



Agenda

Board of Commissioners Regular Meeting

7:00 PM March 11, 2024

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

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

1. Public charge

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

2. Audience comments not related to the printed agenda

3. Agenda changes and approval

4. Presentations

[A.](#) Introduction of recently hired Police Officers Megan Carter and Haiden Jannetta and public reaffirmation of oaths of office

5. Appointments

[A.](#) Tree Board – Reappointment of Greg Yavelak for a term expiring March 30, 2027

6. Items for decision – consent agenda

[A.](#) Minutes

– Regular meeting Feb. 12, 2024

– Regular meeting closed session Feb. 12, 2024

– Budget retreat Feb. 17, 2024

– Work session Feb. 26, 2024

– Work session closed session Feb. 26, 2024

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

[C.](#) Tourism Development Authority Budget Amendments

[D.](#) Special Event Permit – Hillsborough Art Council's Last Fridays and Art Walk

[E.](#) Acceptance of Remaining Phases of Forest Ridge Water and Sanitary Sewer

[F.](#) Acceptance of Water and Sewer Utilities at UNC Hospital in Waterstone

7. Items for decision - regular agenda

[A.](#) Unified Development Ordinance text amendment to Section 6.21.3 Design Standards – Public Streets (applicant-initiated)

[B.](#) Potential Urban Archery Program

[C.](#) Revisit Backflow Assembly Reimbursement Vote of December 12 – Saru Salvi

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

- [D.](#) Petition from Corbinton Residents Regarding Acceptance of Alleys
- [E.](#) Hot topics for work session March 25, 2024

8. Updates

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

9. Adjournment

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



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: Police
Agenda Section: Presentations
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Police Chief Duane Hampton

ITEM TO BE CONSIDERED

Subject: Introduction of recently hired Police Officers Megan Carter and Haiden Jannetta and public reaffirmation of oaths of office

Attachments:

None

Summary:

Recently hired Police Officer Megan Carter and Police Officer Haiden Jannetta will be recognized before the board and will publicly reaffirm their oaths of office as administered by the mayor.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

None



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: Public Space and Sustainability
Agenda Section: Appointments
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space and Sustainability Manager

ITEM TO BE CONSIDERED

Subject: Tree Board – Reappointment of Greg Yavelak for a term expiring March 30, 2027

Attachments:

Volunteer board application

Summary:

Greg Yavelak previously served on the Tree Board and is recommended to be appointed for a new three-year term. Yavelak is a certified arborist and a dedicated Tree Board member. He regularly participates in Tree Board activities and volunteers on Bee City USA outreach efforts and projects.

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

Reappoint Greg Yavelak to the Tree Board for a term expiring March 30, 2027.

Advisory Board Application

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

Name:

Greg Yavelak

Home address:

5934 Older Than Dirt Rd., Hurdle Mills, NC 27541

Home phone number:

919-732-6888

Work phone number:

919-560-4197 (x. 21289)

Email address:

mollystar@peoplepc.com

Place of employment:

City of Durham

Job title:

Urban Forestry Technician

Birth date:

Sept. 14, 1956

Gender:

Male

Ethnic origin:

White

Boards you would be willing to serve on:

First choice — Tree Board

Reasons for wanting to serve:

continue working with my wonderful associates on the Tree Board

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

I am currently an ex-officio member of the Tree Board

Relevant work, volunteer or educational experience:

Urban Forestry Tech. - (tree evaluations for 34+ years)

ISA Certified Arborist

ISA Tree Risk Assessment Qualified

Master of Forestry degree

Served two terms as a voting member of the Hillsborough Tree Board

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

work a part time job at Sports Endeavors
Inc.

shop every week at Food Lion

occasionally eat out at local restaurants

attended Last Friday events

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

NO

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

only plans that Stephanie has shown to the Tree Board related to potential projects that the Board might get involved with (ex. parks, riverwalk)

My thoughts are simply that the plans are very well organized and forward thinking

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

trying to help the town get more trees planted to replace trees that have to be removed (ex. looking at other funding sources - grants, etc.)

identifying town trees that could be potential public safety issues so the town can minimize liability

How you heard about this opportunity:

Current volunteer

Agreement:

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



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: Town Clerk
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Town Clerk Sarah Kimrey

ITEM TO BE CONSIDERED

Subject: Minutes

Attachments:

1. Regular meeting Feb. 12, 2024
2. Regular meeting closed session Feb. 12, 2024
3. Budget retreat Feb. 17, 2024
4. Work session Feb. 26, 2024
5. Work session closed session Feb. 26, 2024

Summary:

None.

Financial impacts:

None.

Staff recommendation and comments:

Approve minutes as presented.

Action requested:

To approve minutes of the Board of Commissioners regular meeting Feb. 12, 2024, regular meeting closed session Feb. 12, 2024, budget retreat Feb. 17, 2024, work session Feb. 26, 2024, and work session closed session Feb. 26, 2024.



Minutes

Board of Commissioners Regular Meeting

7 p.m. Feb. 12, 2024

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

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

Staff: Planning and Economic Development Manager Shannan Campbell, Administrative Services Director Jen Della Valle, Assistant Town Manager and Community Services Director Matt Efir, Budget and Management Analyst Josh Fernandez, Lead for North Carolina Fellow Marshall Grayson, Environmental Engineering Supervisor Bryant Green, Police Chief Duane Hampton, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Finance Director Dave McCole and Town Manager Eric Peterson

Opening of the meeting

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

1. Public charge

Bell did not read the public charge.

2. Audience comments not related to the printed agenda

Public comments:

- Karl Sakas – Spoke on the Crisis Diversion Center development and potential nuisance concerns for neighboring properties.
- Dorie Bargmann – Spoke for the Corbinton Commons Homeowners Association. She provided an update on road progress and offered thanks for the town's continued work.
- Doug Peterson – Asked the board to discuss Item 6F Amendment to Town Code Section 14-1 – Definitions

3. Agenda changes and approval

The following agenda changes were made:

- Item 4A – Introduction of recently hired police officers Megan Carter and Haiden Jannetta and public reaffirmation of oaths of office was removed from the agenda.
- Item 6E was moved from the consent agenda to Item 7C for discussion.
- Item 6F was moved from the consent agenda to Item 7D for discussion.

Motion: Commissioner Kathleen Ferguson moved to approve the amended agenda. Commissioner Robb English seconded.

Vote: 4-0. Absent: Commissioner Evelyn Lloyd

4. Presentations

~~A. Introduction of recently hired Police Officers Megan Carter and Haiden Jannetta and public re-affirmation of oaths of office~~

5. Appointments

- A. Planning Board – Reappointment of Robert Iglesias for a three-year term expiring Jan. 31, 2027
- B. Planning Board – Reappointment of Hooper Schultz for a three-year term expiring Jan. 31, 2027
- C. Tourism Board – Reappointment of Victoria Pace for a term expiring Dec. 13, 2026

D. Tourism Board – Reappointment of Barney Caton for a term expiring Dec. 9, 2026

Motion: Commissioner Matt Hughes moved to approve all appointments. Ferguson seconded.
Vote: 4-0. Absent: Lloyd

6. Items for decision – consent agenda

- A. Minutes
 - Regular meeting Jan. 8, 2024
 - Work session Jan. 22, 2024
 - Work session closed session Jan. 22, 2024
- B. Miscellaneous budget amendments and transfers
- C. Classification and pay amendment
- D. Resolution authorizing the Town of Hillsborough to engage in electronic payments as defined by G.S. 159-28 or G.S. 115C-441
- E. ~~Minor Modifications to Section 14-56 Cross Connection Town Code of Ordinances~~
- F. ~~Amendment to Town Code Section 14-1 – Definitions~~
- G. Unified Development Ordinance (UDO) text amendment (staff-initiated):
 - Section 3.10.3 Variance: General Standards/Findings of Fact
 - Section 3.10.6 Variance: Procedure
 - Section 6.20.16 Stormwater Management: Riparian Buffers
- H. Unified Development Ordinance (UDO) text amendment (staff-initiated):
 - Table 5.1.8 Use Table for Non-Residential Districts: Gov. Maintenance Yard
 - Section 9.2 Definitions: Government Maintenance Yard
- I. Unified Development Ordinance (UDO) text amendment (staff-initiated):
 - Section 6.5.11.3 South Churton Non-Residential Buffer: Requirements
 - Section 6.7.11.2 Parking and Circulation, Site Layout
 - Sections 6.13.3.1 – 6.13.3.3 Off-Street Parking Provisions
 - Sections 6.13.9.1 – 6.13.9.2 Off-Street Parking Design Requirements
- J. Unified Development Ordinance (UDO) text amendment to Section 6.21.2 Streets – Applicability (staff-initiated)
- K. Amendment to the Water and Sewer Management, Planning, and Boundary Agreement
- L. Acceptance of Sidewalk at Aldi
- M. Acceptance of Water Utilities at Aldi
- N. Acceptance of Water Utilities at Chrysler, Dodge, Jeep, and Ram (CDJR) Dealership

Motion: Ferguson moved to approve all items on the amended consent agenda. Commissioner Meaghun Darab seconded.
Vote: 4-0. Absent: Lloyd

7. Items for decision - regular agenda

- A. Retention schedule for meeting audio and video recordings follow-up discussion
Town Clerk and Human Resources Technician Sarah Kimrey presented to the board and requested direction on a retention schedule policy for video recordings of Board of Commissioner meetings. Staff recommended a policy requiring video recordings to be retained for three years. The mayor asked for clarification on current town retention policies. Kimrey explained that video recordings of Board of Commissioner meetings are currently available through the town’s website and on YouTube.

Lloyd joined the meeting at 7:14 p.m.

Kimrey introduced Information Technology Manager Beth Yurchisin to clarify current practices and costs. Yurchisin clarified that storage charges are insignificant. Kimrey explained that the public can currently view

but cannot download a copy of video recordings without submitting a request to the town. Assistant Town Manager and Community Services Director Matt Efirid provided clarification to Ferguson's questions on bookmarking videos, explaining that users can currently save videos through their YouTube account for future use.

Ferguson expressed a desire to keep recordings indefinitely. Hughes concurred, supporting the idea of keeping videos and audio to provide more context to discussions. Lloyd suggested video recordings should be maintained for a shorter period to alleviate staff duties. English asked what Chapel Hill and Carrboro's current video retention practices are, suggesting the possibility of using additional software to serve as a backup to YouTube storage. Darab clarified that no statutory requirement mandates the retention of video recordings if approved minutes are available.

Hughes suggested staff draft an internal policy guaranteeing the retention of public meeting audio and video recordings for 10 years, with indefinite retention thereafter if possible given storage limitations.

B. Police Department update – 2023 crime trends and summary

Police Chief Duane Hampton gave a presentation to the board on 2023 police activity and crime trend information. The report detailed crime throughout the past year, highlighting topics that included violent crimes, property crimes, traffic stops and crisis intervention calls. Hampton showed a rise in calls for service but explained that violent crime — while a primary concern for the department moving forward — has continued to fluctuate at an expected level in response to town growth and population change. Hampton said overall he has seen consistent crime patterns and is thankful that most crime has trended downward since 2022.

In 2023, the number of violent crimes in Hillsborough was less than the state average while the property crime rate was higher. Hampton attributed the latter to the growing population and the high number of larcenies occurring at big box retailers. The number of traffic stops also increased from 1,481 in 2022 to 1,566 in 2023. Hampton attributed the increase to the department's focus on addressing moving violations, such as speeding. Hampton also said that about 300 arrests were made in the past year.

Hampton concluded the presentation by stating confidence in the department and highlighting the completion of over 1,797 hours of mandatory training, 2,985 hours of nonmandatory training and over 70 internal accountability reviews to monitor areas like use of force. The department had 18 actual uses of physical force in 2023, showing an overall decrease in use of force as a percentage of arrests compared to 2022. Hampton said over 919 hours of community engagement initiatives and the department's new diversion social worker also were having a positive impact on community relations and advanced mental health support. He echoed positive sentiments about the program and said the department is benefiting from having a social worker and wants to continue support for the position.

Ferguson asked for clarification on where most crimes originated. Hampton answered it stems mostly from surrounding Orange County geographic areas. The mayor asked if COVID had an impact on crime levels. Hampton discussed the pandemic as a potential component for increased crime rates, citing a decrease in civility over the past few years. Ferguson asked for more information on the effectiveness of online training. Hampton explained that various forms of training are being used to educate personnel most effectively. Ferguson also asked for more information on drug abuse in town. The chief said marijuana is present most, but cocaine and heroin overdoses are also a concern.

C. Minor modifications to Section 14-56 – Cross Connection in Code of Ordinances

The board discussed a modification to Section 14-56 of the town code to not mandate annual inspections for backflow prevention devices that are not required by the town. Environmental Engineering Supervisor Bryant

Green discussed the benefits of annual checks, suggesting that yearly inspections should still be encouraged for all applicable residents if a modification was approved. Ferguson favored maintaining a yearly inspection requirement for all backflow devices. Darab explained that alleviating this mandate would help reduce additional cost burdens. Other commissioners were in agreement.

Motion: Darab moved to approve the modification as presented with an additional text amendment to (f)(1). English seconded.

Vote: 4-1. Nays: Ferguson

D. Amendment to town code Section 14-1 – Definitions

The board discussed a proposed amendment to add definitions for “development” and “redevelopment” to the town code. Hughes asked for additional clarification on where the definitions originated. The environmental engineering supervisor explained that the definitions are directly related to North Carolina General Statute 160D-102. He discussed the complexity of definitions and the danger of creating different classes of customers through misinterpreted terms. Town Attorney Bob Hornik emphasized that the town has little say in altering the language in the statute.

Motion: Ferguson moved to approve the ordinance amendment as presented. English seconded.

Vote: 5-0.

E. Hot topics for work session Feb. 26, 2024

Town Manager Eric Peterson noted the following topics:

- Legislative priority meeting with Sen. Graig Meyer and Rep. Renée Price
- Downtown parking updates

The mayor asked to discuss strategies for maintaining cleanliness and respectful public use of town cemeteries following resident concerns. Peterson said it will be discussed during the next session if staff have sufficient time to prepare a substantive presentation.

The Water and Sewer Advisory Committee was also discussed. Hughes asked if it should continue as a joint body given slow progress over the past few months. Bell suggested that the topic be revisited when time allows but before the next joint meeting in August.

Bell said he will share information on legislative priorities at the next meeting.

8. Updates

A. Board members

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

B. Town manager

Peterson asked board members to complete homework assignments prior to the budget retreat on Feb. 17.

C. Staff (written reports in agenda packet)

No additional updates.

Motion: Ferguson moved to go into closed session at 9:15 p.m. Darab seconded.

Vote: 5-0.

9. Closed session

A. Closed session as authorized by North Carolina General Statute Section 143-318.11(a)(3) to consult with the town attorney in order to preserve the attorney-client privilege (potential litigations)

B. Closed session as authorized by North Carolina General Statute Section 143-318.11(a)(7) regarding cybersecurity

Motion: Ferguson moved to return to open session at 10:28 p.m. Hughes seconded.
Vote: 5-0.

10. Adjournment

Bell adjourned the meeting at 10:28 p.m.

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

DRAFT



RESOLUTION

Authorizing the Town of Hillsborough to Engage in Electronic Payments As Defined by N.C.G.S. 159-28 or N.C.G.S. 115C-44I

WHEREAS, it is the desire of the Board of Commissioners that the Town of Hillsborough is authorized to engage in electronic payments as defined by G.S. 159-28 or G.S. 115C-441; and

WHEREAS, it is the responsibility of the Finance Officer, who is appointed by and serves at the pleasure of the Board of Commissioners, to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by N.C. Administrative Code 20 NCAC 03 .0409; and

WHEREAS, it is the responsibility of the Finance Officer, who is appointed by and serves at the pleasure of the Board of Commissioners, to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by N.C. Administrative Code 20 NCAC 03 .0410;

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

- Authorizes the Town of Hillsborough to engage in electronic payments as defined by G.S. 159-28 or G.S. 115C-441; and
- Authorizes the Finance Officer to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by N.C. Administrative Code 20 NCAC 03 .0409; and
- Authorizes the Finance Officer to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by N.C. Administrative Code 20 NCAC 03 .0410; and
- This resolution shall take effect immediately upon its adoption. Upon motion of Commissioner Kathleen Ferguson and seconded by Commissioner Meaghun Darab.

Approved this 12th day of February of the year 2024.

Ayes: 4

Noes: 0

Absent or excused: 1



Mark Bell

Mark Bell, Mayor
Town of Hillsborough

Attestation:

Sarah E. Kimrey

Sarah Kimrey, Town Clerk

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

Text Amendment Request from: Staff - Planning and Economic Development Division
February 12, 2024

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

Amend UDO §3.10.3 (Variance – General Standards/Findings of Fact), §3.10.6 (Variance – Procedure), and §6.20.16 (Stormwater Management – Riparian Buffers) to conform with state regulations on riparian buffers and associated variance procedures for the Neuse River Basin.

The Hillsborough Board of Commissioners has determined the proposed action **is** consistent with the Town of Hillsborough’s Comprehensive Sustainability Plan (CSP) for the following reason(s):

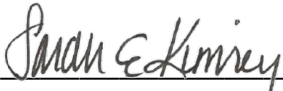
1. The amendments are consistent with the *Environment and Natural Systems* chapter goal to “Employ an integrated ecosystem approach and stewardship mentality to protect, conserve, and restore critical environmental areas and natural systems.”

Strategy: Develop and participate in programs that contribute to sustained ecological health of the environment and natural systems.

The foregoing consistency statement having been submitted to a vote, received the following vote and was duly adopted this 12th day of February in the year 2024.

Ayes: 4
Noes: 0
Absent or excused: 1





Sarah E. Kimrey, Town Clerk



ORDINANCE

Amending the Hillsborough Unified Development Ordinance

Sections 3.10.3, 3.10.6, and 6.20.16

The Hillsborough Board of Commissioners ordains the following amendments:

- Section 1.** The amendments to UDO Section 3.10.3 *Variance – General Standards/Findings of Fact*; Section 3.10.6 *Variance – Procedure*; and Section 6.20.16 *Stormwater Management – Riparian Buffers* as attached hereto.
- Section 2.** All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 3.** This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 12th day of February in the year 2024.

Ayes: 4
Noes: 0
Absent or excused: 1



A handwritten signature in cursive script that reads "Sarah E. Kimrey".

Sarah E. Kimrey, Town Clerk

DRAFT

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

Text Amendment Request from: Staff - Planning and Economic Development Division
February 12, 2024

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

Amend UDO §5.1.8 (Use Table for Non-Residential Districts) and §9.2 (Definitions) to allow government maintenance yards by right in the Light Industrial (LI) district, making the permitting requirements for government maintenance yards consistent with comparable uses in the district.

The Hillsborough Board of Commissioners has determined the proposed action **is** consistent with the Town of Hillsborough’s Comprehensive Sustainability Plan (CSP) for the following reason(s):

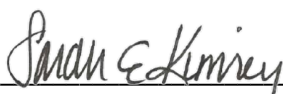
1. The amendments are consistent with the *Land Use and Development* chapter goal to “ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater capacity.”

Strategy: Revise zoning and development regulations in accordance with the Future Land Use Plan and Future Land Use Map and water and sewer needs. Condense land use classifications.

The foregoing consistency statement having been submitted to a vote, received the following vote and was duly adopted this 12th day of February in the year 2024.

Ayes: 4
Noes: 0
Absent or excused: 1





Sarah E. Kimrey, Town Clerk



ORDINANCE

Amending the Hillsborough Unified Development Ordinance

Table 5.1.8 and Section 9.2

The Hillsborough Board of Commissioners ordains the following amendments:

Section 1. The amendment to the “Government Maintenance Yard” category in Table 5.1.8 *Use Table for Non-Residential Districts* as follows:

| 5.1.8 TABLE: USE TABLE FOR NON-RESIDENTIAL DISTRICTS | | | | | | | | | | | | | | | |
|--|---|----|-----|----|----|-----|-----|----|-----|----|---------------------------------|--|-----|------|------|
| P = Permitted by Right | SUP = Permitted with a Special Use Permit | | | | | | | | | | PA = Permitted as accessory use | | | | |
| | LO | NB | OI | CC | GC | HIC | ARU | BP | EDD | LI | GI | | ESU | NBSU | SDSU |
| Government Maintenance Yard | | | SUP | | | | | | SUP | P | | | | | |

Section 2. The amendment to Section 9.2 *Definitions* as follows:

| | |
|------------------------------------|--|
| <p>Government Maintenance Yard</p> | <p>A facility owned and operated by a unit of government to park, store, repair, and stage service vehicles and repair equipment, including but not limited to transit vehicles, solid waste and street repair vehicles, and utility system and park vehicles.</p> |
|------------------------------------|--|

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. 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 12th day of February in the year 2024.

Ayes: 4
 Noes: 0
 Absent or excused: 1



 Sarah E. Kimrey, Town Clerk

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

**Text Amendment Request from: Staff - Planning and Economic Development Division
February 12, 2024**

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

Amend UDO §6.5.11.3 (South Churton Non-Residential Buffer – Requirements); §6.7.11.2 (Parking and Circulation, Site Layout); §6.13.3.1 – 6.13.3.3 (Off-Street Parking Provisions); and §6.13.9.1 - 6.13.9.2 (Off-Street Parking Design Requirements) to clarify parking area requirements so that regulations are consistent across sections and to allow flexibility when needed, particularly for smaller projects requiring ten (10) or fewer parking spaces.

The Hillsborough Board of Commissioners has determined the proposed action **is** consistent with the Town of Hillsborough’s Comprehensive Sustainability Plan (CSP) for the following reason(s):

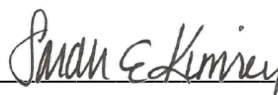
1. The amendments are consistent with the *Transportation and Connectivity* chapter goal to “Develop and maintain a safe, efficient, and sustainable multimodal transportation system (including bicycle, pedestrian, and transit options) that offers alternatives to single-occupancy vehicle trips and promotes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

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

The foregoing consistency statement having been submitted to a vote, received the following vote and was duly adopted this 12th day of February in the year 2024.

Ayes: 4
Noes: 0
Absent or excused: 1





Sarah E. Kimrey, Town Clerk



ORDINANCE

Amending the Hillsborough Unified Development Ordinance

Sections 6.5.11.3; 6.7.11.2; 6.13.3.1 – 6.13.3.3; and 6.13.9.1 – 6.13.9.2


The Hillsborough Board of Commissioners ordains the following amendments:

- Section 1.** The amendments to Section 6.5.11.3 *South Churton Non-Residential Buffer – Requirements*; Section 6.7.11.2 *Parking and Circulation, Site Layout*; Sections 6.13.3.1 – 6.13.3.3 *Off-Street Parking Provisions*; and Sections 6.13.9.1 – 6.13.9.2 *Off-Street Parking Design Requirements* as attached hereto.
- Section 2.** All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 3.** This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 12th day of February in the year 2024.

Ayes: 4
Noes: 0
Absent or excused: 1





Sarah E. Kimrey, Town Clerk

6.5 BUFFERS

6.5.11 SOUTH CHURTON NON-RESIDENTIAL BUFFER

6.5.11.3 Requirements

6.5.11.3.a The South Churton buffer area shall be measured from the property edge of the South Churton Street right of way. The 1999 Feasibility Study for the widening of this facility required 100 feet of right of way for the improved South Churton Street. Any property undergoing development or significant redevelopment will need to dedicate any right of way not already secured for this project before certificates of occupancy will be issued for the property's requested improvements.

6.5.11.3.b The buffer shall be at least 30 feet wide and shall be improved with trees and landscaping consistent with Section 6.5.11.4 below.

6.5.11.3.c New structures shall be setback at least 30 feet, but not more than 100 feet, from the edge of the right of way.

6.7 DESIGN REQUIREMENTS FOR NEW NON-RESIDENTIAL AND MULTI-FAMILY BUILDINGS

6.7.11 PARKING AND CIRCULATION, SITE LAYOUT

6.7.11.1 Applicability

This section applies to all buildings unless at least one tenant space within a building is 30,000 sf or larger. A building size equal to or exceeding 30,000 sf but divided into smaller tenant spaces, the presence of multiple buildings, multiple primary buildings, or buildings oriented in different directions does not affect applicability. If multiple buildings are considered primary, the requirements will be applied to each building to the extent that such application does not create a clear violation of these requirements for the site overall.

