



Agenda

Board of Commissioners Work Session

7:00 PM March 25, 2024

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

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

1. **Opening of the work session**
2. **Agenda changes and approval**
3. **Items for decision - consent agenda**
 - [A.](#) Miscellaneous budget amendments and transfers
 - [B.](#) Amendment to Fiscal Year 2024 Fees & Charges Schedule
 - [C.](#) Proclamation Recognizing April 2024 as Native Plant Month
 - [D.](#) Proclamation Recognizing April 2024 as Sexual Assault Awareness Month
 - [E.](#) Letter of Support for the Occaneechi Band of the Saponi Nation for their efforts in rebuilding the Occaneechi Replica Village
 - [F.](#) Special Event Permit – River Park Concert
 - [G.](#) Special Event Permit – The Fast and the Furriest 5k for the Animals
 - [H.](#) Ordinance Amending Chapter 2, Section 2-17 of the Code of Ordinances – Audio and Video Recordings
4. **In-depth discussion and topics**
 - [A.](#) Presentation of Draft Final US 70 Multimodal Corridor Plan
 - [B.](#) Ordinance Amending Section 13-4 of the Code of Ordinances – Disruptive Activity Prohibited
 - [C.](#) Ordinance Amending Chapter 2, Section 2-18 of the Code of Ordinances – Remote Participation at Board of Commissioners Meetings
 - [D.](#) Update on Legislative Priorities for Hillsborough
5. **Committee updates and reports**
6. **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.

101 E. Orange St., PO Box 429, Hillsborough, NC 27278
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Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 25, 2024
Department: Administration
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Emily Bradford, Budget Director

ITEM TO BE CONSIDERED

Subject: Miscellaneous budget amendments and transfers

Attachments:

Budget Changes Report

Summary:

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

Financial impacts:

As indicated by each amendment.

Staff recommendation and comments:

To approve the attached list of budget amendments and transfers.

Action requested:

Consider approving budget amendments and transfers.

FY 2023-2024

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

DATES: 03/25/2024 TO 03/25/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
GF	10-00-9990-5300-000 CONTINGENCY						
Contingency	Revenue bond admin fees	41725	03/25/2024	EBRADFORI	450,000.00	-5,500.00	5,078.00
Public Space	10-10-6300-5300-155 MAINTENANCE - PARKS						
	To cover park repairs	41713	03/25/2024	EBRADFORI	25,000.00	10,000.00	72,744.38
Public Space	10-10-6300-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover park repairs	41714	03/25/2024	EBRADFORI	25,000.00	-10,000.00	27,494.11
Safety & Risk	10-10-6600-5300-158 MAINTENANCE - EQUIPMENT						
	To cover AED batteries and pads.	41715	03/25/2024	JFernandez	5,600.00	-5,300.00	300.00
Safety & Risk	10-10-6600-5300-332 SUPPLIES - OSHA						
	To cover AED batteries and pads.	41716	03/25/2024	JFernandez	50,775.00	5,300.00	63,994.55
Police	10-20-5100-5300-330 SUPPLIES - DEPARTMENTAL						
	Move to correct account - evidence room	41726	03/25/2024	JFernandez	115,325.00	-32,350.00	89,491.86
Police	10-20-5100-5700-735 CAPITAL - BUILDINGS & IMPROVEMENTS						
	Move to correct account - evidence room	41727	03/25/2024	JFernandez	0.00	32,350.00	77,622.50
Streets	10-30-5600-5300-530 DUES AND SUBSCRIPTIONS						
	To cover APWA dues	41717	03/25/2024	EBRADFORI	400.00	50.00	450.00
Streets	10-30-5600-5300-570 MISCELLANEOUS						
	To cover APWA dues	41718	03/25/2024	EBRADFORI	1,000.00	-50.00	472.00
Solid Waste	10-30-5800-5300-310 GASOLINE						
	Garbage Truck Graphics	41705	03/25/2024	EBRADFORI	58,000.00	-3,600.00	54,400.00
	To cover new SW truck graphics	41728	03/25/2024	EBRADFORI	58,000.00	-200.00	54,200.00
Solid Waste	10-30-5800-5300-330 SUPPLIES - DEPARTMENTAL						
	Garbage Truck Graphics	41706	03/25/2024	EBRADFORI	2,500.00	3,600.00	7,375.00
	To cover new SW truck graphics	41729	03/25/2024	EBRADFORI	2,500.00	200.00	7,575.00
W&S Revenue	30-00-3850-3850-000 INTEREST EARNED						
	Adj to actual	41723	03/25/2024	EBRADFORI	10,000.00	20,000.00	30,000.00
W&S Revenue	30-80-3500-3528-000 ENGINEERING REVIEW FEES						
	Adj to actual	41563	03/25/2024	EBRADFORI	2,000.00	16,000.00	18,000.00
Utilities Admin.	30-80-7220-5300-583 MISC-TAX, TAGS, ETC.						
	Replace Admin Escape	41722	03/25/2024	EBRADFORI	0.00	1,000.00	1,000.00
Utilities Admin.	30-80-7220-5700-740 CAPITAL - VEHICLES						
	Replace Admin Escape	41720	03/25/2024	EBRADFORI	0.00	35,000.00	35,000.00
WFER	30-80-8130-5300-570 MISCELLANOUS						
	Revenue bond admin fees	41724	03/25/2024	EBRADFORI	2,600.00	5,500.00	6,900.00
Water Dist.	30-80-8140-5300-330 SUPPLIES - DEPARTMENTAL						
	For split purchase of lawn mower.	41730	03/25/2024	JFernandez	131,440.00	-610.00	128,969.64
WW Collect.	30-80-8200-5700-741 CAPITAL - EQUIPMENT						
	For split purchase of lawn mower.	41731	03/25/2024	JFernandez	20,000.00	610.00	208,451.79
						<u>72,000.00</u>	



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 25, 2024
Department: Planning and Economic Development
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Planning and Economic Development Manager Shannan Campbell
Budget Director Emily Bradford

ITEM TO BE CONSIDERED

Subject: Amendment to Fiscal Year 2024 Fees & Charges Schedule

Attachments:

Amended Fees & Charges Schedule

Summary:

The fee for Masterplan amendments was removed with updates to the Unified Development Ordinance due to NC GS Chapter 160D requiring local governments to remove the option for the approval of Masterplans with subsequent special use permits through special use zoning districts. The legislature instead indicated that local governments need to use conditional zoning districts moving forward, however we have a handful of “legacy” masterplans with special use zoning that are still in place and can remain in place until the property owner rezones. We don’t have a fee to recoup the costs of holding a public hearing, placing legal advertisements, and mailings to impacted property owners when a developer wants to modify existing masterplans. This amendment would add that fee back in.

Financial impacts:

The town incurs public hearing costs without a fee.

Staff recommendation and comments:

Staff recommends adding a masterplan amendment fee back in for FY24 and beyond.

Action requested:

Approve or deny the amendment.



Fees & Charges Schedule (amended 03/25/24)

FY2024 Operating & Capital Budget

Accounting

Description	Rate	Basis
Food & Beverage		
Food & Beverage Tax (failure to pay)	\$ 500.00	Not to exceed \$500.00
Single-Day Pre-Paid Food & Beverage Fee	\$ 15.00	
Mobile Food Vendor Permit Fee ¹	\$ 50.00	
Beer and Wine License		
On-premise malt beverage	\$ 15.00	
Off-premise malt beverage	\$ 5.00	
On-premise unfortified wine, on-premise fortified wine, or both	\$ 15.00	
Off-premise unfortified wine, off-premise fortified wine, or both	\$ 10.00	

¹Mobile food vendor permits are valid as long as permit holder timely files Food & Beverage tax receipts and reports.

Administration

Description	Rate	Basis
Photocopies	\$ 0.10	per page
Laser Printer Copies	\$ 0.10	per page
Town Clerk Certified Copies	\$ 1.00	per page
Board of Commissioners Meeting Notification Listing	\$ 20.00	annually
Town Code:		
Bound Copy	\$ 40.00	
Unbound Copy	\$ 25.00	
Supplements	\$ 0.10	per page
Motor Vehicle License Fee	\$ 30.00	per vehicle
Franchise Fees (Cable)		5% of gross receipts

Billing & Collections

Description	Rate	Basis
Returned Check / Bank Draft Fee	\$ 25.00	per occurrence
Disconnect / Reconnect for Returned Item	\$ 40.00	per occurrence
Connection Fee	\$ 20.00	
Security Deposits:		
Water/Sewer Service		
Inside Town	\$ 75.00	
Outside Town	\$ 150.00	
Delinquent Fee	\$ 40.00	
Late Fee (after 25th of month)		15%
Reconnection Fee:		
Business Hours		No Charge
After Hours (Town Error)		No Charge
Same Day Turn-On Service	\$ 50.00	
After Hours (Customer Request)	\$ 50.00	
Account Servicing Fee for Payments Made with Unwrapped Coins		
A \$1.00 fee for 100 coins or fraction thereof that the town is required to count in excess of the first \$10.00 of unwrapped coins submitted for payment of the utility bill.	\$ 1.00	per 100 coins
Water Use Reduction Rebate		
One time rebate per water and/or sewer customer for new or replacement installation of low-flow faucets, showerheads and toilets (receipt or billing invoice of work required).	\$ 10.00	per customer

Cemetery

Description	Rate	Basis
Lot Fee:		
Resident	\$ 500.00	
Non-Resident	\$ 1,000.00	
Lot Transfer		
Transfer Between One Pair of Lots	No Charge	
Transfer Between 3 or More Lots	\$ 50.00	per pair of lots

Planning

Description	Rate	Basis
Special Event Permits		
Public and Private Events on Private Property	\$ 20.00	
Public and Private Events on Public Property	\$ 35.00	
Street or Greenway Events	\$ 55.00	
Applications for Review		
Future Land Use Plan or Comprehensive Plan Amendment	\$ 300.00	
Unified Development Ordinance Text Amendment	\$ 300.00	
Rezoning to Conditional district	The greater of \$2,000 or \$200	per acre
Rezoning to general purpose or overlay district	The greater of \$500 or \$50	per acre
Special Use Permit	The greater of \$1,000 or \$200	per acre
SUP Modification Requiring Public Hearing	\$ 500.00	
SUP Modification not Requiring Public Hearing	\$ 300.00	
Masterplan and Planned Development Amendments	\$ 500.00	
Minor Subdivision Review (1-4 lots with or without streets)	\$ 300.00	
Major Subdivision Review (5-19 lots with or without streets)	\$ 600.00	
Subdivision Review (4th review and subsequent additional reviews)	\$ 150.00	
Site Plan Review	\$ 600.00	
Site Plan Review (4th review and subsequent additional reviews)	\$ 200.00	
Construction Plan Review²		
Total building size less than 10,000 sf	\$ 600.00	
Total building size equal to or greater than 10,000 sf	\$ 1,000.00	
Construction Plan Review (4th review and subsequent additional reviews)	\$ 200.00	
Variance	\$ 200.00	
Street Closing Request	\$ 150.00	
Street Renaming Request	\$ 200.00	
Certificate of Appropriateness	\$ 1.00	per \$1,000 construction cost; \$10 minimum
Zoning Compliance Letter	\$ 40.00	
Appeals	\$ 200.00	There are administration and time costs to process, postage for mailings, staff time to process. etc.
Fees in Lieu of Construction		
Sidewalks		125% of written, sealed, engineer's estimate for the cost of required
Documents & Maps¹		
Unified Development Ordinance	\$ 25.00	
Historic District Design Guidelines	\$ 25.00	
Community Connectivity Plan	\$ 15.00	
Administrative Manual	\$ 10.00	
Parks & Recreation Plan and Small Area/Corridor Plans	\$ 10.00	
Zoning Map or Other Color Plot/Map (larger than 11x17)	\$ 10.00	
Town Street Map with Street Grid (11x17 Black & White)	\$ 2.00	
Future Land Use Map & Other 11x17 Color Maps	\$ 2.00	
Photocopies	\$ 0.10	per page
¹ All town produced documents and maps can be provided in electronic form (pdf, jpeg, word, or excel) at no cost if we are provided with the media.		
Zoning Compliance Permits		
Home Occupation	\$ 25.00	
Signs (New or Replacement):		
Wall Mounted	\$ 40.00	
Free-Standing	\$ 75.00	
Sandwich Board	\$ 10.00	
Event Sign Package (package of signs allowed by 6.18.6.2)	\$ 20.00	
Banner (allowed by 6.18.6.3 & without other temporary signage)	\$ 5.00	

Change of Use (one business use to another or change in ownership)	No Charge	
Site Change (ie. fences, sheds, gazebos, decks, porches, ADUs)	\$ 75.00	
New Residential and Commercial Construction		
Projects costing \$499,999 or less - rounded to nearest thousand	\$ 1.00	per \$1,000 of construction cost; \$5 minimum
Projects costing \$500,000 or more - rounded to nearest thousand	\$ 2.00	per \$1,000 of construction cost; \$5 minimum
NOTE: The following items are all included in the "construction cost" used to determine the permit fee: grading, landscaping, site preparation, stormwater control, utilities, paving and structures. ZCPs will be issued for "grading only" and "paving only" projects consistent with the UDO.		
Other Charges		
Consultant Fee Reimbursement	Consultant Fee Reimbursement	
Projects constructing new local roads will also reimburse the Town for consultant fees to review road construction plans and specifications, if needed.		
No-Permit Penalty	No-Permit Penalty	
Work begun without a necessary Zoning Compliance Permit will be charged a \$100 ZCP fee or the standard fee will be doubled, whichever is greater. Work begun without a required Certificate of Appropriateness will be charged a \$300 COA review fee for the standard fee will be doubled, whichever is greater. Work requiring both a COA and ZCP shall only pay the increased COA fee.		

