic on new garbage truck.	41140	08/28/2023	JFernandez	2,500.00	1,275.00	3,775.00
Storm- 35-30-5900-5300-570 MISCELLANEOUS						
water To cover tractor and trailer attachment.	41143	08/28/2023	JFernandez	26,374.00	-1,000.00	25,374.00
Storm- 35-30-5900-5700-741 CAPITAL - EQUIPMENT						
water To cover tractor and trailer attachment.	41142	08/28/2023	JFernandez	75,000.00	1,000.00	76,000.00
					<u>0.00</u>	

APPROVED: 5/0

DATE: 8/28/23

VERIFIED: _____

Janet E. Kimrey

DRAFT



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
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: 09/11/2023 TO 09/11/2023

	<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	10-00-9990-5300-000 CONTINGENCY						
Contingency	To cover safety dividend program.	41149	09/11/2023	JFernandez	450,000.00	-4,855.00	258,226.00
Safety & Risk Mgmt.	10-10-6600-5300-571 SAFETY AWARDS PROGRAM						
	To cover safety dividend program.	41150	09/11/2023	JFernandez	15,120.00	4,855.00	19,975.00
Police	10-20-5100-5300-458 DATA PROCESSING SERVICES						
	To cover Central Square annual contract	41148	09/11/2023	EBRADFORI	25,310.00	1,000.00	26,310.00
Police	10-20-5100-5300-730 DRUG ENFORCEMENT OPERATIONS						
	To cover Central Square annual contract	41147	09/11/2023	EBRADFORI	5,000.00	-1,000.00	3,632.00
Admin of Enterprise	30-80-7200-5300-571 SAFETY AWARDS PROGRAM						
	To cover safety dividend program.	41152	09/11/2023	JFernandez	0.00	2,826.00	2,826.00
Utilities Admin.	30-80-7220-5100-020 SALARIES						
	To cover WWTP intern	41145	09/11/2023	EBRADFORI	368,043.00	2,500.00	370,543.00
W&S Contingency	30-80-9990-5300-000 CONTINGENCY						
	To cover WWTP intern	41146	09/11/2023	EBRADFORI	400,000.00	-2,500.00	286,250.00
	To cover safety dividend program.	41151	09/11/2023	JFernandez	400,000.00	-2,826.00	283,424.00
Storm- Water	35-30-5900-5300-570 MISCELLANEOUS						
	To cover safety dividend program.	41154	09/11/2023	JFernandez	26,374.00	-191.00	25,183.00
Storm- Water	35-30-5900-5300-571 SAFETY AWARDS PROGRAM						
	To cover safety dividend program.	41153	09/11/2023	JFernandez	0.00	191.00	191.00
						<u>0.00</u>	



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
Department: Utilities
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Utilities Director K. Marie Strandwitz, PE

ITEM TO BE CONSIDERED

Subject: Acceptance of Water and Sewer Utilities in Harmony at Waterstone (Parcel 17)

Attachments:

None

Summary:

Harmony at Waterstone was constructed several years ago. However, the developer certified to the state but did not request formal acceptance of the water and sewer infrastructure. Upon discovery of this oversight in 2020, the town began working with the developer on acceptance. The acceptance process revealed several sewer defects for which the town continued to work with the developer on correction. After various delays and changes in developer project managers and some resident concerns, the developer has requested dedication and met all the requirements for the town staff to recommend that the board accept the water and sewer infrastructure in Harmony at Waterstone for town ownership.

Financial impacts:

The value of the assets to become under town ownership is \$1,020,938 for water (5,931 linear feet of 6" and 8" water main, 201 services and 13 hydrants) and \$806,495 for sewer (5,190 linear feet of 8" sewer main, 201 laterals and 47 manholes) and \$92,567 of indirect costs (bond, insurance, design, and construction). The town will cover operation and maintenance in its operations budget and incorporate such in annual rate setting.

Staff recommendation and comments:

The developer has presented a one-year warranty security in the amount of 25% of the total opinion of value.

Action requested:

Accept this infrastructure into the town system for operation and maintenance.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
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: Approval of a Water and Sewer Extension Contract for 420 W. Tryon St.

Attachments:

Draft Water and Sewer Extension Contract for 420 W. Tryon St.

Summary:

420 W. Tryon St. is a vacant in-town parcel without water main frontage. A builder now desires to construct a new single-family home. An approximately 180 linear foot 2" main line water extension will be constructed along West Tryon Street towards Nash Street across the parcel frontage to serve a new single-family home per town code.

Financial impacts:

The town will assume ownership of the 2" main upon its construction and absorb operation and maintenance of it under its current operations budget.

Staff recommendation and comments:

Action requested:

Approve the execution of the contract by the Town Manager when approved by the town attorney.

THIS WATER/SEWER EXTENSION CONTRACT (WSEC) is entered into this ____ day of _____, 2023 by and between BUILDSense, INC. (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 and sewer system (hereinafter the “Work, or Improvements”) to serve its **420 West Tryon Street** 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 September 11, 2023, the Town Board of Commissioners authorized the proposed water and sewer 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.

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 one year of town board approval; (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 two 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.

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. The 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 Town 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 will require an amendment to this Contract.
2. The 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. The 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

4. The DEVELOPER shall secure and record all required easements for the Work. The Town will provide a boilerplate easement document for utilization.
5. The DEVELOPER shall schedule a pre-construction meeting to include the Town Utilities Department, the Town Planning Department, the Public Works Department, 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 contacts for the Project.
6. The 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.
7. The DEVELOPER shall pay all fees for the Improvements due to the Town prior to construction of the Improvements.
8. The Town will not accept new pumping stations except under extraordinary circumstances. If the Town accepts a pumping station in the Project design, the DEVELOPER shall pay the Town's Perpetual Maintenance Fees for such Improvements as required by the Town Code.
9. The 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.

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.
 - b) The Town shall provide construction observation of the water and sewer Improvements by a competent and experienced inspector (Inspector). Inspection by the Town does not consist of or imply supervision. The role of the Town's inspection staff is not to oversee construction of the Project, but only to (i) witness the installation of critical items of importance to the Town and (ii) periodically check on the Project's progress.
 - c) All work on the extension of water or sewer lines shall be subject to inspection by the Town, 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; or provide constant inspection by Town personnel **at the expense of the Developer.**

- d) The Town will 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. Daily logs shall include a general description of the work performed that day, weather conditions, equipment used, number of crew, any installation observations, or concerns, and who they were communicated to, and associated photos with a photo log. 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 Inspector shall consult with the DEVELOPER's engineer on any significant field changes. The DEVELOPER's engineer shall gain approval in writing from the Town's Utilities Director or delegated staff 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 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.

- 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) 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. 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.
- k) DEVELOPER shall ensure contractor checks and confirms line and grade throughout installation of future public gravity sewers to ensure proper slope and alignment per plan. Failure to comply with minimum slope shall result in the removal and replacement of such sewers mains at proper grade, at DEVELOPER's cost.
- l) DEVELOPER shall provide proof of approved product submittals to the Town prior to construction commencement.
- m) DEVELOPER shall provide a copy of this WSEC to its water and sewer contractor and submit proof to the Town of same.
- n) DEVELOPER shall require its contractor to provide 48-hours' notice to the Town in advance for any taps and acceptance testing.
- o) 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.
- p) 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. Any missing information to meet the requirements shall be collected at the DEVELOPER expense and prior to Town acceptance of the system.
- q) The DEVELOPER shall prepare and submit final as-built drawings of the Work which are sealed by a North Carolina registered Professional Engineer. The DEVELOPER shall survey the location of the utility as required in the Town's record drawing standards, the Inspector shall not be responsible for the collection of this required data.

- r) 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 construction within the Project and the total cost of 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) sewer smoke testing and televising reports as required by the Town specifications,
 - b) 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,
 - c) 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),
 - d) 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,
 - e) a contractor's notarized affidavit that the drawings accurately represent the as-built improvements,
 - f) 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,
 - g) evidence the noted deficiencies, including any noted from the sewer televising and smoke testing, 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 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 cost of the water and sewer Improvements,
- 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) provide developer completed state Change of Ownership forms to transfer the state-permitted sewer Improvements that are to become public to the Town (the Town will execute its portion and submit to the state upon Town Board of Commissioners acceptance),
- i) 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

- j) 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. 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 performed end-of-warranty sewer smoke testing and televising (CCTV) and provided such to the Town for review in accordance with the Town's specifications,
 - c) DEVELOPER has corrected any defects noted by the Town staff in its evaluation of the system and the Town has verified this, and
 - d) 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) Perpetual Maintenance Fees for any approved pumping station per town code calculations.
- c) Tampering fees as outlined in Item C(1)(i).
- d) 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.
- e) 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.
- f) 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.
- g) DEVELOPER shall reimburse the Town for review of sewer CCTV tapes at the rate established in the town adopted fee schedule. CCTV that is submitted not in accordance with the Town CCTV specifications will be immediately rejected with a one-time charge as presented in the town adopted fee schedule.

[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.

BUILDSense, INC.

TOWN OF HILLSBOROUGH

By: _____
Randall Lanou
Owner

By: _____
Eric J. Peterson
Town Manager

ATTEST:

ATTEST:

Town Clerk
Sarah Kimrey

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:
Appendix A

420 West Tryon Street

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

DEVELOPER agrees to satisfy the following conditions in addition to those set forth in the WATER/SEWER EXTENSION CONTRACT before the Town will permit the connection of Improvements constructed for the above referenced Project to the Town water and sewer system:

1. The Project has reserved **360 gpd** of water and wastewater capacity, which is valid in accordance with the terms of this Contract. Additional reservations of capacity to project or external lots shall be requested and approved separately with supporting documentation.
2. Public water facilities for the project consists of 2-inch water main (180 LF) including necessary fire hydrants, valves and other appurtenances, and one 4" sanitary sewer lateral as designed by MacConnell and Associates. There will be a 5/8" domestic meter and meter box.
3. Developer shall ensure CONTRACTOR checks and confirms line so that the water main is centered within the easement.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
Department: Planning and Economic Development
Agenda Section: Regular
Public hearing: Yes
Date of public hearing: Aug. 17, 2023

PRESENTER/INFORMATION CONTACT

Tom King, Senior Planner
Shannan Campbell, Planning and Economic Development Manager

ITEM TO BE CONSIDERED

Subject: Unified Development Ordinance text amendment – Section 6.13.3.4, Minimum Number of Parking Spaces Required – Places of Worship (Applicant Initiated)

Attachments:

1. UDO Text Amendment Application Materials
2. Consistency Statement
3. Ordinance amending the UDO as applied for
4. Ordinance amending the UDO as the Planning Board recommends

Summary:

Prior to adoption of the UDO (Unified Development Ordinance) on Feb. 28, 2011, the minimum required parking standard for churches and other places of assembly, as found in the town's zoning ordinance, was 1 space per 4 seats. The minimum standard for Churches/Places of Worship changed to 1 space per 8 seats upon UDO adoption, while the minimum standard for Meeting and Performance Facilities changed to 1 space per 6 seats or 1 space per 30 square feet of gross floor area if no permanent seats. An allowance for an increase or reduction in the number of required parking spaces was added to UDO §6.13.3.3 (Number of Parking Spaces Required Outside the CC District) after its adoption.