6.7.11.2 Primary buildings shall be placed along the right-of-way at the front of lot or immediately behind any allowed parking or circulation areas, sidewalks, and landscape areas.

6.7.11.3 On corner lots, primary buildings shall be placed along the right-of-way at front or front corner of the lot or immediately behind any allowed parking or circulation areas, sidewalks, and landscape areas.

6.13 PARKING, LOADING, AND CIRCULATION

6.13.3 OFF-STREET PARKING PROVISIONS

6.13.3.1 General

Except as detailed in Section 6.13.3.2, *Minimum Number of Parking Spaces Required in the CC District*, the required number of off-street parking spaces shall be calculated using Table 6.13.3.4, *Minimum Number of Parking Spaces Required*. When a calculation results in a fraction, fractions of less than 0.5 shall be rounded down and fractions of 0.5 or more shall be rounded up. This same rounding convention applies when calculating allowable reductions or additions as detailed in this section. The term "per employee" shall mean per employee at the time the maximum number of employees is present.

6.13.3.2 Minimum Number of Parking Spaces Required in the CC District

Due to the presence of on street and off-street public parking and the overlapping and walkable nature of areas zoned Central Commercial, the requirement of parking applies by square feet of building within the entire Central Commercial district rather than use by use.

In 2010, the town prepared an inventory of downtown parking. Any off-street parking shown in that inventory (Parking Study, Phase 2) should be retained by the private property owner or replaced space for space if proposed to be built over.

In the CC district, parking shall be provided at a rate of one parking space per 500 square feet of gross floor area. If a property owner proposes to build additional building area or renovate space not occupied during the 2010 inventory, the owner shall provide additional parking to reflect the demand generated by the addition of occupied square footage.

6.13.3.3 Number of Parking Spaces Required outside the CC District

The following Table establishes the formulas to be used to calculate the number of parking spaces required for a particular use. If no specific parking standard is established in this Table for a particular use, the permit issuing authority shall apply the most analogous standard. Some uses identified in this Table are not identified in the Table of Permitted Uses as specific uses. Nevertheless, parking standards for the most similar use shall apply.

6.13.3.3.a Allowable Parking Reductions and Additions

The number generated by applying the parking standard is the required number of parking spaces for a defined use. This constitutes both a minimum and maximum with the following exceptions:

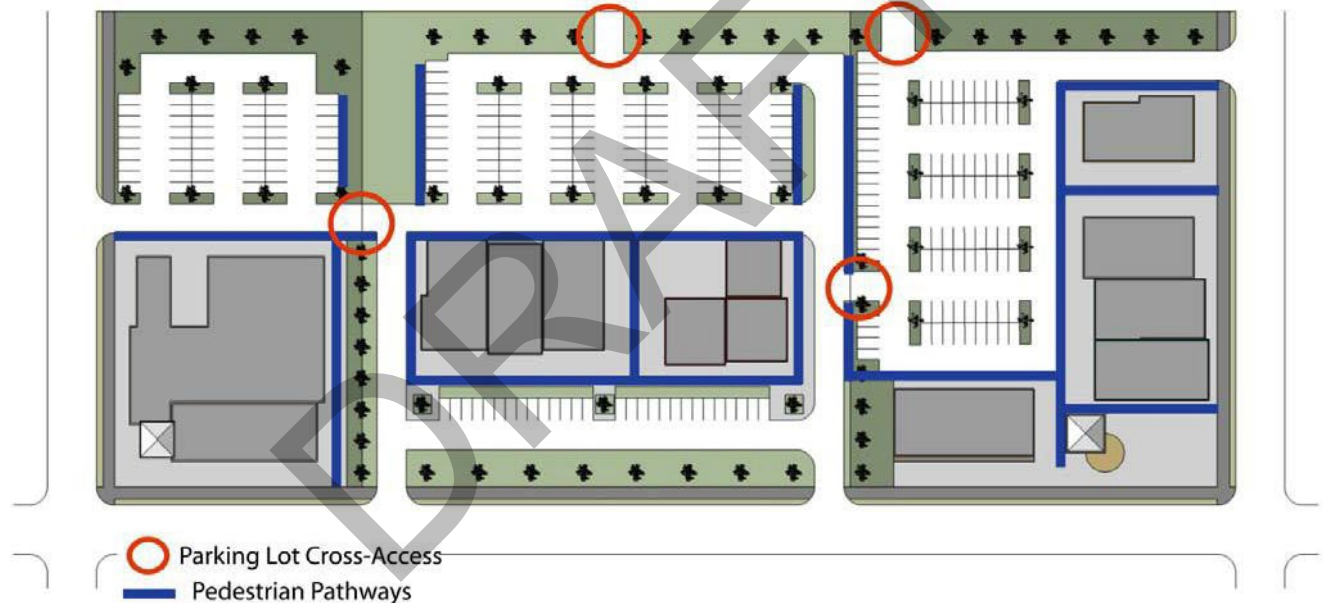
- (a) Uses requiring 5-20 spaces after rounding are allowed to build up to 2 more or 2 fewer spaces.
- (b) Uses requiring 21-99 spaces after rounding are allowed to build up to 5 more or 5 fewer spaces.
- (c) Uses requiring 100 spaces or more after rounding are allowed to build up to 10 more or 10 fewer spaces.

6.13.9 OFF-STREET PARKING DESIGN REQUIREMENTS

- 6.13.9.1** One row of parking spaces and one drive aisle, which together shall not exceed 44 feet in width, may be located between the primary building(s) and the street right-of-way. All other off-street parking areas shall be located to the side or rear of the primary building(s) behind the front façade(s).
- 6.13.9.2** Except as otherwise allowed under subsection 6.13.9.1, visual impact of parking areas shall be reduced by locating the parking areas away from rights-of-way.
- 6.13.9.3** Surface parking shall not be located at street corners.
- 6.13.9.4** Parking areas shall be broken up into groups of no more than 14 contiguous spaces separated by landscaped areas. Parking areas shall be divided into a series of lots that are interconnected but separated by planted areas.

- 6.13.9.5 Adjacent parking lots shall be connected by cross access easements to provide shared parking areas whenever possible.
- 6.13.9.6 Off street parking shall not be located along any street frontage that also has on- street parking.
- 6.13.9.7 All off-street parking spaces, vehicle accommodation areas, and access areas shall be surfaced with an all-weather paving material, such as asphalt, and maintained in a safe, sanitary, and neat condition. The use of innovative and pervious surfaces for the use of parking is encouraged. Parking is not permitted on landscaped areas.
- 6.13.9.8 Off-street parking spaces shall be designed to prevent interference of parked vehicles with travel lanes, walkways, public property, or other private property by means of walls, curbs, wheel stops, or other appropriate means.
- 6.13.9.9 All parking areas shall be properly maintained by the owner of the property.

Figure 6-9: Off-Street Parking Design Requirements



- 6.13.9.10 See Section 6.10 for Landscaping (Parking Lot).

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

Text Amendment Request from: Staff - Planning and Economic Development Division
February 12, 2024

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

Amend UDO §6.21.2 (Streets - Applicability) to clarify that this section applies to both new and improved streets and to affirm that new or improved streets within town limits must comply with the standard specifications and adopted street manual for the town.

The Hillsborough Board of Commissioners has determined the proposed action **is** consistent with the Town of Hillsborough's Comprehensive Sustainability Plan (CSP) for the following reason(s):

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

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

The foregoing consistency statement having been submitted to a vote, received the following vote and was duly adopted this 12th day of February in the year 2024.

Ayes: 4

Noes: 0

Absent or excused: 1





Sarah E. Kimrey, Town Clerk



ORDINANCE

Amending the Hillsborough Unified Development Ordinance

Section 6.21.2

The Hillsborough Board of Commissioners ordains the following amendment:

Section 1. The amendment to Section 6.21.2 *Streets – Applicability* as follows:

6.21.2 APPLICABILITY

New or improved streets will generally be dedicated to the town or NC Department of Transportation. New or improved streets within town limits must comply with the town's standard specifications and its adopted street manual, including the submission of a Traffic Impact Analysis, if required. Private streets are generally permitted only in minor subdivisions and some developments where land ownership is not defined by the vehicle circulation system (e.g., apartment complexes, shopping centers, or office parks). Allowable private streets are also regulated by this section.

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 12th day of February in the year 2024.

Ayes: 4
Noes: 0
Absent or excused: 1





Sarah E. Kimrey, Town Clerk



RESOLUTION

Amending the Chapel Hill, Hillsborough, Orange County and OWASA Water and Sewer Management, Planning, and Boundary Agreement

WHEREAS, in 2001, Carrboro, Chapel Hill, Hillsborough, Orange County, and OWASA adopted a Water and Sewer Management, Planning and Boundary Agreement (WASMPBA); and

WHEREAS, the agreement was last amended on Nov. 17, 202; and

WHEREAS, the Chamber for a Greater Chapel Hill-Carrboro submitted a petition to the Town of Chapel Hill on June 14, 2023, requesting that the town extend the water and sewer boundary along the US 15-501 South corridor to the Chatham County line; and

WHEREAS, OWASA's Primary Service Area (Urban Services Area) is where water and/or sewer service is now provided or might reasonably be provided in the future; and

WHEREAS, the area proposed for inclusion into OWASA's Primary Service Area is within the Town of Chapel Hill's planning jurisdiction and is currently designated as either Extraterritorial Jurisdiction (ETJ) or "Transition Area" on the Orange County - Chapel Hill - Carrboro Joint Planning Land Use Plan Map and Agreement; and

WHEREAS, both of these designations expect urban services, such as public water and sewer will be provided; and

WHEREAS, the area proposed for designation as OWASA Primary Service Area has been reviewed by OWASA and is technically feasible for the provision of both water and sewer service; and

WHEREAS, amendments to the agreement require the approval of all signatories to the agreement.

NOW, THEREFORE, be it resolved that the Hillsborough Board of Commissioners approves the amendments to Appendix A of the agreement to designate additional "Primary Service Area" in Chapel Hill's jurisdiction as shown on the map attached hereto.

Approved this 12th day of February of the year 2024.



Mark Bell

Mark Bell, Mayor
Town of Hillsborough

Attestation:

Sarah Kimrey

Sarah Kimrey, Town Clerk



ORDINANCE

Modification to Town Code Section 14-56 (Cross Connection Control)

The Town of Hillsborough Board of Commissioners ordains the following redline amendments while the remainder of the section remains unchanged:

Sec. 14-56. Cross-connection control.

(a) *General policy.*

(3) *Designation of responsibility.*

- c. *Plumbing inspector's responsibility.* The plumbing inspection departments of the town and Orange County have the responsibility to not only review building plans and inspect plumbing as it is installed but, they have the explicit responsibility of preventing cross-connections from being designed and built into the plumbing system within its jurisdiction. Where the review of building plans suggests or detects the potential for cross-connections being made an integral part of the plumbing system, the plumbing inspector has the Responsibility, under the North Carolina Building Code, for requiring that such cross-connections be either eliminated or provided with backflow prevention equipment approved by the North Carolina State Building Code.

The plumbing inspector's responsibility begins at the point of delivery downstream of the first installed backflow prevention assembly and continues throughout the entire length of the consumer's water system. The inspector should inquire about the intended use of water at any point where it is suspected that a cross-connection might be made or where one is actually called for by the plans. When such is discovered, it shall be mandatory that a suitable, approved backflow prevention assembly approved by the North Carolina Building Code. North Carolina Department of Environmental Quality and the town be required by the plans and be properly installed.

- d. *Consumer responsibility.* The consumer has the primary responsibility of preventing pollutants and contaminants from entering his/her potable water system or the public potable water system. The consumer's responsibility starts at the point of delivery from the public potable water system and includes all of his/her water system. It is the consumer's responsibility to install and maintain a continuous operable assembly where required by this Section 14-56 in accordance with subsections (e) through (g). The consumer, at his/her expense shall install, operate, test, and maintain approved backflow prevention assemblies as directed by the town. The consumer shall maintain accurate records of tests and repairs made to backflow prevention assemblies and shall maintain such records for a minimum period of three years. The records shall be on forms approved by the town and shall include the list of materials or replacement parts used. Following any repair, overhaul, repiping, or relocation of an assembly, the consumer shall have it tested to ensure that it is in good operating condition and will prevent backflow. Tests, maintenance, and repairs of backflow prevention assemblies shall be made by a town-approved certified backflow prevention assembly tester. Consumer shall follow the specifications of the town regarding

configuration and placement of backflow prevention assemblies. Where required, bypass detection meters shall be purchased from the town.

(b) *Definitions.*

Potable water. The term "potable water" shall mean water from any source which has been approved for human consumption by the North Carolina Department of Environmental Quality.

Public potable water system. The term "public potable water system" shall mean any publicly or privately owned water system operated as a public utility, under a current North Carolina Department of Environmental Quality permit, to supply water for public consumption or use. This system will include all sources, facilities, and appurtenances between the source and the point of delivery such as valves, pumps, pipes, conduits, tanks, receptacles, fixtures, equipment, and appurtenances used to produce, convey, treat, or store potable water for public consumption or use.

Unapproved water supply. The term "unapproved water supply" shall mean a water supply which has not been approved for human consumption by the North Carolina Department of Environmental Quality.

(c) *Right of entry.*

- (1) Upon presentation of proper credentials and identification, authorized representatives from the town shall have the right to enter any building, structure, residence, or premises during normal business hours, or at any time during the event of an emergency to perform any duty imposed by this section. The town shall schedule inspections in advance with the owner or authorized representative if no emergency is imminent. Those duties may include sampling and testing of water, or inspections and observations of all piping systems connected, or suspected of being connected, to the public water supply. Where a consumer has security measures in force which would require proper identification and clearance before entry into their premises, the consumer shall make necessary arrangements with any security service provider so that upon presentation of suitable identification, the town personnel will be permitted to enter without delay for the purpose of performing their specific responsibilities. Refusal to allow entry for these purposes may result in discontinuance of water service until entry for inspection is granted, and may establish a rebuttable presumption that a health hazard exists and that a backflow prevention assembly suitable for a severe or health hazard must be installed.

(f) *Testing and repair of assemblies.*

- (1) Testing of backflow prevention assemblies shall be made by a certified backflow prevention assembly tester approved by the town. Such tests are to be conducted upon installation and annually thereafter for backflow prevention assembly devices required by the town or at a frequency established by the town. A record of all testing and repairs is to be retained by the consumer. Copies of the records must be provided to the town, or its identified third-party manager, within ten business days after the completion of any testing, and/or repair work.

- (g) *Facilities requiring protection.* Approved backflow prevention assemblies shall be installed on the service line to any facility that the town has identified as having a potential for backflow. All assemblies and installations shall be subject to inspection and approval by the town.

The following types of facilities or services have been identified by the town as having a potential for backflow of non-potable water into the public water supply system. Therefore, an approved backflow prevention assembly shall be required on all such services according to the degree of hazard present. Other

types of facilities or services not listed below may also be required to install approved backflow prevention assemblies if determined necessary by the town. As a minimum requirement, all non-residential services shall be required to install a double-check valve assembly. The minimum requirements are listed below. The best protection recommended even if not required is a reduced pressure principle assembly.

(2) Auxiliary water systems:

- a. Approved public/private water supply: DCVA
- b. Unapproved public/private water supply: AG or RP
- c. Used water and industrial fluids: RP

(32) Swimming pools, spas, small manmade ponds, and fountains or any body of water above or in-ground greater than 24-inches deep that is connected to or filled by the potable water system:

- a. Community or non-residential: RP
- b. Residential without direct piping: AG or RP
- c. Residential with direct piping from potable supply: RP

(h) *Connections with unapproved sources of supply.*

- (1) No person shall connect or cause to be connected any supply of water not approved by all regulating authorities having jurisdiction, to the water system supplied by the town. Any connections allowed by the town shall be in conformance with the backflow prevention requirements of this section.

The foregoing ordinance having been submitted to a vote, received the following vote, and was duly adopted this 12th day of February in the year 2024.

Ayes: 4
Noes: 1
Absent or excused: 0



Sarah E. Kimrey

Sarah E. Kimrey, Town Clerk



ORDINANCE

Revision to Section I4-I of the Town Code of Ordinances

The Hillsborough Board of Commissioners ordains the following addition to Section 14-1. Definitions:

Section 1. Insert the following language as new item (10) and renumber all subsequent definitions in the Section sequentially now ending with item (50) being the definition of *Water system*.


- (10) *Development, and Redevelopment*, where used in this section or in the town's Technical Specifications and Design Standards for Water and Sewer Systems refers to any of the following:
- (i) The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.
 - (ii) The excavation, grading, filling, clearing, or alteration of land.
 - (iii) The subdivision of land as defined in G.S. 160D-802.
 - (iv) The initiation or substantial change in the use of land or the intensity of use of land.
 - (v) All other definitions of development provided in G.S. 160D-102.12.

Section 2. 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 12th day of February in the year 2024.

Ayes: 5
Noes: 0
Absent or excused: 0





Sarah E. Kimrey, Town Clerk



Minutes

Board of Commissioners FY2025-27 Budget Retreat

9 a.m. Feb. 17, 2024

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

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

Absent: Commissioner Evelyn Lloyd

Staff: Budget Director Emily Bradford, Administrative Services Director Jen Della Valle, Assistant Town Manager and Community Services Director Matt Efird, Budget and Management Analyst Josh Fernandez, Lead for NC Fellow Marshall Grayson, Environmental Engineering Supervisor Bryant Green, Police Chief Duane Hampton, Town Clerk and Human Resources Technician Sarah Kimrey, Finance Director Dave McCole, Town Manager Eric Peterson, Utilities Director Marie Strandwitz, Human Resources Manager Haley Thore and Communications Manager Catherine Wright

1. **8:30 a.m. – Doors open** (light breakfast and beverages available)
2. **9 a.m. – Welcome, introductions, and ground rules**
Mayor Mark Bell opened the meeting at 9:02 a.m. Town Manager Eric Peterson asked people to introduce themselves and note what they wanted from the retreat. Answers included clarity, prioritization, direction, and confidence in path. Three UNC students attending to observe introduced themselves. The manager went over ground rules and asked for additional ones.
3. **9:15 a.m. – Icebreaker and team building exercise**
Lead for North Carolina Fellow Marshall Grayson led an icebreaker on how well the board and manager know each other. Grayson shared questions and answers, and the participants had to guess which person gave the answer by holding up paper cutout faces of the manager, mayor and commissioners. Questions included favorite book, title of autobiography, childhood job aspiration, surprising activity, funny occurrence, favorite local activity, most memorable meal, destination for an all-expense paid vacation, most photos saved on phone, and best advice received.
4. **9:45 a.m. – Community Survey follow-up and Strategic Plan**
 - A. Community Survey Follow Up and Strategic Plan
Administrative Services Director Jen Della Valle discussed the history of the community survey and provided an update on 2023 results. The survey received 457 responses out of 4,500 households. Distribution changes for the 2023 survey included adding a cover letter with survey information in Spanish, providing an online and paper copy of the Spanish language survey, and distributing a survey notice on Facebook.

The survey provider explained most communities have seen a drop in resident ratings overall. The provider considers any change greater than 4.5% as “significant.” Significant decreases included:

- Satisfaction with Hillsborough “as a place to work.”
- Availability of playgrounds.
- Ease of travel throughout town.
- Quality of social media outlets.

The provider explained that most communities have faced decreased communications ratings, and that Hillsborough has stayed fairly consistent to past survey results. Communications Manager Catherine Wright discussed expanded social media outreach and the town's new Instagram account.

Significant increases included:

- Acceptance by community of diverse populations.
- Quality of recent commercial development.
- Fire services.
- Quality of customer service from town employees.

Additional key ratings were discussed. "Police protection" received a rating of 90%. The provider noted this as a significant achievement compared to the benchmark rating of 60% and national average of 53%. "Value received for local taxes and fees" was also highlighted as a strong positive metric with a rating of 55%. "Ability to find housing you can afford" was noticeably low at a 29% rating compared to a 41% rating in 2019. Della Valle explained further data analysis will be completed by comparing responses by age, geographic region, race and income level.

Open-ended survey responses were compiled into word clouds for visual representation. Key topics identified for "significant issues over the next five years" included traffic, growth, affordable housing, infrastructure and development. Responses to "what's going well" included events, downtown, community, parks and greenways. "What do you like least about living in Hillsborough" received responses including traffic, sidewalks and taxes. Finally, the most prominent "three words to describe Hillsborough" were friendly, historic and quaint. Della Valle, Grayson and Budget and Management Analyst Josh Fernandez will continue to finalize the survey before publication. Peterson expressed thanks to the staff for their efforts resulting in high scores.

Della Valle also provided an update on strategic plan progress for the second quarter of Fiscal Year 2024. Commissioner Robb English was encouraged that most initiatives were either in progress or had significant work already completed. English noted a desire for Administrative Services to prioritize employee engagement and wellness moving forward. Della Valle noted the recent efforts of the employee engagement committee. Della Valle said the next strategic plan update will take place in May.

5. 10:30 a.m. – Break

The participants paused at 10:11 a.m. for a break and returned at 10:25 a.m.

6. 10:45 a.m. – Affordable Housing

A. Review the affordable housing "ramp-up" plan adopted as part of the FY24-26 budget

Assistant Town Manager and Community Services Director Matt Efird led the board through a "think, write, share" exercise with the following prompts:

- What affordable housing means to them personally.
- What their biggest concerns are for the community related to housing.
- What the biggest improvement the town could make is.

He went over guidelines for the discussion to stay on track with discussing the next set of deliverables to meet overall objectives.

Efird noted the biggest discussion item is the strategy to ramp up to earmarking 2 cents of the property tax rate to affordable housing by Fiscal Year 2027. He asked whether the board is still comfortable with that strategy. Members affirmed they are.

Efird pointed out services that would be funded through allocations from the earmarked funds and took the board through a what-if scenario, noting banked funds could easily be consumed by a housing study and increased funding needs from the Orange County Partnership to End Homelessness instead of being used to build affordable housing units. Thoughts noted by members included escalating costs for construction and a need to look at county and town responsibilities, contributions to services not in town, and resources like Central Pines Regional Council to complete the housing study. It was noted that a lack of affordable housing stock is driving vouchers to be used outside of Orange County.

Efird said the housing study has been delayed at least until next year because it will require local funding and the town might need to do its own study. He asked the board to think about how to get the maximum return for the funds it banks. He provided answers to questions the board had noted prior to the retreat, including noting:

- The town’s current housing approach is internally focused but aligned with county and regional strategies.
- Existing, approved or planned, and preservation projects for affordable housing. Efird said the preservation projects in Hillsborough are occurring now without funding from the town.
 - 74% of Hillsborough repair projects are for minority households.
 - Over 75% of all Orange County Home Preservation Coalition projects are for households under 60% of the area median income.
- Education or other resources available for elected officials, including sessions in April and May in the state.

The board discussed considering:

- A task force to engage residents and subject matter experts in developing a strategy.
- A consultant to shape an affordable housing strategic plan.

- B. Identify key points, how, and what to discuss at 2024 workshops that allows the town board to take a “deep dive” into affordable housing

There was discussion on quarterly in-depth workshops. Efird noted some of the board feedback included that partner input should be a standalone retreat. He noted the following proposed topics for the work sessions:

- Partner input
- Low-income housing tax credits
- Strategies other than direct financial subsidy
- Funding strategies and prioritization

The board affirmed the desire for a standalone retreat for partner input and support of the topics. There was discussion about using manufactured housing, mixing affordable and market-rate housing in one development, and being flexible with building heights.

7. 11:30 a.m. – Climate and Sustainability (Efird and Peterson)

- A. Continue discussion from Jan. 22 workshop update for additional thoughts or questions
Efird provided a brief overview highlighting main points from the clean energy resolution and sustainability update presentation given at the board work session on Jan. 22, 2024. He asked for board members’ thoughts on sustainability plans moving forward. The town is currently progressing with actions steps identified for Fiscal Year 2024 including:

- A new energy management software
- LED lighting updates
- Recycling operations

- B. 2030 goal of reducing carbon emissions by 80%

Efird reminded the board of the town's energy and sustainability goals, highlighting that the town has only five years left to meet the original plans. English asked for the likelihood of meeting initial goals by 2030. Efird explained that meeting an 80% goal through carbon offsets is achievable but will require additional funds and capacity. He said the town has funding capacity for Fiscal Year 2026 and beyond but should spend time before then gathering more data on current carbon levels and clarifying goals to address sustainability initiatives more effectively in the future. Mayor Bell asked for more information on planning for a carbon offset strategy. Commissioner Matt Hughes asked about carbon offset plans compared to carbon credits. Efird clarified that the town is more interested in carbon offset initiatives that produce measurable impacts.