Police

Description	Rate	Basis
Excessive Noise Violation		Fine up to \$250.00
Fire Lane Parking Violation	\$ 25.00	
Handicap Parking Violation	\$ 100.00	
No-Through Truck Violation	\$ 50.00	
Parking Citation	\$ 10.00	
Sidewalk Table Service Permit Violation		Fine up to \$500.00

Public Space

Description	Rate	Basis
Portions of town parks may be reserved for private events. Events expecting 100 or more people are reviewed as special events as defined in the town code. If a special event requires police or public works overtime, costs of those impacts may be passed to the applicant.		
Large Picnic Shelter in Gold Park		
In-town resident	\$ 20.00	per 3 hours
Out-of-town resident	\$ 30.00	per 3 hours
Multi-Use Field in Gold Park or Cates Creek Park		
In-town resident	\$ 10.00	per hour
Out-of-town resident	\$ 20.00	per hour

Solid Waste

Description	Rate	Basis
Roll-Out Refuse Container	\$ 65.00	per container
Residential Refuse Collection		
1 Roll-Out Container	No Charge	
2 or More Roll-Out Containers	TBD	
Bulk Pick-Up / Oversized Load (fee at the discretion of the Public)		
Works Supervisor and dependent on quantity, size and weight ¹	\$ 50.00	minimum
Special Brush/Vegetation Collection		
Standard Collection	\$ 70.00	
Large Collection (Require use of Knuckleboom)	\$ 130.00	

¹Oversized loads are those larger than the bed of a standard pick-up truck. This fee is set at staff discretion to limit overuse of the service covered by general tax revenues.

Stormwater

Description	Rate	Basis
Plan Review		
Single Lot Residential ¹	\$ 100.00	per plan
LID Project ²	\$ 250.00	per plan
Standard Project (less than 1-acre of new impervious)	\$ 500.00	per plan
Standard Project (greater than 1-acre of new impervious) ³	\$ 500.00	per plan plus \$50/acre of new impervious

Standard Phased Projects ⁴	\$	250.00	per each subsequent phase submittal
¹ Not part of a larger common plan for development or sale.			
² Projects that meet the State of North Carolina's Low Impact Development requirements and calculations.			
³ For standard projects (non-LID projects) requiring stormwater management approval, the fee includes one project review meeting with staff and no more than three rounds of staff comments. If stormwater plans are still incomplete after the third review or if additional meetings with staff are required, the applicant will be required to pay an additional \$500 review fee to cover the significant staff time spent reviewing incomplete or non-compliant stormwater management plans.			
⁴ Phased development projects are required to obtain a stormwater management plan approval for the entire project; as each subsequent phase is submitted, an additional fee will be required to ensure the phase plans comply with the overall stormwater management plan approval.			
Stormwater Fee			
Residential Property	\$	75.00	per year
Tier 1, Non-residential Property (0 to 10,000 sq. ft.)	\$	150.00	per year
Tier 2, Non-residential Property (10,001 to 30,000 sq. ft.)	\$	600.00	per year
Tier 3, Non-residential Property (30,001 to 100,000 sq. ft.)	\$	1,800.00	per year
Tier 4, Non-residential Property (100,001 to 200,000 sq. ft.)	\$	4,050.00	per year
Tier 5, Non-residential Property (200,001 sq. ft. and above)	\$	12,900.00	per year

Streets

Description	Rate	Basis
Driveway Permit - new/maintenance not with new construction	\$ 50.00	
Utility Cut Permit application	\$ 50.00	each
Failure to repair initial cut within 30 calendar days	\$ 150.00	each
Failure to make warranty repair within 14 calendar days	\$ 150.00	each
Failure to obtain a permit prior to making a non-emergency cut	\$ 150.00	each
If owner requests town to do the work, the owner will also reimburse the town the full cost of materials in addition to the permit amount.		
Driveways constructed in conjunction with new construction will be reviewed concurrently with the permit for construction at no additional fee.		
Owners must call/schedule inspection of driveway installation at least 24 hours in advance.		

Water & Sewer

Description	Rate	Basis
Water Treatment & Distribution Use Fees		
Water System Development or Capital Facilities Fee ¹		
Unit Cost of Capacity	\$ 9.09	per gallon/day
Residential		
One-bedroom	\$ 1,091.00	120 gallons/day
Two-bedroom	\$ 2,181.00	240 gallons/day
Three-bedroom	\$ 3,272.00	360 gallons/day
Four-bedroom	\$ 4,363.00	480 gallons/day
Five-bedroom	\$ 5,453.00	600 gallons/day
Six-bedroom	\$ 6,544.00	720 gallons/day
Non-Residential ^{2,3}		
General Business/Office Facilities	\$ 227.00	25 gallons/employee
Restaurant (full service)	\$ 364.00	40 gallons/seat
Store (without food service)	\$ 909.00	100 gallons/1,000 sq. ft.
Hotel (without in-room cooking)	\$ 1,091.00	120 gallons/room
¹ The System Development Fee shall be applied to new development that connects to the utility system. New development shall be defined as any of the following: 1) the subdivision of land, 2) the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure which will or potentially result in additional water and sewer use after July 1, 2017. The Capital Facility Fee shall apply to existing development that connects to the system, or redevelopment of a parcel, vacant or otherwise, with a prior water or sewer connection that was in existence before January 1, 1990. Code 14-71		
² For non-residential customers, system development fees are scaled ³ for various categories of demand as specified by the North Carolina Administrative Code 15A NCAC 02T.0114 Wastewater Design Flow Rates.		
³ The maximum cost justified system development fees for non-residential customers may also be calculated by dividing estimated flow from the Administrative Code by the one-bedroom gallons per day.		
Volume Charges:		
Residential Volume Charges - Inside Town		
Residential Service:		
Block 1 (0-2,125 gallons/month)	\$ 22.80	
Block 2 (> 2,125 gallons/month)	\$ 10.73	per 1,000 gallons
Residential Volume Charges - Outside Town		
Residential Service:		
Block 1 (0-2,125 gallons/month)	\$ 44.41	
Block 2 (> 2,125 gallons/month)	\$ 20.90	per 1,000 gallons
Bulk Water	\$ 20.90	per 1,000 gallons

Water Connection Charge		
Front Footage Fee ^{1,2} :		
0 - 50 Feet	\$ 750.00	per connection
> 50 Feet	\$ 15.00	per foot per connection
¹ For a lot abutting two or more water lines, the front footage fee will be calculated on the longest length of the side abutting the main.		
² To recover a portion of the costs of town-installed water mains, hydrants, valves and appurtenances after 1987 which are necessary to provide water service to abutting properties.		
Lateral Fee:		
Licensed utility contractors shall make connections to the town's existing water system after an approved connection request and payment of an application fee of \$100, which includes town observation. This shall be at the owner's / applicant's expense. Where a licensed contractor makes connections as part of an approved water extension project there shall be no separate connection application required. The town may make water connections under emergency circumstances related to environmental health whereby no other option is available. Such connections will be made by the town at actual cost including time, materials, equipment, and restoration. (Code 14-48)		
Water Meter Fees¹		
5/8"	\$ 354.00	
3/4"	\$ 484.00	
1"	\$ 487.00	
> 1"	Actual Cost of Meter to Town + \$100 Installation Fee	
¹ Note that water meters over 1" need to be installed by a plumber or contractor with observation by the town. Meters, strainers and spacers when needed are provided by the town.		
Strainer Fees¹		
2"	\$ 445.00	
3"	\$ 790.00	
4"	\$ 1,465.00	
6"	\$ 2,061.00	
8"	\$ 3,461.00	
10"	\$ 5,420.00	
¹ Strainers are not required if Neptune Mach 10 Ultrasonic Meters are used. For other meters, strainers are required for 2" or larger and will be at cost.		
Fire Hydrant Meter Fees		
Fire Hydrant Meter Security Deposit	\$ 2,000.00	
Fire Hydrant Rental Fees (fees are in addition to deposit)		
Daily Rate	\$ 20.00	
Weekly Rate	\$ 100.00	
Monthly Rate	\$ 300.00	
Semi-Annual Rate	\$ 1,300.00	
Annual Rate	\$ 2,500.00	
Fire Hydrant Meter Relocation Fee	\$ 100.00	
Wastewater Collection System Use Fees		
Wastewater System Development or Capital Facilities Fee ¹		
Unit Cost of Capacity	\$ 9.72	per gallon/day
Residential		
One-bedroom	\$ 1,166.00	120 gallons/day
Two-bedroom	\$ 2,333.00	240 gallons/day
Three-bedroom	\$ 3,499.00	360 gallons/day
Four-bedroom	\$ 4,666.00	480 gallons/day
Five-bedroom	\$ 5,832.00	600 gallons/day
Six-bedroom	\$ 6,999.00	720 gallons/day
Non-Residential ^{2,3}		
General Business/Office Facilities	\$ 243.00	25 gallons/employee
Restaurant (full service)	\$ 389.00	40 gallons/seat
Store (without food service)	\$ 972.00	100 gallons/1,000 sq. ft.
Hotel (without in-room cooking)	\$ 1,166.00	120 gallons/room
¹ The System Development Fee shall be applied to new development that connects to the utility system. New development shall be defined as any of the following: 1) the subdivision of land, 2) the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure which will or potentially result in additional water and sewer use after July 1, 2017. The Capital Facility Fee shall apply to existing development that connects to the system, or redevelopment of a parcel, vacant or otherwise, with a prior water or sewer connection that was in existence before January 1, 1990. Code 14-71		
² For non-residential customers, system development fees are scaled ³ for various categories of demand as specified by the North Carolina Administrative Code 15A NCAC 02T.0114 Wastewater Design Flow Rates.		
³ The maximum cost justified system development fees for non-residential customers may also be calculated by dividing estimated flow from the Administrative Code by the one-bedroom gallons per day.		
Volume Charges:		
Inside Town		
Block 1 (0-2,125 gallons/month)	\$ 32.07	
Block 2 (> 2,125 gallons/month)	\$ 15.09	per 1,000 gallons
Outside Town		
Block 1 (0-2,125 gallons/month)	\$ 62.54	
Block 2 (> 2,125 gallons/month)	\$ 29.43	per 1,000 gallons

Wastewater Connection Charge		
Front Footage Fee ¹ :		
0 - 50 Feet	\$	1,000.00
> 50 Feet	\$	20.00 per foot per connection
¹ For a lot abutting two or more sewer lines, the front footage fee will be calculated on the longest side of the lot abutting the main.		
² To recover a portion of the costs of town-installed public sewer mains and appurtenances after 1987 which are necessary to provide sewer service to abutting properties.		
Lateral Fee:		
Licensed utility contractors shall make connections to the town's existing sewer system after an approved connection request and payment of an application fee of \$100, which includes town observation. This shall be at the owner's/applicant's expense. Where a licensed contractor makes connections as part of an approved sewer extension project there shall be no separate connection application required. The town may make connections under emergency circumstances related to environmental health whereby no other option is available. Such connections will be made by the town at actual cost including time, materials, equipment, and restoration. (Code 14-48)		
Engineering		
Water / Sewer Availability Review		
< 2 hours of effort		No Charge
Outside Engineering or Legal Costs		Actual Cost to Town
Engineering Construction Drawing Review		
Site Plan Review Fee	\$	150.00 per review
Construction Drawings without Extensions	\$	300.00 per review
Water Main Extension Review ¹	\$	3.50 per linear foot
Sewer Main Extension Review ¹	\$	3.50 per linear foot
Pumping Stations (engineering review, inspection, start-up and acceptance)	\$	8,000.00 for up to two reviews and comments
Preliminary and Final Plat Reviews	\$	60.00 per review
¹ This includes up to two reviews of plans, specifications, and permit and encroachment applications plus ability to serve documents. Plan changes and significant spec edits or additions after two full reviews will be \$300 each. A change in project scope or design after plan approval will restart the process.		
Construction Observation / As Built Review		
The town will observe all water and sewer meaningful work on projects not involving an extension of mains. On approved main extensions, inspectors will periodically stop by and confer with the 3rd party inspector on progress or when called by the contractor. The town inspector shall be present for all tapping of existing mains, acceptance testing and for planned shut downs for all work unless delegated or waived. A penalty will be incurred for performing tapping work without authorization or coordination.		
General Inspection	\$	50.00 per hour
Return trip for acceptance testing		\$300 + \$0.25/lf of main over 1,000 lf + general inspection time
FOG Device	\$	200.00
Sewer System CCTV	\$	1.00 per lf
Rejected CCTV due to nonconformance with specifications	\$	100.00 each occurrence
Reinspection of service taps (including sewer cleanout, meter box, curb stop), mainline valves, hydrants, manholes, air release valves, and other singular items	\$	50.00 each + general inspection time
Other		
Meter Replacement Fee	\$	50.00
Meter Relocation Fee	\$	100.00
Special Meter Read	\$	10.00
Meter Test Charge	\$	35.00
Hydrant Flow Test	\$	250.00
Meter Pressure Test	\$	25.00 Unless confirmed problem due to public system operation
Interruptible Water Meter Install - Return Trip	\$	50.00 per trip
Special Irrigation Permit	\$	20.00 each
Perpetual Maintenance (new sewage pump stations)		Per Formula in Town Code
Tampering Fees		Town Code 14-16 (a) (6) (i) and (ii)
Meter Tampering Fee	\$	350.00
Meter Tamping Civil Penalty ¹	\$	500.00
Hydrant Tampering Fee	\$	500.00
Hydrant Tampering Civil Penalty ²	\$	3,000.00
Making tap connections to water and sewer without approval or notification of work	\$	1,000.00 each
¹ The civil penalty shall be doubled for any future offenses within a two-year period.		
² The civil penalty shall be doubled for any future offenses by the same person.		