The applicant is in the process of preparing a future expansion plan that projects an increase in current seating from 300 to 500. The plan proposes an increase in the number of parking spaces from approximately 115 to 200.

In support of their request, the applicant provides parking requirements for churches/places of worship from the towns of Carrboro and Chapel Hill, and cities of Durham and Mebane. The applicant recommends adopting Chapel Hill's requirement.

Analysis:

The following table compares the applicant's requested amendment as applied to their property against the previous town zoning ordinance and current UDO requirements. Note that the language in UDO §6.13.3.3 allows a further reduction or increase in the number of required spaces.

Pre-2011 Zoning Ordinance	Current UDO	Proposed Amendment	
<i>1 per 4 seats (Minimum)</i>	<i>1 per 8 seats (Minimum)</i>	<i>1 per 5 seats (Minimum)</i>	<i>1 per 2 seats (Maximum)</i>
125	63 (68/58 ¹)	100 (110/90 ¹)	250 (260/240 ¹)

¹UDO §6.13.3.3: Uses requiring 21-99 spaces after rounding allowed to build up to 5 more or 5 fewer spaces. Uses requiring 100 spaces or more after rounding allowed to build up to 10 more or 10 fewer spaces (# more / # fewer).

8/17 Joint Public Hearing Draft Minutes:

Text amendments to the Unified Development Ordinance

- A. Unified Development Ordinance text amendment- Section 6.13.3.4, Minimum Number of Parking Spaces Required- Places of Worship (Applicant Initiated)

Tom King explained that the proposed text amendment to the Unified Development Ordinance (UDO) would change the current minimum and maximum of one space per eight seats to a minimum of one space per five seats with a maximum of one space per two seats. He noted the staff report included background on this request, the contents of the old zoning ordinance and the current UDO, and what changes the amendment would make. He reminded the boards that the current UDO already has a provision, based on the number of parking spaces, that allows a few less or a few more spaces than the standard stipulates. When asked where the church was located, King projected a map showing its location on Governor Burke Rd.

Greg Payne, a member of the Holy Family Catholic Church, said the church’s membership had grown 33% in the past five years and the church was planning a new sanctuary on the eight-acre property. The architect for the new building discovered that the current parking standard allowed only one space per eight seats of sanctuary and that outside of the central commercial district, that standard was both the minimum and maximum. Payne said that standard was unworkable for his church and probably any church outside of the town center. He said on-site parking at the church was the only safe option because Governor Burke Rd has no shoulder, making it dangerous to park there. He added there are no public lots, parking decks, or shared parking nearby. He said nearby municipalities have lower ratios and allow more flexibility. For instance, outside the town center, Chapel Hill has a minimum of one space for five seats and a maximum of one space for two seats. Durham allows 75% more space for parking in suburban neighborhoods than in the town center. Both Carrboro and Mebane allow more flexibility in applying their standards than does Hillsborough. He added that the church schedules activities every day of the week and four services each weekend to relieve parking pressure.

Weaver asked if the church’s parking lots were full for every service. Father Ryan, pastor of Holy Family, said the church currently has 110 parking spaces and average attendance for services ranges from 200 to 380. He said fourteen services were offered over the course of a week. While a mid-week service may draw only 20 people, for evening services, held at the same time as youth education programs, the parking lot is functionally full. Schultz said he understood the request to raise the maximum and asked why the church wanted to raise minimum. Payne said because a higher standard seemed to be the norm in nearby municipalities.

Planning Board member Saru Salvi said it was difficult to judge the proposal because the board hadn’t seen any plans for the expansion. Schultz explained the church couldn’t add parking under the current UDO parking

standard. King noted the board should consider any amendment as a town-wide change effecting any current or future church in town.

Planning Board member Robert Iglesias noted that staff comments, included in the agenda packet, seemed to support the change and asked if there was any potential negative impact to amending the ordinance. Schultz suggested raising the minimum would force a church that wanted to promote walking and biking to build more parking. Commissioner Mark Bell noted the amendment could potentially quadruple the density of parking spaces and asked if the town would still require a site review for stormwater runoff and retention. King said yes.

Hughes said he'd like to see the town's land use policy orient towards parking maximums rather than minimums, adding it would be difficult for churches in town to expand parking. He said the town's UDO is overly prescriptive, which is why people often come to the boards with requests, and that there should be more delineation in the UDO parking standards between in-town and the periphery of town. Casadonte, noting that the UDO covers all places of worship in town and that one space per eight seats seemed insufficient for many churches, asked if allowing a maximum of one space per two seats would meet the needs of all churches. Weaver pointed out that many in-town churches use on-street parking and that raising the maximum to one space per two seats might encourage churches to substantially expand parking lots. She asked if raising the minimum to one space per five seats would require existing churches to increase their parking. King said that change wouldn't require existing churches to comply to a new minimum. He noted that in some circumstances increased parking may require more room for stormwater infrastructure. Ferguson asked about the possibility of installing pervious surfaces. It's permitted, King said, but town stormwater staff have told him the local soils are not suited to pervious surfaces. Iglesias asked if keeping the minimum at one space per eight seat and increasing the maximum to one space per two seats would provide a solution for the Holy Family Church. King said it would.

There was some discussion of the needs of churches on the periphery of town compared to those in town. Bell noted there were three churches near his home, all with very different parking capacities, and said, given these variables, it was probably not a good idea to create one standard for all churches. Casadonte asked if it was possible to amend the ordinance to set separate standards for churches in town and those in the extraterritorial jurisdiction (ETJ). King said the UDO recognizes a minimum number of parking spaces within the central commercial district, based on the square footage of the gross floor area of a property. Casadonte said the board could alter the amendment without impacting the central commercial district. Bell asked what the options were for churches asking for a variance. King said only if a hardship resulted from conditions peculiar to the property, such as location, size, or topography, could an applicant make a case for a variance; if an applicant was causing the need for the variance, the Board of Adjustments would likely deny the request.

Weaver noted that the boards had moved into deliberation and, since this was a public hearing, should move to the next agenda item. Casadonte asked if there were other comments or questions for either the applicant or King. Salvi said she lives in the ETJ and would hate to see a large increase in space devoted to parking. Casadonte said there seem to be two separate standards needed, one for the central commercial district and another for the ETJ and asked if an amendment would apply to the entire ETJ. King said any amendment would apply town wide, noting that he wasn't sure if there were any churches in the central commercial district. King said he was not sure if there was a way to accommodate different parking needs for churches in the ETJ and those in town. He noted that because the public hearing had been postponed a month, Planning and Economic Development Manager Shannan Campbell had said the board was being asked to make a recommendation at this meeting if they were comfortable doing so. Casadonte said the boards would need to close the public hearing to go into deliberation before making a recommendation.

8/17 Planning Board Recommendation Draft Meeting Minutes (July Joint Public Hearing Canceled): Planning Board recommendations

B. Section 6.13.3.4, Parking

Casadonte asked King if the board needed to make recommendations on both agenda items. King said yes, if the board was ready to make them. Schultz suggested the board amend the request to keep the minimum of one space per eight seats and raise the maximum to one space per four seats. Iglesias agreed the current minimum should remain the same. Casadonte noted a maximum of one space per two seats wouldn't mean churches always have permission to build that many spaces, since they may be limited by stormwater and topography issues. King reminded the board that the applicant wants to increase its parking spaces from 110 to 200 and is planning a sanctuary that seats 500 people. Schultz said the current standard of one space per eight seats was untenable, so the board should change that standard regardless of how it felt about this church. Salvi suggested the board should require the applicant to plant more trees and shrubs around the parking. King said the church would be required to plant trees inside the lot as part of the expansion. Casadonte noted that if the new sanctuary will have a seating capacity of 500 and the board sets a new maximum of one space per four seats, that will limit the church to 125 spaces, which is not much more than its current 110 spaces. Schultz said the congregation is mostly families, so most members would not be arriving in a car with two passengers and the town shouldn't be encouraging that. Casadonte noted that it was unlikely 500 members would ever use the church at one time.

Motion: Schultz moved to recommend modifying the requested amendment to the UDO and retain the current parking minimum requirement of one space per eight seats and set the maximum parking requirement at one space per four seats. Salvi seconded.

Vote: 5-0.

Financial impacts:

None.

Staff recommendation and comments:

Staff recommends the Planning Board's suggestion of modifying the UDO to retain the current parking minimum of one space per eight seats and setting a maximum of one space per four seats. This sets the expectation that the town is encouraging carpooling over one and two passenger vehicle trips and doesn't support over-parking sites, consistent with the goals of Comprehensive Sustainability Plan.

Action requested:

Approve attached amendments, consistency statement, and ordinance, approve with conditions/modifications, or table/continue discussion of the item.



TOWN OF HILLSBOROUGH

APPLICATION FOR Text and/or Map Amendment Request

Planning Department
101 E. Orange Street/P.O. Box 429
Hillsborough, NC 27278
Phone: (919) 296-9477 Fax: (919) 644-2390
Website: www.hillsboroughnc.gov

Amendment Type: [] Future Land Use Plan Map [] Zoning Map
[] Comprehensive Plan Text [X] Unified Development Ordinance text

Property Address: 216 Governor Burke Rd, Hillsborough NC 27278 PIN: 9865955127

Applicant Name: Holy Family Catholic Parish of Hillsborough

Mailing Address: 216 Governor Burke Rd Phone: (919) 732-1030

City, State, Zip: Hillsborough, NC 27278 E-mail: pastor@hfcch.org

Property Owner Name: Holy Family Catholic Parish of Hillsborough

Mailing Address: 216 Governor Burke Rd Phone: (919) 732-1030

City, State, Zip: Hillsborough, NC 27278 E-mail: pastor@hfcch.org

Location/Streets Accessed: Bounded by Governor Burke Rd, NC Hwy 57, and Rocky Lane

Current Zoning District(s): R-10 Proposed Zoning District(s): No Change

Acreage: 7.99

Water Service: X Public Water [] Well Sewer Service: X Public Sewer [] Septic Tank

Existing Structures on Site: Current worship space with classrooms/meeting rooms below; modular office building; storage garage.

Critical Areas:

[] Flood [X] Drainage/Stream/Pond [] Cemetery [] Historic Resource [] Steep Slopes
[X] Easement

NARRATIVE

The current standard in the Town of Hillsborough UDO parking table (6.13.3.4) for churches or places of worship is **1 space per 8 seats**. The table indicates this is a minimum, but 6.13.3.3 states that outside the CC district it is “both a minimum and maximum.” Places requiring more than 100 spaces have the flexibility to build 10 more or 10 fewer spaces.

Our understanding is that this standard was changed from 1 space per 4 seats when the current UDO was adopted. It is not clear what prompted the change.

The proposed text amendment in the parking table 6.13.3.4 for churches and places of worship is:

Minimum: 1 space per 5 seats

Maximum: 1 space per 2 seats

We believe that the current standard of 1 space per 8 seats is unworkable as a maximum, for any existing church in Hillsborough needing to expand or for a new church coming to the town. Below are some parking standards in neighboring jurisdictions:

Chapel Hill (outside of the town center):

Section 5.9.7

Minimum of 1 space per 5 seats

Maximum of 1 space per 2 seats

Carrboro

Article XVIII, Section 15-291, use code 5.2

1 space per 4 seats

Plus 1 space for every 200 square feet of floor area not used for services or residential purposes.