C. Gap in carbon reduction funding in the Water & Sewer Fund.

Peterson discussed the current gap in carbon strategies for water and sewer divisions. He explained that the General Fund currently dedicates the equivalent of two cents on the tax rate toward sustainability efforts. There is no comparable funding source for the Water & Sewer Fund to pay for carbon reduction efforts, even though over 70% of the town's energy use originates from water and wastewater operations. However, given the desire to not increase current rates, the manager suggested that additional sustainability work in water and wastewater operations should not be prioritized over other pressing capital projects. Efird clarified that the original goal intends to reduce carbon emissions by 80% town-wide, not for any one specific department or fund. Hughes asked about the possibility of using interfund transfers and Commissioner Kathleen Ferguson asked about bonds as funding options. Peterson and Finance Director Dave McCole clarified that interfund transfers between the general and water and sewer fund is not a best practice but that bonds were permissible to fund sustainability initiatives as long as they are associated with a specific capital project.

8. 12 p.m. – Lunch

The participants paused for lunch at 11:47 a.m. and returned at 12:35 p.m.

9. 12:45 p.m. – Major decision points: Capital Improvement Plan, personnel, and programs

Updates and Q&A regarding the requests

Budget Director Emily Bradford opened discussion on items in the Capital Improvement Plan:

General Fund

There was discussion about seriously considering naming rights for projects like the planned Ridgewalk Greenway for funding opportunities. The assistant town manager said the greenway lacks certainty about its feasibility but naming rights are still part of staff conversations. It was noted that Charlotte and Holly Springs have such projects and that smaller communities have projects with names based on local businesses. The town manager cautioned that the required staff time could outweigh the added funding. He said direction would be needed soon for the skate park. The mayor noted a discussion would be needed on guardrails for naming rights.

There was discussion regarding the number of solid waste trucks proposed for replacement over seven years. The town manager said the trucks have five years of frontline duty and five years of backup use for an overall life of 10 years. The assistant town manager said it now takes about two years to receive an ordered truck, and prices can escalate between order and delivery.

Water and Sewer Fund

The large dollar amounts needed for the water distribution projects were noted. Environmental Engineering Supervisor Bryant Green said other proposed development could benefit from the planned upgrade of the Cates Creek outfall and development fees from those projects could help fund the upgrade.

Stormwater Fund

There was discussion about whether a vacuum truck could be shared and used for multiple purposes. The budget director said that is being considered and noted there is consideration of moving a jetvac truck undersized for utilities use to stormwater use and purchasing a new one for utilities.

The budget director opened discussion on requests in the operating budget:

General Fund

The town manager noted that the planning and economic development manager is considering options for code enforcement. He asked the board about possibly starting the contract process now to have code enforcement work at the beginning of the new fiscal year on July 1. The assistant town manager said the county performs minimum housing code enforcement and the code enforcement the town would provide possibly through contracted services would be a higher level of service. The board expressed support for starting the process now.

There was discussion about a request for a live-scan fingerprint machine. Police Chief Duane Hampton said the Police Department uses ink and rollers, but electronic submission is now required. He said the department relies on the Orange County Sheriff's Office to submit fingerprints electronically and the fire and police departments have had difficulty accessing the electronic system when needed.

The mayor brought forth a proposal from the Hillsborough/Orange County Chamber of Commerce in which the town would contract for a three-year period with the chamber to organize and lead a merchants association to improve the economic vitality of all town businesses. Discussion included:

- The proposed work being core chamber functions for members.
- Affordability of chamber membership for smaller businesses.
- The proposal's goal being consistent with goals in the strategic and comprehensive sustainability plans.

The budget director said the request could be added to the list of operating budget requests for further deliberation in May. The town manager said he would want to get thoughts from staff, including the planning and economic development manager.

Continued discussion included noting:

- Other municipalities contract with local chambers to support chamber efforts.
- Some businesses have concerns of unclear value in chamber membership.
- Some items proposed are offered already by others.

Members noted a desire for:

- More information on expected outcomes.
- A review of Chapel Hill's downtown partnership model.
- A look at how town efforts could coordinate with the chamber instead.

Water/Sewer Fund

There was discussion about a Ford F-150 truck replacement and a utilities administrative assistant position. Staff noted a smaller truck likely would be purchased and would be for an inspector instead of the line crew. The manager noted the position request would change to full time and staff desires to hire this fiscal year if possible. The board expressed support. The utilities director said the position would be remote to make it more attractive and due to space limitations.

The budget director reminded the board that the requests are preliminary as the town is in the early stages of the budget process and that the budget proposal may look different when presented in May.

There were questions about a customer service noise and privacy wall barrier and how the town is meeting changes to the federal lead and copper mandate. The finance director said the barrier would be glass behind the customer service representatives at the Town Hall Annex to block noise from the rest of the building and to improve privacy. Utilities staff noted they are in the inventory phase of determining where lead and copper plumbing might exist. Much of the town is excluded because many structures were built after the ban on lead in plumbing. The solder on plumbing fittings cannot be visually confirmed and the town already tests some houses that fall in the timeframe for lead and copper use. The mandate calls for testing on the private side of water lines and will require working with preschools in upcoming years. Predictive modeling could be used, using data gathered at a small number of houses to predict the number of houses with lead or copper plumbing.

There was discussion about allowing overhiring in the Utilities Department. The manager noted the practice helps address upcoming shortages and allows strong candidates to be hired. The board expressed support. The utilities director also initiated discussion about restarting programs that allow the use of inmates for utilities work.

Strandwitz said a wastewater master plan study is underway to keep the plant's treatment under the limit of 3 million gallons per day. She said the consultant is investigating buying extra credits and other strategies.

Stormwater Fund

There were no questions.

10. 2 p.m. – Break

The participants paused at 1:56 p.m. and returned at 2:09 p.m.

11. 2:15 p.m. – Employee Benefits Study: update and Q&A (HR Manager Haley Thore)

A. Employee Benefits Study

Human Resources Manager Haley Thore discussed findings from a benefits market survey that was sent to benchmark municipalities throughout North Carolina. Data provided an overview of the town's comparable benefits and where Hillsborough is leading the market.

Comparable benefits include:

- Number of paid holidays
- Vacation leave accrual amounts
- Amount of bereavement and paid parental leave

Industry-leading benefits include:

- Employee assistance program
- Tuition reimbursement
- Cell phone and safety shoe stipends

There was discussion on the safety shoes policy and whether repairing shoes instead of replacing them would be more cost-efficient and environmentally friendly.

Benefits requiring further investigation following the study include:

- Longevity bonus
- Pre-65 retiree health insurance eligibility
- Pay increases for job related certifications
- Standardized language incentive

Thore said the town lags in dependent health premium costs for employees. She provided more detailed information on the North Carolina Health Insurance Pool, explaining that the last rate increase was in Fiscal Year 2020, Fiscal Year 2025 will have no rate increase, and Hillsborough performs well in the pool with few high-cost claimants. Thore said the town provides strong benefits and has the highest accrual value of all other pool members. On the high-deductible health plan buy-up, the deductible is the same as the out-of-pocket maximum, making it a valuable plan.

Thore explained the current plan options and prices provided by the town, showing that monthly premium costs are above average compared to surrounding jurisdictions when adding dependents on the traditional health plan and the high-deductible buy-up plan. Thore proposed using reserve funds from the town's participation in the insurance pool to reduce employees' monthly premium costs for family coverage on the traditional health plan by over \$200 and to below average costs on the high-deductible health base and buy-up plans.

There was discussion about the proposed plan and additional research to further reduce dependent premium costs. Thore noted a decision is needed by the end of February to secure open enrollment in the spring. The proposal's total cost to the town would be under \$23,000 with the current number of dependents enrolled but is projected to be near \$50,000 due to more employees likely adding dependents because of the lower rates. The board suggested staff continue to research ways to reduce costs over the next three years. It was noted that the rates on the state health plan are in line with the proposed rates for the high-deductible buy-up plan.

Thore then discussed an update to proposed life insurance options. She explained the town's current basic term life plan, which is employer paid and provides coverage for a defined time that employees may outlive. All benefit-eligible employees receive 1x salary up to \$200,000 and elected officials receive \$20,000 coverage. Employees have the option for supplemental basic term life as well. They are responsible for premiums and can add spouse and child coverage.

Thore explained that the town stopped offering whole life insurance plans in Fiscal Year 2021 due to no enrollment. She proposed offering a more affordable and flexible universal life plan with long-term care rider, which allows policyholders to receive a portion of benefits while alive.

There was discussion about increasing the multiplier for employees and providing additional education on benefits. The board supported moving forward with both proposed plans. Thore explained that reserve funds have been used to cover the current subsidized premium rates. Staff were asked to analyze a variable cost option with rates based on salary to help alleviate cost for lower salaried employees.

12. 3 p.m. – Closing (Peterson)

A. Review key directives

Peterson reviewed action items and parking lot comments collected throughout the day. He asked for additional comments, questions and concerns from staff and the board. There were none. Peterson thanked staff for their involvement and work on the retreat. The board thanked the staff as well.

The manager conducted a plus delta exercise highlighting positive aspects of the retreat as well as what the board would like to see improved next year.

Positive attributes of the retreat:

- Icebreaker – Ferguson requested that staff be included in future icebreaker activities

- Think, write, share exercise
- Catered meal from Ixtapa
- Parking lot list
- Agenda and timing

Areas with potential for improvement:

- Planned stress testing for specific issues
- More focused analysis

13. 3:15 p.m. – Adjournment

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

DRAFT



Minutes

Board of Commissioners Work Session

7 p.m. Feb. 26, 2024

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

Present: Mayor Mark Bell and commissioners Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd
Absent: Commissioners Meaghun Darab (remote) and Robb English
Staff: Planning and Economic Development Manager Shannan Campbell, Assistant Town Manager and Community Services Director Matt Eford, Lead for NC Fellow Marshall Grayson, Police Chief Duane Hampton, Town Clerk and Human Resources Technician Sarah Kimrey, Town Attorney Lydia Lavelle, Town Manager Eric Peterson and Public Space and Sustainability Manager Stephanie Trueblood

1. Opening of the work session

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

2. Agenda changes and approval

No changes

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

Vote: 3-0.

3. Items for decision - consent agenda

- A. Miscellaneous budget amendments and transfers
- B. Board of Commissioners Fiscal Year 2024 training budget changes
- C. 2024 Board of Commissioners meeting schedule amendment
- D. Fiber Loop capital project ordinance amendment and associated budget amendments

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

Vote: 3-0.

4. In-depth discussion and topics

- A. Legislative priority meeting with Senator Graig Meyer and Representative Renée Price
The board met with Sen. Graig Meyer and Rep. Renée Price to discuss short- and long-term priorities for Hillsborough. They reviewed the town's 2023 legislative priorities, which included:

Water and sewer affordability and infrastructure maintenance

Meyer said that state tax cuts will likely result in less infrastructure opportunities. Ferguson asked about regionalization and expressed concerns around the impact of continued growth on water supply capacity.

Affordable housing

Meyer explained that affordable housing solutions are typically more developer focused in addressing the speed at which homes are built. However, he said that affordable housing will likely be a primary discussion topic throughout the election year. The board discussed using alternative materials and accessory dwellings, such as tiny homes. Price emphasized that municipalities have no authority to mandate affordable housing.

Transportation and connectivity

Price explained that this topic would likely not be a legislative priority over the next session. She foresaw more of a focus on economic development and electric vehicles compared to multimodal transportation.

Environmental sustainability and carbon reduction goals

Meyer said that there would likely not be significant carbon reduction legislation for the next few years.

Preemption of local government authority

Price discussed the potential for legislative action to remove authority from local government bodies. She suggested Hillsborough work with the League of Municipalities to establish partnerships and support.

Shortage of qualified finance professionals and auditors

Town Manager Eric Peterson told the board the shortage is still a concern for the town. While Hillsborough currently has sufficient financial staff and audit support, an unexpected gap could occur in the future given the nationwide shortage of local government financial professionals.

Commissioner Evelyn Lloyd and Ferguson asked about opportunities for additional fire truck funding. Meyer and Price said they would submit a request for funding with an understanding that the upcoming short session would have less opportunities for new actions.

The board plans to continue working with legislators to help refine priorities for 2024.

B. Downtown Parking Update

The board received an update on downtown parking efforts. Planning and Economic Development Manager Shannan Campbell reviewed comments received during the downtown and West Hillsborough Business Owners meeting on Jan. 22, 2024. Parking availability concerns included:

- Sustained parking of construction vehicles in on-street spaces
- Lack of lighting in the alley between King St. and Margaret Ln.
- Availability of lower-level parking in the county garage and accessible parking overall

Additional business owner comments provided feedback on porta potty placement for the holiday parade and a desire to bring back the Ladies Night Out downtown event.

Campbell said that Public Works created two temporary spaces for construction vehicles. She explained that the spaces have been helpful and suggested keeping at least one available moving forward. Additionally, Public Works has trimmed overgrown vegetation in the alley to allow for more light. Campbell is working with Duke Energy to possibly add an additional streetlight to the area as well.

Staff are researching individual rental of spaces and how to promote available parking, time limits and alternative transportation options. Campbell noted topics for further consideration, including expanded enforcement. She also discussed holding a joint chamber of commerce and small business owner workshop in the spring to gain information on popular business hours and shopper demographic data.

Campbell discussed the upcoming comprehensive parking study for the downtown and West Hillsborough business areas. The study will provide information on the current parking inventory, trends in public parking, strategies for event parking and options for additional parking, including accessible spaces. The town is planning to send out a request for proposal soon.

Ferguson asked if parking spaces in front of businesses were primarily used by employees. Campbell said business owners are encouraged to have staff use the parking deck. Lloyd discussed 15-minute spaces and asked for more police presence around downtown at night.

C. Cemetery and Pet Waste Issues

The 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 in the Margaret Lane Cemetery. Public Space and Sustainability Manager Stephanie Trueblood explained that additional issues like littering and illegal dumping have increased in all town cemeteries, resulting in a desire to update and standardize rules signage across town. Trueblood shared a draft sign for board review.

Trueblood also discussed the townwide issue of pet waste, explaining that uncollected waste serves as a source of pollution for waterways. She said the town has seen success through the “poop fairy” signage located in key issue areas. Trueblood also shared new leash signage intended to dissuade off-leash dogs on cemetery grounds.

The board discussed other 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 the town could prohibit certain activities, such as those that could damage gravestones given the expensive cost of repair. Hughes discussed the idea of different cemeteries having different restrictions. He also said he would like to provide additional education on the history and culture of the historically Black Margaret Lane Cemetery.

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. Trueblood will wait to install new rules signage until the code has been updated and Commissioner Robb English can provide insight. Staff will continue to promote cleanliness through news releases, social media and the community newsletter.

5. Committee updates and reports

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

Motion: Ferguson moved to go into closed session at 8:49 p.m. Hughes seconded.
Vote: 3-0.

6. Closed session

A. Closed Session as authorized by North Carolina General Statute Section 143-318.11 (a)(6) regarding personnel matters.

Motion: Ferguson moved to return to open session at 9:09 p.m. Hughes seconded.
Vote: 3-0.

7. Adjournment

Mayor Bell adjourned the meeting at 9:09 p.m.

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

DRAFT

FY 2023-2024

**TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT
DATES: 02/26/2024 TO 02/26/2024**

| | <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 | | | | | | |
| | ContingencyAdj Fire Marshal exp to contract amount | 41604 | 02/26/2024 | EBRADFORI | 450,000.00 | -4,000.00 | 31,348.00 |
| | To re-budget garbage truck price adj fund: | 41638 | 02/26/2024 | EBRADFORI | 450,000.00 | -18,320.00 | 13,028.00 |
| Admin. Services | 10-10-4200-5100-020 SALARIES | | | | | | |
| | Yr-end adjustment | 41639 | 02/26/2024 | EBRADFORI | 995,712.00 | 19,000.00 | 1,014,712.00 |
| Admin. Services | 10-10-4200-5100-021 PERSONNEL EXPANSION - SALARIES | | | | | | |
| | Yr-end adjustment | 41640 | 02/26/2024 | EBRADFORI | 40,000.00 | -32,500.00 | 0.00 |
| Admin. Services | 10-10-4200-5127-070 RETIREMENT | | | | | | |
| | Yr-end adjustment | 41641 | 02/26/2024 | EBRADFORI | 126,994.00 | 9,000.00 | 135,994.00 |
| Admin. Services | 10-10-4200-5127-071 401(K) RETIREMENT SUPP. | | | | | | |
| | Yr-end adjustment | 41642 | 02/26/2024 | EBRADFORI | 49,786.00 | 4,500.00 | 54,286.00 |
| Planning | 10-10-4900-5100-020 SALARIES | | | | | | |
| | Yr-end adjustment | 41643 | 02/26/2024 | EBRADFORI | 487,126.00 | 15,000.00 | 502,126.00 |
| Planning | 10-10-4900-5125-063 HOSPITALIZATION - RETIREE | | | | | | |
| | Yr-end adjustment | 41646 | 02/26/2024 | EBRADFORI | 0.00 | 8,505.00 | 8,505.00 |
| Planning | 10-10-4900-5127-070 RETIREMENT | | | | | | |
| | Yr-end adjustment | 41644 | 02/26/2024 | EBRADFORI | 62,404.00 | 2,000.00 | 64,404.00 |
| Planning | 10-10-4900-5127-071 401(K) RETIREMENT SUPP. | | | | | | |
| | Yr-end adjustment | 41645 | 02/26/2024 | EBRADFORI | 24,356.00 | 1,600.00 | 25,956.00 |
| Facilities Mgmt. | 10-10-5000-5300-145 MAINTENANCE - BUILDINGS | | | | | | |
| | To cover generator repair. | 41653 | 02/26/2024 | JFernandez | 200,896.00 | -1,620.00 | 268,691.25 |
| Facilities Mgmt. | 10-10-5000-5300-158 MAINTENANCE - EQUIPMENT | | | | | | |
| | To cover generator repair. | 41654 | 02/26/2024 | JFernandez | 0.00 | 1,620.00 | 18,541.35 |
| Public Space | 10-10-6300-5100-010 OVERTIME COMPENSATION | | | | | | |
| | Yr-end Adjustment | 41660 | 02/26/2024 | EBRADFORI | 500.00 | 900.00 | 1,400.00 |
| Public Space | 10-10-6300-5100-020 SALARIES | | | | | | |
| | Yr-end Adjustment | 41661 | 02/26/2024 | EBRADFORI | 160,939.00 | 22,000.00 | 182,939.00 |
| Public Space | 10-10-6300-5127-070 RETIREMENT | | | | | | |
| | Yr-end Adjustment | 41662 | 02/26/2024 | EBRADFORI | 20,479.00 | 3,400.00 | 23,879.00 |
| Public Space | 10-10-6300-5127-071 401(K) RETIREMENT SUPP. | | | | | | |
| | Yr-end Adjustment | 41663 | 02/26/2024 | EBRADFORI | 8,047.00 | 2,000.00 | 10,047.00 |
| IT | 10-10-6610-5300-112 POSTAGE | | | | | | |
| | To cover postage for returned laptop. | 41600 | 02/26/2024 | JFernandez | 50.00 | 55.00 | 160.00 |
| IT | 10-10-6610-5300-570 MISCELLANEOUS | | | | | | |
| | To cover postage for returned laptop. | 41599 | 02/26/2024 | JFernandez | 5,000.00 | -55.00 | 4,940.00 |
| Police | 10-20-5100-5125-060 HOSPITALIZATION | | | | | | |
| | Yr-end adjustment | 41648 | 02/26/2024 | EBRADFORI | 381,414.00 | -21,000.00 | 360,414.00 |
| | Yr-end adjustment | 41651 | 02/26/2024 | EBRADFORI | 381,414.00 | -25,000.00 | 335,414.00 |
| Police | 10-20-5100-5125-063 HOSPITALIZATION - RETIREE | | | | | | |
| | Yr-end adjustment | 41649 | 02/26/2024 | EBRADFORI | 0.00 | 21,000.00 | 21,000.00 |
| Police | 10-20-5100-5127-075 SEPARATION ALLOWANCE | | | | | | |
| | Yr-end adjustment | 41650 | 02/26/2024 | EBRADFORI | 34,618.00 | 42,100.00 | 76,718.00 |
| Fire Protect. | 10-20-5350-5300-498 C.S./ORANGE COUNTY | | | | | | |
| | JFernandez | | 02/20/2024 | 9:45:59AM | | | |
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FY 2023-2024

TOWN OF HILLSBOROUGH
 BUDGET CHANGES REPORT

DATES: 02/26/2024 TO 02/26/2024

| | <u>REFERENCE</u> | <u>CHANGE NUMBER</u> | <u>DATE</u> | <u>USER</u> | <u>ORIGINAL BUDGET</u> | <u>BUDGET CHANGE</u> | <u>AMENDED BUDGET</u> |
|-----------------|---|----------------------|-------------|-------------|------------------------|----------------------|-----------------------|
| | Adj to contract amount | 41603 | 02/26/2024 | EBRADFORI | 80,952.00 | 4,000.00 | 84,952.00 |
| GF Revenue | 10-30-3300-3301-000 POWELL BILL TAX Adj to actual | 41605 | 02/26/2024 | EBRADFORI | 272,500.00 | 33,925.00 | 306,425.00 |
| GF Revenue | 10-30-3980-3900-100 POWELL BILL FUND BALANCE APPROPRIAT Adj per PB actual revenue | 41606 | 02/26/2024 | EBRADFORI | 473,000.00 | -33,925.00 | 439,075.00 |
| Solid Waste | 10-30-5800-5100-010 OVERTIME COMPENSATION Yr-end adjustment | 41655 | 02/26/2024 | EBRADFORI | 2,000.00 | 4,000.00 | 6,000.00 |
| Solid Waste | 10-30-5800-5100-020 SALARIES Yr-end adjustment | 41656 | 02/26/2024 | EBRADFORI | 267,931.00 | 13,000.00 | 280,931.00 |
| Solid Waste | 10-30-5800-5127-070 RETIREMENT Yr-end adjustment | 41657 | 02/26/2024 | EBRADFORI | 34,343.00 | 2,500.00 | 36,843.00 |
| Solid Waste | 10-30-5800-5127-071 401(K) RETIREMENT SUPP. Yr-end adjustment | 41658 | 02/26/2024 | EBRADFORI | 13,396.00 | 2,000.00 | 15,396.00 |
| Solid Waste | 10-30-5800-5700-740 CAPITAL - VEHICLES To re-budget garbage truck price adj fund: | 41637 | 02/26/2024 | EBRADFORI | 130,000.00 | 18,320.00 | 494,154.06 |
| Special Approp. | 10-60-6900-5300-570 MISCELLANEOUS Allocate Merit/COLA | 41647 | 02/26/2024 | EBRADFORI | 373,001.00 | -27,105.00 | 343,796.00 |
| | Allocate Merit/COLA | 41652 | 02/26/2024 | EBRADFORI | 373,001.00 | -17,100.00 | 326,696.00 |
| | Allocate Merit/COLA | 41659 | 02/26/2024 | EBRADFORI | 373,001.00 | -21,500.00 | 305,196.00 |
| | Allocate Merit/COLA | 41664 | 02/26/2024 | EBRADFORI | 373,001.00 | -28,300.00 | 276,896.00 |
| Police | 10-71-5100-5982-004 TRANSFER TO PUBLIC SAFETY FACILITY Move Police Station to Committed Fund | 41574 | 02/26/2024 | EBRADFORI | 50,000.00 | -50,000.00 | 0.00 |
| Police | 10-71-5100-5982-950 TRANSFER TO FUND 78-COMMITTED FUNDS Move Police Station to Committed Fund | 41575 | 02/26/2024 | EBRADFORI | 0.00 | 50,000.00 | 50,000.00 |
| Streets | 10-71-5600-5982-005 TRANSFER TO GENERAL CRF Move Streets Vehicle Fund to Committed | 41611 | 02/26/2024 | EBRADFORI | 81,000.00 | -81,000.00 | 0.00 |
| Streets | 10-71-5600-5982-950 TRANSFER TO FUND 78-COMMITTED FUNDS Move Streets Vehicle Fund to Committed | 41612 | 02/26/2024 | EBRADFORI | 0.00 | 81,000.00 | 81,000.00 |
| Solid Waste | 10-71-5800-5982-005 TRANSFER TO GENERAL CRF Move Solid Waste Vehicle Fund to Comm | 41614 | 02/26/2024 | EBRADFORI | 145,000.00 | -145,000.00 | 0.00 |
| Solid Waste | 10-71-5800-5982-950 TRANSFER TO FUND 78-COMMITTED FUNDS Move Solid Waste Vehicle Fund to Comm | 41615 | 02/26/2024 | EBRADFORI | 0.00 | 145,000.00 | 145,000.00 |
| Special Approp. | 10-71-6900-5982-005 TRANSFER TO GENERAL CRF Move Aff Housing to Committed Fund | 41608 | 02/26/2024 | EBRADFORI | 32,884.00 | -32,884.00 | 0.00 |
| Special Approp. | 10-71-6900-5982-950 TRANSFER TO FUND 78-COMMITTED FUNDS Move Aff Housing to Committed Fund | 41609 | 02/26/2024 | EBRADFORI | 0.00 | 32,884.00 | 32,884.00 |
| W&S Transfers | 30-71-5972-5972-002 TRANSFER TO WATER SDF RESERVE FUND Adj to actual | 41618 | 02/26/2024 | EBRADFORI | 0.00 | 18,808.00 | 62,714.00 |
| W&S Transfers | 30-71-5972-5972-003 TRANSFER TO SEWER SDF RESERVE FUND Adj to actual | 41619 | 02/26/2024 | EBRADFORI | 0.00 | 11,955.00 | 54,740.00 |
| W&S Revenues | 30-80-3500-3523-002 WATER SYSTEM DEVELOPMENT FEES Adj to actual | 41616 | 02/26/2024 | EBRADFORI | 0.00 | 18,808.00 | 62,714.00 |
| W&S Revenues | 30-80-3500-3525-002 SEWER SYSTEM DEVELOPMENT FEES | | | | | | |