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 25, 2024
Department: Public Space and Sustainability
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Public Space and Sustainability Manager Stephanie Trueblood

ITEM TO BE CONSIDERED

Subject: Proclamation Recognizing April 2024 as Native Plant Month

Attachments:

Proclamation

Summary:

Native Plant Month focuses attention on the vital role of native plants in overall ecosystem health and sustainability. With more than 3,900 native plant species, North Carolina is one of the most diverse states in the Southeast for flora. Native plants provide essential food and shelter for wildlife.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

Adopt proclamation recognizing April 2024 as Native Plant Month in the Town of Hillsborough.



PROCLAMATION Native Plant Month April 2024

WHEREAS, native plants are indigenous species that have evolved and occur naturally in a particular region, ecosystem, and habitat; and

WHEREAS, native plants are vital for maintaining and restoring the healthy ecosystem needed to sustain our environment, including seed dispersal; pollination of crops and natural vegetation; prevention of flooding, drought, and erosion; regulation of disease-carrying organisms; and moderation of weather extremes; and

WHEREAS, North Carolina is home to more than 3,900 native plant species, including trees, shrubs, vines, grasses, and wildflowers, making it one of the most diverse states for native plants in the Southeast; and

WHEREAS, native plants provide shelter as well as nectar, pollen, and seeds that serve as food for native butterflies, insects, birds, amphibians and other wildlife in ways that non-native plants cannot; and

WHEREAS, 969 of the native plant species in North Carolina have been designated as significantly rare and/or in decline and may be in danger of extinction; and

WHEREAS, 94 of those 969 imperiled plants have been found in Orange County;

NOW, THEREFORE, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim April 2024 as **Native Plant Month** to recognize the many benefits of native plants to the environment and economy of the Town of Hillsborough.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 25th day of March in the year 2024.

Mark Bell, Mayor
Town of Hillsborough



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 25, 2024
Department: Governing Body
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Mayor Mark Bell

ITEM TO BE CONSIDERED

Subject: Proclamation Recognizing April 2024 as Sexual Assault Awareness Month

Attachments:

Proclamation

Summary:

The Orange County Rape Crisis Center (OCRCC) requests that the town proclaim April 2024 as “Sexual Assault Awareness Month” in the Town of Hillsborough.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

Adopt proclamation in recognition of Sexual Assault Awareness Month.



PROCLAMATION

Recognizing April 2024 as Sexual Assault Awareness Month

WHEREAS, the nonprofit Orange County Rape Crisis Center assisted over 900 survivors of sexual violence, their loved ones, and community professionals during 2023 and has served this community since 1974; and

WHEREAS, the Orange County Rape Crisis Center works with the county's two school systems and other groups to provide students with age-appropriate information about violence prevention, reaching over 10,000 youth and adults each year; and

WHEREAS, the Orange County Domestic Violence and Sexual Assault Response Committee is bringing together members of law enforcement, the medical community, the legal system and other community advocates to improve services for survivors of sexual assault who come forward; and

WHEREAS, one in five American women have been sexually assaulted at some point in their lives; and

WHEREAS, rape is the costliest crime to its survivors in the United States, totaling over \$3 trillion in lifetime costs considering factors such as medical cost, lost earnings, pain, suffering and lost quality of life; and

WHEREAS, 81% of women and 24% of men in the United States have experienced some form of sexual or physical violence committed by an intimate partner; and

WHEREAS, trans and gender non-conforming people, people with disabilities and children face the highest rates of sexual violence in our country; and

WHEREAS, victim-blaming continues to be an enormous problem in instances of rape and sexual assault; and

WHEREAS, the Orange County Rape Crisis Center is working to stop sexual violence and its impact through support, education and advocacy;

NOW, THEREFORE, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim April 2024 as Sexual Assault Awareness Month in the Town of Hillsborough and encourage all residents to speak out against sexual violence and to support their local community's efforts to prevent and respond to these appalling crimes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 25th day of March in the year 2024.

Mark Bell, Mayor
Town of Hillsborough



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 25, 2024
Department: Public Space and Sustainability
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space and Sustainability Manager

ITEM TO BE CONSIDERED

Subject: Letter of Support for the Occaneechi Band of the Saponi Nation for their efforts in rebuilding the Occaneechi Replica Village

Attachments:

Letter of Support

Summary:

The Alliance for Historic Hillsborough will nominate the Occaneechi Band of the Saponi Nation and the reconstruction of the Occaneechi Village replica site for this year's Minnette C. Duffy Landscape Preservation Award through Preservation North Carolina. Letters of support are a crucial component of the nomination application. The Alliance has requested a letter of support from the town.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

Approve Letter of Support for nomination of the Occaneechi Band of the Saponi Nation for the Minnette C. Duffy Landscape Preservation Award.



March 25, 2024

Mayor Mark Bell
Hillsborough Board of Commissioners
Re: Minnette C. Duffy Award Nomination

Preservation North Carolina:

I am writing to express my wholehearted support for the Occaneechi Band of the Saponi Nation and their remarkable efforts in rebuilding the Occaneechi Replica Village for this year's Minnette C. Duffy Landscape Preservation Award. The significance of this project to the community of Hillsborough cannot be overstated.

Along with other members of the Hillsborough community, I have personally worked many hours on building and maintaining the Occaneechi Replica Village under the direction of tribal leaders and can attest that it stands not only as a testament to the rich cultural heritage of the Occaneechi people but also as a beacon of unity and understanding within our community. Through their meticulous reconstruction efforts, the Occaneechi Band of the Saponi Nation has brought to life a piece of history that serves as a valuable educational resource and a source of pride for all who call Hillsborough home.

Beyond its historical and cultural importance, the Occaneechi Replica Village serves as a gathering place for community members of all backgrounds. It fosters a sense of belonging and connection, offering a space where individuals can come together to celebrate diversity and learn from one another.

Moreover, the dedication and passion demonstrated by the Occaneechi Band of the Saponi Nation in preserving and sharing their heritage are truly commendable. Their commitment to honoring the traditions of their ancestors while embracing the evolving needs of the community inspires us all.

In conclusion, I wholeheartedly endorse the Occaneechi Band of the Saponi Nation's nomination for their work on rebuilding the Occaneechi Replica Village. Their efforts have not only enriched the cultural fabric of Hillsborough but have also strengthened the bonds of friendship and understanding among its residents. Thank you for the opportunity to offer my support for this important initiative.

Sincerely,

Mayor Mark Bell
Cc:
Mayor Pro Tem Robb English
Commissioner Meaghun Darab
Commissioner Kathleen Ferguson
Commissioner Matt Hughes
Commissioner Evelyn Lloyd



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 25, 2024
Department: Planning and Economic Development
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Planning and Economic Development Manager Shannan Campbell

ITEM TO BE CONSIDERED

Subject: Special Event Permit – River Park Concert

Attachments:

Special Event Permit Application

Summary:

The Triangle Music Alliance and WHUP-FM would like to host this year’s River Park Concert on April 20 from noon to 7 p.m. Organizers expect this event to have around 2,500 people in attendance. The event will require setup on April 19 and tear down following the event. This event will have food trucks, vendors and alcoholic beverages with an ABC permit.

Financial impacts:

Low financial impacts – the organizers are requesting the town to provide additional trash rollout carts. Additionally, per staff comments, town police presence may be requested (depending on availability and coordination with the Orange County Sheriff’s Office) for assistance with crossing concert attendees near Weaver Street Market.

Staff recommendation and comments:

Staff have expressed some concern after receiving feedback from various event goers that it can be difficult to cross Churton Street at Nash and Kollock Street due to the signal timing. The organizers are working through possible solutions with the Hillsborough Police Department and the Orange County Sheriff’s Office. Staff recommend approval, with further exploration of this issue specifically for the River Park Concert but also for future events in River Park.

Action requested:

Approve, approve with conditions, or deny the special event permit.



TOWN OF
HILLSBOROUGH

APPLICATION
Special Event Permit

Planning and Economic Development Division
101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-296-9470 | Fax: 919-644-2390
planning@hillsboroughnc.gov
www.hillsboroughnc.gov

Please review Chapter 7, Article 3 of the Hillsborough Code of Ordinances to determine if your event requires a special event permit. **The application must be received 60 days in advance of the event.**

Name of event: River Park Concert Sustainer Event on Friday 4/19 and RPC2024 FREE concert c

Event location address: 140 East Margaret Lane (4/20) & Farmer's Market Pavillion (4/19)

Date(s) of event: 4/19/24

Event setup time: 4pm Event hours: 6-8:30pm Event breakdown: 9pm

Date(s) of event: 4/20/24

Event setup time: 8am Event hours: Noon-7:30pm Event breakdown: 8pm & next day

EVENT ORGANIZER AND CONTACT INFORMATION

Name of organization/company: WHUP-FM & Triangle Music Alliance (TMA)

Organization/company mailing address: 238 South Nash Street, Hillsborough, NC 27278

Organization status: Formal Informal For-profit Not-for-profit

Event organizer name: David Hays & Bob Burtman

Event organizer phone: 919-931-3977 Event organizer email: david@trianglemusicalliance.com, bburtman@gmail.com

On-site contact(s) during the event:

Name: David Hays Cell phone: 919-931-3977

Name: Scott Pasley Cell phone: 919-522-7993

GENERAL EVENT INFORMATION

Type of event:

- Private event on private property
- Private event on public property 4/19/24
- Street or greenway event (includes parades, marches, rallies, and foot and bike races)
- Public event on public property 4/20/2024
- Public event on private property

General event description:

Please outline the event purpose and elements, including items such as food trucks, car shows, races and vendors.

The 4/19 Sustainer and event sponsor event is a Private event held at the Farmer's market pavillion from 6-8:30pm for River Park Concert

The Sustainer/sponsor event will feature a live band and cookout with volunteers

The River Park Concert FREE event will be on Saturday, 4/20 in the River Park from Noon-7:30pm

There will be 4 Food Trucks in a food truck rodeo, Whits custard, and a Beer Garden with Beer and Cider for sale by volunteers

Estimated number of people who will attend the event: 2,000

Estimated peak time(s) of attendance: 4/19 - 7-8pm, 4/20 4-7pm

Maximum capacity of event location (number of persons, if applicable): 3,000

For annual events, the estimated attendance of the last event of this kind: 2,500

GENERAL EVENT QUESTIONNAIRE

Will tickets be sold or admission or fees charged as part of the event? Yes No

Will alcohol be sold or provided as a part of this event? Yes No

If yes regarding alcohol:

Indicate the vendor(s) and/or ABC permit holder(s) responsible for the alcohol sales or distribution and attach a copy of the ABC permit(s) for each vendor:

WHUP-FM is Limited Special Event ABC Permit Holder

Note: Alcohol may only be sold by vendors with an off-premise permit or by event organizers with a special one-time ABC sales permit. Alcohol sales may be subject to the prepared food and beverage tax.

Will vendors be on site selling goods, crafts or wares during the event? Yes No

Will vendors be on site selling food or beverages during the event? Yes No

Note: Vendors without a physical location in town and food trucks without Town of Hillsborough Food Truck Permits must pay the food and beverage tax in advance of selling prepared food or beverage. For the tax application, see the Financial Services Department page on the town website, hillsboroughnc.gov.

List name(s) of the vendors:

Hillsborough Art's Council Artists - total of 15

Gussies Food Truck, Whits Custard, Karala Curry Food Truck, and two more food truck for a total of 4

Will you solicit donations as part of the event? Yes No

If yes, for what cause or organization? _____

Will you bring additional equipment, such as stages, microphones and amplification? Yes No

Please explain: We will have a mobile stage in the River Park like last year

Will any items be left at the event site overnight? Yes No

Please explain: Event Stage will be dropped on 4/19 and taken out 4/20. Port a potties delivered 4/19 and taken out 4/21

Will signs or banners be displayed on site or around town? Yes No

Note: Special event signage *must be applied for and permitted separately BEFORE signage is placed around town. See the Reservations page on the town website, hillsboroughnc.gov.*

Will tents be erected for the event? Yes No

If yes, how many and what size? 15-20 (10*10) tent and 1 (10*20) Tent

Note: Tents may require a permit and inspection by the Orange County Fire and Life Safety Division depending on size and number. Tents should be shown with location and dimensions on the event map or layout.

Will you provide (portable) restroom facilities? Yes No

Note: Depending on attendance numbers and duration, restroom facilities must be provided by special event organizers. Restrooms of local businesses and town and county facilities may complement but not be a substitute for providing adequate restrooms for the event.

Will you provide (portable) handwashing facilities? Yes No

Note: Handwashing facilities are required for events that include on-site food preparation and/or sales without direct or immediate sink access.