Also, Carrboro’s table of parking standards “is only intended to establish a presumption and should be flexibly administered.”

Mebane:

Section 6.5

1 space per 4 seats as a minimum

Increase up to 20% permitted without a parking study; additional increase possible with a parking study.

Durham:

Section 10.3.1

1 space per 28 square feet available for seating in the assembly area

In suburban tiers of the city, the maximum is 75% more than the standard in the table.

Factors to Consider for a UDO Text Amendment

1. The proposed amendment is generally consistent with adopted plans, such as Hillsborough Vision 2030 and the Hillsborough and Orange County Strategic Growth Plan. There may not be many goals of these plans that directly relate to the proposed amendment. However, the amendment could support Goal 1.B.1 of Vision 2030, "Modify regulations to allow additional density while maintaining neighborhood character." Allowing a place of worship outside of the town center to expand on-site with adequate parking (rather than having some attendees attempt to park along the street in an unsafe manner) will help maintain neighborhood character and cohesion. Similarly, Vision 2030 Goal 1.C.2 aims to "Develop and adopt development regulations to encourage development with desired characteristics and to discourage mediocre or undesirable characteristics." Maintaining safe and adequate parking for churches (especially outside the town center) supports this goal.
2. This amendment would reflect a sensible parking standard for any growing place of worship in Hillsborough (like Holy Family Church), and for any new place of worship in the town. Also, we understand that the parking standard for churches in the town was changed several years ago, to a standard that we do not believe reflects realistic conditions for any church in Hillsborough. It is particularly difficult to apply outside of the town center where one cannot take advantage of on-street, decked, or shared parking.
3. The proposed amendment simply reflects realistic parking conditions that would apply to any place of worship in the town, but particularly those outside of the town center that must accommodate parking needs on-site.
4. The proposed amendment would be beneficial to neighboring properties and their existing residential uses as well as any proposed new uses. By having adequate parking levels on-site for a church, it will eliminate the need for church-goers to park along the street, for which neighboring streets were not designed, resulting in dangerous conditions.
This amendment request does not include any change in zoning district.
5. The proposed amendment would encourage logical and orderly development by providing for adequate parking on-site and reducing or eliminating attempts to park off-site along the street in a residential area. This is particularly true in areas outside the town center which have no safe on-street, deck, or shared parking options.
6. There should be no impacts from this proposed amendment that would encourage premature development.
7. The proposed amendment does not pertain to commercial development and would not result in strip or ribbon commercial development.
8. The proposed amendment does not involve a zoning district change and would not result in the creation of an isolated zoning district unrelated to or incompatible with adjacent and surrounding zoning districts.
9. The proposed text amendment would likely not change or would improve neighboring property values. By providing sufficient on-site parking for church uses, it will reduce or eliminate the likelihood that those attending the church will park along neighboring streets. Adjacent streets were not designed for parking and this creates an unsafe situation. Reducing the potential for parking along residential streets will create a safer and more attractive environment, avoiding conflicts and possibly improving property values.
10. The proposed amendment will not result in adverse environmental impacts such as to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment. A properly designed site plan with adequate parking will be environmentally sound and avoid any off-site negative impacts.

TOWN BOARD OF COMMISSIONERS
Consistency Statement per Section 160D-604(d)

Text Amendment Request from: Holy Family Catholic Parish of Hillsborough
September 11, 2023

The Town of Hillsborough Board of Commissioners has received and reviewed the application from Holy Family Catholic Parish of Hillsborough to amend the Town of Hillsborough Unified Development Ordinance as follows:

Amend UDO §6.13.3.4 (Table: Minimum Number of Parking Spaces Required) to change the parking requirement for “Church, Place of Worship” from 1 space per 8 seats to 1 space per 5 seats (minimum) and 1 space per 2 seats (maximum).

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

1. The amendment is consistent with the Transportation and Connectivity Chapter goal to “Develop and maintain a safe, efficient, and sustainable multimodal transportation system (including bicycle, pedestrian, and transit options) that offers alternatives to single-occupancy vehicle trips and promotes health and access to area jobs, destinations, and services.”

Strategy: Adopt regulations that contribute to meeting identified transportation and connectivity needs in town.



ORDINANCE

Amending the Unified Development Ordinance of the Town of Hillsborough

The Hillsborough Board of Commissioners ordains the following amendments:

6.13.3.4 Table: MINIMUM NUMBER OF PARKING SPACES REQUIRED	
Use Type	Parking Standard
Adult Day Care	1 per staff person plus 1 per 8 clients
Adult Use	1 per 200 sf GFA
Amusement arcade	1 per game table, video game or amusement device
Athletic Field	10 spaces
Artisan Studio	1 per 300 sf GFA
Bank & Financial Institution	1 per 300 sf GFA
Bar	1 per 2 seats
Bed and Breakfast Facility	1 per guest room + 2 for owner's residence
Billiard or Pool Hall	2 per table or lane
Botanical Garden & Arboretum	2 spaces per acre
Brewery	1 space per employee + 1 space per every 2 seats in a public tasting room area + 1 space per 300 sf GFA of any retail/merchandise areas + 1 space per 75 sf GFA of any restaurant areas
Building/Trade Contractor's office	1 per 300 sf GFA
Cemetery	None
Child Day Care	1 per staff person plus 1 per 8 students
Church, Place of worship	1 per 8 seats (minimum) or 1 per 2 seats (maximum)
Detention facility	1 per staff person on max employment shift plus 10 visitor spaces
Dwelling: Accessory	2 per primary dwelling plus 1 per bedroom in accessory dwelling
Dwelling: Attached (1-4 units)	2 per unit
Dwelling: Attached (5-19 units)	2 per unit
Dwelling: Attached (20+ units)	2 per unit when the development has 100 or fewer units, 1 per bedroom plus 1 visitor space per 25 units when the development has more than 100 units
Dwelling: attached (20+ units, 100% of units affordable to households making 80% AMI or less at time of construction)	1 space per bedroom and no more than 2 spaces per unit.
Dwelling: Mobile Home A	NA

Dwelling: Mobile Home B	NA
Dwelling: Mobile Home C	NA
Dwelling: Single-family	NA
Electronic Gaming Operation	none
Event Center	1 per 100 sf GFA
Extended Care Facility	0.3 per room
Family Care Home	0.3 per room

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 11th day of September in 2023.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 11th day of September in 2023.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk



ORDINANCE

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Cemetery	None
Child Day Care	1 per staff person plus 1 per 8 students
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Detention facility	1 per staff person on max employment shift plus 10 visitor spaces
Dwelling: Accessory	2 per primary dwelling plus 1 per bedroom in accessory dwelling
Dwelling: Attached (1-4 units)	2 per unit
Dwelling: Attached (5-19 units)	2 per unit
Dwelling: Attached (20+ units)	2 per unit when the development has 100 or fewer units, 1 per bedroom plus 1 visitor space per 25 units when the development has more than 100 units
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Dwelling: Mobile Home A	NA

Dwelling: Mobile Home B	NA
Dwelling: Mobile Home C	NA
Dwelling: Single-family	NA
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The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 11th day of September in 2023.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date:	Sept. 11, 2023
Department:	Planning and Economic Development
Agenda Section:	Regular
Public hearing:	Yes
Date of public hearing:	Aug. 17, 2023

PRESENTER/INFORMATION CONTACT

Tom King, Senior Planner
Shannan Campbell, Planning and Economic Development Manager

ITEM TO BE CONSIDERED

Subject: Unified Development Ordinance text amendment- Section 6.17, Sidewalks (Staff Initiated)

Attachments:

1. UDO Section 6.17 Sidewalks, as proposed to be amended
2. Consistency Statement
3. Ordinance amending the UDO

Summary:

September 2023:

Staff ran the language through a few current and future development scenarios to ensure that the resulting sidewalk requirements would provide sidewalks where the town and Comprehensive Sustainability Plan advise them to be constructed and that a payment in lieu could be accepted in areas where feasibility, constructability, and future connections are a challenge. Staff further organized the ordinance language to be clearer and follow a linear pattern for developments that would be required to build sidewalks, developments that could build and/or provide payment in lieu of sidewalk, and situations where neither construction or providing payment in lieu are necessary.

August 2023:

Staff made some additional changes and re-arranged some of the language for better readability since the last review. The Planning Board's initial discussion was captured in the minutes and included questions about any impacts to street trees and conversations about ways that developers may try to use payment in lieu to avoid building sidewalks in places where the town really does want/need sidewalks and there are no topographical or water way challenges in place. The public hearing was held and comments received were incorporated into subsequent drafts.

June 2023:

The current UDO standards for sidewalks doesn't account for circumstances where sidewalk cannot or should not reasonably be constructed due topography, insufficient right of way width, stream crossings, etc. It also does not allow for the option for payment in lieu of construction in the above circumstances. The only option for payment in lieu of construction is given for when the sidewalk is a low priority as identified in an older Orange County priority sidewalk plan.

Staff has re-written the full section to better reflect best practices in sidewalk location and allow for creative design where topography, insufficient right of way width, stream crossings or the like are present.

8/17 Joint Public Hearing Draft Minutes:

A. Unified Development Ordinance text amendment- Section 6.17, Sidewalks (Staff Initiated)

King said no member of the public had signed up to speak on this topic. He explained that town staff are running into issues such as challenging topography or lack of connectivity to other sidewalks. The current UDO still refers to the former community connectivity map, but staff is now referencing the new comprehensive sustainability plan, with the intent of pursuing its goals and strategies. He pointed to the proposed new section on exceptions to applicability. He said there were situations where it doesn't make sense to require sidewalks. He displayed a map of a subdivision with a cul-de-sac and eight lots and identified two areas where building a sidewalk wouldn't be feasible, one because of steep slopes and a stream with a riparian buffer of 100' and another segment where there was no connectivity. Weaver asked if it was impossible or just too expensive to build a sidewalk because of topography, noting the town wants residents to be able to move around outside of their street. King said whenever a stream buffer is involved, stormwater staff doesn't want to see the buffer impacted by a sidewalk. He said he had seen one ordinance that does require to build sidewalk over a gully, no matter how difficult. Schultz said if a road can be built there, it seems like a sidewalk could be built as well. King said a buffer authorization would be needed from stormwater staff, who would rather not see sidewalks built in stream buffers. Salvi said a sidewalk might be feasible, but might be expensive, which could be the real reason a developer requests a payment in lieu. Ferguson noted the town has lots of hills and must deal with topography issues, adding that the absence of sidewalks leaves steep shoulders, which can be dangerous. She added she didn't want to give developers an easy out through payment in lieu. Hughes said it was not just developers who are required to make impractical sidewalks. He cited a resident who had removed a mobile home and built a house and was required to put in a sidewalk in an inhospitable location with no curb or gutter and no connectivity to other sidewalks. In this case, he said, payment in lieu would have been a better option. Ferguson said that while there might be sidewalks to nowhere in the short term, in the long view these sidewalks might eventually have connectivity.