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FY 2023-2024

TOWN OF HILLSBOROUGH
 BUDGET CHANGES REPORT

DATES: 02/26/2024 TO 02/26/2024

| | <u>REFERENCE</u> | <u>CHANGE NUMBER</u> | <u>DATE</u> | <u>USER</u> | <u>ORIGINAL BUDGET</u> | <u>BUDGET CHANGE</u> | <u>AMENDED BUDGET</u> |
|----------------------|--|----------------------|-------------|-------------|------------------------|----------------------|-----------------------|
| | Adj to actual | 41617 | 02/26/2024 | EBRADFORI | 0.00 | 11,955.00 | 54,740.00 |
| Admin. of Enterprise | 30-80-7200-5300-570 MISCELLANEOUS Allocate Merit/COLA | 41669 | 02/26/2024 | EBRADFORI | 164,999.00 | -53,500.00 | 98,649.00 |
| | Allocate Merit/COLA | 41672 | 02/26/2024 | EBRADFORI | 164,999.00 | -20,000.00 | 78,649.00 |
| | Allocate Merit/COLA | 41677 | 02/26/2024 | EBRADFORI | 164,999.00 | -48,000.00 | 30,649.00 |
| Utilities Admin. | 30-80-7220-5100-020 SALARIES Yr-end Adjustment | 41665 | 02/26/2024 | EBRADFORI | 368,043.00 | 40,000.00 | 410,543.00 |
| Utilities Admin. | 30-80-7220-5120-050 FICA Yr-end Adjustment | 41666 | 02/26/2024 | EBRADFORI | 27,599.00 | 5,000.00 | 32,599.00 |
| Utilities Admin. | 30-80-7220-5127-070 RETIREMENT Yr-end Adjustment | 41667 | 02/26/2024 | EBRADFORI | 47,247.00 | 5,500.00 | 52,747.00 |
| Utilities Admin. | 30-80-7220-5127-071 401(K) RETIREMENT SUPPL. Yr-end Adjustment | 41668 | 02/26/2024 | EBRADFORI | 18,402.00 | 3,000.00 | 21,402.00 |
| WTP | 30-80-8120-5127-070 RETIREMENT Yr-end Adjustment | 41670 | 02/26/2024 | EBRADFORI | 53,313.00 | 14,000.00 | 67,313.00 |
| WTP | 30-80-8120-5127-071 401(K) RETIREMENT SUPP. Yr-end Adjustment | 41671 | 02/26/2024 | EBRADFORI | 21,051.00 | 6,000.00 | 27,051.00 |
| WWTP | 30-80-8220-5100-020 SALARIES Yr-end Adjustment | 41673 | 02/26/2024 | EBRADFORI | 499,190.00 | 35,000.00 | 534,190.00 |
| WWTP | 30-80-8220-5120-050 FICA Yr-end Adjustment | 41674 | 02/26/2024 | EBRADFORI | 38,188.00 | 3,000.00 | 41,188.00 |
| WWTP | 30-80-8220-5127-070 RETIREMENT Yr-end Adjustment | 41675 | 02/26/2024 | EBRADFORI | 63,204.00 | 7,000.00 | 70,204.00 |
| WWTP | 30-80-8220-5127-071 401(K) RETIREMENT SUPP. Yr-end Adjustment | 41676 | 02/26/2024 | EBRADFORI | 24,960.00 | 3,000.00 | 27,960.00 |
| Storm-Water | 35-30-5900-5300-000 CONTINGENCY To cover safety dividends | 41621 | 02/26/2024 | EBRADFORI | 25,000.00 | -2.00 | 24,498.00 |
| Storm-Water | 35-30-5900-5300-320 SUPPLIES - OFFICE To cover office furniture | 41602 | 02/26/2024 | EBRADFORI | 400.00 | 3,500.00 | 3,900.00 |
| Storm-Water | 35-30-5900-5300-570 MISCELLANEOUS To cover office furniture | 41601 | 02/26/2024 | EBRADFORI | 26,374.00 | -3,500.00 | 20,558.00 |
| Storm-Water | 35-30-5900-5300-571 SAFETY AWARDS PROGRAM To cover safety dividends | 41620 | 02/26/2024 | EBRADFORI | 0.00 | 2.00 | 193.00 |
| W&S Cap. Proj. | 69-17-3870-3870-504 TRANSFER FROM WSF-16" OWASA WATER M To re-est project budget | 41624 | 02/26/2024 | EBRADFORI | 100,000.00 | 100,000.00 | 100,000.00 |
| W&S Cap. Proj. | 69-17-3870-3870-701 TRANSFER FROM FUND 75-16" OWASA WAT To re-est project budget | 41625 | 02/26/2024 | EBRADFORI | 465,000.00 | 465,000.00 | 465,000.00 |
| W&S Cap. Proj. | 69-17-8140-5700-748 16" OWASA WATER MAIN To re-est project budget | 41626 | 02/26/2024 | EBRADFORI | 565,000.00 | 565,000.00 | 565,000.00 |
| W&S CRF | 70-00-3850-3850-000 INTEREST EARNED To record interest | 41627 | 02/26/2024 | EBRADFORI | 100,889.20 | 36,395.07 | 937,524.75 |
| W&S CRF | 70-71-6900-5970-001 TRANSFER TO UTILITY CAP IMPROV FUND To record interest | 41628 | 02/26/2024 | EBRADFORI | 1,830,000.00 | 36,395.07 | 4,680,469.75 |

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FY 2023-2024

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT
 DATES: 02/26/2024 TO 02/26/2024

| <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 78-71-3870-3870-412 TRANSFER FROM GF-POLICE STATION Committed Move Police Station to Committed Funds | 41576 | 02/26/2024 | EBRADFORI | 0.00 | 50,000.00 | 50,000.00 |
| GF 78-71-3870-3870-413 TRANSFER FROM GF-AFFORDABLE HOUSING Committed Move Affordable Housing to Committed l | 41635 | 02/26/2024 | EBRADFORI | 0.00 | 32,884.00 | 32,884.00 |
| GF 78-71-3870-3870-420 TRANSFER FROM GF-VEH-STREETS Committed Move Street Veh Replc Funds to Committ | 41629 | 02/26/2024 | EBRADFORI | 0.00 | 81,000.00 | 81,000.00 |
| GF 78-71-3870-3870-421 TRANSFER FROM GF-VEH-SOLID WASTE Committed Move Solid Waste Veh Replc Funds to Co | 41631 | 02/26/2024 | EBRADFORI | 0.00 | 145,000.00 | 145,000.00 |
| GF 78-71-5100-5970-010 TRANSFER TO FUND 60-POLICE STATION Committed Move Police Station to Committed Funds | 41579 | 02/26/2024 | EBRADFORI | 0.00 | 50,000.00 | 50,000.00 |
| GF 78-71-5600-5970-912 TRANSFER TO GF-VEH-STREETS Committed Move Street Veh Replc Funds to Committ | 41630 | 02/26/2024 | EBRADFORI | 0.00 | 81,000.00 | 81,000.00 |
| GF 78-71-5800-5970-913 TRANSFER TO GF-VEH-SOLID WASTE Committed Move Solid Waste Veh Replc Funds to Co | 41632 | 02/26/2024 | EBRADFORI | 0.00 | 145,000.00 | 145,000.00 |
| GF 78-71-6900-5970-918 TRANSFER TO GF-AFFORDABLE HOUSING Committed Move Affordable Housing to Committed l | 41636 | 02/26/2024 | EBRADFORI | 0.00 | 32,884.00 | 32,884.00 |
| | | | | | <u>1,882,084.14</u> | |

DRAFT

APPROVED: 3/0
 DATE: 2/26/24
 VERIFIED: *Janet E. Kimrey*



ORDINANCE

Capital Project Amendment

Fiber Loop

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

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

| | <i>Current Budget</i> | <i>+/-</i> | <i>Amended Budget</i> |
|------------|-----------------------|------------|-----------------------|
| Fiber Loop | \$350,000 | \$50,000 | \$400,000 |

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

| | <i>Current Budget</i> | <i>+/-</i> | <i>Amended Budget</i> |
|------------|-----------------------|------------|-----------------------|
| Fiber Loop | \$350,000 | \$50,000 | \$400,000 |

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

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 26th day of February in 2024.

Ayes: 3
Noes: 0
Absent or excused: 2



Sarah E. Kimrey

Sarah E. Kimrey, Town Clerk

FY 2023-2024

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

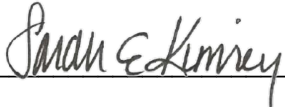
DATES: 02/27/2024 TO 02/27/2024

| <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> |
|---|----------------------|-------------|-------------|------------------------|----------------------|-----------------------|
| 60-04-3870-3870-403 TRANSFER FROM GF-FIBER LOOP | | | | | | |
| Adj per FY24 budget | 41622 | 02/27/2024 | EBRADFORI | 350,000.00 | 50,000.00 | 400,000.00 |
| 60-04-6610-5700-747 FIBER LOOP | | | | | | |
| Adj per FY24 budget | 41623 | 02/27/2024 | EBRADFORI | 350,000.00 | 50,000.00 | 400,000.00 |
| | | | | | <u>100,000.00</u> | |

APPROVED: 3/0

DATE: 2/26/24

VERIFIED: _____



DRAFT



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 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: 03/11/2024 TO 03/11/2024

| | <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 Contingency | 10-00-9990-5300-000 CONTINGENCY To cover property clean up | 41684 | 03/11/2024 | EBRADFORI | 450,000.00 | -2,450.00 | 10,578.00 |
| Planning | 10-10-4900-5300-501 C.S./NUISANCE ABATEMENT To cover property clean up | 41683 | 03/11/2024 | EBRADFORI | 0.00 | 2,450.00 | 2,450.00 |
| Public Space | 10-10-6300-5300-113 LICENSE FEES Use sustainability funds for energy mgmt | 41685 | 03/11/2024 | EBRADFORI | 0.00 | 20,000.00 | 20,000.00 |
| Police | 10-20-5100-5300-161 MAINTENANCE - VEHICLES To cover cost of trailer graphics. | 41712 | 03/11/2024 | JFernandez | 1,000.00 | 3,800.00 | 45,772.00 |
| Police | 10-20-5100-5700-740 CAPITAL - VEHICLES To cover cost of trailer graphics. | 41711 | 03/11/2024 | JFernandez | 190,000.00 | -3,800.00 | 260,228.00 |
| GF Transfers | 10-71-3870-3870-150 TRANSFER FROM GENERAL CRF Use sustainability funds for energy mgmt | 41686 | 03/11/2024 | EBRADFORI | 150,000.00 | 20,000.00 | 170,000.00 |
| Billing & Collections | 30-80-7240-5300-411 C.S./SOUTH DATA To cover temporary personnel costs. | 41679 | 03/11/2024 | JFernandez | 43,100.00 | -7,089.89 | 36,010.11 |
| Billing & Collections | 30-80-7240-5300-503 C.S./TEMPORARY PERSONNEL To cover temporary personnel costs. | 41680 | 03/11/2024 | JFernandez | 0.00 | 7,089.89 | 22,089.89 |
| WFER | 30-80-8130-5300-152 AQUATIC WEED CONTROL To cover beaver control costs. | 41701 | 03/11/2024 | JFernandez | 8,600.00 | -3,000.00 | 5,600.00 |
| WFER | 30-80-8130-5300-154 MAINTENANCE - GROUNDS To cover beaver control costs. | 41702 | 03/11/2024 | JFernandez | 15,000.00 | 3,000.00 | 26,686.22 |
| WFER | 30-80-8130-5300-158 MAINTENANCE - EQUIPMENT To cover WFER transducer adjustment. | 41694 | 03/11/2024 | JFernandez | 500.00 | 1,200.00 | 1,700.00 |
| WFER | 30-80-8130-5300-570 MISCELLANOUS To cover WFER transducer adjustment. | 41693 | 03/11/2024 | JFernandez | 2,600.00 | -1,200.00 | 1,400.00 |
| Water Dist. | 30-80-8140-5300-330 SUPPLIES - DEPARTMENTAL To cover rainsuits for distribution & colle | 41697 | 03/11/2024 | JFernandez | 131,440.00 | -665.00 | 130,079.64 |
| | To cover rainsuits for distribution & colle | 41703 | 03/11/2024 | JFernandez | 131,440.00 | -500.00 | 129,579.64 |
| Water Dist. | 30-80-8140-5300-350 UNIFORMS To cover rainsuits for distribution & colle | 41698 | 03/11/2024 | JFernandez | 5,800.00 | 665.00 | 6,465.00 |
| | To cover rainsuits for distribution & colle | 41704 | 03/11/2024 | JFernandez | 5,800.00 | 500.00 | 6,965.00 |
| WW Collect. | 30-80-8200-5300-330 SUPPLIES - DEPARTMENTAL To cover rainsuits for distribution & colle | 41699 | 03/11/2024 | JFernandez | 80,500.00 | -655.00 | 80,650.06 |
| WW Collect. | 30-80-8200-5300-350 UNIFORMS To cover rainsuits for distribution & colle | 41700 | 03/11/2024 | JFernandez | 6,300.00 | 655.00 | 6,955.00 |
| WWTP | 30-80-8220-5300-165 MAINTENANCE - INFRASTRUCTURE To cover lab services. | 41707 | 03/11/2024 | JFernandez | 9,200.00 | -3,800.00 | 16,840.00 |
| WWTP | 30-80-8220-5300-340 OUTSIDE LAB SERVICES To cover lab services. | 41708 | 03/11/2024 | JFernandez | 26,540.00 | 3,800.00 | 30,340.00 |
| Special Revenue | 72-00-5100-3301-055 RESTRICTED REVENUE - STRAW FOR DOGS Adjust to actuals. | 41681 | 03/11/2024 | JFernandez | 775.00 | 20.00 | 795.00 |
| | To match actual donations. | 41695 | 03/11/2024 | JFernandez | 775.00 | 300.00 | 1,095.00 |
| | Allocate & consolidate with Emergency A | 41709 | 03/11/2024 | JFernandez | 775.00 | 100.00 | 1,195.00 |
| Special Revenue | 72-20-5100-5300-365 STRAW FOR DOGS | | | | | | |

JFernandez
fl142r03

03/04/2024 5:49:42PM

FY 2023-2024

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

DATES: 03/11/2024 TO 03/11/2024

| | <u>REFERENCE</u> | <u>CHANGE NUMBER</u> | <u>DATE</u> | <u>USER</u> | <u>ORIGINAL BUDGET</u> | <u>BUDGET CHANGE</u> | <u>AMENDED BUDGET</u> |
|-----|---|--------------------------|-------------|-------------|----------------------------|--------------------------|---------------------------|
| | To balance actual revenues received. | 41682 | 03/11/2024 | JFernandez | 775.00 | 20.00 | 795.00 |
| | To match actual donations. | 41696 | 03/11/2024 | JFernandez | 775.00 | 300.00 | 1,095.00 |
| | Allocate & consolidate with Emergency A | 41710 | 03/11/2024 | JFernandez | 775.00 | 100.00 | 1,195.00 |
| TDA | 73-00-3900-3900-000 FUND BALANCE APPROPRIATED | | | | | | |
| | Flushfest 2024 | 41687 | 03/11/2024 | EBRADFORI | 0.00 | 10,000.00 | 25,500.00 |
| | River Park Concert Sponsorship | 41689 | 03/11/2024 | EBRADFORI | 0.00 | 5,000.00 | 30,500.00 |
| TDA | 73-51-6250-5300-731 SPECIAL PROJ/PARTNERSHIPS | | | | | | |
| | Flushfest 2024 | 41688 | 03/11/2024 | EBRADFORI | 42,000.00 | 10,000.00 | 64,000.00 |
| | River Park Concert Sponsorship | 41690 | 03/11/2024 | EBRADFORI | 42,000.00 | 5,000.00 | 69,000.00 |
| | | | | | | <u>70,840.00</u> | |



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: Administration
Agenda Section: Consent
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Budget Director Emily Bradford
Planning & Economic Development Manager Shannan Campbell

ITEM TO BE CONSIDERED

Subject: Tourism Development Authority Budget Amendments

Attachments:

Budget Changes Report (03/11/2024) - TDA

Summary:

The town board must approve any Tourism Development Authority budget amendment request of \$5,000 or more. The TDA approved sponsorship of Flushfest 2024 (\$10,000) and River Park Concert (\$5,000) at its Jan. 31, 2024 meeting.

Financial impacts:

Fund Balance will be used to fund these amendments.

Staff recommendation and comments:

Approve budget amendments.

Action requested:

Approve budget amendments.

FY 2023-2024

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

DATES: 03/11/2024 TO 03/11/2024

| <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> |
|---|--------------------------|-------------|-------------|----------------------------|--------------------------|---------------------------|
| 73-00-3900-3900-000 FUND BALANCE APPROPRIATED | | | | | | |
| Flushfest 2024 | 41687 | 03/11/2024 | EBRADFORI | 0.00 | 10,000.00 | 25,500.00 |
| River Park Concert Sponsorship | 41689 | 03/11/2024 | EBRADFORI | 0.00 | 5,000.00 | 30,500.00 |
| 73-51-6250-5300-731 SPECIAL PROJ/PARTNERSHIPS | | | | | | |
| Flushfest 2024 | 41688 | 03/11/2024 | EBRADFORI | 42,000.00 | 10,000.00 | 64,000.00 |
| River Park Concert Sponsorship | 41690 | 03/11/2024 | EBRADFORI | 42,000.00 | 5,000.00 | 69,000.00 |
| | | | | | <u>30,000.00</u> | |



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 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 – Hillsborough Art Council’s Last Fridays and Art Walk

Attachments:

1. Special Event Permit Application
2. Event Layout Map
3. Court St Closure Map
4. Certificate of Insurance

Summary:

The Hillsborough Arts Council would like to request town sponsorship for trash roll outs and the street closure of Court Street from 3 to 9 p.m. as requested for last year’s events as well. It is estimated that 1,500 – 2,000 people may attend each event.

Financial impacts:

Low financial impacts, with sponsorship of town services result in department level costs.

Staff recommendation and comments:

No comments received.

Action requested:

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



TOWN OF HILLSBOROUGH

SPECIAL EVENT PERMIT APPLICATION

Please review the Event Policy Ordinance, Chapter 7 of the Town Code, to determine if your event requires a Special Event Permit. The Permit Application must be received 60 days in advance of the event.

Name of Event: Last Fridays & the Art Walk (www.LastFridays.org)

Event Location Address: Hillsborough, NC

Date(s) of event: 3/24, 4/26, 5/31, 6/29, 7/26/2024

Event Set Up Time: 5 PM Event Hours: 4 Event Break Down: 9 PM

Date(s) of event: 8/30, 9/27, 10/25, 11/29/2024

Event Set Up Time: 5 PM Event Hours: 4 Event Break Down: 9 PM

EVENT ORGANIZER & CONTACT INFORMATION

Name of Organization/Company: Hillsborough Arts Council

Organization/Company mailing address: 102 N Churton St, Hillsborough, NC 27278

Organization Status: [] Formal [] Informal [] For-profit [x] Not-for-profit

Event Organizer Name: Ivana Beveridge

Event Organizer Phone: (828) 337-5511 Event Organizer Email: programs@hillsborougharts

On-Site Contact(s) During the Day-of Event

Name: Heather Tatreau

Cell Phone: (919) 593-4295

Name: Kim Pierce

Cell Phone: (336) 212-4069

GENERAL EVENT INFORMATION

Type of Event:

- [] Private Event on Private Property [x] Public Event on Public Property
[] Private Event on Public Property [x] Public Event on Private Property
[] Street or Greenway Event (Parades, Marches, Rallies, 5Ks, Bike Races)

General Event Description (Narrative outlining event purpose and elements including food trucks, car shows, races, vendors, etc):

(March-Nov) Gallery openings, Roaming Poets, and live music at Art Walk venues.

(March-Nov) Living Arts Collective drumming, family activities/crafts, music and dance in River Park.

(May-Oct) Makers Markets on Old Courthouse lawn with 25+ vendors:

artists, community orgs, activities/crafts, music, *occasional* food. Requesting soft Court St closure May-Oct only.

(Occasional) Pop-up performances or performance artists on downtown sidewalks.

Estimated total number of people that will attend the event: 1.5-2.5k/mo.

Estimated peak time(s) of attendance: 6:30-8 PM

Maximum capacity of event location (number of persons, if applicable): Varies by venue

If the event is annual, the estimated attendance of the last event of this kind: 1.5-2.5k/mo.

GENERAL EVENT QUESTIONNAIRE

Will tickets be sold or admission/fees be charged as part of the event? YES NO

Will there be alcohol sold or provided as a part of this event? YES NO

If yes, please indicate the vendor(s) and/or ABC permit holder(s) responsible for the alcohol sales/distribution and attach a copy of the ABC permit(s) for each vendor : At Art Walk venues permitted to sell alcohol.

Please 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 & beverage tax.

Will vendors be on-site selling goods/crafts/wares during the event? YES NO

Will vendors be on-site selling food/beverages during the event? YES NO

Please note: All vendors without a physical location in town and/or food trucks that do not have Town of Hillsborough Food Truck Permits that are selling prepared food/beverage will need to [prepay the Food & Beverage Tax](#) with the Finance Department. Please list the name(s) of the food/beverage vendors: (May-October Makers Markets) We'll occasionally host a food vendor on Court Street when supportive to monthly themes/programming. (Contacts TBD)

Food vendors will be a lesser priority in 2024 compared to 2023, though we'd still like to "close" Court St. for ease of market load-in/load-out and event safety.

Makers Markets will include 25+ sale-of-good artist/community vendors each month.

Will you be soliciting donations as part of the event? YES NO

If yes, for what cause or organization? Hillsborough Arts Council

Will you bring additional equipment, stages, microphones, amplification, etc? YES NO

Please Explain: Mics, amps, and lighting, as needed for musical/educational programming on Courthouse Lawn or in River Park.