Will the event require any street closures or change in traffic flow? Yes No

Will the event require additional trash and recycling facilities? Yes No

Will you request that the town board sponsor specific services in conjunction with this event? Yes No

- Road closures
- Traffic control

- Police coverage
- Trash and recycling rollouts
- Number of rollouts 1 time

EVENT MAP AND LAYOUT REQUIREMENTS

With this application, you must attach a map of the area that the event is to take place and indicate the following:

- Traffic flow — Include any streets requested to be closed or obstructed (law enforcement will determine locations of barriers and officers).
- Event route — Clearly show route if the event includes an event such as a parade or greenway closure.
- Parking areas — Note areas where event attendees will be directed that are adequate for the event attendance. The Eno River Parking Deck has 400 parking spaces.
- Pedestrian access and flow.
- Location of —
 - Any concession stand, food truck(s), booth, or other temporary structures, tents, stages or facilities.
 - Proposed fences, stands, platforms, benches, or bleachers.
 - Restroom and handwashing facilities.

Note: A street map and Gold Park map are available on the town’s website. Google Maps is another resource and can be easily marked up. Contact staff if you need assistance with providing an event layout or route map.

EVENT LIABILITY INSURANCE

Event organizers and/or property owners need to insure themselves from liability in case event attendees injure themselves during the course of the event. Events occurring on public property (town or county) are required to carry event liability insurance with the public property owner listed as "additionally insured."

Copy of event liability Certificate of Insurance is attached: Yes No

Name of insurance company providing liability coverage for the event:

Lee-Moore Insurance Agency

Contact information for broker/agent providing coverage:

Alex Maiolo 919-932-9990 (office), leemooreinsurance@gmail.com

EVENT PROPERTY USE PERMISSION

If the event will be on property not owned or managed by the event organizer, then the property owner must indicate consent below for the use of the property:

Orange county parks and recreation deptD - Travis Bogel

224-500-6696

Name of property owner

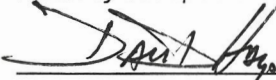
Phone

Signature of property owner

Date

TOWN LIABILITY AGREEMENT

I, the applicant, agree to indemnify and hold harmless the Town of Hillsborough, its employees, and its agents from and against any and all liability for any injury that may be suffered in connection with this special event approval or park reservation. I also hold harmless the Town of Hillsborough, its employees, and its agents from and against any liability for any equipment or supplies lost, damaged, or stolen that are stored or otherwise as a result of this special event.



Applicant signature

2/19/2024

Date

SUBMITTAL DIRECTIONS:

The following methods may be used:

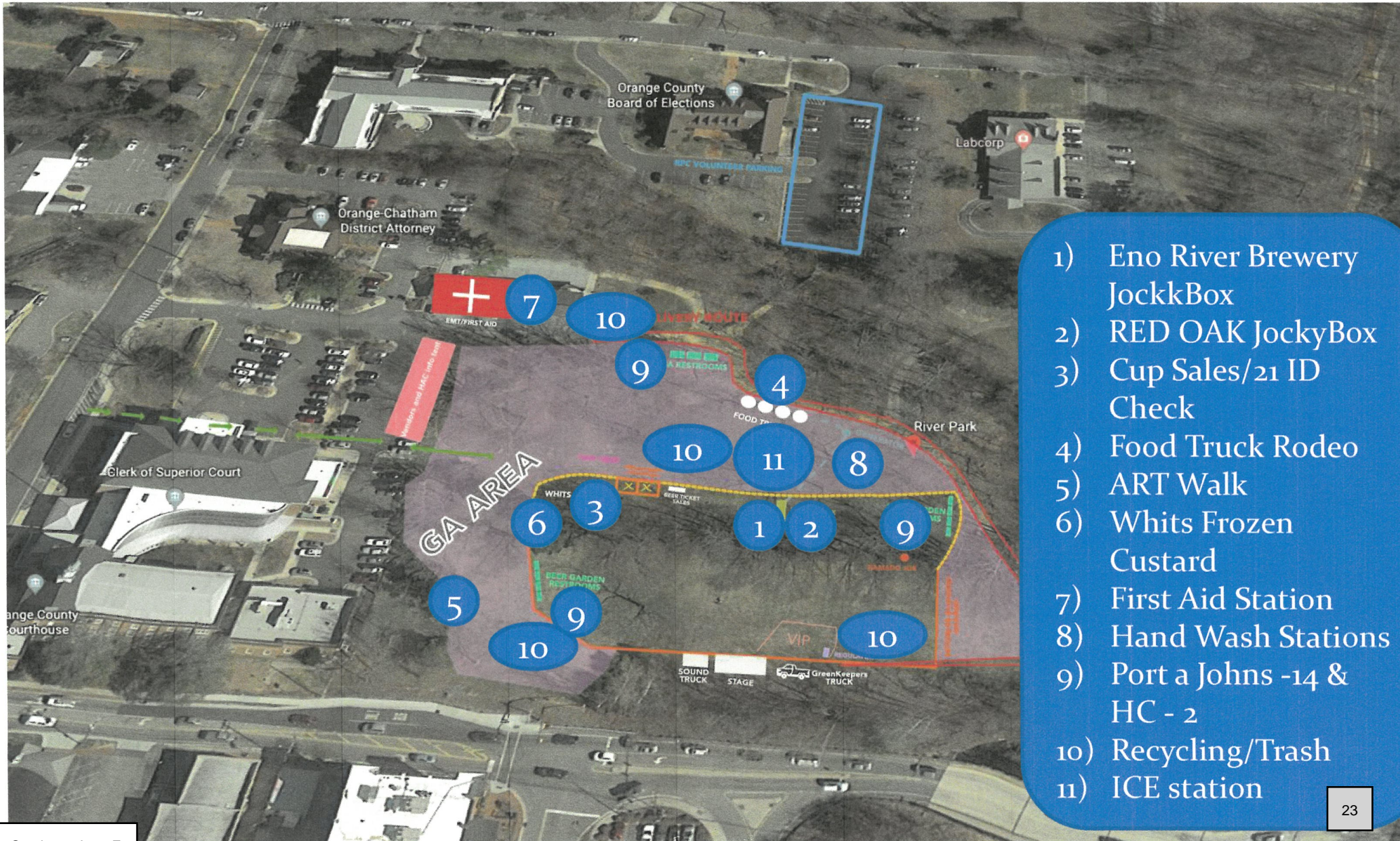
- Submit electronically to Planning Technician Kelsey Carson at kelsey.carson@hillsboroughnc.gov.
- Submit paper copy to:
Hillsborough Planning Department
ATTN: Planning Technician Kelsey Carson
PO Box 429
101 E. Orange St.
Hillsborough, NC 27278

River Park Concert 2024 Site MAP



RPC 2024
Site Map
DT Hillsborough,
NC

River Park Concert 2024 Site MAP



- 1) Eno River Brewery JockkBox
- 2) RED OAK JockyBox
- 3) Cup Sales/21 ID Check
- 4) Food Truck Rodeo
- 5) ART Walk
- 6) Whits Frozen Custard
- 7) First Aid Station
- 8) Hand Wash Stations
- 9) Port a Johns -14 & HC - 2
- 10) Recycling/Trash
- 11) ICE station

FACILITY SALES RECEIPT

Receipt # **390633**
Payment Date: 02/21/24
Household: 30950

Bonnie B Davis Environment and Agricultural Center
1020 US 70 West
Suite 140A
Hillsborough NC 27278
Phone: (919)245-2660
www.orangecountync.gov

WHUP FM
111 1/2 N Churton Street
Hillsborough NC 27278
wdhaysjr27278@gmail.com

Hm Ph: (919)931-3977

Reservation Updated: David Price Farmers' Market Pavilion, David Price Farmer's Market Pavilion

Address: 140 E. Margaret Lane, Hillsborough, NC, 27278
Reserv. Contact: **WHUP FM**
Phone Number: **(919)931-3977**
Reserv. Number: 58499
Status: Firm
Purpose: River Park Concert Sustainer & Sponsor Dinner
Anticipated Count: 150

<u>Date(s) And Times</u>	<u>New Fees</u>	<u>Total Fees</u>	<u>New Paid</u>	<u>Total Paid</u>	<u>Amount Due</u>
Fri 04/19/2024 6:00P to 9:00P	0.00	15.00	15.00	15.00	0.00

FACILITY SALES RECEIPT

Receipt # 390633
Payment Date: 02/21/2024
Household: 30950

Do you propose to sell items during this event? No

If yes, please describe: n/a

All planned activities and equipment involved, must be stated on the application. Items like bounce houses and children's water rides/activities are **not** allowed at our parks per the County's Facilities Use Policy. Reservations found planning to have these items at their reservation will be flagged from making future reservations. By checking the box above, you certify you will **not** have these items at your reservation.: Yes

Reservation Updated: River Park, River Park Grounds

Address: 140 E. Margaret Lane, Hillsborough, NC, 27278
Reserv. Contact: **WHUP FM**
Phone Number: **(919)931-3977**
Reserv. Number: 58499
Status: Firm
Purpose: River Park Concert
Anticipated Count: 2000

<u>Date(s) And Times</u>	<u>New Fees</u>	<u>Total Fees</u>	<u>New Paid</u>	<u>Total Paid</u>	<u>Amount Due</u>
Sat 04/20/2024 8:00A to 10:00P	0.00	325.00	325.00	325.00	0.00



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 25, 2024
Department: Planning and Economic Development
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Planning and Economic Development Manager Shannan Campbell

ITEM TO BE CONSIDERED

Subject: Special Event Permit – The Fast and the Furriest 5k for the Animals

Attachments:

1. Special Event Permit Application
2. Race Map

Summary:

Independent Animal Rescue would like to host a 5k event beginning at Gold Park, to the Riverwalk and looping back to Gold Park to finish. The event will be from 9 a.m. to 1 p.m. and organizers anticipate around 150 people in attendance. The event will have a few tents located at Gold Park with information related to the event and organization. No additional services are being requested from the town.

Financial impacts:

Low financial impacts.

Staff recommendation and comments:

None

Action requested:

Approve, approve with conditions, or deny the special event permit.



TOWN OF
HILLSBOROUGH

APPLICATION
Special Event Permit

Planning and Economic Development Division
101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-296-9470 | Fax: 919-644-2390
planning@hillsboroughnc.gov
www.hillsboroughnc.gov

Please review Chapter 7, Article 3 of the Hillsborough Code of Ordinances to determine if your event requires a special event permit. **The application must be received 60 days in advance of the event.**

Name of event: The Fast and the Furriest 5k for the Animals

Event location address: 415 Dimmocks Mill Road, Hillsborough, NC 27278

Date(s) of event: May 11, 2024

Event setup time: 8:00 AM Event hours: 9:00 AM - 1:00 PM Event breakdown: 2:00 PM

Date(s) of event: _____

Event setup time: _____ Event hours: _____ Event breakdown: _____

EVENT ORGANIZER AND CONTACT INFORMATION

Name of organization/company: Independent Animal Rescue

Organization/company mailing address: PO Box 14232 Durham, NC 27709-4232

Organization status: Formal Informal For-profit Not-for-profit

Event organizer name: Lex Tamvakis

Event organizer phone: 252-413-9990 Event organizer email: lex@animalrescue.net

On-site contact(s) during the event:

Name: Lex Tamvakis Cell phone: 252-413-9990

Name: Sarah Carroll Cell phone: 646-457-1021

GENERAL EVENT INFORMATION

Type of event:

- Private event on private property
- Private event on public property
- Street or greenway event (includes parades, marches, rallies, and foot and bike races)
- Public event on public property
- Public event on private property

General event description:

Please outline the event purpose and elements, including items such as food trucks, car shows, races and vendors.
The Fast and the Furriest 5k for the Animals is a fundraising event for Independent Animal Rescue (IAR), a 501(c)(3) nonprofit (EIN 56-1951483). It has been held virtually in 2021 and 2022, with 2024 being the first year to incorporate an in-person race. Funds raised will go towards IAR's general fund. The event will consist of a 5k race and walk.

Estimated number of people who will attend the event: 150

Estimated peak time(s) of attendance: 9:00 AM-1:00 PM

Maximum capacity of event location (number of persons, if applicable): _____

For annual events, the estimated attendance of the last event of this kind: _____

GENERAL EVENT QUESTIONNAIRE

Will tickets be sold or admission or fees charged as part of the event? Yes No

Will alcohol be sold or provided as a part of this event? Yes No

If yes regarding alcohol:

Indicate the vendor(s) and/or ABC permit holder(s) responsible for the alcohol sales or distribution and attach a copy of the ABC permit(s) for each vendor:

Note: Alcohol may only be sold by vendors with an off-premise permit or by event organizers with a special one-time ABC sales permit. Alcohol sales may be subject to the prepared food and beverage tax.

Will vendors be on site selling goods, crafts or wares during the event? Yes No

Will vendors be on site selling food or beverages during the event? Yes No

Note: Vendors without a physical location in town and food trucks without Town of Hillsborough Food Truck Permits must pay the food and beverage tax in advance of selling prepared food or beverage. For the tax application, see the Financial Services Department page on the town website, hillsboroughnc.gov.