Salvi asked how the town would make sure the payment in lieu was sufficient to cover costs. Casadonte noted the board had discussed that question in its last meeting and had agreed to require a payment in lieu equal to 150% of the estimated cost. King said there was no timeline on using a payment in lieu, but the amendment stipulates that it be used on a sidewalk within 1000 feet. Ferguson said that requirement seemed too restrictive and didn't leave the town much flexibility in planning for the future and using the money where it's most needed. King said he believed any payment in lieu had to be spent on sidewalk construction in a nearby area. Weaver asked if that restriction was based on best practices or current law. King said he thought it might be a legal requirement. Ferguson said to the extent the law allows, the town should be strategic in using payments in lieu. King said he would check about laws concerning payment in lieu. He then summarized other changes included in the amendment and explained the rationale behind them.

8/17 Planning Board Recommendation Draft Meeting Minutes (July Joint Public Hearing Canceled):

B. Section 6.17, Sidewalks

Casadonte turned the board's attention to the sidewalk payment in lieu. Several members noted that the board had discussed the proposed changes in its June meeting. King noted that the current ordinance refers to a map and a plan that the town no longer uses and contains confusing language. The changes proposed by staff are intended to eliminate confusion, allow payments in lieu for situations where sidewalks aren't feasible, clarify design and construction standards, clean up language about sidewalk shade trees, and build in flexibility for staff to deal with certain issues.

Schultz said he was comfortable approving the amendments, but asked if town management decided whether construction of a sidewalk is impractical. King explained that the decision would be made by the permit issuing

authority, which would generally be the staff reviewing the plans. He added that he'd would like to make one more amendment to the section on exceptions for the scenario when a business changes ownership without any site improvements. Iglesias asked if the board needed to wait for the revised amendment before it made a recommendation. King said that revision would be addressed by the Board of Commissioners, so the planning board could make a recommendation. Asked by Salvi if the town might still require a sidewalk when property changes ownership without any site improvements, King explained there were legal barriers to doing so.

Motion: Salvi moved to recommend approval of the amendment to the UDO with one addition to the exceptions to applicability suggested by staff as discussed during the hearing. Schultz seconded.
Vote: 5-0.

Financial impacts:

Low. Planning staff will need to work with Finance staff to determine where payments in lieu of sidewalk construction will be captured and tracked for expenditure in future years.

Staff recommendation and comments:

Staff recommends approval of the text amendment as written.

Action requested:

Approve attached amendments, consistency statement, and ordinance, approve with conditions/modifications, or table/continue discussion of the item.

6.17 SIDEWALKS AND PEDESTRIAN ACCESS

6.17.1 PURPOSE AND INTENT

The regulations in this subsection are designed to advance identified goals and strategies found in the Town's adopted Comprehensive Sustainability Plan, and promote the public health, safety, and welfare by improving air quality and the quality of life for town residents and visitors. Providing sidewalks and other multi-modal travel methods adjacent to and within developments furthers the purposes for which these regulations are intended.

6.17.2 APPLICABILITY

~~Sidewalks shall be required as part of development subject to any of the following review procedures~~ The requirements of this subsection apply to developments that are subject to the following review procedures:

- (a) Creation of New Lots/Division of Land involving a Conservation, Major or Special Subdivision,
- (b) Site Plan Review,
- (c) Special Use Permit, including their modification, or
- (d) Zoning Compliance Permit involving a non-residential change of use if required by sub-paragraph 7.3.3, *Nonconforming Characteristics of Nonresidentially*^[TK1]_[TK2] *Zoned Properties.*

6.17.3 EXCEPTIONS TO APPLICABILITY SIDEWALK CONSTRUCTION REQUIREMENTS

6.17.3.1 Sidewalk construction, payment in-lieu of sidewalk construction (pursuant to paragraph 6.17.5, *Sidewalk Payment In-lieu of Construction*), or a combination of the two, ~~is not~~ required where:

(a) the permit-issuing authority determines:

(1) the sidewalk will interfere with or disrupt drainage if constructed where required,

(2) construction is infeasible, impractical, or undesirable due to special circumstances including, but not limited to, topography, streams, or other environmental limitations such as the presence of regulatory floodplains and riparian buffers, or

~~(3)~~ (3) if constructed, the sidewalk will not provide any present or future public safety benefit;

- 44 (b) ~~only site grading and/or utility improvements are involved~~ no sidewalk or
45 other pedestrian accessway exists, or is planned to be constructed, within
46 a 500-foot radius of the boundary of the land to be developed;
47
- 48 (c) ~~vehicular access to lots or other development will be provided by alleys.~~
49 ~~Sidewalks will be required along streets to which the alleys connect,~~ the
50 sidewalk will be provided as part of a Town or State scheduled and
51 funded roadway project to be built within three years of the proposed
52 development's approval; or
53
- 54 (d) ~~the sidewalk would be located within unimproved right of way not~~
55 ~~requiring improvement as part of the development,~~ an impending road
56 widening project affecting the development is scheduled to begin within
57 three years of the proposed development's approval.
58
- 59 (e) ~~the development project:~~
60
- 61 ~~1. does not front on, or lie between, a street segment(s) identified~~
62 ~~as "recommended" on the Comprehensive Sustainability Plan's~~
63 ~~Sidewalk System Map, and~~
64 ~~2. no sidewalk or other pedestrian accessway exists, or is planned to~~
65 ~~be constructed, within 500 feet of the boundary of the land to be~~
66 ~~developed,~~
67
- 68 (f) ~~the sidewalk will be provided as part of a Town or State scheduled and~~
69 ~~funded roadway project to be built within three years of the proposed~~
70 ~~development's approval,~~
71
- 72 (g) ~~an impending road widening project affecting the development is~~
73 ~~scheduled to begin within three years of the proposed development's~~
74 ~~approval, or~~
75
- 76 (h) ~~the permit-issuing authority determines:~~
77
- 78 ~~1. the sidewalk will interfere with or disrupt drainage,~~
79
- 80 ~~2. construction is infeasible or impractical due to special~~
81 ~~circumstances including, but not limited to, topography, streams,~~
82 ~~or other environmental limitations, or~~
83
- 84 ~~3. if constructed, the sidewalk will not provide any present or future~~
85 ~~public safety benefit.~~
86

87 ~~6.17.3.2~~ Payment in lieu of sidewalk construction, as provided in paragraph 6.17.4,
88 ~~Sidewalk Payment In lieu of Construction~~, shall be required in all instances where
89 an exception to sidewalk construction occurs.
90

91 **6.17.4 EXEMPTIONS FROM SIDEWALK CONSTRUCTION AND PAYMENT IN-LIEU**
92 **REQUIREMENTS**

93 Sidewalk construction and/or payment in-lieu of construction is not required where:

- 94
- 95 (a) only a change of use or occupancy will occur with no substantial site
96 improvements required or proposed,
- 97
- 98 (b) only site grading and/or utility improvements are involved,
- 99
- 100 (c) vehicular access to lots or other development will be provided by alleys
101 connecting to streets with existing sidewalks or streets that will be constructed
102 with sidewalks as part of the proposed development,
- 103
- 104 (d) the sidewalk would be located within unimproved right-of-way not requiring
105 improvement as part of the development, or
- 106
- 107 (e) the required sidewalk is committed as part of another development project's
108 permit, provided the permit is still valid and unexpired.
109

110 **6.17.4.16.17.5 SIDEWALK PAYMENT IN-LIEU OF CONSTRUCTION**

111 ~~6.17.4.16.17.5.1~~ Where sidewalk construction is exempted under allowed by paragraph
112 6.17.3, ~~Exceptions to Applicability~~ Sidewalk Construction
113 ~~Requirement~~Requirements, the applicant shall make a payment to the Town in-
114 lieu of sidewalk construction. A combination of construction and payment in-lieu
115 may be made when an applicant chooses to construct a portion of sidewalk
116 instead of making a full in-lieu payment. Nothing in this paragraph shall prevent
117 an applicant from constructing sidewalks instead of making an in-lieu payment.
118

119 **6.17.54.2** Payment shall be made to the Town at a rate set annually in the Town budget.
120 Payment value shall equal the average linear foot of total sidewalk cost,
121 including accessible ramps and required shade tree installation as determined by
122 a professional engineer or other professional qualified to provide the estimate.
123 The calculation shall include the time and material cost in place at the time of
124 the request.
125

126 **6.17.54.3** Payment shall be made prior to (i) issuance of a Certificate of Occupancy, or (ii)
127 release of any financial security held in association with the development
128 project. Payments shall be deposited in the Town's sidewalk construction capital
129 fund and used for sidewalk installation or repair within a 1,000-foot radius of the

property for which the fee was collected.

6.17.54.4 Acceptance of payment-in-lieu shall not remove the requirement for sidewalks under paragraph 6.17.2, *Applicability*, for future property development unless exempted under paragraph 6.17.3, ~~*Exceptions to Applicability*~~ *Exemptions from Sidewalk Construction and Payment In-lieu Requirements*.

6.17.56.17.6 DESIGN REQUIREMENTS

6.17.65.1 Sidewalks shall:

- (a) be provided within street rights-of-way along all adjacent and perimeter public streets on which the development tract has frontage. Additional street right-of-way of a sufficient width to accommodate the required sidewalk shall be dedicated along the street frontage in cases where the existing right-of-way is not wide enough to accommodate a sidewalk,
- (b) be provided on both sides of all internal streets within a development,
- (c) align vertically and horizontally with abutting sidewalks,
- (d) connect via a direct link to primary building entrances,
- (e) within unsubdivided developments (e.g., attached dwelling projects), link buildings with other buildings, adjacent public streets, on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities,
- (f) accommodate sidewalk shade trees required by paragraph 6.17.101, *Sidewalk Shade Trees*,
- (g) avoid conflicts or obstruction with above-ground structures or trees, and
- (h) maintain required width around any existing or anticipated obstructing object in the sidewalk's path.

6.17.65.2 During the development review process, reviewing agencies may designate areas where prior approval is required for any alteration to sidewalk locations. No other changes are permitted without the approval of all agencies that approved the original plans.

6.17.65.3 The Public Works Manager may approve changes in sidewalk location for a maximum linear distance of 200 feet without the need for amended plans. The

approved plans will be annotated to reflect any approved changes.

6.17.66.17.7 CONSTRUCTION REQUIREMENTS

Sidewalks shall be constructed:

- (b)(a) _____ behind curb and gutter or a roadside swale,
- (c)(b) _____ to meet standards found in Appendix A, *Street Construction Standards and Specifications*, of the Town Code of Ordinances and the Town’s adopted Street Manual. NCDOT standards must be met for sidewalks constructed within State-maintained street rights-of-way,
- (d)(c) _____ to meet all applicable ADA (Americans with Disabilities Act) requirements,
- (e)(d) _____ of concrete with a width of at least five feet and thickness of at least five-inches (six-inches at driveway entrances), unless use of alternative materials is approved by the Public Works Manager,
- (e) with a constructed barrier wherever a sidewalk is located within five-feet of a retaining wall 30-inches or greater in height, or steep grades exceeding a 1:1 ratio, and
- (f) with sidewalk shade trees required by paragraph 6.17.101, *Sidewalk Shade Trees*.

6.17.76.17.8 ENCROACHMENT AGREEMENTS REQUIRED FOR STATE-MAINTAINED STREETS

Sidewalks constructed within State-maintained-street rights-of-way shall be subject to a three-party encroachment agreement between the developer, NCDOT and Town.