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

*Please note: [Special event signage](#) must be applied for and permitted separately **BEFORE** signage is placed around town.*

Will tents be erected for the event? YES NO

If yes, how many and what size? 31 max - 10'x10' pop-up tents, map attached.

Please note: Tents may require a permit and inspection by the Orange County Fire Marshal's office depending on size and number. Tents should be shown with location and dimensions on event map/layout.

Will you provide (portable) restroom facilities?

YES NO

Please note: Restroom facilities are required to be provided by Special Event organizers depending on attendance numbers and duration. Local Business, Town, and County facility restrooms may compliment, but not become a substitute for, providing adequate restrooms for the event.

Will you provide (portable) handwashing facilities?

YES NO

Please 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 (i.e. Police Coverage, Road Closures, Traffic Control, Trash and Recycling Rollouts)?

YES NO

Please note: Events requesting Town Sponsorship of events must apply at least 90 days in advance of the event to be considered. Event organizers who are able should make every necessary attempt to provide and pay for services at their events as the Town has limited staff and resources to cover the costs of event services.

EVENT MAP/LAYOUT REQUIREMENTS

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

- Traffic flow; including any streets requested to be closed or obstructed (locations of barriers and officers will be determined by Law Enforcement).
- If the event includes a parade, greenway closure, etc. then the route of the event should be clearly shown.
- Parking areas where event attendees will be directed that are adequate for event attendance. Please note: The Eno River deck has only 400 parking spaces.
- Pedestrian access and flow.
- The location of any concession stand, food truck(s), booth, or other temporary structures, tents, stages or facilities; and the location of proposed fences, stands, platforms, benches, or bleachers.
- The location of restroom and/or handwashing facilities.

A street map and a map of Gold Park are available on the Town's website. Google Maps is also an excellent 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 an event attendee injures 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:

United States Liability Insurance Company; Erie Insurance Exchange

Contact information for broker/agent providing coverage:

The Ballard Agency - Lee Hammond; 919-732-2158; lee@ballardagencyinc.com

EVENT PROPERTY USE PERMISSION

If the event will be located on property that is not owned/managed by the event organizer then the property owner must indicate consent for the use of their property below:

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 which 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.

Ivana Beveridge

Feb. 6, 2024

Applicant Signature

Date

SUBMITTAL DIRECTIONS:

Please submit electronically to: Evan.Punch@hillsboroughnc.gov

Please submit via paper copy here:

Hillsborough Planning Department
ATTN: Evan Punch
P.O. Box 429
101 E. Orange Street
Hillsborough, NC 27278

Hillsborough United Methodist Church

Orange County Historical Museum

LAST FRIDAYS & THE ART WALK

W Tryon St

Town of Hillsborough Police Station

Latta Brothers Tractor Services

Hillsborough Gallery of Arts

Gallery Openings
Live Music
Poetry Showcase

Hillsborough Arts Council

Sch...

PROGRAMMING ZONE KEY

January - November

● ● ● CORE ART WALK

March - October

█ LIVING ARTS

May-October (5:30-8:30 PM)

█ MAKERS MARKET

▨ ROAD CLOSURE
*requesting closure 3-9 PM

HAC Info Tent
Family Experiences
Artist Vendors
Community Groups
Live Music
Food Vendors

The Colorful On

Margaret

Weaver Street Market

Edo River Farmers

S Churton St

Drum Circle
Dancewave
Family Activities/Crafts
Plant Talks/Walks

River Walk Picnic Area

El Restaurante Ixtapa

Section 6, Item D.

E King St

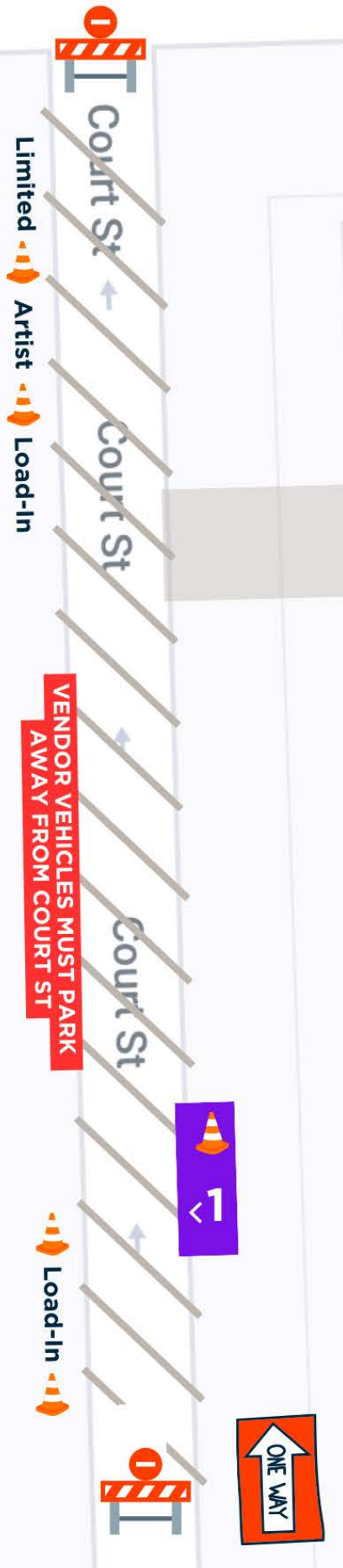
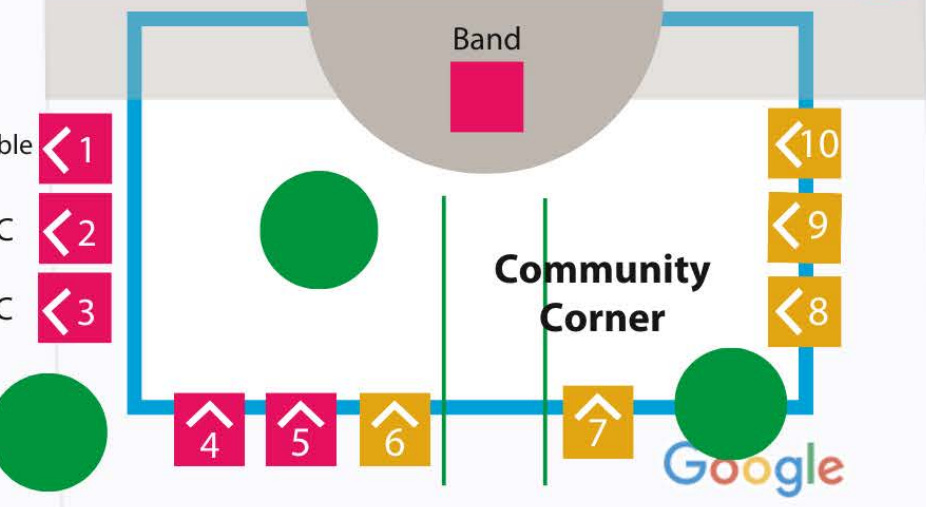
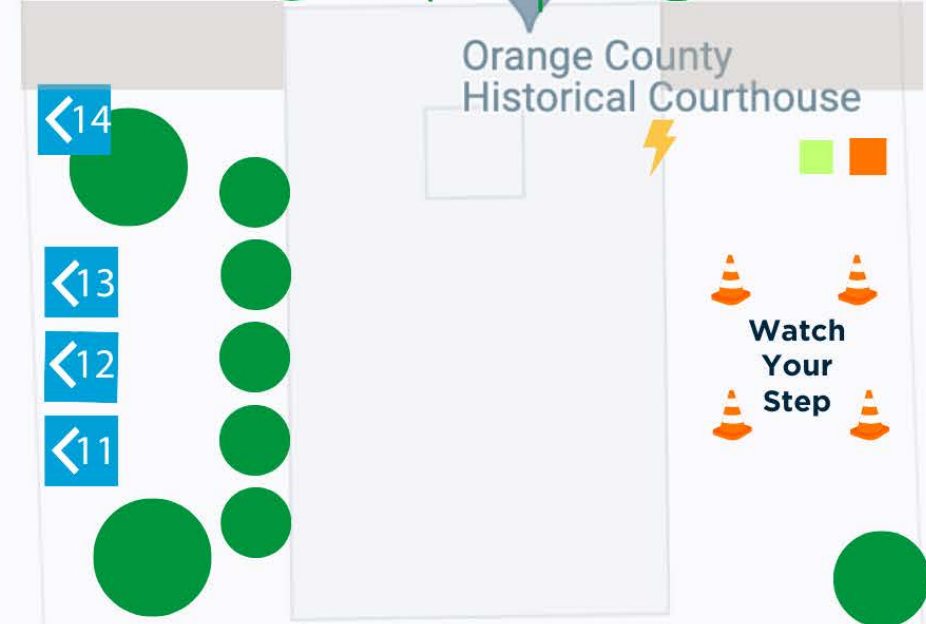
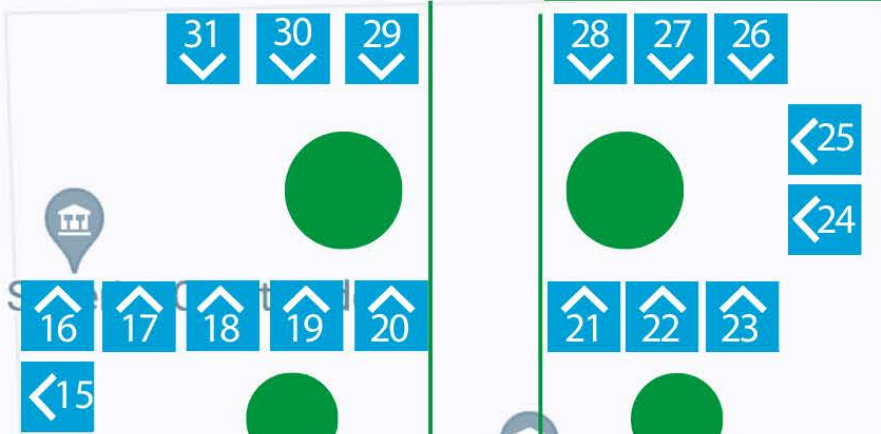
E King St

Limited Artist Load-In



oward

US
0



HAC/HAC Currated

Artist

Tent Direction

Occasional Food Vendor

Community Group

Tree/shrub

Portable Restrooms

Hand-washing Station

Street Closure

Section 6, Item D.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/07/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | | |
|---|--|--|------------------------|
| PRODUCER The Ballard Agency 105 W King St. Hillsborough, NC 27278 | | CONTACT NAME: Lee Hammond PHONE (A/C No. Ext): 919-732-2158 E-MAIL ADDRESS: lee@ballardagencyinc.com FAX (A/C, No): | |
| | | INSURER(S) AFFORDING COVERAGE | |
| | | INSURER A: United States Liability Insurance Company | NAIC # 25895 |
| | | INSURER B: Erie Insurance Exchange | 18457 |
| | | INSURER C: | |
| | | INSURER D: | |
| | | INSURER E: | |
| | | INSURER F: | |

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**


THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|----------|---|-----------|----------|---------------|-------------------------|-------------------------|---|--------------------------------|
| A | GENERAL LIABILITY | | | NBP1568325 | 8/10/2023 | 08/10/2024 | EACH OCCURRENCE | \$ 1,000,000 |
| | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY | Y | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$ 100,000 |
| | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | | | | | | MED EXP (Any one person) | \$ 5,000 |
| | | | | | | | PERSONAL & ADV INJURY | \$ 1,000,000 |
| | | | | | | | GENERAL AGGREGATE | \$ 2,000,000 |
| | | | | | | | PRODUCTS - COMP/OP AGG | \$ 2,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | | | | |
| | AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE LIMIT (Ea accident) | \$ |
| | <input type="checkbox"/> ANY AUTO | | | | | | BODILY INJURY (Per person) | \$ |
| | <input type="checkbox"/> ALL OWNED AUTOS | | | | | | BODILY INJURY (Per accident) | \$ |
| | <input type="checkbox"/> HIRED AUTOS | | | | | | PROPERTY DAMAGE (Per accident) | \$ |
| | | | | | | | | \$ |
| | UMBRELLA LIAB | | | | | | EACH OCCURRENCE | \$ |
| | <input type="checkbox"/> EXCESS LIAB | | | | | | AGGREGATE | \$ |
| | <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ | | | | | | | \$ |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | Q851800607 | 01/18/2023 | 01/18/2024 | <input checked="" type="checkbox"/> WC STATUTORY LIMITS | <input type="checkbox"/> OTHER |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) | Y / N | | | | | E.L. EACH ACCIDENT | \$ 500,000 |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | N / A | | | | E.L. DISEASE - EA EMPLOYEE | \$ 500,000 |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | \$ 500,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Town of Hillsborough is an additional insured as respects general liability arising from the insured's operations when required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

| | |
|---|---|
| Town of Hillsborough PO Box 429 Hillsborough NC 27278 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  |
|---|---|

ACORD 25 (2010/05)

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Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
 Department: Utilities
 Agenda Section: Consent
 Public hearing: No
 Date of public hearing:

PRESENTER/INFORMATION CONTACT

Utilities Director, K. Marie Strandwitz, PE

ITEM TO BE CONSIDERED

Subject: Acceptance of Remaining Phases of Forest Ridge Water and Sanitary Sewer

Attachments:

None

Summary:

The Forest Ridge subdivision water and sewer infrastructure has been completed for several years yet remaining punch list items and sewer defect concerns stalled the project from being recommended for acceptance by the town. Although all phases of the project were certified to be complete to meet state permit requirements, the only phases/infrastructure that have been formally accepted by the Board of Commissioners are Phases 1, 2A and 3A, the offsite extension and the booster pumping station. Water and sanitary sewer in Phases 2B, 3B, 4, 5, 6, 7 and 8 have not been accepted for town operation and maintenance.

After much time and negotiation, the town and the current developer have entered into and executed a settlement agreement (as previously approved by the board) whereby two sanitary sewer segments in Phase 6 will remain with sags deemed unacceptable to the town for new(er) construction. For this the town has agreed to accept a small monetary payment to cover extra observation and cleaning for the next several years to move forward to properly serve the customers of Forest Ridge and accept the remainder of the water and sanitary sewer once dedicated. This monetary payment is well below what it would take to properly repair the sags. The developer has met the terms of the settlement and has dedicated the remainder of the infrastructure to the town.

Note that there remain non-utilities concerns where repairs are still being finalized with the town and developer, namely some street defects. Current activities are underway to resolve these matters.

Financial impacts:

Operation and maintenance costs will be rolled into the town's rate structure. Below is the value of the phases to be accepted as developer donated and they are grouped by permitted plan set.

| Phase | Type | Value | Desc. |
|-----------------|-------|--------------------|---|
| 2B, 3B, 4 and 5 | Water | \$589,816 | 7,295 linear feet of 6-, 8-, and 12-inch of ductile iron water main and approximately 10 hydrants |
| | Sewer | \$430,124 | 5,154 linear feet of 8-inch PVC and ductile iron sewer mains and approximately 34 manholes |
| 6 and 8 | Water | \$169,802 | 1,505 linear feet of 2-inch copper and 8-inch ductile iron water main and approximately 4 fire hydrants |
| | Sewer | \$258,547 | 1,971 linear feet of 8-inch PVC and ductile iron sewer mains and approximately 10 manholes |
| 7 | Water | \$84,195 | 1,140 linear feet of 4- and 8-inch ductile iron water main and 2 hydrants |
| | Sewer | \$133,020 | 861 linear feet of 8-inch PVC and ductile iron sewer mains and approximately 7 manholes |
| Total | | \$1,665,504 | 1.9 miles of water mains, 16 hydrants, 1.5 miles of sewer mains and 51 manholes |

Staff recommendation and comments:

Staff and residents will be happy to have this subdivision water and sanitary sewer infrastructure accepted by the town and development concerns behind us although staff believes the construction quality could have been better.

Action requested:

Motion to consider accepting dedicated infrastructure into the town's ownership, maintenance, and operation.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: Utilities
Agenda Section: Consent
Public hearing: No
Date of public hearing:

PRESENTER/INFORMATION CONTACT

Utilities Director, K. Marie Strandwitz, PE

ITEM TO BE CONSIDERED

Subject: Acceptance of Water and Sewer Utilities at UNC Hospital in Waterstone

Attachments:

Summary:

The University of North Carolina (UNC) Hospitals Hillsborough Campus was constructed several years ago. The water and sewer system was certified as complete to the state, the developer is now requesting the town formally accept a portion of the onsite utilities. The developer met all the requirements for the town staff to recommend that the board accept the water and sewer infrastructure in Harmony at Waterstone for town ownership.

Financial impacts:

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

Staff recommendation and comments:

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

Action requested:

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



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: Planning and Economic Development
Agenda Section: Regular
Public hearing: Yes
Date of public hearing: Jan. 18, 2024

PRESENTER/INFORMATION CONTACT

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

ITEM TO BE CONSIDERED

Subject: Unified Development Ordinance text amendment to Section 6.21.3 Design Standards – Public Streets (applicant-initiated)

Attachments:

1. Text amendment application
2. UDO Section 6.21.3, as proposed to be amended
3. Sample commercial/industrial street cross-sections (local and collector)
4. Draft minutes (Joint Public Hearing and Planning Board)
5. Consistency statement
6. Ordinance amending the UDO

Summary:

Application and Joint Public Hearing

On Dec. 14, 2023, Oliver Kaija with Bohler Engineering applied to amend UDO Section 6.21.3 *Design Standards – Public Streets*. The proposed amendment, inclusive of staff-recommended edits, was heard at the Jan. 18, 2024 Joint Public Hearing.

At the hearing, some board members expressed concern that the proposed right-of-way minimum (48') was too narrow, particularly for residential streets. There was also concern that right-of-way reductions might negatively impact other street design elements, such as sidewalks, travel lanes, and planting strips. After the hearing closed, the Planning Board voted to table the amendment until its regular meeting on Feb. 15. Minutes from the Joint Public Hearing are attached.

Planning Board meeting and recommendation

The text amendment was revised based on feedback from the public hearing. The revised amendment is attached, along with sample street cross-sections for reference. The amendment now proposes to allow right-of-way reductions *only when*:

- The proposed street is a commercial/industrial local or collector street (not residential);
- On-street parking is omitted from the street design;
- The right-of-way is reduced by no more than the width of the omitted on-street parking; and
- The right-of-way reduction does not impact other design elements required in the Street Manual.

The Planning Board **recommended approval** of the revised text amendment as written on Feb. 15, 2024. The vote was 7-1. The one nay, Christian Schmidt, said he thought the amendment should include right-of-way reductions

for residential streets as well. A full summary of the Planning Board discussion is attached.

Relevant Links:

- Hillsborough Street Manual:
<https://assets.hillsboroughnc.gov/media/documents/public/street-standards.pdf>

Comprehensive Sustainability Plan goals:

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

Financial impacts:

None.

Staff recommendation and comments:

Staff recommends approval of the text amendment as written.

Action requested:

Approve the text amendment.

Appendix I

Application Packet for Unified Development Ordinance Text & Zoning Map Amendments (Rezoning) / Future Land Use Plan & Comprehensive Plan Amendments

| <u>Complete Application</u> <u>Deadline (12 Noon)</u> | <u>Joint Public Hearing</u> <u>Date</u> | <u>Planning Board</u> <u>Recommendation Date</u> | <u>Earliest Decision</u> <u>Date</u> |
|--|--|---|---|
| December 19, 2022 | January 19, 2023 | February 16, 2023 | March 13, 2023 |
| March 27, 2023 | April 20, 2023 | May 18, 2023 | June 12, 2023 |
| June 26, 2023 | July 20, 2023 | August 17, 2023 | September 11, 2023 |
| September 25, 2023 | October 19, 2023 | November 16, 2023 | December 11, 2023 |
| December 18, 2023 | January 18, 2024 | February 15, 2024 | March 11, 2024 |

Fee Schedule

| | |
|---|---|
| Future Land Use/Comprehensive Plan Map Amendment: | \$300.00 |
| UDO Text Amendment | \$300.00 |
| Rezoning to General Purpose or Overlay District: | The greater of \$500.00 or \$50.00 per acre |

* Rezoning reviewed in conjunction with an annexation request should first calculate the standard fee and then double it to account for the fiscal impact analysis of the application.

Submittal Requirement Checklist

Unified Development Ordinance & Future Land Use/Comprehensive Plan Text Amendments

- Complete application and applicable review fee
- For UDO text amendments, a written narrative addressing UDO Section 3.7.2 (see page 3 of this packet)

Zoning Map & Future Land Use Map Amendments

- Complete application and applicable review fee
- Copy of the deed and/or a fully dimensioned survey to a scale greater than 100 ft to the inch and smaller than 20 ft to the inch that includes existing structures, critical areas (specified on application), rights-of-way and width, and driveways (existing and new)
- For zoning map amendments, a written narrative addressing UDO Section 3.7.2 (see page 3 of this packet)



TOWN OF
HILLSBOROUGH

**APPLICATION FOR
Text and/or Map Amendment Request**

Planning Department
101 E. Orange Street/P.O. Box 429
Hillsborough, NC 27278

Phone: (919) 296-9477 Fax: (919) 644-2390
Website: www.hillsboroughnc.gov

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

Property Address: North side of Waterstone Dr between Old NC 86 and College Park Rd PIN: 9873146102

Applicant Name: Oliver Kaija

Mailing Address: 4130 Parklake Ave Suite 200 Phone: 919-578-9000

City, State, Zip: Raleigh, NC 27612 E-mail: okaija@bohlereng.com

Property Owner Name: Shah Trust - Vijay Shah

Mailing Address: 6819 Creek Wood Dr Phone: _____

City, State, Zip: Chapel Hill, NC 27514 E-mail: vshah@trademarkproperties.com

Location/Streets Accessed: _____

Current Zoning District(s): ESU Proposed Zoning District(s): ESU

Acreage: 19.47

Water Service: Public Water Well Sewer Service: Public Sewer Septic Tank

Existing Structures on Site: none



Critical Areas:

Flood Drainage/Stream/Pond Cemetery Historic Resource Steep Slopes
 Easement **See next page**

Describe how the request will address the following factors that the Town Board of Commissioners must determine when considering an amendment to the test of the Unified Development Ordinance or Zoning Map (use separate sheet):

1. The extent to which the amendment is consistent with all applicable Town-adopted plans.
2. The extent to which there are changed conditions that require an amendment.
3. The extent to which the proposed amendment addresses a demonstrated community need.
4. The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.
5. The extent to which the proposed amendment deviates from logical and orderly development pattern or deviate from logical and orderly development pattern or Please see next page for responses
6. The extent to which the proposed amendment would encourage premature development.
7. The extent to which the proposed amendment would result in strip or ribbon commercial development.
8. The extent to which the proposed amendment would result in the creation of an isolated zoning district unrelated to or incompatible with adjacent and surrounding zoning districts.
9. The extent to which the proposed amendment would result in significant adverse impacts on the property values of surrounding lands.
10. The extent to which the proposed amendment would result in significantly adverse environmental impacts, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

I/We certify that all of the information presented by me/us in this application is accurate to the best of my/our knowledge, information, and belief. **APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF PROPERTY OWNER.**

| | |
|---|-------------------|
|  | <u>12/14/2023</u> |
| Applicant's signature | date |
|  | <u>12/14/23</u> |
| Property Owner's signature | date |

Bohler Engineering, on behalf of Shah Trust, is proposing to add a condition to Section 6.21.3.3 in the Unified Development Ordinance (UDO) to allow for a flexible right of way width options to align with the flexibility afforded within the street design manual, specifically as it pertains to the inclusion of on street parking.

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

Response 1: The amendment still requires development to abide by Town standards and review processes.

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

Response 2: The amendment specified above requests for wording in the UDO to allow for flexibility in ROW widths in the code, given that the flexibility to include or exclude on-street parking for street sections exists within the Street Manual.

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

Response 3: The proposed amendment will allow for flexibility for other developers who may not need all elements of the sections provided in the Streets Manual. Additionally, it will encourage new development to create roads that can be public and comply with all the elements of the public requirements.

Question 4: The extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.

Response 4: The proposed amendment does not affect the zoning districts. All zoning requirements that are imposed will still need to be met by all developments.

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

Response 5: The proposed amendment will continue to allow for logical and orderly development patterns because developments are still required to abide by all Town standards and processes.