List name(s) of the vendors:

Will you solicit donations as part of the event? Yes No

If yes, for what cause or organization? Independent Animal Rescue

Will you bring additional equipment, such as stages, microphones and amplification? Yes No

Please explain: We will potentially bring a small PA System for announcements and/or addressing attendees

Will any items be left at the event site overnight? Yes No

Please explain: _____

Will signs or banners be displayed on site or around town? Yes No

Note: Special event signage *must be applied for and permitted separately BEFORE signage is placed around town. See the Reservations page on the town website, hillsboroughnc.gov.*

Will tents be erected for the event? Yes No

If yes, how many and what size? Each exhibitor will have a 10x10 space to set up a tent and/or table. We expect 5-10 booths/tents.

Note: Tents may require a permit and inspection by the Orange County Fire and Life Safety Division depending on size and number. Tents should be shown with location and dimensions on the event map or layout.

Will you provide (portable) restroom facilities? Yes No

Note: Depending on attendance numbers and duration, restroom facilities must be provided by special event organizers. Restrooms of local businesses and town and county facilities may complement but not be a substitute for providing adequate restrooms for the event.

Will you provide (portable) handwashing facilities? Yes No

Note: Handwashing facilities are required for events that include on-site food preparation and/or sales without direct or immediate sink access.

Will the event require any street closures or change in traffic flow? Yes No

Will the event require additional trash and recycling facilities? Yes No

Will you request that the town board sponsor specific services in conjunction with this event? Yes No

- | | |
|--|---|
| <input type="checkbox"/> Road closures | <input type="checkbox"/> Police coverage |
| <input type="checkbox"/> Traffic control | <input type="checkbox"/> Trash and recycling rollouts |
| | Number of rollouts _____ |

EVENT MAP AND LAYOUT REQUIREMENTS

With this application, you must attach a map of the area that the event is to take place and indicate the following:

- Traffic flow — Include any streets requested to be closed or obstructed (law enforcement will determine locations of barriers and officers).
- Event route — Clearly show route if the event includes an event such as a parade or greenway closure.
- Parking areas — Note areas where event attendees will be directed that are adequate for the event attendance. The Eno River Parking Deck has 400 parking spaces.
- Pedestrian access and flow.
- Location of —
 - Any concession stand, food truck(s), booth, or other temporary structures, tents, stages or facilities.
 - Proposed fences, stands, platforms, benches, or bleachers.
 - Restroom and handwashing facilities.

Note: A street map and Gold Park map are available on the town’s website. Google Maps is another resource and can be easily marked up. Contact staff if you need assistance with providing an event layout or route map.

FOR OFFICE USE ONLY

Application received by: Kelsey Carson _____

Date: __3/1/2024_____ Fee paid: __\$55_____

Date information emailed out: __3/5/2024_____

Permit Status

Approved: Yes No

Explanation: _____

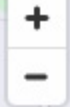
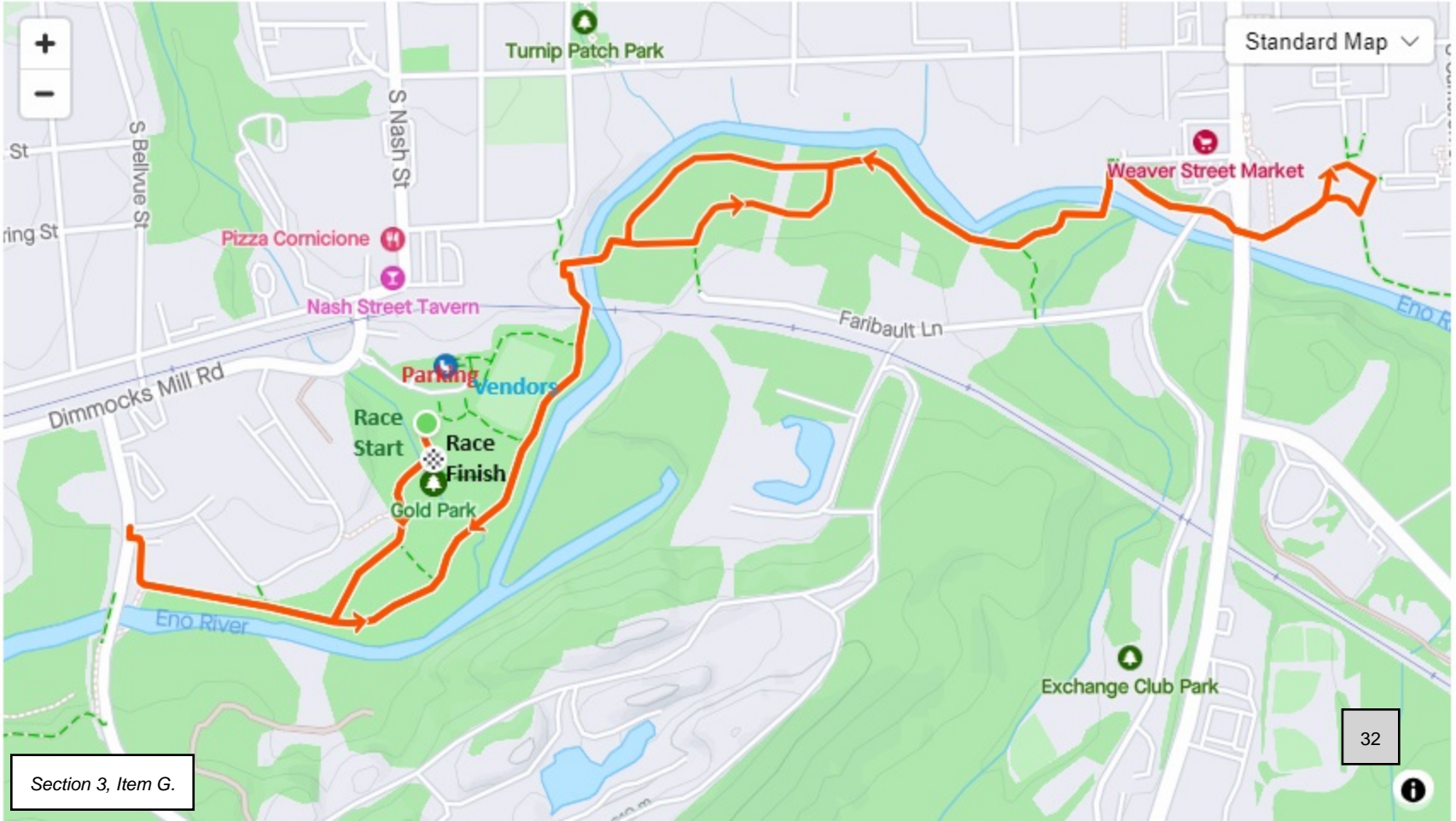
Date permit issued: _____

Approved with any conditions: _____

By: _____ Date _____
Name of town staff member

Forwarded to:

- Hillsborough Communications Division
- Hillsborough Financial Services Department (Food and Beverage Tax)
- Hillsborough Police Department
- Hillsborough Public Space Manager
- Hillsborough Public Works Division
- North Carolina Department of Transportation (DOT road closures)
- Orange County Asset Management Services (Visitors Center, library, courthouses)
- Orange County Department of Environment, Agriculture and Parks and Recreation (River Park)
- Orange County Fire and Life Safety Division
- Orange County Sheriff's Office
- Orange Rural Fire Department





Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 25, 2024
Department: Administrative Services
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Town Clerk Sarah Kimrey

ITEM TO BE CONSIDERED

Subject: Ordinance Amending Chapter 2, Section 2-17 of the Code of Ordinances – Audio and Video Recordings

Attachments:

Ordinance

Summary:

At the Feb. 12 regular meeting, staff recommended drafting a policy to retain audio and video recordings of Board of Commissioners meetings for a period of three years. The board indicated its desire to retain the audio and video recordings indefinitely. Per board direction, town staff has drafted an ordinance amending Chapter 2 of the town code with the addition of Section 2-17, to retain audio and video recordings of official Board of Commissioners meetings permanently. Staff also incorporated in the ordinance recent instructions for disposal of audio recordings of closed session meetings after the approval of official written minutes.

If permanent retention of these recordings becomes a burden administratively or financially, the board can amend this in the future.

Financial impacts:

None at this time. Recordings will continue to be stored on our existing system until we reach storage limits.

Staff recommendation and comments:

None

Action requested:

Adopt ordinance amendment as presented.



ORDINANCE

Amending Chapter 2, Section 2-17 of the Code of Ordinances – Audio and Video Recordings of Board of Commissioners Meetings

The Hillsborough Board of Commissioners ordains:

Section 1. Chapter 2, Article II, of the Hillsborough Code of Ordinance is amended to add Section 2-17, titled "Audio and video recordings of Board of Commissioners meetings," as follows:

- (a) Audio and video recordings of Board of Commissioners meetings shall be retained permanently.
- (b) Audio recordings of Board of Commissioners closed session meetings shall be destroyed in office after approval of the official written minutes.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 25th day of March in the year 2024.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date:	March 25, 2024
Department:	Community Services
Agenda Section:	Regular
Public hearing:	No
Date of public hearing:	N/A

PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space & Sustainability Manager
Nish Trivedi, Orange County Transportation Director

ITEM TO BE CONSIDERED

Subject: Presentation of Draft Final US 70 Multimodal Corridor Plan

Attachments:

1. Orange County Staff memo
2. Presentation

Summary:

Orange County, with the cooperation and assistance of Town of Hillsborough staff, have been working since July 2022 on a Multimodal Corridor Plan for US 70 from Mebane to Durham, inclusive of US 70 Business in Hillsborough. Two rounds of public workshops were held in March and December 2023, and the board received an initial update in September 2023. The plan includes an emphasis on bicycle and pedestrian connections, improved transit access and intersection safety.

Staff has reviewed the draft plan for consistency with the Comprehensive Sustainability Plan. This action is consistent with the Transportation & Connectivity Section Goal 1 – 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.

This action is also consistent with the Fiscal Year 2024-26 Strategic Plan Connected Community Objective 1 – Advance a multi-modal network that reduces single-occupancy vehicles and links Hillsborough residents to key places and each other.

Financial impacts:

There is no direct cost associated with endorsement of the plan. There may be future costs associated with recommended projects within the plan.

Staff recommendation and comments:

Staff recommends that the board endorse the draft final plan.

Action requested:

Review and endorse the Draft US 70 Multimodal Corridor Plan.



ORANGE COUNTY GOVERNMENT
TRANSPORTATION SERVICES DEPARTMENT



Subject: US 70 Multimodal Corridor Study

PURPOSE: Hillsborough Board of Commissioners presentation of US 70 Multimodal Corridor Study.

BACKGROUND: In 2019, Board of County Commissioners approved the US 70 as a county priority for consideration in the state’s Strategic Prioritization of Transportation (SPOT) process. VHB recently completed the US 70 Multimodal Corridor Study. It presents a comprehensive understanding that safety and congestion issues would be addressed through the state’s highway mobility and complete streets process for multimodal accommodations.

Key Highlights

- US 70 be designated Transit Emphasis Corridor with specific transit improvements.
- Multimodal recommendations are bike lanes, sidewalks, multiuse path, and transit access
- Reduce speed but widen east of Mebane for all uses, improve safety, and mobility.

NCDOT Complete Streets ([link](#)) and County Complete Street Policy

All highway projects now go through a comprehensive “complete” use assessment. The Comprehensive Transportation Plan (CTP) is the governing document for the state’s new Complete Street Policy and its implementation. Per the new policy, *“during the Comprehensive Transportation Planning process, bicycle, pedestrian, transit, and other multimodal usage shall be presumed to exist along and across certain corridors.”* NCDOT recognizes that an individual user is a pedestrian, bicyclist, transit rider, EV/gas vehicle driver, etc., and often times in the same day. Therefore, the policy dictates *“Consideration of multimodal elements will begin at the inception of the transportation planning process and the decisions made will be documented.”* Orange County BOCC also adopted a Complete Street and Vision Zero policy on October 2022.

Local Authorization – UDO and Collector Street Plans

The Orange County Unified Development Ordinance (UDO) section 2.5.3.(v) and reiterated in section 6.10.A.1.(b), includes the requirements for reserving and dedicating right of way or requiring road construction listed in locally adopted Collector Street Plans or on the CTP. Specific mention is also made to the dedication of right of way based on the concepts shown on the CTP and locally adopted transportation plans, in accordance with N.C.G.S. § 136 66.2 and § 136 66.10. Orange County currently has three locally adopted transportation plans:

- Efland-Buckhorn-Mebane and Orange Grove Road Access Management Plans
- Eno River Economic Development Access Management Plan
- NC 54 Multimodal Corridor Study (East and West)

Approval of the US 70 West Multimodal Corridor Study will demonstrate County’s commitment to multi-mobility, transit access, and safety of the transportation as an important local priority. It also demonstrates to local, regional and state partners that the County, like NCDOT’s Complete

Streets, sees the road network as equitable for all travelers, not favoring one over the other, and acknowledges that a traveler throughout the course of their day will walk one place, ride another, drive to and from a third, and bike yet another.

FINANCIAL IMPACT: No financial impact at this time. Local approval of study allows County opportunity to pursue state and federal funding for transportation improvements along the corridor. It also allows County staff to utilize it in development review process for the dedication of right-of-way for future state funded improvements and the construction of bike/ped facilities through enforcement of County's Unified Development Ordinance (UDO).