6.17.86.17.9 ALTERNATIVE SIDEWALK PLANS

The permit-issuing authority may approve alternative sidewalk plans where it is shown that the alternative provides equal or greater internal and external pedestrian circulation and connectivity through use of off-street trails or multi-use pathways connecting to sidewalks, off-street trails, or multi-use pathways on the perimeter of the development tract.

6.17.109 ADDITIONAL MEANS OF PEDESTRIAN ACCESS

- (a) Whenever the permit-issuing authority determines a means of pedestrian access is necessary to connect a residential development to schools, parks, open space, playgrounds, other streets or facilities, and access is not conveniently provided by sidewalks adjacent to the streets, the applicant may be required to provide an improved pedestrian accessway located within an

easement of at least 10 feet in width to provide pedestrian access.

- (b) The pedestrian accessway must be either paved with concrete, asphalt, pervious pavement, gravel, or other suitable material approved by the permit-issuing authority. Gravel or other loose materials used for paving must be contained by framing to prevent paving material wash-out.
- (c) The accessway shall be owned and maintained by a property or homeowners' association.

6.17.10 6.17.11 SIDEWALK SHADE TREES

6.17.110.1 Shade trees shall be installed in front yards behind the sidewalk along all development street frontages and internal streets according to the following table. This requirement does not apply where non-residential buildings are built to within 10 feet of the street right-of-way or designed with front courtyards or other site features providing similar shading.

SIDEWALK SHADE TREE PLANTING REQUIREMENTS				
<i>Tree Size¹</i>	<i>Dbh at Planting (inches)²</i>	<i>Minimum Height at Installation (feet)</i>	<i>Minimum Distance from Sidewalk (feet – sidewalk edge to tree center point)</i>	<i>Spacing (feet on center)³</i>
Small	1.5	6	5	30
Large	3	10	10	40
¹ Refer to Town's recommended planting list for acceptable species. ² Dbh (Diameter at breast height) is defined in Section 9, <i>Definitions</i> . ³ Permit-issuing authority may approve varied spacing if there are conflicts between utilities and tree placement provided required number of trees are provided.				

6.17.110.2 Where shade trees are planted on the development property behind street rights-of-way, a minimum 10-foot wide, private tree easement shall be provided for the planting and maintenance of required trees. Tree easements must be shown on site plans and subdivision plats and subject to a tree easement, planting, and maintenance agreement to be recorded in the register of deeds office.

6.17.110.3 Where non-residential buildings are built within 10 feet of a street right-of-way, shade trees shall be installed in "tree lawns" between the curb and sidewalk as follows:

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TREE LAWN PLANTING REQUIREMENTS					
Lawn Width (feet)	Tree Size ¹	Dbh at Planting (inches) ²	Minimum Height at Installation (feet)	Minimum Distance from Sidewalk (feet - sidewalk edge to tree center point)	Spacing (feet on center) ³
4 – 8	Small	1.5	6	2 - 2.5	30
≥8	Large	3	10	3.5	40

¹Refer to Town’s recommended planting list for acceptable species.
²Dbh (Diameter at breast height) is defined in Section 9, *Definitions*.
³Permit-issuing authority may approve varied spacing if there are conflicts between utilities and tree placement provided required number of trees are provided.

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6.17.110.4 All shade tree planting areas and tree lawns shall be planted with grass, ground cover, or treated with other suitable cover material.

6.17.110.5 The following table lists recommended distances to be maintained between planted trees and various infrastructure and improvements:

RECOMMENDED MINIMUM DISTANCE FROM INFRASTRUCTURE AND IMPROVEMENTS	
Use	Minimum Distance (feet)
Back of curb/pavement	2
Catch basins	10
Driveways	10
Fire hydrants	10
Light poles	20
Manholes	10
Other trees	15 or 25 (depending on species)
Overhead and underground power distribution lines	½ average mature canopy width + 15 feet (measured from center of distribution corridor)
Sewer easements	Planting prohibited
Stop signs	30
Structures	10
Traffic signs (except Stop signs)	10

Utility boxes	3 feet sides and rear; 3 feet from doors
Water easements	Planting prohibited
Water meters	5
Water and sewer lines	Dependent on easement width; 10 feet where easement doesn't exist (measured from center of pipe)
All other services	10

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DRAFT

TOWN BOARD OF COMMISSIONERS
Consistency Statement per Section 160D-604(d)

Text Amendment Request from: Staff-Planning and Economic Development Division
September 11, 2023

The Town of Hillsborough Board of Commissioners has received and reviewed the application from Town Planning and Economic Development Division staff to amend the Town of Hillsborough Unified Development Ordinance as follows:

Amend UDO §6.17 (Sidewalks and Walkways) to be re-titled and re-written in its entirety for better readability and to clarify that, with several exceptions, sidewalks are required in all new developments (as listed), and to expand upon the provisions for allowing limited acceptance of payment in-lieu of sidewalk construction in certain circumstances.

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

1. The amendments are consistent with the Transportation and Connectivity Chapter goal to “Develop and maintain a safe, efficient, and sustainable multimodal transportation system (including bicycle, pedestrian, and transit options) that offers alternatives to single-occupancy vehicle trips and promotes health and access to area jobs, destinations, and services.”

Strategy: Adopt regulations that contribute to meeting identified transportation and connectivity needs in town.



ORDINANCE

Amending the Unified Development Ordinance of the Town of Hillsborough

The Hillsborough Board of Commissioners ordains the following amendments:

6.17 SIDEWALKS AND PEDESTRIAN ACCESS

6.17.1 PURPOSE AND INTENT

The regulations in this subsection are designed to advance identified goals and strategies found in the Town's adopted Comprehensive Sustainability Plan, and promote the public health, safety, and welfare by improving air quality and the quality of life for town residents and visitors. Providing sidewalks and other multi-modal travel methods adjacent to and within developments furthers the purposes for which these regulations are intended.

6.17.2 APPLICABILITY

The requirements of this subsection apply to developments that are subject to the following review procedures:

- (a) Creation of New Lots/Division of Land involving a Conservation, Major or Special Subdivision,
- (b) Site Plan Review,
- (c) Special Use Permit, including their modification, or
- (d) Zoning Compliance Permit involving a non-residential change of use if required by sub-paragraph 7.3.3, *Nonconforming Characteristics of Nonresidentially Zoned Properties*.

6.17.3 EXCEPTIONS TO SIDEWALK CONSTRUCTION REQUIREMENTS

6.17.3.1 Sidewalk construction, payment in-lieu of sidewalk construction (pursuant to paragraph 6.17.5, *Sidewalk Payment In-lieu of Construction*), or a combination of the two, is ~~not~~ required where:

- (a) the permit-issuing authority determines:
 - (1) the sidewalk will interfere with or disrupt drainage if constructed where required,
 - (2) construction is infeasible, impractical, or undesirable due to special circumstances including, but not limited to, topography, streams, or other environmental limitations such as the presence of regulatory floodplains and

riparian buffers, or

(3) if constructed, the sidewalk will not provide any present or future public safety benefit;

(b) no sidewalk or other pedestrian accessway exists, or is planned to be constructed, within a 500-foot radius of the boundary of the land to be developed; or

(c) the sidewalk will be provided as part of a Town or State scheduled and funded roadway project to be built within three years of the proposed development's approval; or

(d) an impending road widening project affecting the development is scheduled to begin within three years of the proposed development's approval.

6.17.4 EXEMPTIONS FROM SIDEWALK CONSTRUCTION AND PAYMENT IN-LIEU REQUIREMENTS

Sidewalk construction and/or payment in-lieu of construction is not required where:

(a) only a change of use or occupancy will occur with no substantial site improvements required or proposed,

(b) only site grading and/or utility improvements are involved,

(c) vehicular access to lots or other development will be provided by alleys connecting to streets with existing sidewalks or streets that will be constructed with sidewalks as part of the proposed development,

(d) the sidewalk would be located within unimproved right-of-way not requiring improvement as part of the development, or

(e) the required sidewalk is committed as part of another development project's permit, provided the permit is still valid and unexpired.

6.17.5 SIDEWALK PAYMENT IN-LIEU OF CONSTRUCTION

6.17.5.1 Where allowed by paragraph 6.17.3, *Exceptions to Sidewalk Construction Requirements*, the applicant shall make a payment to the Town in-lieu of sidewalk construction. A combination of construction and payment in-lieu may be made when an applicant chooses to construct a portion of sidewalk instead of making a full in-lieu payment. Nothing in this paragraph shall prevent an applicant from constructing sidewalks instead of making an in-lieu payment.

6.17.5.2 Payment shall be made to the Town at a rate set annually in the Town budget. Payment value shall equal the average linear foot of total sidewalk cost, including accessible ramps and required shade tree installation as determined by a professional engineer or other professional qualified to provide the estimate. The calculation shall include the time and

material cost in place at the time of the request.

6.17.5.3 Payment shall be made prior to (i) issuance of a Certificate of Occupancy, or (ii) release of any financial security held in association with the development project. Payments shall be deposited in the Town's sidewalk construction capital fund and used for sidewalk installation or repair within a 1,000-foot radius of the property for which the fee was collected.

6.17.5.4 Acceptance of payment-in-lieu shall not remove the requirement for sidewalks under paragraph 6.17.2, *Applicability*, for future property development unless exempted under paragraph 6.17.3, ~~*Exceptions to Applicability*~~ *Exemptions from Sidewalk Construction and Payment In-lieu Requirements*.

6.17.6 DESIGN REQUIREMENTS

6.17.6.1 Sidewalks shall:

- (a) be provided within street rights-of-way along all adjacent and perimeter public streets on which the development tract has frontage. Additional street right-of-way of a sufficient width to accommodate the required sidewalk shall be dedicated along the street frontage in cases where the existing right-of-way is not wide enough to accommodate a sidewalk,
- (b) be provided on both sides of all internal streets within a development,
- (c) align vertically and horizontally with abutting sidewalks,
- (d) connect via a direct link to primary building entrances,
- (e) within unsubdivided developments (e.g., attached dwelling projects), link buildings with other buildings, adjacent public streets, on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities,
- (f) accommodate sidewalk shade trees required by paragraph 6.17.101, *Sidewalk Shade Trees*,
- (g) avoid conflicts or obstruction with above-ground structures or trees, and
- (h) maintain required width around any existing or anticipated obstructing object in the sidewalk's path.

6.17.6.2 During the development review process, reviewing agencies may designate areas where prior approval is required for any alteration to sidewalk locations. No other changes are permitted without the approval of all agencies that approved the original plans.

6.17.6.3 The Public Works Manager may approve changes in sidewalk location for a maximum linear distance of 200 feet without the need for amended plans. The approved plans will be

annotated to reflect any approved changes.