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

Response 6: The proposed amendment will not encourage premature development. Developments are still required to abide by all Town standards and processes.

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

Response 7: The proposed amendment does not encourage strip or ribbon commercial developments. The amendment will allow new developments to dedicate public roads within a smaller right of way section.

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

Response 8: The proposed amendment does not encourage isolated zoning districts. All Town zoning requirements are still expected to be followed by all developments.

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

Response 9: The proposed amendment would not have an adverse impact on property values. This text amendment would encourage developers to build public roadways and further development that could potentially increase property value of surrounding areas.

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

Response 10: The proposed amendment would encourage developments to have smaller right-of-way widths which results in less impervious areas being developed. This will increase developable area that could be used for open space, conservation area and other environmental features. For any stream crossings, a smaller ROW width will preserve more of the existing environmental features.

6.21 STREETS

6.21.1 PURPOSE AND INTENT

It is the intent of this section to protect and promote the public health, safety, and general welfare by requiring the uniform construction of streets. Street rights-of-way are designed and developed to serve several functions: (i) to carry motor vehicle traffic, and in some cases, allow on-street parking; (ii) to provide a safe and convenient passageway for pedestrian traffic; and (iii) to serve as an important link in the town's drainage system.

6.21.2 APPLICABILITY

New streets will generally be dedicated to the town or NC Department of Transportation. Private streets are generally only permitted in minor subdivisions and some developments where land ownership is not defined by the vehicle circulation system (apartment complexes, shopping centers or office parks). Allowable private streets are also regulated by this section.

6.21.3 DESIGN STANDARDS – PUBLIC STREETS

6.21.3.1 New public streets in the city limits must meet the Town of Hillsborough's *Standard Specifications for Street Construction* and Acceptance Procedures in the *Checklist and Approval Requirements for Utility Projects*.

6.21.3.2 Public streets in developments in the Town's extraterritorial zoning jurisdiction must be approved and accepted by the NC Department of Transportation.

6.21.3.3 Minimum ~~right of way~~ right-of-way widths ~~by public street type~~ for public streets are as follows:

~~6.21.3.3.a~~ Arterial Streets shall provide 100 feet of public right of way

~~6.21.3.3.b~~ Collector Streets shall provide 70 feet of public right of way

~~6.21.3.3.c~~ Local Streets shall provide 60 feet of public right of way

~~6.21.3.3.d~~ Cul de sacs shall provide 50 feet of public right of way

| <u>Minimum Right-of-Way (ROW) Widths by Public Street Type</u> | | |
|--|---|---|
| <u>Public Street Type</u> | <u>Minimum ROW Width (ft.)</u> | <u>ROW Reduction Allowed</u> |
| <u>Arterial Street</u> | <u>100' (standard) or 150' (multi-lane boulevard)</u> | <u>No</u> |
| <u>Collector Street</u> | <u>70' (standard) or 120' (multi-lane boulevard)</u> | <u>New commercial/industrial streets only</u> |
| <u>Local Street</u> | <u>60'</u> | <u>New commercial/industrial streets only</u> |
| <u>Cul-de-sac</u> | <u>50'</u> | <u>No</u> |

6.21.3.4 In some cases, minimum right-of-way widths for new commercial/industrial streets may be reduced. Proposed cross-sections and dimensional standards must be submitted to the town for review and approval. A right-of-way reduction shall be granted only under the following conditions:

6.21.3.4.a The proposed street is either a commercial/industrial local street or a commercial/industrial collector street as defined in the town's Street Manual;

6.21.3.4.b On-street parking is omitted from the proposed street design;

6.21.3.4.c The right-of-way is reduced by no more than the width of the omitted on-street parking; and

6.21.3.4.d The right-of-way reduction does not impact any other design elements required in the Street Manual, including but not limited to minimum width requirements for travel lanes, planting strips, and/or sidewalks.

~~6.21.1.16~~21.3.5 Additional street right-of-way may be required in cases ~~were~~where underground public utilities, sidewalks, and drainage facilities cannot all be located within the minimum stated above.

~~6.21.1.26~~21.3.6 Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at an angle less than sixty (60) degrees.

~~6.21.1.36~~21.3.7 The proposed street layout shall be coordinated with the existing street system of the surrounding area and with the Hillsborough Thoroughfare Plan. Where possible proposed streets shall be the extension of existing streets. Modification of the existing grid pattern may be allowed to accommodate site topography.

~~6.21.1.46~~21.3.8 To maximize connectivity for public safety and avoid the requirement for additional right of way width improvement and dedication, block lengths will generally not exceed 400 feet and there will be two points of access for any street containing 30 or more dwellings not equipped with individual sprinkler systems.

~~6.21.1.56~~21.3.9 All permanent dead-end streets (as opposed to temporary dead-end streets or stub-outs) shall be developed as cul-de-sacs in accordance with the standards set forth in the North Carolina Fire Prevention Code. To avoid the requirement of additional right of way width improvement and dedication, dead-end streets may not exceed 400 feet in length.

~~6.21.1.66~~21.3.10 Cul-de-sacs shall not be used to avoid connection with an existing street or to avoid the extension of an important street.

~~6.21.1.76~~21.3.11 Whenever possible, proposed intersections along one side of a street shall coincide with existing or proposed intersection on the opposite side of such street. In any event, where a centerline offset (jog) occurs at an intersection, the distance between centerlines of the intersecting streets shall be not less than 150 feet.

~~6.21.1.86~~21.3.12 Except when no other alternative is practicable or legally possible, no two streets may intersect with any other street on the same side at a distance of less than 400 feet measured from centerline to centerline of the intersecting street. When the intersected street is an arterial, the distance between intersecting streets shall be at least 1,000 feet.

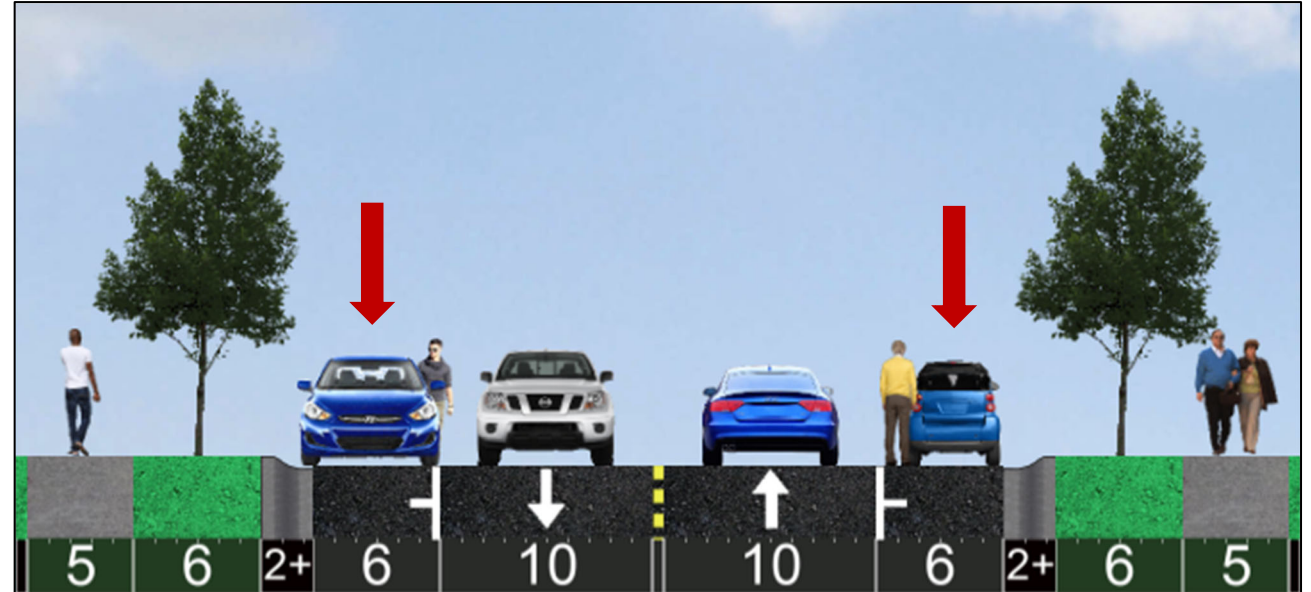
~~6.21.1.96~~21.3.13 The permit issuing authority may require the applicant to extend a right of way, build the street, and/or provide a temporary cul-de-sac in order to stub out streets that should be connected to existing or proposed streets outside the subdivision.

Commercial/Industrial Local Street Cross-sections

Commercial/Industrial Local Street 60' ROW with Parking

This is a rendering of a commercial/industrial local street as shown in the town's street manual. The red arrows denote on-street parking.

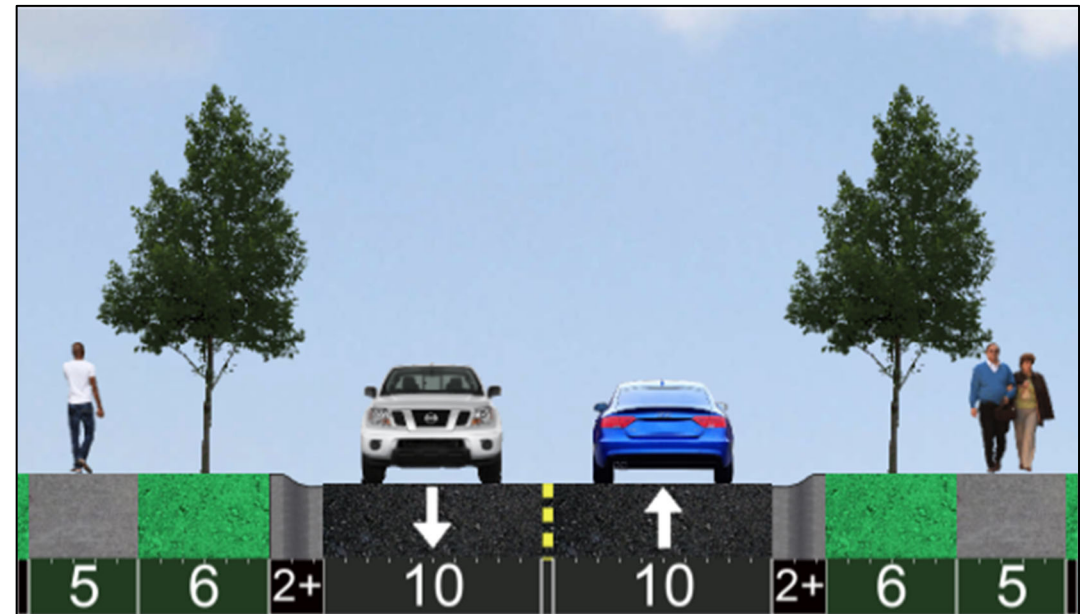
| | |
|---------------------------|---|
| Right-of-Way: | 60' |
| Sidewalk: | 5' |
| Planting Strip: | 6' |
| Travel Lane: | 10' |
| On-street Parking: | 8' (6' of asphalt and 2' curb & gutter) |



Commercial/Industrial Local Street 48' ROW without Parking

This is a commercial/industrial local street with 12' of on-street parking removed (6' from either side). All other design elements remain the same, including curb and gutter. The right-of-way is reduced by 12' (the amount of parking removed).

| | |
|---------------------------|--------------------------------|
| Right-of-way: | 48' |
| Sidewalk: | 5' |
| Planting Strip: | 6' |
| Travel Lane: | 10' |
| On-street Parking: | None (curb and gutter remains) |

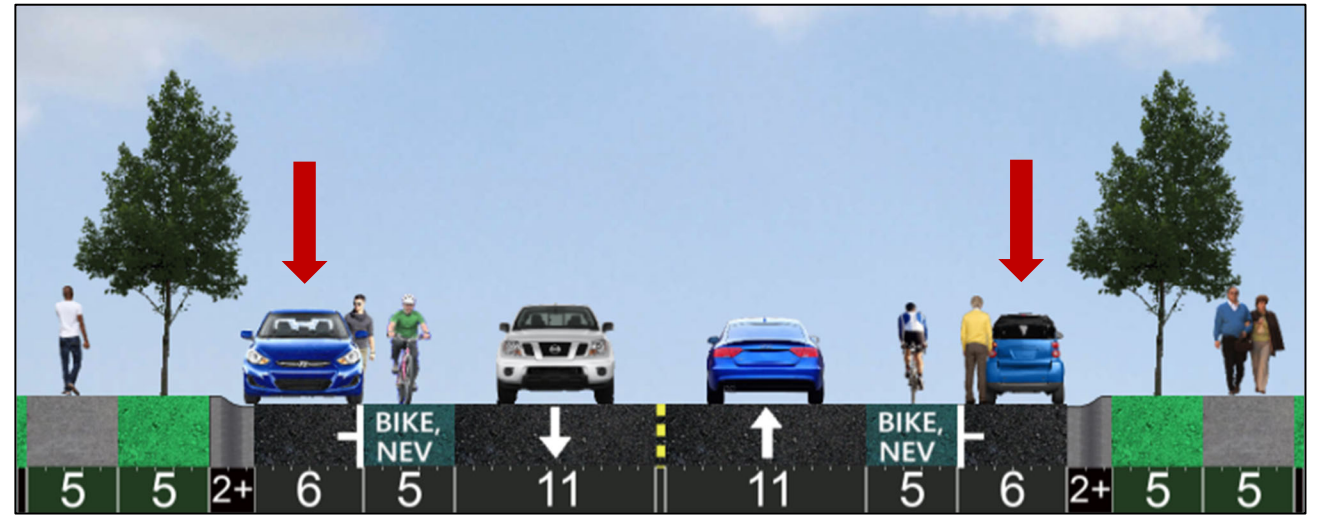


Commercial/Industrial Collector Street Cross-sections

Commercial/Industrial Collector Street 70' ROW with Parking

This is a rendering of a standard commercial/industrial collector street as shown in the town's street manual. The red arrows denote on-street parking.

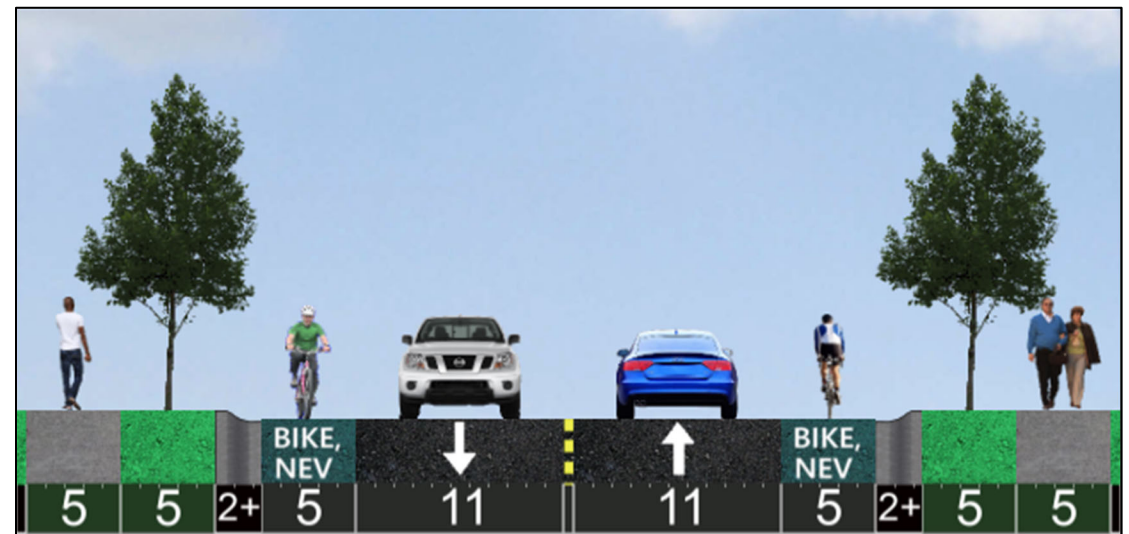
| | |
|---------------------------|---|
| Right-of-Way: | 70' |
| Sidewalk: | 5' |
| Planting Strip: | 5' |
| Travel Lane: | 11' |
| On-street Parking: | 8' (6' of asphalt and 2' curb & gutter) |



Commercial/Industrial Collector Street 58' ROW without Parking

This is a commercial/industrial collector street with 12' of on-street parking removed (6' from either side). All other design elements remain the same, including curb and gutter. The right-of-way is reduced by 12' (the amount of parking removed).

| | |
|---------------------------|--------------------------------|
| Right-of-way: | 58' |
| Sidewalk: | 5' |
| Planting Strip: | 5' |
| Travel Lane: | 11' |
| On-street Parking: | None (curb and gutter remains) |



Draft Joint Public Hearing Minutes (Excerpt)

Joint public hearing

7 p.m. January 18, 2024

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

6. Text amendments to the Unified Development Ordinance

B. Text amendment to UDO Section 6.21.3 Design Standards - Public Streets (applicant-initiated)

Boyle explained that the applicant originally sought a change to allow right of way (ROW) reductions for local streets if no on-street parking was proposed, with a minimum ROW width of 48 feet. Staff recommended some changes, not specific to local streets, and the applicant agreed with the revisions. The amendment allows ROW reduction if on-street parking is allowed but not proposed. Town review and approval would be required. The amendment includes ROW widths for multi-lane avenues pulled from the street manual, bringing it in line with the Unified Development Ordinance (UDO).

Applicant Oliver Kaija from Bohler Engineering in Raleigh said he was representing E. J. Shaw and the Shaw Family trust, which owns a parcel on Waterstone Dr. In researching the site development and dedication of public right of way (ROW), he found a discrepancy between the town's street design manual and the UDO for allowed ROW widths. He said the amendment would allow more projects like his to bring streets into the public right of way.

Asked by Schmidt if a ROW includes sidewalk, Boyle said it normally does. Schmidt expressed concern that moving parking off the street might create opportunities for cars to pass over pedestrian pathways. Boyle said in instances when staff had concerns that a design would infringe on pedestrian safety, they wouldn't approve. She said the amendment simply aligns the UDO with the street manual, allowing flexibility, but doesn't rule out on-street parking.

Hughes noted that the town board has adopted a policy of not encouraging more private roads and expressed concern that shrinking the width of roads would negate that policy, adding he was wary of amending town-wide code for a particular project. Boyle explained this particular project had drawn town staff's attention to a discrepancy between the town code and its street manual. She said any proposal that didn't meet the requirements of solid waste or public works would be denied by staff. She added the width of a ROW would be reduced only when on-street parking is allowed but not proposed and would at most be reduced to 48 feet, which is the width of the local ROW minus the standard 9' depth of a parking space on both sides of the street. Hughes noted there had been issues in the past with allowance of on-street parking on private roads that later were converted to public roads and that he wanted to ensure roads are wide enough to accommodate school buses and provide sufficient parking.

Ferguson said the board had addressed issues with school bus clearance in past discussions. Boyle said staff could add language about meeting requirements for access by fire and other vehicles. Chandler said even without designated on-street parking, drivers still park along the street. Ferguson, noting safety issues with delivery and construction vehicles parking on the street, asked if reductions in ROWs would create a hazard. Planning and Economic Development Manager Campbell said many of these problems were the result of previously designated private streets being converted to public streets after construction. She said these requirements apply just to new public streets, where wide ROWs aren't necessary if the developer is not

going to provide on-street parking. She said the town is no longer approving private streets for residential subdivisions over four lots.

Ferguson asked again if reducing widths of ROWs would create hazard, noting the rise in vehicles making home deliveries. Campbell said the town had added loading zones downtown because of drivers stopping in the middle of the road. Schultz noted that wider roads can create their own dangers, such as speeding and excess impervious surface. Ferguson and Chandler said many local streets are being impacted by the rise in home delivery services. Kaija said he recognized the challenges with residential collector streets, but said with his project, which is likely to be multifamily, with possible some office space, there would be dedicated curb cuts off the roads with their own parking. His client would be required by code to provide a loading zone for any building whose use requires it. He said that dedicating a 60' wide public ROW with on-street parking that won't be utilized makes the project untenable because of nearby stream buffers, adding that removing on-street parking would actually widen the lanes from 10 to 11.5 feet. He said his client wants to dedicate these as public ROW to create connectivity and that town staff would make sure they meet requirements for utilities and emergency vehicles.

Iglesias asked if the amendment would help mitigate problems with parking like those reported in the Collins Ridge development. Boyle said she wasn't sure and that illegal parking on the street was more of an enforcement issue. She noted wider ROWs and unnecessary impervious surfaces create their own problems, such as speed, and can encourage more parking on the street. Chandler asked how staff had landed on the 48-foot width. Boyle said that it was the absolute minimum ROW allowed for a residential local street if on-street parking is eliminated on both sides; it wouldn't be a practical minimum for a collector street, which has a larger ROW.

Hornik pointed out that 48 feet is the minimum width staff might allow; staff must be satisfied a proposal meets safety standards and other requirements before approving that width. Schmidt asked how the amendment would provide incentives for developers to dedicate more public ROWs. Kaija explained that when on-street parking is required when it's not congruent with a development, it takes away 16 feet of developable, marketable land that could be used for private parking or other amenities. He added that while the amount of private land retained by the developer would be increased, its use would still be subject to staff review.

Asked by Schmidt if town staff could ask developers for extra pedestrian safety measures like cutouts for delivery, Boyle said yes, the town can negotiate. Member Saru Salvi asked how other towns handle the issue. Boyle said she didn't have data on hand, but that there are standard widths for drive aisles and these were consistent with the other jurisdictions where she had worked. Kaija said he thought the town's standards for widths of lanes, planting strips, and utilities were congruent with those of other municipalities. Board member John Giglia asked if the reduction of ROWs would impact future bike lanes. Boyle said if a proposal concerned an area where the town wanted to account for bike lanes, staff would consider that in reviewing a proposed reduction.

Draft Planning Board Minutes (Excerpt)

Regular meeting

6:30 p.m. February 15, 2024

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

4. Discussion

A. UDO text amendment: Section 6.21.3 Design Standards - Public Streets

Boyle noted board members' earlier concerns about a 48' foot right-of-way being too narrow, particularly for residential streets, and how sidewalk and planting strips might be impacted by the narrowing of a right-of-way. She said the revised proposal provides more detail and has removed residential streets, so that the amendment applies only to commercial local and collector streets. She noted that the town's street manual follows the NCDOT's complete streets guidelines and adheres to AASHTO's standards for lane widths for urban and suburban streets.

She projected images of commercial local and industrial streets from the town's street manual and shared illustrations of those streets with on-street parking eliminated and the rights-of-way reduced by the width of the removed parking spaces.

Oliver Kaija of Bohler Engineering spoke on behalf of his client, V.J. Shaw. He said the text amendment created flexibility. He explained his firm would still be held to the same design criteria, such as turning radiuses, lane widths, and other requirements. He shared a rendering for a proposed right-of-way section for his project to illustrate that parking requirements for respective uses would be met. He shared other examples of developments proposing to dedicate public rights-of-way where on-street parking doesn't serve the purposes of the buildings.

Chandler asked when on-street parking is removed if the number of parking spaces lost is figured into parking lots. Kaija said yes, the same minimum parking requirements would apply. Schultz asked what is the process by which a road is designated commercial industrial vs. residential. Boyle said that designation is determined by traffic volume, speed limit, and land uses, amongst other things. Schultz said he thought it was a mistake to make that distinction in the UDO if the town wants to promote mixed-used development. Boyle said there probably needs to be a change to the street manual, on which the UDO is dependent. Schmidt said he'd search the UDO and didn't find any reference to "commercial industrial street." Boyle explained that the UDO is older than the town's street manual, so it has few references to it. When the UDO is updated, it will have more references to the street manual.

Boyle added that development projects have to be vetted by the Technical Review Committee, which includes representatives from the fire marshal's office, utilities, planning, and solid waste. Some projects, like a rezoning for a mixed-use development, would also be reviewed by the Planning Board and the Board of Commissioners. Schultz said he thought the board should allow the right-of-way reduction for residential as well as commercial streets. Schmidt also supported the potential to narrow street widths in residential areas. Chandler said her earlier concerns about a minimum 48' right-of-way for residential streets had been alleviated. Boyle noted that the Planning Board could recommend adding reductions for residential streets back into the amendment if desired.