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

- **GOAL: FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY**
The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.
- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
The creation and preservation of infrastructure, policies, programs, and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

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

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



US 70 Multimodal Corridor Plan

Hillsborough

Outline

- Background
 - Existing Conditions
 - Public Engagement
- Draft Plan
 - Goals, Objectives, Critical Issues
 - Recommendations
- Implementation
 - Funding

Background





Existing Conditions



Water Quality, Sources, & Watersheds



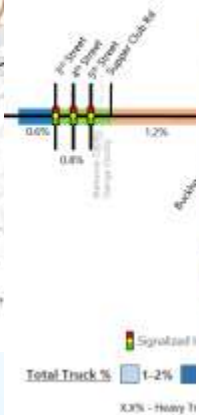
- 1.1 Introduction
- 1.1.1 Study Purpose
- 1.1.2 Study Context
- 1.2 Transportation Infrastructure
- 1.2.1 US 70 Roadway Design Elements

Existing Transit Routes

Regional Hiking & Biking Routes

Total Truck Percentages

Estimated from 2019 Location-Based Services



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



US 70 Multimodal Corridor Study

Including:

- Traffic Volume
- Level of Service
- Heavy Truck
- Peak & non-Peak
- Off-road crash

Public Engagement

Project Schedule



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 Corridor 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



US 70 Multimodal Corridor Study Community Meeting Notice

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 series of three Community meetings to share improvement recommendations and get feedback on priorities will be held in the locations listed below. Light refreshments and a Playzone for kids will be provided at each meeting. All meetings will have an associated Zoom link for virtual attendance and will be available on the project website. Please visit the project website or reach out to the project team for any questions.



Community Meetings Round #2

- ★ **SUNDAY, NOVEMBER 19TH**
2:00-4:00 PM
Mebane City Hall
106 East Washington Street
Mebane, NC 27302
- ★ **SATURDAY, DECEMBER 2ND**
2:00-4:00 PM
Town of Hillsborough Town Hall
106 East Corbin Street
Hillsborough, NC 27278
- ★ **SATURDAY, DECEMBER 9TH**
2:00-4:00 PM
Whitted Building, Main Meeting Room
300 W Tryon Street
Hillsborough, NC 27278

Need a Ride?

Orange County On-Demand services are available. Learn more by calling (919-245-2008) or check out the Mobility on Demand (MOD) Service website for more information here: <https://www.orangecountync.gov/2624/MOD>

Project Website



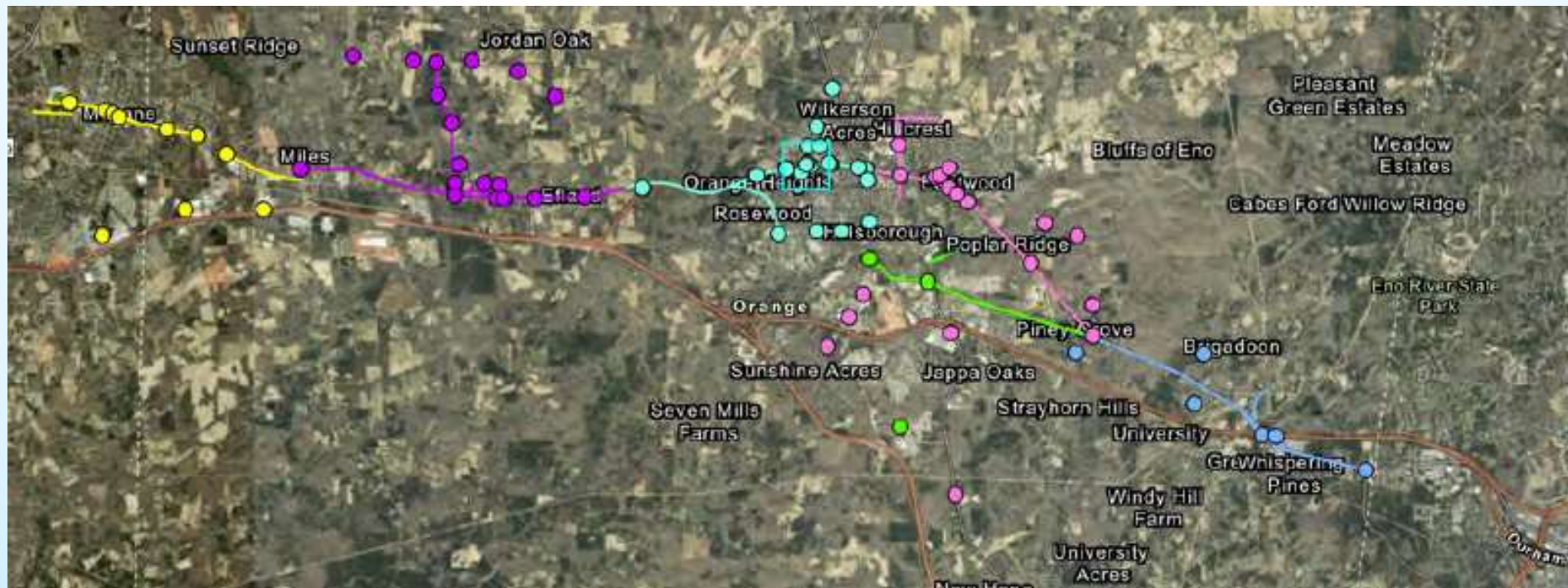
The updated project website (www.us70west.com), accessible by scanning the QR code, is a convenient resource for tracking the progress of the study, providing feedback, and checking the schedule and location of outreach activities.

1st Round Workshop
March

2nd Round Workshop
November/December

Public Engagement

- Relieving vehicular congestion
- Slowing down speeds of cars
- Improving intersections and crosswalks
- Maintain the character of the corridor
- Providing more bus, pedestrian and bicycle connections
- Improved access and circulation into schools.



Goals and Objectives



Mobility

- Manage traffic congest
- Prioritize bike/ped.
- Improve transit access



Placemaking

- Transportation investment protect community character
- Prioritize bike, ped, and transit in urban areas



Safety

- Improve comfort for non-automobile users
- Work towards Vision Zero
- Reduce pedestrian-automobile conflicts



Job Access

- Improve access to jobs in and outside corridor



Natural Environment

- Improve multimodal access to parks
- Reduce wildlife-automobile conflicts

Critical Issues

Natural Environment

- Natural areas that are recreational destinations lack connectivity to the multimodal transportation network
- The corridor experiences a large amount of animal crash incidents.



Built Environment

- US 70 poses a significant barrier to pedestrian connectivity in urban areas despite existing crossings.
- US 70 does not have sufficient multimodal facilities to support its growing business.
- US 70 detracts from the character of the municipalities it traverses.



Critical Issues

Active and Vehicular Transportation

- Low-income populations have limited access to the multimodal transportation network.
- Inadequate pedestrian connectivity to bus stops reduces transit demand.
- Existing pedestrian facilities do not serve most of the corridor.
- No dedicated bicycle facilities exist in the corridor.
- Schools in the corridor are significant sources of congestion.
- Roadway infrastructure in the corridor does not have the capacity for the future projected traffic demand
- High traffic speeds contradict existing and planned residential and commercial development in the corridor.



Critical Issues

Transit

- Low-income populations have limited access to the multimodal transportation network.
- Inadequate pedestrian connectivity to bus stops reduces transit demand.
- No bus stop in the corridor meets ADA standards.
- Areas projected to experience significant employment growth, particularly for low-income jobs, are not served by public transit.
- Bus service is too infrequent to be a convenient, reliable travel option, especially for those commuting at non-traditional times.
- Bus routes do not serve some of the corridor's largest trip producers and attractions.



Critical Issues

Safety

- Pedestrian crossings across US 70 lack adequate safety features.
- High traffic speeds pose a significant threat to non-automobile users.
- No dedicated bicycle facilities exist in the corridor.
- The corridor experiences a large amount of animal crash incidents



Recommendations - Policy

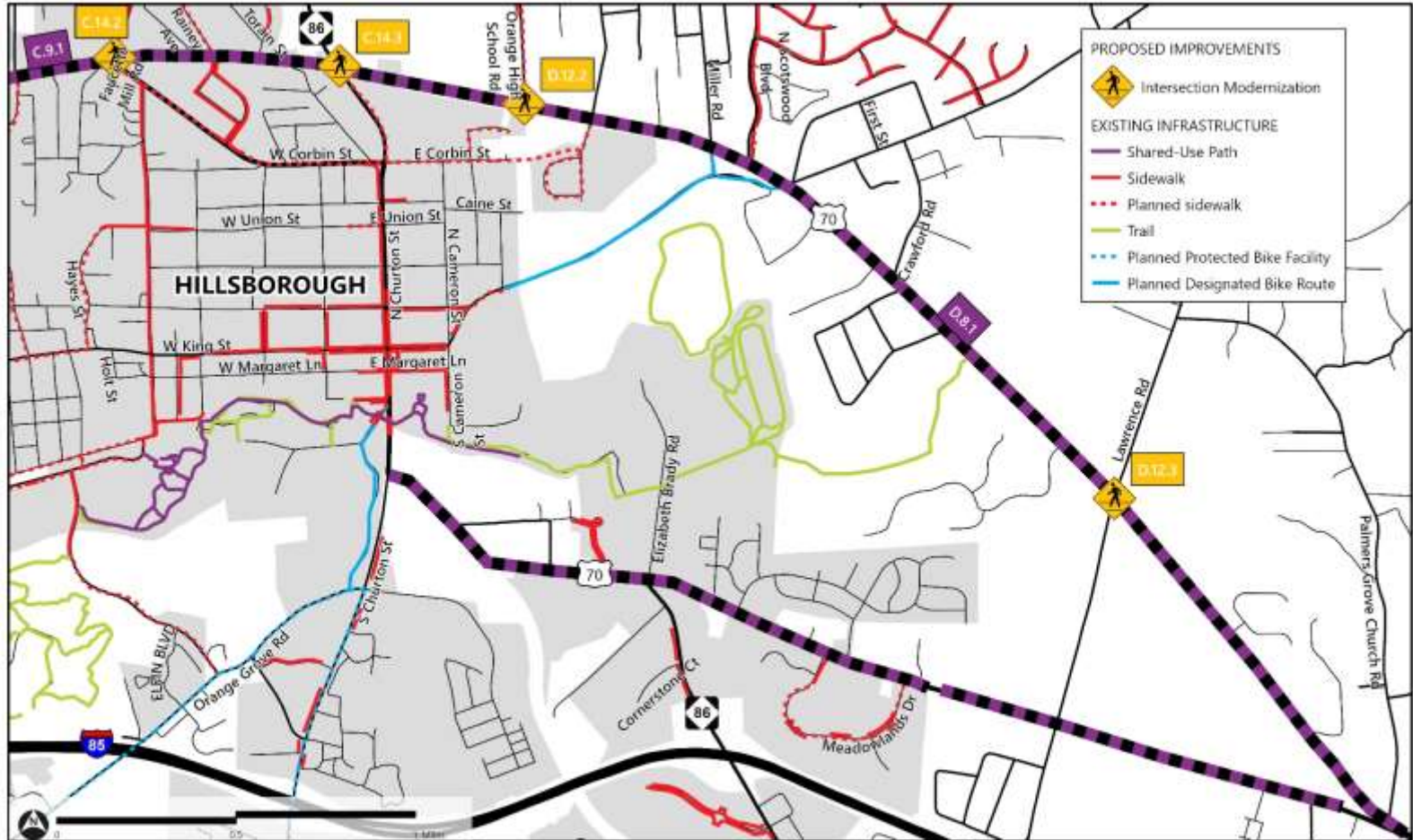
Extend sidewalk connectivity to anticipated growth areas.

- Establish a maintenance agreement between NCDOT and Orange County for new and existing pedestrian facilities on US 70.
- Require developers building on land parcels fronting US 70 to either construct sidewalk along their frontages, dedicate ROW for future construction, or pay in lieu.