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Sidewalks shall be constructed:

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- (b) to meet standards found in Appendix A, *Street Construction Standards and Specifications*, of the Town Code of Ordinances and the Town's adopted Street Manual. NCDOT standards must be met for sidewalks constructed within State-maintained street rights-of-way,
- (c) to meet all applicable ADA (Americans with Disabilities Act) requirements,
- (d) of concrete with a width of at least five feet and thickness of at least five-inches (six-inches at driveway entrances), unless use of alternative materials is approved by the Public Works Manager,
- (e) with a constructed barrier wherever a sidewalk is located within five-feet of a retaining wall 30-inches or greater in height, or steep grades exceeding a 1:1 ratio, and
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- (b) The pedestrian accessway must be either paved with concrete, asphalt, pervious pavement, gravel, or other suitable material approved by the permit-issuing authority. Gravel or other loose materials used for paving must be contained by framing to prevent paving material wash-out.
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<i>Tree Size¹</i>	<i>Dbh at Planting (inches)²</i>	<i>Minimum Height at Installation (feet)</i>	<i>Minimum Distance from Sidewalk (feet – sidewalk edge to tree center point)</i>	<i>Spacing (feet on center)³</i>
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Large	3	10	10	40
¹ Refer to Town’s recommended planting list for acceptable species. ² Dbh (Diameter at breast height) is defined in Section 9, <i>Definitions</i> . ³ Permit-issuing authority may approve varied spacing if there are conflicts between utilities and tree placement provided required number of trees are provided.				

6.17.11.2 Where shade trees are planted on the development property behind street rights-of-way, a minimum 10-foot wide, private tree easement shall be provided for the planting and maintenance of required trees. Tree easements must be shown on site plans and subdivision plats and subject to a tree easement, planting, and maintenance agreement to be recorded in the register of deeds office.

6.17.11.3 Where non-residential buildings are built within 10 feet of a street right-of-way, shade trees shall be installed in “tree lawns” between the curb and sidewalk as follows:

TREE LAWN PLANTING REQUIREMENTS					
<i>Lawn Width (feet)</i>	<i>Tree Size¹</i>	<i>Dbh at Planting (inches)²</i>	<i>Minimum Height at Installation (feet)</i>	<i>Minimum Distance from Sidewalk (feet - sidewalk edge to tree center point)</i>	<i>Spacing (feet on center)³</i>
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¹ Refer to Town’s recommended planting list for acceptable species. ² Dbh (Diameter at breast height) is defined in Section 9, <i>Definitions</i> . ³ Permit-issuing authority may approve varied spacing if there are conflicts between utilities and tree placement provided required number of trees are provided.					

6.17.11.4 All shade tree planting areas and tree lawns shall be planted with grass, ground cover, or treated with other suitable cover material.

6.17.11.5 The following table lists recommended distances to be maintained between planted trees and various infrastructure and improvements:

RECOMMENDED MINIMUM DISTANCE FROM INFRASTRUCTURE AND IMPROVEMENTS	
<i>Use</i>	<i>Minimum Distance (feet)</i>
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Driveways	10
Fire hydrants	10
Light poles	20
Manholes	10
Other trees	15 or 25 (depending on species)
Overhead and underground power distribution lines	½ average mature canopy width + 15 feet (measured from center of distribution corridor)
Sewer easements	Planting prohibited
Stop signs	30
Structures	10
Traffic signs (except Stop signs)	10
Utility boxes	3 feet sides and rear; 3 feet from doors
Water easements	Planting prohibited
Water meters	5
Water and sewer lines	Dependent on easement width; 10 feet where easement doesn't exist (measured from center of pipe)
All other services	10

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 11th day of September in 2023.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date:	Sept. 11, 2023
Department:	Utilities
Agenda Section:	Regular
Public hearing:	Yes
Date of public hearing:	Sept. 11, 2023

PRESENTER/INFORMATION CONTACT

Utilities Director, K. Marie Strandwitz, PE

ITEM TO BE CONSIDERED

Subject: Resolution to adopt System Development and Capital Facilities Fees

Attachments:

1. Resolution to adopt System Development and Capital Facilities Fees
2. System Development Fee Analysis Report
3. Public Notice

Summary:

In June 2017, the North Carolina General Assembly ratified House Bill 436: An Act to Provide for Uniform Authority to Implement System Development Fees for Public Water and Sewer Systems in North Carolina and to Clarify the Applicable Statute of Limitations. The bill amended Chapter 162A of the General Statutes by adding Article 8: System Development Fees. The bill was amended a few times since original adoption. Nonetheless, System Development Fees may be charged for new growth under certain types of development, must be calculated using a certain methodology as described in the statute and must be analyzed a minimum of every five years. The results must be public noticed for 45 days prior to adoption and after a public hearing.

The Town of Hillsborough has completed its System Development Fee analysis, retaining Raftelis Financial Consultants to complete the analysis and prepare a report. Staff participated heavily in the inputs and decision-making in the methodology utilized while relying on the experience and expertise of Raftelis. The report updates the 2018 report, also prepared by Raftelis. It incorporates planning and growth that have occurred since 2018 and adjusts the planning number and assets that may be included in the calculation.

The Board and the Water and Sewer Advisory Committee received a presentation on the analysis at its Aug. 28 joint meeting. The new fees will be calculated on bedrooms for residential or regulatory design standards and cost per gallon of capacity instead of meter size as we have done in the past. This is to capture capacity demands of new growth more equitably that may not necessitate a larger meter size.

The town charges Capital Facilities Fees on connections that do not fall into the System Development Fee category. Examples include existing homes that have utility line frontage that never connected and desire to connect and vacant lots with existing connections established prior to the town's collection of capital or system development fees that are redeveloping. The Capital Facilities Fees are essentially the same as System Development Fees and are therefore simply made to match.

The town's fee schedule will be updated to reflect the adopted fees.

Financial impacts:

System development and capital facilities fees are not normally projected in the annual budget as revenues when setting rates. With the new fee structure, it is expected to capture the true cost of capacity demands for new growth, but timing of revenue is market and building permit driven which is hard to predict.

Staff recommendation and comments:

Action requested:

Adopt the proposed System Development Fee recommendations proposed by Raftelis, matching the Capital Facilities Fee with same, barring any public or board concerns warranting amendment.



RESOLUTION

Adopt Utilities System Development and Capital Facilities Fees

WHEREAS, North Carolina General Statute Chapter 162A Article 8: System Development Fees sets forth the methodology and procedures for calculating, adopting and the collection of fees pertaining to water and sewer capacity for certain types of development impacting local government water and sewer providers; and

WHEREAS, the town retained Raftelis Financial Consultants to conduct a System Development Fee analysis and recommend System Development Fees in accordance with Chapter 162A, Article 8 of the North Carolina General Statutes; and

WHEREAS, the town has publicly noticed the System Development Fee analysis report and provided an avenue for public comment during the 45-day notice period via its website beginning on July 25, 2023 and followed with a public hearing on September 11, 2023; and

WHEREAS, the town has also established Capital Facilities Fees which are similar to System Development Fees yet are not defined as one of the three System Development Fee scenarios outlined in Chapter 162A, Article 8 in accordance with Chapter 162A, Article 8 of the North Carolina General Statutes; and

WHEREAS, Section 14-71 of the town code of ordinances defines and establishes the payment of such System Development Fees and Capital Facilities Fees; and

WHEREAS, the proposed System Development and Capital Facilities Fees are as follows:

Residential	Water	Sewer	Total
One-bedroom	\$1,091	\$1,166	\$2,257
Two-bedroom	\$2,181	\$2,333	\$4,514
Three-bedroom	\$3,272	\$3,499	\$6,771
Four-bedroom	\$4,363	\$4,666	\$9,029
Five-bedroom	\$5,453	\$5,832	\$11,286
Six-bedroom	\$6,544	\$6,999	\$13,543
Non-Residential			
Fees will be based upon the NCAC 2T .0114 design values multiplied by the calculated capacity cost per gallon of \$9.09 for water and \$9.72 for sewer, or by dividing the estimated flow demonstrated by the applicant from a history of water use from similar facilities by 120 gallons per day. Design value examples:			
Business/office	\$227/employee	\$243/employee	\$470/employee
Restaurant	\$364/seat	\$389/seat	\$752/seat
Store – no food service	\$909/1,000 sq. ft.	\$972/1,000 sq. ft.	\$1,881/1,000 sq. ft.
Hotel – no room kitchen	\$1,091/room	\$1,166/room	\$2,257/room

and such fees will be published in the town’s fees and charges schedule;

NOW, THEREFORE, be it resolved the Hillsborough Board of Commissioners adopts the above fees or as amended in the record effective immediately.

Approved this 11th day of September of the year 2023.

Jenn Weaver, Mayor
Town of Hillsborough

Attestation:

Sarah Kimrey, Town Clerk

July 24, 2023

Ms. Marie Strandwitz, PE
Utilities Director
Town of Hillsborough
105 East Corbin Street
Hillsborough, NC 27278

Subject: System Development Fee Study Update

Dear Ms. Strandwitz:

Raftelis Financial Consultants, Inc. (“Raftelis”) has completed an evaluation to develop cost-justified water and sewer system development fees for fiscal year (“FY”) 2024 for consideration by the Town of Hillsborough (“Town”). This report documents the results of the analysis, which was based on an approach for establishing system development fees set forth in North Carolina General Statute 162A Article 8 – “System Development Fees.” The purpose of this report is to summarize Raftelis’ conclusion related to cost-justified water and sewer system development fees. It is not intended to address anything else associated with the system development fees, such as the administration of these fees, etc.

The preparation of this report was developed by Raftelis for the Town based on a specific scope of work agreed to by both parties. The scope of Raftelis’ work consisted of completing a calculation of cost justified water and sewer system development fees using common industry practices and industry standards. We provide no opinion on the legality of the system development fees implemented by the Town. It is the responsibility of the Town to ensure compliance of the system development fees with North Carolina General Statute 162A Article 8 – “System Development Fees.” The scope of work does not include any additional work other than the calculation associated with the system development fees, such as opinions or recommendations on the administration of these fees, the timing and use application of revenues from the collection of these fees, etc., as that is the responsibility of the Town.

In developing the conclusions contained within this report, Raftelis has relied on certain assumptions and information provided by the Town, who is most knowledgeable of the water and sewer system, its finances, etc. Raftelis has not independently verified the accuracy of the information provided by the Town. We believe such sources are reliable and the information obtained to be reasonable and appropriate for the analysis undertaken and the conclusions reached. The conclusions contained in this report are as of the stated date, for a specific use and purpose, and made under specific assumptions and limiting conditions. The reader is cautioned and reminded that the conclusions presented in this report apply only to the effective date indicated. Raftelis makes no warranty, expressed or implied, with respect to the opinions and conclusions contained in this report. Any statement in this report involving estimates or matters of opinion, whether or not specifically designated, is intended as such, and not as a representation of fact.

Background

System development fees are one-time charges assessed to new water and/or sewer customers for their use of system capacity and serve as an equitable method by which to recover up-front system capacity

costs from those using the capacity. North Carolina General Statute 162A Article 8 (“Article 8”) provides for the uniform authority to implement system development fees for public water and sewer systems in North Carolina and was passed by the North Carolina General Assembly and signed into law on July 20, 2017, and was modified by Session Law 2021-76 and House Bill 344, which was approved on July 2, 2021. According to the statute, system development fees are required to be adopted in accordance with the conditions and limitations of Article 8, and the fees are required to conform to the requirements set forth in the Article no later than July 1, 2018.¹ In addition, the system development fees must also be prepared by a financial professional or licensed professional engineer, qualified by experience and training or education, who, according to the Article, shall:

- Document in reasonable detail the facts and data used in the analysis and their sufficiency and reliability.
- Employ generally accepted accounting, engineering, and planning methodologies, including the buy-in, incremental cost or marginal cost, and combined cost approaches for each service, setting forth appropriate analysis to the consideration and selection of an approach appropriate to the circumstances and adapted as necessary to satisfy all requirements of the Article.
- Employs generally accepted accounting, engineering, and planning methodologies, including the buy-in, incremental cost or marginal cost, and combined methods for each service, setting forth appropriate analysis as to the consideration and selection of a method appropriate to the circumstances and adapted as necessary to satisfy all requirements of Article 8.
- Document and demonstrate the reliable application of the methodologies to the facts and data, including all reasoning, analysis, and interim calculations underlying each identifiable component of the system development fee and the aggregate thereof.
- Identify all assumptions and limiting conditions affecting the analysis and demonstrate that they do not materially undermine the reliability of conclusions reached.
- Calculate a final system development fee per service unit of new development and include an equivalency or conversion table for use in determining the fees applicable for various categories of demand.
- Consider a planning horizon of not less than five years, nor more than 20 years.
- Use the gallons per day per service unit that the local government unit applies to its water or sewer system engineering for planning purposes for water or sewer, as appropriate, in calculating the system development fee.