Schmidt asked how much discretion the text amendment would give town planners in making decisions on rights-of-way and if there were sufficient guidelines to direct their decision-making. Boyle noted that planners

would consult with their technical partners on the Technical Review Committee, such as Public Works and the Fire Marshal; if those partners had issues, the right-of-way reduction would not be granted. Planners would not make the decision alone. Iglesias asked how the proposed amendment would benefit the entire town and if instead, staff might address the issue on a case-by-case basis. Boyle explained that currently, the UDO doesn't allow right-of-way reductions. The amendment would give staff the flexibility to make decisions on a case-by-case basis; currently, that flexibility does not exist. She noted there were other types of development where that flexibility would be helpful.

Casadonte noted that Boyle said that residential streets could be added back into the text amendment and that Chandler's concerns about the 48' minimum right-of-way width had been alleviated. Schultz proposed passing the amendment on to the Board of Commissioners with residential streets added back in because he thought, in the interest of long-term planning, it would be a mistake to take out an option for developers in the future. Salvi expressed concerns that the amendment leaves too much to the subjective judgment of a town official. Boyle said planners consult the entire UDO and are bound to what the UDO says. She said bigger deciding factors in this case would be concerns of police, fire, utilities, and public works, who have their own requirements to enforce for public roads. Schmidt asked Boyle if there was enough content in the amended ordinance for planners to make a decision at a level of interpretation she was comfortable with. Boyle said yes, but that the Planning Board could add more conditions or standards if desired.

Salvi and Iglesias expressed reservations about having the amendment apply to residential streets. Schultz then withdrew his motion to include residential streets. Casadonte said the goal of the text amendment was to create flexibility for staff, whose decisions still require multiple levels of review. He noted that the board hadn't talked about multi-use developments in its earlier discussion. Schultz acknowledged there is currently no multi-use designation for streets.

Motion: Schultz moved to recommend approval of the amendment as written. Salvi seconded.
Vote: 7-1 (Nays: Schmidt)

Schultz and Schmidt asked if the board can explore further what is meant by commercial vs. residential streets. Campbell said those definitions would be addressed in the revision of the UDO. Schmidt said he thought that revision should allow for narrowing of residential streets.

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

Text Amendment Request from: Oliver Kaija (Bohler Engineering)
March 11, 2024

The Town of Hillsborough Board of Commissioners has received and reviewed the application from Oliver Kaija with Bohler Engineering to amend the Town of Hillsborough Unified Development Ordinance as follows:

Amend UDO §6.21.3 (Design Standards – Public Streets) to allow requests for reductions in rights-of-way for commercial/industrial local and collector streets when on-street parking is omitted; such a request shall be considered and granted only when the proposed right-of-way reduction a) is no more than the width of the omitted on-street parking, and b) does not impact any other design elements required in the town’s Street Manual (e.g., travel lanes, sidewalks).

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

1. The amendment **is/is not consistent** with the *Transportation and Connectivity* chapter goal to “Develop and maintain a safe, efficient, and sustainable multimodal transportation system (including bicycle, pedestrian, and transit options) that offers alternatives to single-occupancy vehicle trips and promotes health and access to area jobs, destinations, and services.”

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

The foregoing consistency statement, having been submitted to a vote, received the following vote and was duly adopted this 11th day of March in the year 2024.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk



ORDINANCE

Amending the Hillsborough Unified Development Ordinance

Section 6.21.3 *Design Standards – Public Streets*

The Hillsborough Board of Commissioners ordains:

- Section 1.** The amendment to Section 6.21.3 *Design Standards – Public Streets* as attached hereto.
- Section 2.** All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 3.** This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 11th day of March in the year 2024.

Ayes:
Noes:
Absent or excused:

Sarah E. Kimrey, Town Clerk

6.21 STREETS

6.21.3 DESIGN STANDARDS – PUBLIC STREETS

6.21.3.3 Minimum right-of-way widths for public streets are as follows:

| Minimum Right-of-Way (ROW) Widths by Public Street Type | | |
|---|---|---|
| Public Street Type | Minimum ROW Width (ft.) | ROW Reduction Allowed |
| Arterial Street | 100' (standard) or 150' (multi-lane boulevard) | No |
| Collector Street | 70' (standard) or 120' (multi-lane boulevard) | New commercial/industrial streets only |
| Local Street | 60' | New commercial/industrial streets only |
| Cul-de-sac | 50' | No |

6.21.3.4 In some cases, minimum right-of-way widths for new commercial/industrial streets may be reduced. Proposed cross-sections and dimensional standards must be submitted to the town for review and approval. A right-of-way reduction shall be granted only under the following conditions:

- 6.21.3.4.a The proposed street is either a commercial/industrial local street or a commercial/industrial collector street as defined in the town's Street Manual;
- 6.21.3.4.b On-street parking is omitted from the proposed street design;
- 6.21.3.4.c The right-of-way is reduced by no more than the width of the omitted on-street parking; and
- 6.21.3.4.d The right-of-way reduction does not impact any other design elements required in the Street Manual, including but not limited to minimum width requirements for travel lanes, planting strips, and/or sidewalks.



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: Community Services
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Matt Efird, Assistant Town Manager

ITEM TO BE CONSIDERED

Subject: Potential Urban Archery Program

Attachments:

1. Presentation – Potential Urban Archery Program
2. Map – Potential Sites for Urban Archery

Summary:

In response to a request from a group of residents in January ([Deer Population Mitigation Presentation](#)), staff has evaluated potential sites and pros/cons of a potential Urban Archery program in Hillsborough. An internal working group consisting of representatives from the Police Department, Public Spaces & Sustainability, Planning & Economic Development and Stormwater & Environmental Services met to review the resident research and discuss options for a potential Urban Archery program.

The objective of this agenda item is to recognize the issue of deer overpopulation in town and provide information to the board on what options and tools are available to the town and residents. The attached presentation includes additional feedback from the NC Wildlife District Biologist, data from NCDOT on deer-related traffic incidents in Orange County, proposed guidelines, other concerns and options for board consideration.

Financial impacts:

The cost to the town to implement an Urban Archery program is negligible. If the board wishes to pursue other options such as a Comprehensive Wildlife Management Plan or hiring a professional wildlife management contractor, there would be additional costs.

Staff recommendation and comments:

None

Action requested:

Provide feedback on potential options for an Urban Archery program.

Potential for Urban Archery Program in Hillsborough

Board of Commissioners

March 11, 2024



TOWN OF
HILLSBOROUGH

Introduction

- In January, a group of residents approached the Board regarding their interest in starting an Urban Archery season in Hillsborough to address deer overpopulation
- The residents provided a significant amount of research and background information, which can be viewed at <https://mccmeetingspublic.blob.core.usgovcloudapi.net/hillsbronc-meet-398eadc7b22148ea9ba9f54b4588285b/ITEM-Attachment-001-673ee358ba5a4f14828af24ce4a5300e.pdf>
- An internal staff working group (Public Space & Sustainability, Stormwater & Environmental Services, Planning & Economic Development, Hillsborough Police Department) met to discuss potential regulations and questions/concerns

Objectives of Discussion

- Recognize the issues associated with deer overpopulation
- Discuss what additional tools the town can consider to address the issues

Additional Research

- Residents interviewed the district biologist with NC Wildlife and provided the following additional information
 - Urban Archery program is over 20 years old
 - Over 60 participating municipalities
 - Only requirement from town is letter requesting to participate and map of eligible areas
 - Wildlife will enforce normal hunting regulations and will be available to assist the town with overall wildlife management plans
 - The town can institute additional rules beyond statewide hunting rules – time and location limits, limit on hunting weapons, additional proficiency test, etc.

Additional Research (continued)

- Residents interviewed the district biologist with NC Wildlife and provided the following additional information
 - 2024 season underway – about 40 deer harvested statewide, only 1 in District 5 as of late January.
 - District 5 includes Rockingham, Guilford, Randolph, Chatham, Lee, Alamance, Caswell, Person, Granville, Durham and Orange Counties
 - Deer population in Orange County estimated at 50+ per square mile – Hillsborough area estimated 41-50 per square mile
 - Hunting accidents in NC are rare and most injuries are due to falls from deer stands.
 - Feeding deer can actually cause starvation – their gut biomes don't adjust to human-provided food

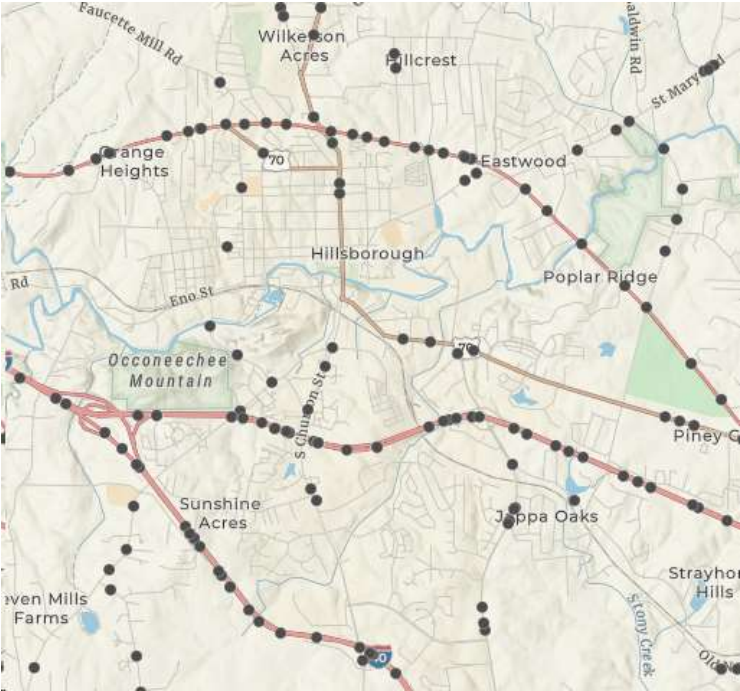
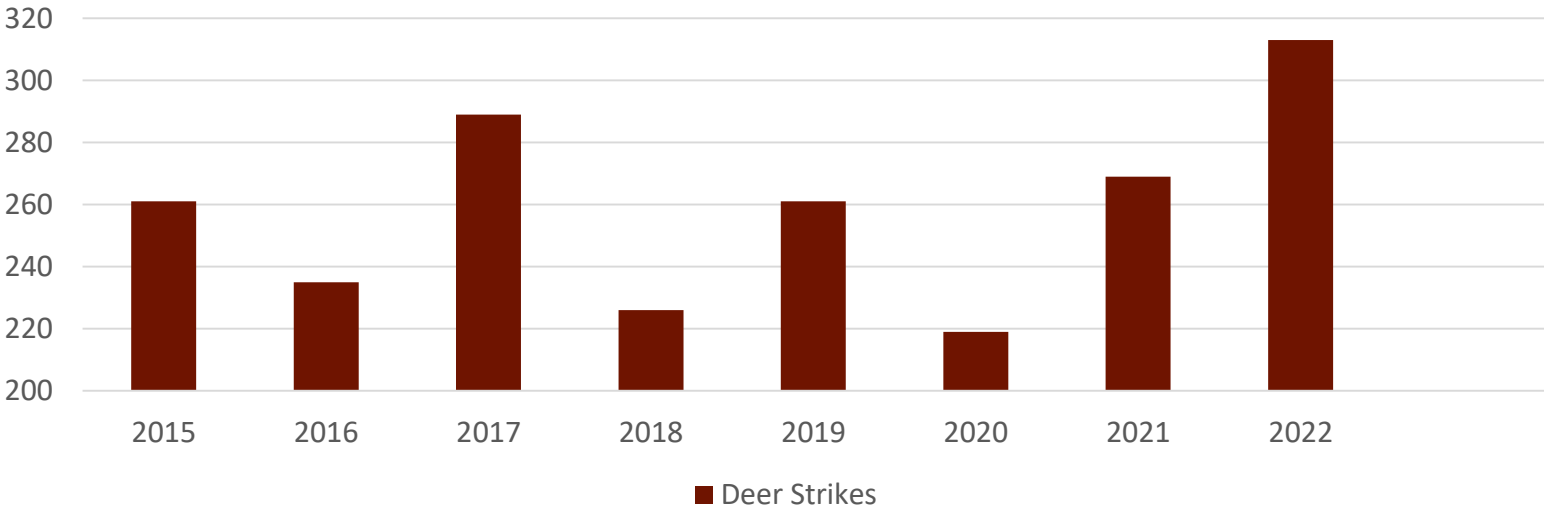
Additional Research (continued)

- Residents interviewed the district biologist with NC Wildlife and provided the following additional information
- Q: Are there any municipalities we could talk to that seem to manage a highly effective program?
 - A: Short answer-- No. As previously stated, many municipalities feel the need to do something. Whether it is effective for them or not. They seem to feel the need to say they are trying to address the problem. This is one way to show their citizens they are trying. Additionally, hunters do not seem particularly interested in this program for 2 primary reasons: 1) they spent the last 3 months hunting and most have filled their quotas, and 2) many do not seem to be interested in urban hunting. It does not seem to fit their understanding of what "hunting" is or entails.

Defining the Problem

- Vehicle Crash Information (NCDOT data)
 - 2015-2022 there were 2,073 deer-related traffic accidents in Orange County (Avg. 260/yr) – ranked 30 out of 100 counties
 - 2020-2022 data – 801 crashes, 48 injuries, \$2.56m in damage
 - HPD feedback – not many crashes “in town”, most low speed/low impact

Deer Strikes in Orange County



Defining the Problem

- **Health and Safety Concerns**

- Deer population too large and unsustainable – more disease and malnourishment, shallow gene pools, more aggressive foraging
- More deer = more ticks. Lyme disease is spreading eastward through the state, other diseases such as Anaplasmosis, Ehrlichiosis, Rocky Mountain Spotted Fever have been reported in Orange County. Alpha-Gel Syndrome (“meat allergy”) increasingly suspected in North Carolina.
- Chronic Wasting Disease (prion disease similar to “Mad Cow”) – not seen yet in Orange County but large backlog of state tests, has been identified in Franklin County.
- Additional Deer/human contacts can lead to greater chance for injuries to both

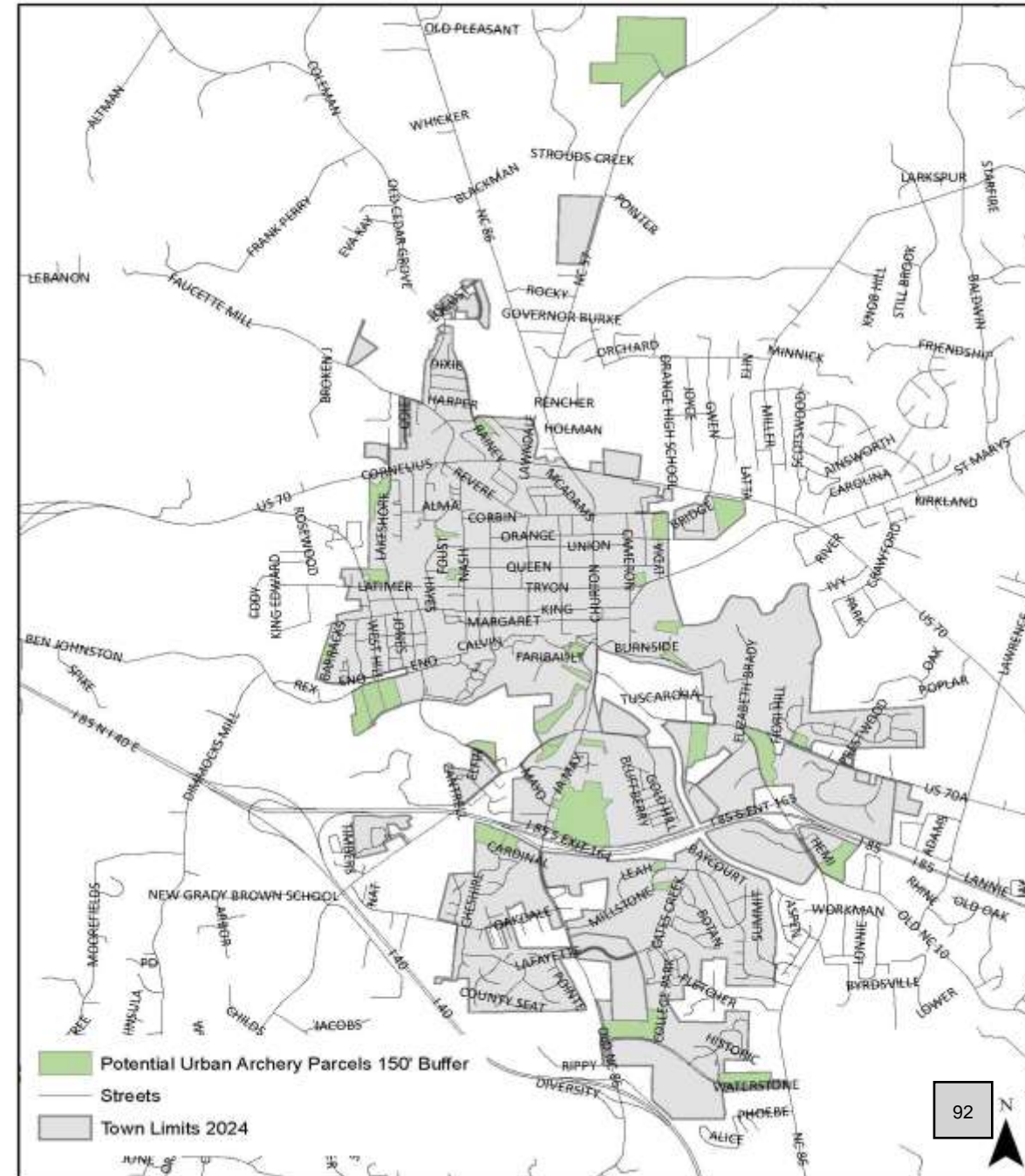
Proposed Guidelines

- Proposed regulations would be similar to Chapel Hill program (in place since 2010)
 - Urban Archery program open to properties at least 2 acres in size.
 - Bow hunting not allowed within **150 to 500** feet of dwellings, businesses, roads.
 - Property owners CAN...
 - Hunt for deer with a bow and arrow on their own property with a proper hunting license and during Central North Carolina's deer season as determined by the NC Wildlife Resources Commission.
 - Apply to NC Wildlife Resources Commission for a Depredation Hunting Permit. This permit allows property owners to hunt on their own property outside of regular and urban archery seasons with certain restrictions and regulations.
 - Report illegal or unsafe hunting to the Wildlife Resources Commission and/or Hillsborough Police Department.
 - Property owners CANNOT...
 - Use firearms within the Town limits.
 - Hire professional hunters to eliminate the deer on their property.
 - Track a wounded deer onto adjacent property while hunting without the permission of the adjacent property owner.
 - Regular hunters can ...
 - Hunt deer with bow and arrow within the town limits on private property with permission from the land owner.
 - Regular hunters CANNOT ...
 - Hunt on town-owned property or publicly accessible recreational/park land, or any other publicly-owned land.

Eligible Properties

- Staff has identified 48 potentially eligible properties that meet the following criteria:
 - Over 2 acres in size
 - Privately-owned (not public property or open to public recreation)
 - Not multifamily or commercial uses
 - At least **150** feet from structures

Town of Hillsborough Potential Urban Archery Parcels



Other Concerns

- Irregular town borders may create confusion over town regulations vs. County/NC Wildlife regulations
- Staff/administrative oversight of program
- Suitable parcels for hunting are not generally where the problematic deer populations are located
- Deer are causing significant landscape material damage on both public and private property
- Urban Archery program is generally ineffective at controlling/reducing deer population
- Other nuisance animals not addressed – groundhogs, vultures, geese, etc.
- Input has not been received from broader community

Additional Options to Consider

- In addition to a potential Urban Archery program, the Board may also consider:
 - Work with NC Wildlife and/or consultant on comprehensive wildlife management plan
 - Additional education/outreach on dangers of feeding deer
 - Promotion and use of deer-resistant landscaping
 - Hiring of professional wildlife management contractor to harvest from public property in controlled program

Potential for Urban Archery Program in Hillsborough

Board of Commissioners

March 11, 2024



TOWN OF
HILLSBOROUGH

Town of Hillsborough Potential Urban Archery Parcels





Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: Utilities
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Utilities Director K. Marie Strandwitz, PE

ITEM TO BE CONSIDERED

Subject: Revisit Backflow Assembly Reimbursement Vote of December 12 – Saru Salvi

Attachments:

E-mail correspondence from out-of-town resident, current planning board member and past Water and Sewer Advisory Committee member, Saru Salvi

Summary:

Staff has prepared this abstract for the request being made by Ms. Salvi who has E-mailed the commissioners and town manager on several occasions (attached) regarding a cross-connection control assembly she installed per town request. She has requested to be placed on the regular agenda to revisit the prior motion taken on Dec. 12, 2023 regarding backflow assembly installation reimbursements for certain customers. This discussion occurred as a separate agenda item after the town ordinance was modified to allow an air gap option at the same meeting.

History

After complaints of hardship were heard earlier in 2023 from residents owning in-ground swimming pools, the commissioners motioned that staff and the Water and Sewer Advisory Committee (with customer input) take up modifying the cross-connection control ordinance to allow a lesser or no cost backflow protection option for residential swimming pool owners. Swimming pools are deemed a severe hazard in the town ordinance and the ordinance at the time did not differentiate on the ownership or type of pool. These residential owners had received a compliance letter to install a reduced pressure principle assembly according to the town cross connection control ordinance and as implemented by town staff when pools were being installed.

Recommendations were discussed and ordinance revisions were presented at the Dec. 12, 2023 regular meeting. The commissioners voted to modify the ordinance at this meeting to include an air gap alternative which is a no cost cross connection control method of maintaining a physical separation between the potable water supply and the pool water (or any potentially contaminating body of water). However, even before this concern was presented to the board, seven customers had installed the assembly per the town compliance letter. Ms. Salvi was one who promptly installed the assembly in compliance with the town ordinance. The assembly was previously the only option for swimming pool owners, residential or non-residential.

Summary of Recent Events

1. In May 2023, the town board directed the Water and Sewer Advisory Committee to discuss and recommend modifications to the ordinance and reimbursement options for those seven customers who complied with the ordinance and installed the assembly before the ordinance was modified.
 - While not a unified recommendation to reimburse, the staff in consultation with the town's attorney and the committee specifically discussed the parameters of reimbursement, which were written in the agenda abstract and discussed with the commissioners on Dec. 12, 2023.
 - These parameters included only reimbursement for the installation and testing costs of the assembly. The town attorney and committee felt there was at least some sort of rational nexus to reimburse, with town funds, the installation and initial testing since the installation of the assembly is for the overall protection of the water supply.
2. During the Dec. 12, 2023, regular meeting on the reimbursement recommendation from the committee, it was verbally explained that the committee recommendation did NOT include removal and restoration costs and why it did not.
 - The mayor also specifically inquired during the discussion if anyone asked about reimbursement for removal costs. The response was yes, one person. The commissioners had no further discussion about changing the committee recommendation on reimbursement for removal costs before the motion to accept the reimbursement terms.
 - After the board motion on the reimbursement whose minutes also reflected that it did not include removal and restoration costs, staff sent out the letters and instructions to the seven impacted customers offering reimbursement as determined in the December motion. The customer letter clearly indicated that removal and restoration was not included.

Staff has already processed six of the seven reimbursement offers for installation and testing. Of these, five have elected to keep the assembly installed for the time being. Staff spoke with the plumbing company for the remaining customer that has not yet submitted their paperwork. This customer's plumber applied for a permit after the town noted to pause the installation and installed the assembly without a permit. The company indicated they had removed the assembly at their own discretion after not receiving a final inspection (due to no permit issuance) and before winter. They only charged this customer their discounted time for the mix up which we will reimburse if the paperwork is received. Thus, only Ms. Salvi has actively chosen to remove her assembly.

Staff has added points of discussion for consideration below.

Financial impacts:

Financial impacts are not as critical as the precedent and rational nexus points made below. However, Ms. Salvi is requesting an additional \$1,500 for the removal of the assembly in addition to the \$3,150 she was already reimbursed for the installation and testing. If granted, then it is presumed the same offering would be made to the others and such costs are unknown.

Staff recommendation and comments:

- Ms. Salvi removed the assembly at her own desire and risk knowing that the board had not voted to include removal and restoration costs. She is now requesting an after the fact revision to the vote.
- The town did not require removal of the assembly. It is still a valid protection option.