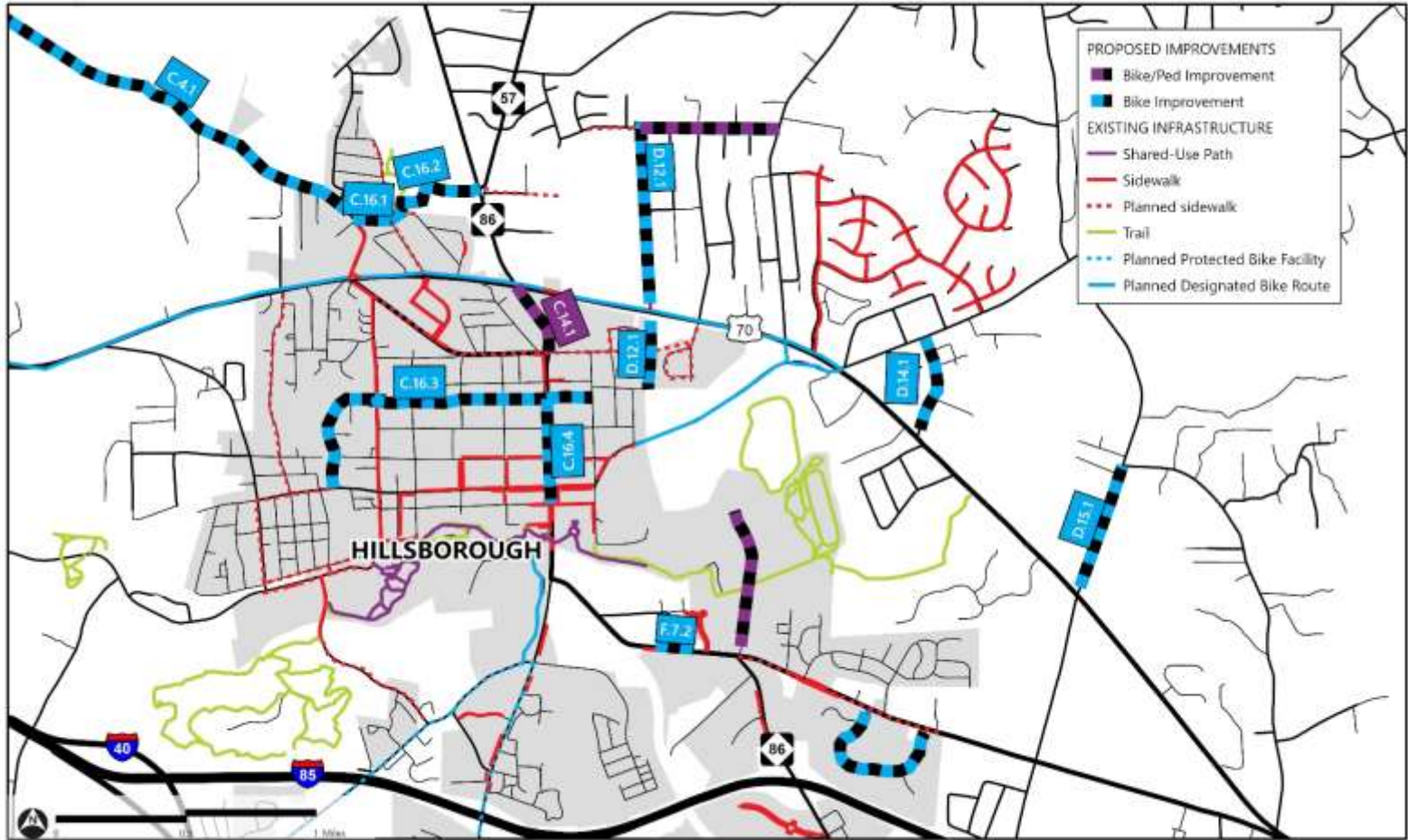
Manage travel demand for future development in the Efland-Buckhorn-Mebane economic development area.

- Update the *Efland-Buckhorn-Mebane Access Management Plan* to include pedestrian, bicycle, and transit connectivity recommendations.

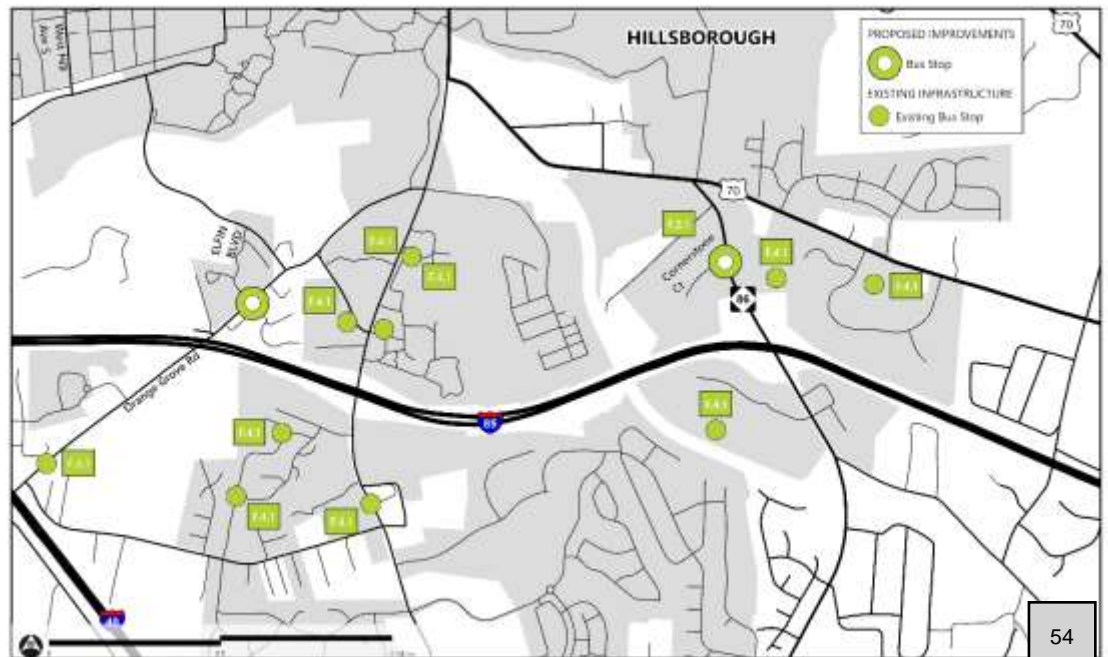
Recommendations - Hillsborough



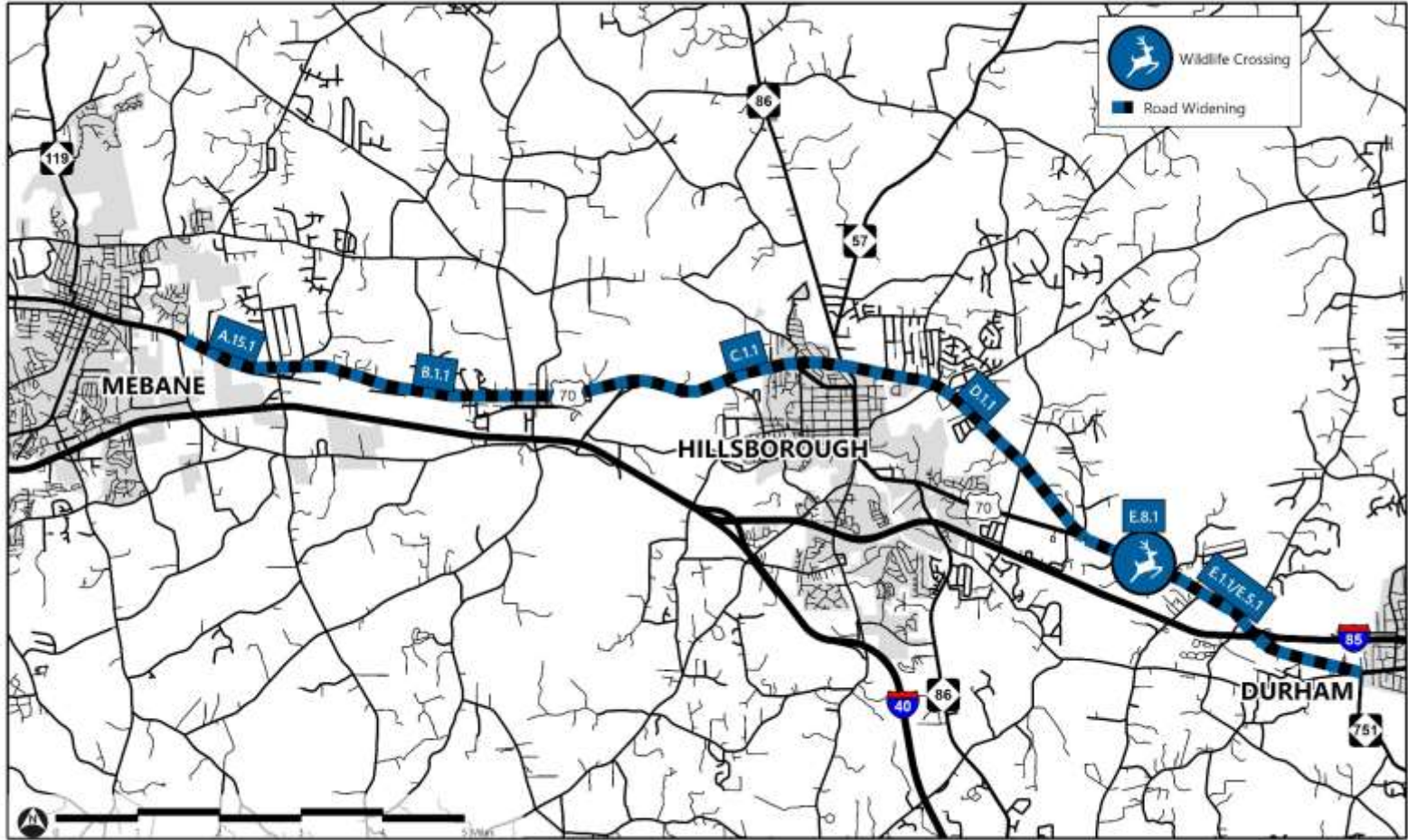
Recommendations - Hillsborough



Recommendations - Hillsborough



Recommendations - Hillsborough



Recommendations - Funding

Federal

- Rebuilding American Infrastructure with Sustainability and Equity (RAISE)
- Safe Streets For All (SS4A)
- TPM Bus and Bus Facility Grant Program (TPM)

State

- Transportation Improvement Program (STIP)
- Complete Streets
- SPOT Safety/Mobility/HSIP

Local

- Private Development
- Local Government

Requested Action

- Approve US 70 Multimodal Corridor for portions of Segment C, D and F without Hillsborough Town Limits
- Endorse US 70 Multimodal Corridor outside Hillsborough.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date:	March 25, 2024
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: Ordinance Amending Section 13-4 of the Code of Ordinances – Disruptive Activity Prohibited

Attachments:

1. Town Code Section 13-4, as proposed to be amended
2. Ordinance amending the Code of Ordinances

Summary:

At its Feb. 26 meeting, the town board discussed strategies for maintaining cleanliness and respectful use of all town cemeteries. Recent resident concerns have highlighted an increase in off-leash dogs and uncollected pet waste. The board discussed tactics to promote respectful use of cemeteries. The mayor asked about the town's legal authority to regulate recreation on cemetery grounds. Town Attorney Lydia Lavelle confirmed that the town could prohibit certain activities, such as those that could damage gravestones given the expensive cost of repair.

The board requested updates to the town code to restrict certain forms of active recreation, such as sports, on cemetery grounds to ensure respectful use of public spaces. The proposed amendments, inclusive of staff-recommended edits, are submitted in the attached document.

In addition to the proposed Code of Ordinances amendments, new cemetery rules signs will be installed at all town cemeteries and temporary signs addressing off-leash pets and pet waste will be placed at cemeteries and other prominent public spaces. Staff will continue to promote cleanliness and respectfulness through news releases, social media, and the community newsletter.

Financial impacts:

None

Staff recommendation and comments:

Staff recommends approval of the text amendment as written.

Action requested:

Approve text amendment.

ARTICLE II. GENERAL REGULATIONS

Sec. 13-3. Burial only in cemeteries.

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

(Prior Code, § 13-3)

Sec. 13-4. Disruptive activity prohibited.

- (a) No person may drive any motor vehicle of any kind in any cemetery except upon the main roads and avenues provided therein for vehicular traffic. Excluded from this prohibition are any types of equipment necessary for grave preparation or monument setting.
- (b) No person may drive any motor vehicle or park any motor vehicle in any cemetery unless in attendance at burial services or otherwise engaged in activities consistent with the use of a cemetery as a cemetery.
- (c) No person may take any dog, except when on a leash, horse, or other animal into any cemetery or allow any animal to run at large therein.
- (d) No person may intentionally disrupt any funeral services or disturb the quiet and good order of any cemetery by extremely loud or boisterous conduct. Except in the case of military funerals and veterans or military commemorative exercises, no person may carry or discharge firearms in any cemetery.
- (e) No person may post or attach any bills, posters, placards, pictures or other form of political or commercial advertising within the cemetery or on the inside or outside of any wall or fence enclosing any cemetery.
- (f) No person shall participate in any active recreational games or sports in any cemetery. Strolling, walking, and jogging are permitted but shall not interrupt funeral services. Passive recreation such sitting in quiet reflection and contemplation are permitted.
- (g) All persons will respect the solemnity of the cemetery and observe the rules which have been established for the purpose of securing quiet and good order at all times within all cemeteries.

(Prior Code, § 13-4; Ord. of 5-9-1994)

Sec. 13-5. Desecration of public and private cemeteries.

- (a) As provided in G.S. 14-148, any person who willfully commits any of the acts set forth in the following subsections, shall be guilty of a Class 1 misdemeanor and shall be fined not more than \$100.00. Damages of \$1,000.00 or more will result in a Class 1 felony. In passing sentence, the court shall consider the appropriateness of restitution as a condition of probation under G.S. 15A-1343(b)(9) as an alternative to actual imposition of a fine, jail term, or both.

-
- (1) Throwing, placing, or putting any refuse, garbage, trash, or articles of similar nature in or on a public or private cemetery where human bodies are interred.
 - (2) Removing, disturbing, vandalizing, destroying, or tampering with any shrubbery, flowers, plants, or other articles planted or placed within any cemetery to designate where human remains are interred or to preserve and perpetuate the memory and name of any person, without authorization of law or the consent of the surviving spouse or next of kin.
- (b) Provided nothing contained in this section shall preclude operators of such cemeteries from exercising all the powers reserved to them in their respective rules and regulations relating to the care of such cemeteries.
- (Prior Code, § 13-5; Ord. No. 20210412-6.F, § 1, 4-12-2021)

Sec. 13-6. Hours of operation.

- (a) The town cemetery shall remain open to the public throughout the year from sunrise until sunset.
 - (b) No person may enter the town cemetery at any time other than the hours of operation established by subsection (a) of this section.
- (Prior Code, § 13-7; Ord. No. 20210412-6.F, § 2, 4-12-2021)

Editor's note(s)—Ord. No. 20210412-6.F, § 2, adopted April 12, 2021, repealed the former § 13-6, and renumbered §§ 13-7 and 13-8 as §§ 13-6 and 13-7. The former § 13-6 pertained to removing or defacing monuments and tombstones and derived from Prior Code, § 13-6.