This letter report documents the results of the calculation of water and sewer system development fees for FY 2023 in accordance with these requirements. In general, system development fees are calculated based on (1) a cost analysis of the existing or planned infrastructure that is in place, or will be constructed, to serve new capacity demands, and (2) the existing or additional capacity associated with these assets. Article 8 is relatively explicit in the identification of infrastructure assets that may be included as part of the system development fee calculation, as the Article defines allowable assets to include the following types, as provided in Section 201:

¹ The Town’s system development fees in FY 2018 were prepared by Raftelis in accordance with the requirements set forth in Article 8.

“A water supply, treatment, storage, or distribution facility, or a wastewater collection, treatment, or disposal facility providing a general benefit to the area that facility serves and is owned or operated, or to be owned or operated, by a local governmental unit. This shall include facilities for the reuse or reclamation of water and any land associated with the facility.”

Therefore, the method used to calculate system development fees for Town of Hillsborough included system facility assets that satisfied this definition.

Article 8 references three methodologies that could be used to calculate system development fees. These include the buy-in method, the incremental cost method, and the combined cost method. A description of each of these methods is included in the following paragraphs:

Capacity Buy-In Method:

Under the Capacity Buy-In Method, a system development fee is calculated based on the proportional cost of each user’s share of existing system capacity. This approach is typically used when existing facilities can provide adequate capacity to accommodate future growth. The cost of capacity is derived by dividing the estimated value of existing facilities by the current capacity provided by existing facilities. Adjustments to the value of existing facilities are made for developer contributed assets, grant funds, and outstanding debt.

Incremental Cost Method:

Under the Incremental Cost (or Marginal Cost) Method, a system development fee is calculated based on a new customer’s proportional share of the incremental future cost of system capacity. This approach is typically used when existing facilities have limited or no capacity to accommodate future growth. The cost of capacity is calculated by dividing the total cost of growth-related capital investments by the additional capacity provided as a result of the investments.

Combined Method:

Under the Combined Method, a system development fee is calculated based on the blended value of both the existing and expanded system capacity. As such, it is a combination of the Capacity Buy-In and Incremental Cost methods. This method is typically used when existing facilities provide adequate capacity to accommodate a portion of the capacity needs of new customers, but where significant investment in new facilities to address a portion of the capacity needs of future growth is also anticipated, or where some capacity is available in parts of the existing system, but incremental capacity will be needed for other parts of the system to serve new customers at some point in the future.

The Capacity Buy-In method was used to calculate the water and sewer system development fees for the Town, since in general, the Town’s existing water and sewer treatment facilities have adequate capacity to accommodate anticipated future growth over the near term. The following steps were completed to calculate the fees under the Buy-In Method:

1. The replacement value of existing system facilities was calculated, and adjustments were made to derive a net replacement value estimate in accordance with Article 8. Adjustments to the calculated replacement value included deducting accumulated depreciation, developer contributions, and a portion of outstanding debt. A net system value was calculated by adding together these factors and subtracting the current outstanding principal.

2. The unit cost of system capacity was estimated by dividing the calculated system value from step 3 by the total capacity of the system. This includes the current capacity of the system (minus any capacity reserved for others by contract).
3. The amount of capacity assumed to be demanded by one service unit of new development was identified. One equivalent residential unit (“ERU”) was defined as the smallest service unit of new development.
4. The system development fee for one service unit of development was calculated by multiplying the cost per unit of system capacity by the capacity associated with one ERU, as defined below.
5. The calculated system development fee for one ERU was scaled for different categories of demand.

Calculation of System Development Fees

Step 1 – Estimate the System Value and Apply Adjustments

A listing of fixed assets provided by the Town, as of June 30, 2022, was reviewed and each individual asset was categorized into one of the categories shown in Table 1. General assets, such as small equipment, administrative buildings, computers, and vehicles were not directly attributable to a specific category. These assets were excluded from the calculation of system value as these assets were not specifically identified as allowable under Article 8.

Table 1. Fixed Asset Categories by System

Water System	Sewer System
Building & Improvements	Building & Improvements
Distribution	Collection
Equipment	Equipment
Infrastructure	Infrastructure
Land	Land

Next, the replacement value of existing assets in allowable categories was estimated. Each asset’s original cost, as contained in the fixed asset listing provided by the Town, was escalated to 2022 dollars based on the year the asset was purchased and the corresponding escalation factor for that year. Escalation factors for each year were developed using the Handy-Whitman Index (“HWI”) for the South Atlantic Region, which provides an annual index value representing the relative change in construction costs for each year from 1908 to 2022. Using the HWI to estimate an asset’s current replacement cost is an industry accepted method by which to value system facilities.

The replacement costs of the assets were adjusted by their indexed accumulated depreciation to derive the replacement cost new less accumulated depreciation (“RCNLD”) amounts. The estimated RCNLD values for water and sewer system assets allowable under Article 8 are summarized in Table 2 and Table 3.

Table 2. Water System Value (RCNLD)

Description	RCNLD Value
Buildings & Improvements	\$14,103,528
Distribution	30,031,408
Infrastructure	754,117
Land	5,510,234
Total	\$50,399,287

Table 3. Sewer System Value (RCNLD)

Description	RCNLD Value
Buildings & Improvements	\$22,906,109
Collection	19,405,164
Equipment	7,969
Infrastructure	190,373
Land	492,728
Total	\$43,002,342

As shown above, the RCNLD value of the water system was estimated to be approximately \$50 million, and the RCNLD value of the sewer system was estimated to be approximately \$43 million. Additional adjustments were made to the estimated water and sewer system RCNLD values in accordance with Article 8, which included adjustments for developer contributed assets and a portion of outstanding debt, as described below.

Developer Contributed Assets:

The listing of fixed assets was reviewed to identify assets that were contributed, or paid for, by developers. The Town tracks assets that were contributed by developers and identifies them in the fixed asset register as such. These assets were subtracted from the RCNLD value, as these assets do not represent an investment in system capacity by the Town. The total RCNLD value of the contributed water and sewer system assets was estimated to be approximately \$8.8 million and \$10.3 million, respectively.

Debt Credit

Article 8 specifies that the buy-in calculation should be determined using generally accepted methods, including the consideration of debt credits and other generally accepted valuation adjustments. Article 8 also states that in applying the incremental cost or the combined cost methods to calculate a system development fee, the analysis must include a credit against the projected aggregate cost of capital improvements and that in no case shall the credit be less than 25 percent of the aggregate cost of capital improvements. In calculating the system development fees for the Town, a debt credit was included in the calculation as described below. Note that while the system development fee methodology used for the Town was neither the incremental cost or the combined cost methods, rather the buy-in method was used, debt credits of at least 25 percent of the individual net RCNLD values of the water system and the sewer system were incorporated into the fee calculation.

The debt credit was applied to reflect that a portion of the outstanding debt associated with system facilities to be repaid with water and sewer user charges and a portion will be repaid with system

development fee revenues. An adjustment was made to prevent recovering the cost of the assets twice, once when assessing system development fees for new customers, and then again when these customers pay user charges.

The amount of the credit was calculated by first identifying the amount of existing outstanding debt attributable to both the water and sewer systems that funded qualifying assets.

The total outstanding debt used to fund qualifying assets was approximately \$25 million, based on the Town’s debt records. The total amount of outstanding debt was allocated between the water and sewer systems based on the projects associated with each issuance, as described in the Town’s 2021 Audited Comprehensive Financial Report. Debt issuances include revenue bonds and revolving loans.

The resulting adjustments to the water and sewer RCNLD values for a portion of outstanding debt are shown in Table 4.

Table 4. Debt Credit

Description	Water	Sewer
Outstanding Principal	-\$14,301,994	-\$10,712,524
Total Credit	-\$14,301,994	-\$10,712,524

The resulting adjustments to the water and sewer system values are shown in Table 5.

Table 5. Net System Value

Description	Amount
<u>Water System:</u>	
System Facilities RCNLD	\$50,399,287
Less: Developer Contributed Assets	-8,830,157
Less: Credit for Outstanding Debt	-14,301,994
Net System Value	\$27,267,136
<u>Sewer System:</u>	
System Facilities RCNLD	\$43,002,342
Less: Developer Contributed Assets	-10,331,494
Less: Credit for Outstanding Debt	-10,712,524
Net System Value	\$21,958,324

Step 2 – Calculate the Unit Cost of System Capacity

The cost per unit of system capacity was calculated by dividing the adjusted system values (derived in Step 1) by the water and sewer system capacities. The treatment capacity of the water system is currently 3 million gallons per day (“MGD”). Therefore, the cost per unit of system capacity for the water system was calculated to be \$9.09 per gallon per day ($\$27,267,136 \div 3 \text{ MGD}$).

The treatment capacity of the sewer system is 2.259 MGD. Therefore, the cost per unit of system capacity for the sewer system was calculated to be \$9.72 per gallon per day ($\$21,958,324 \div 2.259 \text{ MGD}$). This is illustrated in Table 6.

Table 6. Calculation of Water and Sewer System Unit Capacity Cost

Description	Water	Sewer
Net System Value	\$27,267,136	\$21,958,324
System Capacity (MGD)	3.00	2.259
Unit Cost of Capacity (\$ / gallon per day)	\$9.09	\$9.72

Step 3 – Estimate the Amount of Capacity Per Service Unit of New Development

Section 205 of Article 8 states that the system development fee calculation “...use the gallons per day per service unit that the local governmental unit applies to its water or sewer system engineering for planning purposes for water or sewer, as appropriate, in calculating the system development fee.” The Town uses the North Carolina Administrative Code 15A NCAC 02T.0114 Wastewater Design Flow Rates to define the level of demand associated with a typical, or average, residential customer, which is 120 gallons per day per bedroom.

Step 4 – Calculate the System Development Fee for One ERU

The system development fee for one ERU was calculated by multiplying the unit cost of capacity from Step 2 by the capacity demanded by one ERU from Step 3. The calculations are provided in Table 7.

Step 5 – Scale the System Development Fees for Various Categories of Demand

For non-residential customers, system development fees are scaled² for various categories of demand as specified by the North Carolina Administrative Code 15A NCAC 02T.0114 Wastewater Design Flow Rates, a sample of which is shown in Table 7.