Sec. 13-7. Trees; plantings; landscaping.

- (a) No person may plant, prune, or remove any tree, shrub, flower, grass or other plant of any kind located within the cemetery.
 - (b) No person may place on or around any gravesite a fence, border, picture, toy, handmade ornament, or other self-described memoriam between March 1 and the October 31 of each year.
 - (c) The public works director or his designee may enter any lot and remove any tree, shrub, or other plant that hinders the maintenance of any part of the cemetery. This also applies to the items referred to in subsection (b) of this section.
 - (d) The public works director or his designee may remove from the cemetery all floral designs, flowers, weeds, or plants of any kind from the cemetery as soon as they deteriorate or otherwise become unsightly.
- (Prior Code, § 13-8; Ord. of 11-17-1997; Ord. of 6-11-2001; Ord. No. 20210412-6.F, § 2, 4-12-2021)

Editor's note(s)—See editor's note at § 13-6.

Secs. 13-8—13-10. Reserved.



ORDINANCE

Amending Section 13-4 of the Code of Ordinances – Disruptive Activities Prohibited

The Hillsborough Board of Commissioners ordains:

Section 1. Chapter 13, Section 13-4 – Disruptive activities prohibited, of the Hillsborough Code of Ordinances is amended as follows:

- f) No person shall participate in any active recreational games or sports in any cemetery. Strolling, walking and jogging are permitted but, shall not interrupt funeral services. Passive recreation such as sitting in quiet reflection and contemplation are permitted.
- g) All persons will respect the solemnity of the cemetery and observe the rules which have been established for the purpose of securing quiet and good order at all times within all cemeteries.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 25th day of March in the year 2024.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 25, 2024
Department: Administrative Services
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Town Clerk Sarah Kimrey

ITEM TO BE CONSIDERED

Subject: Ordinance Amending Chapter 2, Section 2-18 of the Code of Ordinances – Remote Participation at Board of Commissioners Meetings

Attachments:

1. Email with town attorneys
2. Email with Kirstina Wilson from UNC School of Government
3. Draft ordinance

Summary:

On Aug. 15, 2022, the Governor’s State of Emergency in response to the COVID-19 pandemic expired, thus, the remote public meeting statutes no longer apply to public governing boards. Article 33C, Chapter 143, of the North Carolina General Statutes (see [G.S. 143-318.13](#)) contemplates that members of public bodies may participate in official meetings by use of conference telephone or other electronic means. The board’s rules of procedure in Chapter 2 of the town code does not address whether a board member can participate remotely in official meetings now that the declared State of Emergency is no longer in effect.

Our town attorneys and the School of Government staff have researched state law related to remote board participation and have concluded that the legal authority is not clear. Town staff developed a draft ordinance amending Chapter 2 of the town code with the addition of Section 2-18 allowing board members to participate in official Board of Commissioners meetings, with conditions. Some highlights include:

- Board member cannot count towards quorum
- May engage in deliberations but cannot vote on any matter
- May not participate in any quasi-judicial proceeding or public hearing proceeding

Financial impacts:

None

Staff recommendation and comments:

The quorum and voting statutes ([G.S. 160A-74](#) and [G.S. 160A-75](#)) seem to require physical presence but are unclear. Therefore, staff and the town attorneys recommend not to allow remote participants to count towards quorum or vote on any matter to reduce our legal exposure.

Action requested:

Adopt ordinance amendment as presented.

Sarah Kimrey

To: Sarah Kimrey
Subject: RE: Remote participation policy

From: Robert Hornik <Hornik@broughlawfirm.com>
Sent: Thursday, February 1, 2024 2:57 PM
To: Kevin Hornik <khornik@broughlawfirm.com>; Sarah Kimrey <Sarah.Kimrey@hillsboroughnc.gov>
Cc: Jen Della Valle <Jen.DellaValle@hillsboroughnc.gov>; Marshall Grayson <marshall.grayson@hillsboroughnc.gov>
Subject: RE: Remote participation policy

I think that's a safe path to take, too...



Phone 919-929-3905
Mobile 919-614-0204
Web www.broughlawfirm.com
Email hornik@broughlawfirm.com

Robert E. Hornik, Jr.
Partner
1526 E. Franklin St., Ste. 200
Chapel Hill, NC 27514

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From: Kevin Hornik <khornik@broughlawfirm.com>
Sent: Thursday, February 1, 2024 2:25 PM
To: Sarah Kimrey <Sarah.Kimrey@hillsboroughnc.gov>; Robert Hornik <Hornik@broughlawfirm.com>
Cc: Jen Della Valle <Jen.DellaValle@hillsboroughnc.gov>; Marshall Grayson <marshall.grayson@hillsboroughnc.gov>
Subject: RE: Remote participation policy

Sarah,

I think that's a reasonable recommendation and it's consistent with the SOG's recommendations. This is a legal gray area, and there may be a reasonable basis to argue that Commissioners who attend remotely can be counted toward a quorum and can vote. But I would not recommend that the Town volunteer to be the legal test subject for that theory.

Please feel free to let me know if you have any other questions!

Thanks for your time,



Phone 919-929-3905
Mobile 919-614-2835
Web www.broughlawfirm.com
Email khornik@broughlawfirm.com

Kevin R. Hornik
 Partner
 1526 E. Franklin St., Ste. 200
 Chapel Hill, NC 27514

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Public Records: This message and its attachments, and any response you may provide, may be subject to North Carolina Public Records law.

From: Sarah Kimrey <Sarah.Kimrey@hillsboroughnc.gov>
Sent: Thursday, February 01, 2024 10:04 AM
To: Kevin Hornik <khornik@broughlawfirm.com>; Robert Hornik <Hornik@broughlawfirm.com>
Cc: Jen Della Valle <Jen.DellaValle@hillsboroughnc.gov>; Marshall Grayson <marshall.grayson@hillsboroughnc.gov>
Subject: Remote participation policy

Hi Kevin and/or Bob,

I'm reaching out for your advice on drafting a remote participation policy for the Board of Commissioners meetings. In my research I have come to the following conclusions:

- Per G.S. 166A-19.24 remote meetings are allowed only under Governor or General Assembly declared SOE.
- The city quorum and voting statutes (G.S. 160A-74 and G.S. 160A-75) seem to require **physical presence**, but they're not clear one way or another.
- It is not clear if G.S. 143-318.13 can be used for modern remote meetings.

Therefore, my recommendation is to allow remote participation for discussion/debate only; remote participants would not count towards a quorum or be allowed to vote on any matter. Please advise if you agree with this recommendation or provide additional guidance/recommendation.

FYI – We are expecting one absence and one member participating remotely for the Feb. 26 work session. In the absence of a local policy, I don't believe we can allow the remote participant to count towards quorum or vote at this meeting.

Thanks,
 Sarah



Sarah Kimrey

Town Clerk | Human Resources Technician

[Town of Hillsborough](#)

101 E. Orange St., Hillsborough, North Carolina

Office: [919-296-9443](tel:919-296-9443)



Email correspondence to and from this address may be subject to the North Carolina public records law and may be disclosed to third parties.

Guidance from Kristina Wilson, UNC School of Government:

We know we can have remote meetings during a Governor- or General Assembly-declared state of emergency under G.S. 166A-19.24.

However, outside of a state of emergency, the law doesn't tell us for sure one way or another. In other words, there's no statute saying we **can't** have remote meetings, but there's also nothing specifically saying that we *can*. The problem with remote meetings for city governing boards is quorum. It's not clear that remote participants can count toward quorum. The city quorum and voting statutes (G.S. 160A-74 and G.S. 160A-75) seem to require **physical** presence, but they're not terribly clear one way or another. Some folks argue that [G.S. 143-318.13](#) authorizes remote meetings to occur outside of a state of emergency, but that statute still does not address whether remote participants can count toward quorum. This issue is explained in much more depth in [this blog](#). It's also not clear that Section 143-318.13 (enacted in 1979) applies to the type of remote meeting we're dealing with nowadays – Zoom, videoconference, etc.

So, what do we do with this uncertainty? It's a judgment call that hopefully should be made by your town attorney. In my personal opinion, there are a couple of ways to do it:

1. You could rely on G.S. 143-318.13 as authority and follow the notice procedures outlined in that statute without enacting any additional procedures or policies about remote meetings. The risk there is that G.S. 143-318.13 still doesn't address the quorum issue, and we're not sure that 143-318.13 can be used for modern remote meetings.
2. Your board could enact rules of procedure providing that remote participants can count toward quorum and permitting remote meetings to occur. The risk there is that towns don't actually have the authority to count remote participants toward quorum due to G.S. 160A-74 and 160A-75 which seem to require physical presence.

Hope this helps.

Best,

Kristina M. Wilson

Assistant Professor of Public Law and Government

School of Government

UNC-Chapel Hill





ORDINANCE

Amending Chapter 2, Section 2-18 of the Code of Ordinances – Remote Participation at Board of Commissioners Meetings

WHEREAS, to promote full participation of board members while ensuring access and transparency for the public as required by the Open Meetings Law, G.S. § 143-318.9, the board desires to amend its rules of procedures in Chapter 2 of the town code to allow members to participate through electronic means when member(s) are unable to be physically present at an official meeting.

NOW, THEREFORE, the Hillsborough Board of Commissioners ordains:

Section 1. Chapter 2, Article II, of the Hillsborough Code of Ordinances is amended to add Section 2-18, titled "Remote participation by board members," as follows:

Board members may participate remotely in any duly called Board of Commissioners meeting or workshop under the following conditions:

- (a) A quorum of the board is physically present at the meeting; and
- (b) Notice is given to the mayor, town manager and town clerk at least 24 hours in advance; and
- (c) The member may engage in deliberations but not vote nor be counted for a quorum; and
- (d) The member has means to engage in clear, direct, and simultaneous communication with the board in a manner that those in attendance can hear the member attending remotely; and
- (e) The minutes must reflect that the remote board member was not physically present; and
- (f) A member entitled to participate in open session deliberations may participate in a closed session if no other person can hear, see, or participate from the remote location; and
- (g) A remote member may not participate in any quasi-judicial or public hearing proceeding; and
- (h) If the mayor is participating from a remote location, the mayor pro tem or other physically present designee shall preside at the official meeting.

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

Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 25th day of March in the year 2024.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 25, 2024
Department: Governing Body
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Mayor Mark Bell

ITEM TO BE CONSIDERED

Subject: Update on Legislative Priorities for Hillsborough

Attachments:

2024 Hillsborough Legislative Priorities

Summary:

Review an updated list of Hillsborough's legislative priorities based on input from town board members, town manager, and stakeholders, and consider short- and long-term opportunities to collaborate with peer municipalities to maximize impact of state funding. In addition to specific legislative priorities, Hillsborough should consider establishing a systematic approach to searching for funding resources such as state and federal grant opportunities and utilize Central Pines Regional Council and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization where appropriate to identify opportunities to support legislation to support Hillsborough's priorities.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

Review updated legislative priorities for the 2024 Short Session and provide feedback.



2024 Legislative, Strategic, & Capital Priorities

- ✓ Affordable and workforce housing. The town is doing what it can within our resource limitations (moving towards a two cents equivalent of property tax yield) to assist with homeless prevention and affordability but need assistance from the state to incentivize increasing the supply of affordable housing. To help meet the workforce demands of a growing regional economy, Hillsborough seeks assistance such as tax incentives, grants, subsidies, and housing trust funds to help offset the costs and make projects financially feasible to increase the supply of workforce housing.
- ✓ Water & sewer affordability and system maintenance needs. Assistance for water and sewer infrastructure upgrades and repairs, capital needs is a top priority, especially since this is a major equity issue.
 - The town has \$40 million in just wastewater collection system needs, much of which needs to be installed in the next few years.
 - As rates increase to address aging infrastructure and system reliability, these actions have a disproportionate impact on those in our community struggling the most to pay for life's essentials, such as those on fixed, and low to moderate incomes.
 - Many parts of Hillsborough's water and sewer system are over 50 years old with some closer to 100 years old. For example, the Hassell Street water tank is over 90 years old and still in service. Replacing this one tank alone will cost approximately \$3.5 million.
- ✓ Transportation and connectivity. Funding assistance with bike, pedestrian, public transportation, roadways, and integrating them to build a coordinated multi-modal system. The train station, future projects, such as Ridgewalk (north to south bike/ped connector), EV stations, and other projects in the planning stages have the opportunity to be transformative for our community.
- ✓ Environmental sustainability and meeting carbon reduction goals. In addition to meeting the town's aggressive carbon reduction goals, sustainability covers encouraging development that protects limited water and sewer availability, water quality through the stormwater management program, and guiding development through plans that help address these and other environment priorities.
- ✓ Local government pre-emption. Please keep an eye on potential legislation that would give local government authority in all areas (e.g., planning and development related). This is particularly important to Hillsborough as a local government that has our own water and sewer utility with very limited capacity.
- ✓ Statewide shortage of qualified individuals to serve as finance directors, technical accounting and finance staff, and auditing firms. The shortage of local government staff and accounting firms with resources to perform annual audits has become a crisis. Approximately 25% of local governments have found themselves on the State Treasurer's and Local Government Commission Unit Assistance List. This is often due to staff shortage and inability to get the annual audit and other key reports completed in a timely manner.