Table 7. SDF Scaling Factors

Description	Gallons Per Day	Water Fee	Sewer Fee	Total
Residential				
One-bedroom	120	\$1,091	\$1,166	\$2,257
Two-bedroom	240	\$2,181	\$2,333	\$4,514
Three-bedroom	360	\$3,272	\$3,499	\$6,771
Four-bedroom	480	\$4,363	\$4,666	\$9,029
Five-bedroom	600	\$5,453	\$5,832	\$11,286
Six-bedroom	720	\$6,544	\$6,999	\$13,543
Non-Residential				
General business/office facilities	25 gal/employee	\$227 per employee	\$243 per employee	\$470 per employee
Restaurant – Full Service	40 gal/seat	\$364 per seat	\$389 per seat	\$752 per seat
Store – Without Food Service	100 gal/1,000 sq. ft.	\$909 per 1,000 sq. ft.	\$972 per 1,000 sq. ft.	\$1,881 per 1,000 sq. ft.
Hotel (without in-room cooking)	120 gal/room	\$1,091 per room	\$1,166 per room	\$2,257 per room

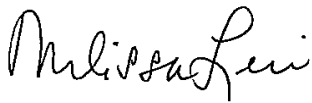
² The maximum cost justified system development fees for non-residential customers may also be calculated by dividing estimated flow from the Administrative Code by the one-bedroom gallons per day.

The water and sewer system development fees shown in Table 7 represent the maximum cost justified level of system development fees that can be assessed by Town of Hillsborough per Article 8. If the Town chooses to assess fees that are less than those shown in the table, the adjusted fee amounts should still reflect the scaling factors in North Carolina Administrative Code 15A NCAC 02T.0114 Wastewater Design Flow Rates, as shown in Table 7.

We appreciate the opportunity to assist the Town of Hillsborough with this important engagement. Should you have questions, please do not hesitate to contact me at (704) 373-1199.

Very truly yours,

RAFTELIS FINANCIAL CONSULTANTS, INC.



Melissa Levin
Vice President



News

System Development Fee Analysis Available for Review and Comment

The board will hold a public hearing and vote on revised fees at its Sept. 11 meeting

Tuesday, July 25, 2023

An analysis of Town of Hillsborough system development fees is available for review and public comment through Sept. 11.

The Hillsborough Board of Commissioners will hold a public hearing and vote on adoption of the revised fees at its Sept. 11 regular meeting. Written comments may be submitted via certified or electronic mail through the contact methods attached below.

More information

System development fees are charged for each new physical water and sewer connection to the utility system to offset the cost of replacing or constructing capital assets to meet demands placed on the system by each new customer or development.

The major infrastructure components for a water and sewer system must be planned and constructed well in advance and in large enough increments to keep pace with anticipated demand on the system's capacity. This infrastructure includes water and wastewater treatment plants, reservoirs, pump stations, and pipe upgrade




The Phase 2 expansion of Hillsborough's reservoir was planned in the 1990s and completed in 2021.

Applicable Statute of Limitations. The bill amended Chapter 162A of the General Statutes by adding Article 8: System Development Fees.

As a requirement of the amended statute, the Town of Hillsborough has completed a system development fee analysis, retaining Raftelis Financial Consultants to complete the analysis and prepare a report. The report updates the 2018 report, also prepared by Raftelis. It incorporates planning and growth that have occurred since and adjusts the planning number and assets that may be included in the calculation.

Related documents

-  [Analysis](#)
-  [Contact methods for written comments](#)

Town of Hillsborough
PO Box 429, Hillsborough, NC 27278 | 919-732-1270

[Employees](#)

[Facilities](#) | [Contact us](#)

Logged in as Marie Strandwitz



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TOWN OF
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Written Comments Contact Methods

Use the following methods to submit written comments regarding the Town of Hillsborough's proposed system development fees:

Certified Mail

Raftelis Financial Consultants Inc.
ATTN: Ms. Vanessa Waller
Town of Hillsborough System Development Fee Analysis
227 W. Trade St., Suite 1400
Charlotte, NC 28202

Electronic Mail

Ms. Vanessa Waller
RE: Town of Hillsborough System Development Fee Analysis
vwaller@raftelis.com



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
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 Sept. 25, 2023

Attachments:

None.

Summary:

Possible topics for the Sept. 25 work session include:

- Hillsborough Transit Orient Development update
- Ridgewalk Feasibility Study
- Development Coordination update

Financial impacts:

None.

Staff recommendation and comments:

None.

Action requested:

None.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: Sept. 11, 2023
Department: All
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Department Heads

ITEM TO BE CONSIDERED

Subject: Staff (written reports in agenda packet)

Attachments:

Monthly departmental reports

Summary:

N/A

Financial impacts:

N/A

Staff recommendation and comments:

None.

Action requested:

Accept reports.



Administrative Services Report August 2023

Budget

- Summer MPA intern Chase Barnhill completed work in early August.
- LEAD for North Carolina Fellow, Marshall Grayson started August 7 and will be with the town for a year.

Communications

- Branding — Worked with public works regarding promotional art for sides of new garbage truck.
- Town materials — Reviewed Employee Engagement Committee materials, text for racial equity index dashboard, Government 101 packets. Created Sandwich with the Safety Guy flyer.
- Website — Worked on finding new website provider and made selection.
- Utilities Outreach — Completed wastewater quality report. Worked on backflow prevention materials and review for revision of utility bills.
- Other — Worked on hiring specialist and made selection. Worked on Government 101 and Engage Hillsborough: Connectivity logistics and with county on issues with zoning map and other links. Helped at police National Night Out event at Fairview Park.

Fleet Maintenance

- No updates.

Human Resources/Town Clerk

- Biweekly payroll

RECRUITMENT AND SELECTION	
Position	Status
Communications Specialist	Start date: 9/11.
Equipment Operator	Open until filled.
Planner II	Closed 9/4.
Police Officer	Continuous recruitment.
Public Works Intern	Starting mid- Sept.
Senior Customer Service Representative	Start date: 9/25.
Utility Maintenance Supervisor	Closed 8/27.
Utility Maintenance Technician I, II or III	Open until filled.
Wastewater Treatment Plant Intern	Start date: 9/11.

Information Technology

- Testing two new security policies for rollout – 12 character minimum for passwords and computer automatically locking after 15 minutes of inactivity.
- Replaced Board Meeting Room podium computer with a new laptop.
- Continued work on NC86 server upgrade to Server 2019. Current Fleet Management software, RTA, needs to be upgraded to cloud-hosted option before completing the server upgrade.

- Started work on WWTP and Town Hall server replacements.

Safety and Risk Management

- Inspections — Gold Park, Turnip Patch Park, Murray Street Park, Hillsborough Heights Park, Cates Creek Park, Utilities Department visits, WTP visits, WWTP visits, HPD visits, Public Works Department visit.
- Meetings – HR Team Meetings, Division Meetings, NCDOL Meetings, Safety Committee Meeting, 86 Facility Desing Meetings
- Training – New Backhoe Loader Training – Utilities. Ladder Safety and Inspection Training – Distribution / Collection. Policy Review/Incident Reporting Refresher - WTP. Mid – State Lunch and Learn – Aging Workforce.
- Random drug screens — On target for 3rd quarter drug screens random FMCA drug screens and completed pre-hire drug screens (Trial - Contracting collections).
- Safety Committee — Incident reviews continue, working on inspection requirements and responsibilities with new Safety Committee members. Compiling data for IIRRP (Injury and Illness Rate Reduction Plan) for NCDOL.
- Safety equipment — Stocked/distributed/ordered safety gear generally and distributed updated safety wear and supplies.
- Other —Designed SOP (Safe Operating Procedure) for SxS (Side by Side) Operation – Utilities. Designed and fabricated Evacuation Plans and posted in the HPD. Worked on employee training schedule, workers compensation claims, Property and liability claims and general duties pertaining to the Highway 86 building, collected fire extinguisher monthly check sheets. Nominated 1 employee for innovation award.



Public Works Report: August 2023

Work Orders

6 completed within two days.

Public Spaces

104.5 staff hours

Stormwater Maintenance

313 linear feet, 45.5 staff hours.

Inspections

5 driveway/sidewalk inspections, 1 Utility Cut Permit

Special Events

Last Friday's – 4 staff hours

Training

1 staff attended Stormwater Hydrology through ITRE, and 1 staff attended Asphalt pavement maintenance through ITRE.

Cemetery

3 monuments were marked and 1 grave was marked.

Asphalt Repairs

3 Utility cuts and 1 road repair



TOWN OF
HILLSBOROUGH

Utilities Department Status Report for Sep. 2023 (covering Aug. 2023)

PROJECT/CATEGORY	STATUS
WTP	The alum ponds are being cleaned of solids by our vendor, EMA Resources.
WWTP	The annual wastewater quality report has been released. You can find it here: https://assets.hillsboroughnc.gov/media/documents/public/annual-wastewater-quality-report.pdf
West Fork of the Eno Reservoir	The reservoir is around 47.4 feet. Phase II normal pool is 53 feet.
Water Restrictions	We are on Stage 1 low flow water withdraw restrictions as of Sunday July 23. Withdraw from the Eno is limited to 1.510 mgd unless the town releases more to make up the difference. Our minimum release requirement is 1.0 cfs but we have been releasing between over 4 cfs due to additional demand and low flow in the Eno. The county is receiving complaints from residents at Lake Orange that the water level is low. They are asking the town to release as much as possible.
Pumping Stations	The Elizabeth Brady variable frequency drive that was not working has been fixed. We have also purchased spare parts. We are purchasing a spare pump for Churton Grove so we can pull the pumps for service and rebuilding.
Developments	Staff is still working with developers of Forest Ridge, Collins Ridge, and Fiori Hill to get through town acceptance or warranty phases. Attorney to assist in Forest Ridge and Fiori Hill. We are also working with UNC hospital on some water and sewer lines they never had the town accept. Harmony at Waterstone is on the agenda for acceptance! We have invoiced Collins Ridge developer for two proffers in the amount of \$115,000. One is for flow monitoring. The other is a participatory share in our water main interconnects project which benefitted the development. That project was completed a few years ago.
Fiber Installs	Starting to see a big uptick in water theft from subcontractors. We have been alerting the main vendors to the issues and invoicing the violators. Staff is looking at tags or labels for hydrants warning of tampering consequences. Google permits have been released.
Lawndale Rehab Project	Staff is working on the engineering report for the newly received letter of intent to fund. The project is to rehabilitate most of the sewers by cured-in-place lining with a few excavations to fix point repairs.
System Development Fee Analysis	On 9/11 agenda for public hearing and adoption.

Staffing	Interviews for the utility maintenance technician are ongoing. One offer was declined due to lower salary than currently making. Interviews for Al Robertson's position are not yet scheduled.
Large Interceptor Cleaning	Vision NC is cleaning and televising our large interceptors along Riverwalk. The concrete pipe installed in the 70's appears to be in poor condition but it is scheduled to be replaced if we can get the Eno River Outfall under design. We are getting a good amount of debris out, maybe 10 - 20 percent. This will free up some capacity but only temporarily as the debris is coming from further upstream.
Water and Sewer Advisory Committee (WSAC) Activities	The WSAC/BOC joint meeting was held Aug 28. A direction was provided on backflow prevention for existing residential in ground pools. A study of an increasing block rate structure was not advanced. There is one out of town member vacancy that is being solicited. One applicant (and former member) changed their mind.