- The town's goal is to protect the public water supply from potential severe hazards. Even though the air gap method is an option, the assembly provides the utmost protection.
- At least five of the seven customers have indicated they will keep their assembly after reimbursement for installation. This is a relief for staff knowing definite protections are present as we do know that reverse flow through water meters does indeed occur. The remaining customer who has yet to apply for reimbursement did not have a choice to keep or remove the assembly as their plumber removed it because it was installed without a permit and they did not want it to freeze or charge for the insulated box.
- The Committee struggled with the legal ramifications or optics of using public funds to reimburse only certain customers for an assembly that meets current requirements seemed inequitable and was difficult to develop a rational nexus for doing so. The town does not commonly go back to any others when a code is relaxed to offer such reimbursement. Already this was a generous offer by the commissioners.
 - The rational nexus determined for using public funds for just the installation and testing to this group of impacted residential pool owners is that it is for protection of the public water supply, and it is justifiable in this manner.
 - In staff's opinion, it would be very difficult to make a rational nexus to use public funds for lessening the protection of the public water supply when it is still an appropriate cross connection control method AND the town did not require its removal.
- Another reason the committee was split on recommending any reimbursement is that it would upset a long-standing precedent of customer responsibility for cross connection control and equity in application of the requirements as a residential swimming pool is considered a severe hazard if back-flowed into the water supply just as any other potential severe hazard – residential or non-residential – as stated in many industry reference materials. When exceptions are made for certain subsets of people, it becomes very complicated on all fronts.
- Changing the vote would go against the recommendation of the committee who was asked by the commissioners to discuss and present such recommendations, and which were indeed accepted by the commissioners with detailed discussion of the terms.
- Changing the prior vote to include removal and possibly restoration will cause overloaded staff to develop and send another letter of explanation and to process additional reimbursements it did not account for in prior financial impacts and time. Already there have been missteps and confusion through this matter. Already over half of the reimbursements have been processed. No other impacted customer has questioned or complained the board offer of reimbursement under the terms provided. Staff is requesting to consider this matter closed and move on to other pressing items.

Action requested:

Discuss whether to modify the prior decision parameters of the backflow assembly reimbursement offer of Dec. 12, 2023.

Subject: Request to be Placed on Town Commissioner's Agenda 11 March 2024 meeting
Date: Sunday, February 18, 2024 at 5:48:02 PM Eastern Standard Time
From: sarusalvi@nc.rr.com <sarusalvi@nc.rr.com>
To: Sarah Kimrey <Sarah.Kimrey@hillsboroughnc.gov>
CC: Eric Peterson <Eric.Peterson@hillsboroughnc.gov>, Mark Bell <Mark.Bell@hillsboroughnc.gov>, Robb English <Robb.English@hillsboroughnc.gov>, Kathleen Ferguson <Kathleen.Ferguson@hillsboroughnc.gov>, 'Matt.Hughes' <Matt.Hughs@hillsboroughnc.gov>, 'Evelyn Lloyd' <Eveyn.Lloyd@HillsboroughNC.gov>, Meaghun Darab <Meaghun.Darab@hillsboroughnc.gov>, Eric Peterson <Eric.Peterson@hillsboroughnc.gov>, Marie Strandwitz <marie.strandwitz@hillsboroughnc.gov>, Robert Hornik <hornik@broughlawfirm.com>
Attachments: Inv_1751_from_LCG_of_NC_Inc._17232 Backflow removal.pdf, To the Esteemed Members of the Town Council.docx

Hello Sarah

I hope things are going well, and that you enjoyed the long weekend.

I am writing to formally request to be placed on the agenda for the next Town Council meeting to discuss the reimbursement of the cost I incurred for removing the Backflow Valve at my property located at 506 Silver Fox Cir., Hillsborough, NC 27278.

Attached is my invoice for the removal and a document outlining reason for the request.

Saru Salvi
919-259-3323

To the Esteemed Members of the Town Council,

I am writing to respectfully appeal the current policy regarding backflow valve removal costs, specifically as it applies to my residence at 506 Silver Fox Cir. This concerns the **unfortunate sequence of events** surrounding the mandatory installation of backflow valves followed by a reversal of that requirement.

Following the Town's demand letter, I complied in good faith with the installation, incurring a significant cost of \$1,500. However, I soon learned that **other residents in similar situations did not face the same mandate.** This inconsistent application of the policy created an unfair situation where some of us, the **compliant residents, are now burdened with the additional expense of removal,** while those who chose not to install initially incurred no costs at all.

The current reimbursement program, while acknowledging the initial installation cost, **neglects the additional and substantial expense of valve removal.** This incomplete compensation further amplifies the **inequity faced by compliant residents like myself.** We not only bore the initial cost but are now unfairly left to manage the removal, all due to a shift in the Town's policy.

Given this situation, I urge the Town Council to **reconsider the policy regarding backflow valve removal costs,** specifically for cases where the installation was mandatory and then reversed. To address this inequity and ensure fair treatment for all residents, I propose the following options for your consideration:

- **Full reimbursement of the \$1,500 removal cost:** This would simply make me whole in this situation, where I acted in good faith based on the Town's initial mandate.
- **Partial cost coverage:** Offering a significant portion of the removal cost would significantly alleviate the financial burden and demonstrate a commitment to addressing the policy inconsistency.
- **Revision of the reimbursement program:** Modifying the program to encompass both installation and removal costs, considering the disruption caused by unnecessary equipment, would create a more equitable outcome for all affected residents.

I believe this issue warrants your immediate attention to ensure **fairness and equal treatment for all town residents.**

LCG of NC, Inc.
 PO BOX 893
 Denver, NC 28037

Invoice

| | |
|-----------|-----------|
| Date | Invoice # |
| 2/13/2024 | 1751 |

| |
|------------|
| Bill To |
| Saru Salvi |

| | | |
|----------|----------------|---------|
| P.O. No. | Terms | Project |
| | Due on receipt | |

| Description | Quantity | Unit Price | Unit | Amount |
|--|----------|------------|--------------|------------|
| Remove existing backflow and straight pipe domestic water line | 1 | 1,500.00 | sum | 1,500.00 |
| | | | Total | \$1,500.00 |

| | | | |
|---------|------------|--------|--------------------------|
| Phone # | 3362130105 | E-mail | lesliereeves@charter.net |
|---------|------------|--------|--------------------------|

Subject: RE: RPZ Reimbursement - Salvi.pdf
Date: Sunday, February 18, 2024 at 3:40:50 PM Eastern Standard Time
From: sarusalvi@nc.rr.com <sarusalvi@nc.rr.com>
To: Mark Bell <Mark.Bell@hillsboroughnc.gov>, Robert Hornik <hornik@broughlawfirm.com>
CC: Robb English <Robb.English@hillsboroughnc.gov>, Kathleen Ferguson <Kathleen.Ferguson@hillsboroughnc.gov>, 'Matt.Hughes' <Matt.Hughs@hillsboroughnc.gov>, 'Evelyn Lloyd' <Eveyn.Lloyd@HillsboroughNC.gov>, Meaghun Darab <Meaghun.Darab@hillsboroughnc.gov>, Eric Peterson <Eric.Peterson@hillsboroughnc.gov>, Marie Strandwitz <marie.strandwitz@hillsboroughnc.gov>
Attachments: image007.png, image008.png, image009.png, image010.png, image011.png

Thank you Mark. I never received the 29 Jan email from Eric. I even did a search.

I will review the instructions for on how to the next meeting.

Have a good week.

Saru Salvi
919-259-3323

From: Mark Bell <Mark.Bell@hillsboroughnc.gov>
Sent: Sunday, February 18, 2024 3:20 PM
To: sarusalvi@nc.rr.com; Robert Hornik <hornik@broughlawfirm.com>
Cc: Robb English <Robb.English@hillsboroughnc.gov>; Kathleen Ferguson <Kathleen.Ferguson@hillsboroughnc.gov>; 'Matt.Hughes' <Matt.Hughs@hillsboroughnc.gov>; 'Evelyn Lloyd' <Eveyn.Lloyd@HillsboroughNC.gov>; Meaghun Darab <Meaghun.Darab@hillsboroughnc.gov>; Eric Peterson <Eric.Peterson@hillsboroughnc.gov>; Marie Strandwitz <marie.strandwitz@hillsboroughnc.gov>
Subject: Re: RPZ Reimbursement - Salvi.pdf

Hi Saru,

Acknowledging your message from yesterday and am attaching Eric's response to your request for RPZ removal reimbursement from Jan. 29 at 12:15pm for reference. The Town Board cannot legislate via email, and we respectfully request that you follow the guidelines Eric outlined on the 29th to petition the Board for reimbursement. Please see [Section 2-6b of the Town Code](#) for details on your right to a request to be placed on a Board agenda.

Regarding Eric's response from the 29th, almost three weeks have lapsed since your earlier message and so the deadline for submitting your information to the Town Clerk may need to be pushed back to meet the requirements for assembling materials for the next available Board meeting. Typically, you should provide your materials to the Town Clerk two Wednesdays prior to the scheduled meeting of the Board at which you want to be heard. If you desire the Board to consider your request, you need to follow these steps. Alternatively, you may take your request to Small Claims Court, and I recommend you

engage an attorney to guide you through this process.

I hope this message is helpful and we look forward to your response.



Mark Bell | he, him, his

Mayor

[Town of Hillsborough](#)

101 E. Orange St., Hillsborough, North Carolina

Office: [919-296-9411](tel:919-296-9411)



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

From: sarusalvi@nc.rr.com <sarusalvi@nc.rr.com>

Date: Saturday, February 17, 2024 at 9:54 AM

To: Mark Bell <Mark.Bell@hillsboroughnc.gov>, Robb English <Robb.English@hillsboroughnc.gov>, Kathleen Ferguson <Kathleen.Ferguson@hillsboroughnc.gov>, 'Matt.Hughes' <Matt.Hughs@hillsboroughnc.gov>, 'Evelyn Lloyd' <Eveyn.Lloyd@HillsboroughNC.gov>, Meaghun Darab <Meaghun.Darab@hillsboroughnc.gov>

Cc: Eric Peterson <Eric.Peterson@hillsboroughnc.gov>, Marie Strandwitz <marie.strandwitz@hillsboroughnc.gov>

Subject: RE: RPZ Reimbursement - Salvi.pdf

Dear Mayor Bell and Town Commissioners,

I am writing to follow up on my previous request for reimbursement regarding the removal of the backflow valve on my property. As you know, I proactively complied with regulations and installed the valve in **April 2023**.

Attached you will find my invoice and check proving payment for the removal, which cost me \$1,500. I am deeply concerned that the current policy does not reimburse removal costs. This effectively penalizes proactive residents like myself who followed the regulations in good faith.

The current policy rewards those who waited to install the valve avoided both the initial installation and now the removal expense, creating a financial incentive to **not** comply with Town regulations. Conversely, residents like myself who acted promptly are now left financially worse off for complying with regulations that have since been reversed. This is simply unfair.

I urge the Town Board to reconsider the current policy and **immediately include removal costs in the reimbursement program**.

I prefer to avoid legal action, but I am prepared to pursue that option if my concerns remain unaddressed.

An immediate response and resolution by 29 February 2024.

Saru Salvi

919-259-3323

From: sarusalvi@nc.rr.com <sarusalvi@nc.rr.com>
Sent: Thursday, February 1, 2024 4:23 PM
To: 'Marie Strandwitz' <marie.strandwitz@hillsboroughnc.gov>
Subject: RE: RPZ Reimbursement - Salvi.pdf

Please find the Invoice and a copy of the front/back of my check as well as the W9. Submission for reimbursement of the installation of the RPZ, does not mean that I am expecting reimbursement of the removal of the RPZ.

Saru Salvi
919-259-3323

From: Marie Strandwitz <marie.strandwitz@hillsboroughnc.gov>
Sent: Tuesday, January 30, 2024 5:55 PM
To: Saru Salvi <sarusalvi@nc.rr.com>
Cc: sarusalvi@gmail.com; Eric Peterson <Eric.Peterson@hillsboroughnc.gov>; Troy Miller <Troy.Miller@hillsboroughnc.gov>; Bryant Green <Bryant.Green@Hillsboroughnc.gov>
Subject: RPZ Reimbursement - Salvi.pdf

Good evening, Saru,

I hope you are doing well. Attached you will find instructions regarding reimbursement of the installation and initial testing of your reduced pressure zone (RPZ) assembly as offered by our commissioners along with outreach information if you choose to instead utilize an air gap.

Thank you for your patience as we worked through the matter. Please let me know if any of the files are inaccessible. We will follow up with a hard copy priority mailing.

Sincerely,
Marie

Subject: RE: RPZ Reimbursement - Salvi.pdf

Date: Thursday, February 1, 2024 at 4:30:56 PM Eastern Standard Time

From: sarusalvi@nc.rr.com <sarusalvi@nc.rr.com>

To: Marie Strandwitz <marie.strandwitz@hillsboroughnc.gov>

CC: Eric Peterson <Eric.Peterson@hillsboroughnc.gov>, Troy Miller <Troy.Miller@hillsboroughnc.gov>, Bryant Green <Bryant.Green@Hillsboroughnc.gov>

I have sent my paperwork to be reimbursed for the installation of the RPZ to Marie. I did not copy all, since the W9 has my social security number. I expect that the W9 to be forward to Accounts Payable without sharing this document with anyone else.

Furthermore, I would like to clarify that my current request solely pertains to the installation costs. I intend to submit a separate request for the RPZ removal expenses once the work is completed.

Saru Salvi
919-259-3323

From: Marie Strandwitz <marie.strandwitz@hillsboroughnc.gov>

Sent: Tuesday, January 30, 2024 5:55 PM

To: Saru Salvi <sarusalvi@nc.rr.com>

Cc: sarusalvi@gmail.com; Eric Peterson <Eric.Peterson@hillsboroughnc.gov>; Troy Miller <Troy.Miller@hillsboroughnc.gov>; Bryant Green <Bryant.Green@Hillsboroughnc.gov>

Subject: RPZ Reimbursement - Salvi.pdf

Good evening, Saru,

I hope you are doing well. Attached you will find instructions regarding reimbursement of the installation and initial testing of your reduced pressure zone (RPZ) assembly as offered by our commissioners along with outreach information if you choose to instead utilize an air gap.

Thank you for your patience as we worked through the matter. Please let me know if any of the files are inaccessible. We will follow up with a hard copy priority mailing.

Sincerely,
Marie

Subject: RE: Backflow Valve

Date: Monday, January 29, 2024 at 12:15:34 PM Eastern Standard Time

From: Eric Peterson <Eric.Peterson@hillsboroughnc.gov>

To: sarusalvi@nc.rr.com <sarusalvi@nc.rr.com>

CC: Meaghun Darab <Meaghun.Darab@hillsboroughnc.gov>, Matt Hughes <matt.hughes@hillsboroughnc.gov>, Robb English <Robb.English@hillsboroughnc.gov>, Mark Bell <Mark.Bell@hillsboroughnc.gov>, 'Evelyn Lloyd' <Eveyn.Lloyd@HillsboroughNC.gov>, Kathleen Ferguson <Kathleen.Ferguson@hillsboroughnc.gov>, Marie Strandwitz <marie.strandwitz@hillsboroughnc.gov>, Robert Hornik <hornik@broughlawfirm.com>, Sarah Kimrey <Sarah.Kimrey@hillsboroughnc.gov>, Jen Della Valle <Jen.DellaValle@hillsboroughnc.gov>

Hi Saru,

I hope you are doing well. That was a nice article about you and your husband in Hillsborough Magazine last month. The answers to your two inquiries are below.

1. Staff is sending the RPZ reimbursement letters out tomorrow via priority mail. Thus, most people should receive the information within a few days.
2. Regarding your request to get reimbursed for removal of the RPZ you installed, this would require town board action and is not something staff can undertake without their approval. The following options are available if you'd like the town board to consider your request:
 - a. Attend the Feb. 12 town board meeting and sign-up to speak on "matters not on the printed agenda" before the meeting starts. You would be recognized early in the meeting and have three minutes to address the town board. The board could then provide direction on how to handle your request.
 - b. Make a request to Town Clerk Sarah Kimrey to be on the Feb. 12 agenda to address this issue. This can be done via email. The request should include the topic, request, and ideally supporting information that explain your case. To make the next meeting (Feb. 12) this would need to be received by the town clerk by 5:00 p.m. this Wednesday (Jan. 31). This is the same deadline we use for departments to submit information.
 - c. The same options would be available for the March 11 meeting, except the deadline for submitting information for an item on the regular agenda would be Feb. 28 or two Wednesdays before the town board meeting.

Sincerely,

Eric



Eric Peterson | he, him, his

Town Manager

[Town of Hillsborough](#)

101 East Orange Street, Hillsborough, North Carolina

Office: [919-296-9421](tel:919-296-9421)



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



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: Community Services
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Matt Efird, Assistant Town Manager

ITEM TO BE CONSIDERED

Subject: Petition from Corbinton Residents Regarding Acceptance of Alleys

Attachments:

1. E-Mail and Attachments from Corbinton Residents
2. Slides
3. Staff Memo

Summary:

This item is in response to a request from a group of Corbinton Commons residents to address the board regarding staff's position regarding the acceptance of alleys in Corbinton Commons for public maintenance. The attached documents and staff memo contain details on the history of the development in general and the alleys specifically leading to this point.

Financial impacts:

The cost to the town will vary significantly based on the board's direction to proceed.

Staff recommendation and comments:

None.

Action requested:

Receive input from residents and provide feedback on proposed options for a path forward.

Matt Efird

From: Doris Bargmann [REDACTED] >
Sent: Monday, February 26, 2024 9:07 PM
To: Matt Efird
Cc: Earl Price; Williams, Merle; Richard; Eric Schneidewind; Eric Peterson
Subject: Re: Update on Corbinton Developer Discussions
Attachments: alley tax letter signed.pdf

Matt,

We have communicated your position regarding the Corbinton Commons alleys to our residents. Before the town attorney makes any final response to the developer, our residents should be heard on the matter. Please arrange for the issue of the Corbinton Commons alleys to be placed on the agenda of the next Board of Commissioners meeting on 3/11/24.

Attached is an excerpt from Corbinton Commons' subdivision plat on file in Orange County (Book 115 Page 187). Our residents relied on this and other official documents when we purchased our homes here. The town should hold the developer, KEPSC, to the commitments that were made to the property owners to complete the streets and alleys to the town's standards so that they would be accepted as public by the town. Our residents should not have any responsibility for the streets and alleys other than paying our property taxes.

Our board informed you several months ago of the developer's inappropriate attempt to deed the alleys to our nonprofit homeowners association, which they did without our knowledge or consent. Just last month, upon receiving tax forms from Orange County, we sent the attached letter to the taxing authority to explain that the alleys are to be public, not owned by our HOA.

Over the past few years, in its communications with our board members and with our residents, the Town of Hillsborough has consistently maintained that our alleys would be public — until we received your email of six days ago. This abrupt change in the town's position needs to be addressed.

Sincerely,

Earl Price, Director
President of Corbinton Commons HOA

Dorie Bargmann, Director
Vice President of Corbinton Commons HOA

Merle Williams, Director
Corbinton Commons HOA



NC GRID MAD 83

| SITE DATA TABLE | |
|---------------------|-------------|
| TOTAL LOT AREA | 7.93 ACRES |
| TOTAL RIGHT OF WAY | 4.31 ACRES |
| TOTAL OPEN SPACE | 13.90 ACRES |
| TOTAL COMMUNITY LOT | 0.55 ACRES |
| TOTAL | 26.69 ACRES |

NOTE: OPEN SPACES, COMMUNITY LOT, AND BUFFER AREAS WILL BE DEDICATED TO THE HOA.

CERTIFICATE OF OWNERSHIP & DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE TOWN OF HILLSBOROUGH, THAT I HEREBY FREELY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAT AS STREETS, ALLEYS, WALKS, PARKS, OPEN SPACE, AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE, AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY.

BY: KEPSC, LLC
EGA3, LLC ITS MANAGER

Edward Kalikow 3-22-16
SIGNATURE OF OWNER DATE
EDWARD KALIKOW, MANAGING MEMBER

STATE OF NORTH CAROLINA New York
COUNTY OF Nassau

I, Jennifer Grim, A NOTARY PUBLIC FOR SAID COUNTY AND STATE, CERTIFY THAT Edward Kalikow PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THAT HE IS, MANAGER OF EGA3, LLC, A LIMITED LIABILITY COMPANY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING INSTRUMENT ON BEHALF OF THE COMPANY.

Jennifer Grim
NOTARY PUBLIC

JENNIFER A. GRIM
Notary Public State of New York
No. 01698328-084
Qualified in Nassau County
Commission Expires April 20, 2019

THE JOHN R. McADAMS
COMPANY, INC.



| |
|-------------------|
| NS: |
| '16 TOWN COMMENTS |

On Feb 20, 2024, at 2:51 PM, Matt Efirm <matt.efird@hillsboroughnc.gov> wrote:

Dorie, Merle and Earl,

Town staff has continued to engage in discussions with the Corbinton developers regarding the infrastructure repairs for the development. We have received their final offer of repairs to be made. Our attorney is drafting our final response. Our response does include a request to remove the wooden pedestrian bridge as part of the agreement.

As to the alleys, the town's position is that the alleys will need to remain privately owned by the POA as there is not a path forward on getting those streets to the town's adopted standards. We are willing to continue to provide solid waste and snow plowing services under a long-term hold harmless agreement so that the residents do not have to wonder from year to year about those services. Once we wind down negotiations with the developer for the acceptance of public infrastructure we can prepare a hold harmless agreement and sewer access easement for your signatures.

Thanks,

Matt Efird, CPFO | he, him, his

Assistant Town Manager

<image001.png>

[Town of Hillsborough](#)

101 E. Orange St. Hillsborough, North Carolina

Office: [919-296-9423](tel:919-296-9423) | Mobile: [984-309-8465](tel:984-309-8465)

<image002.png><image003.png><image004.png><image005.png>

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

Board of Directors
Corbinton Commons Homeowners Association, Inc.
701 Market House Way
Hillsborough, N.C. 27278

Nancy Freeman, Tax Administrator
Orange County Tax Office
P.O. Box 8181
Hillsborough, N.C. 27278-8181

January 29, 2024

Re: Parcel ID #9874393219 (Alley A)
Parcel ID #9874383849 (Alley B)
Parcel ID #9874382765 (Alley C)
Parcel ID #9874289478 (Alley D)
Parcel ID #9874385499 (Alley E)

Dear Ms. Freeman,

Our HOA recently received the 2024 individual tax listing forms for five alleys in our neighborhood (attached). These five alleys were deeded to our homeowners association in 2022 by one of our developers, KEPSC Hillsborough LLC, without our knowledge or consent. We learned of the deeds' existence accidentally while searching online Orange County records.

Per the subdivision plat for our neighborhood (Orange County Plat Book 115, Page 187), KEPSC in 2016 acknowledged ownership of these alleys and agreed to maintain them until the "appropriate public entity" accepts them. On multiple occasions, the Town of Hillsborough has given the developer a list of deficiencies that must be corrected before the alleys can be accepted. To date, the developer has failed to address these issues. Hence we're in a frustrating state of limbo.

Please let us know if there is any paperwork which we need to submit in order to preserve the alleys' tax exempt status until the Town of Hillsborough accepts them. In the meantime, as residents who regularly use these alleys, we can certainly affirm that there have been no additions, improvements, or deletions made to the alleys during the year of 2023.

Sincerely,



Earl Price, President
Corbinton Commons HOA

cc Matt Efird, Assistant Town Manager
Town of Hillsborough



ORANGE COUNTY TAX OFFICE
 Nancy Freeman, Tax Administrator
 Gateway Center, 228 S. Churton St., 2nd Floor
 P.O. Box 8181 • Hillsborough, NC 27278
 Phone: (919) 245-2100
 Fax: (919) 644-3091
 E-mail: tax@orangecountync.gov
 Hours: M-F 8:00 am - 5:00 pm
 www.orangecountync.gov/Tax



0001061939-2024-2024-0000

2024 Individual Tax Listing Form

Individual Personal Property • Real Property New Construction

Deadline to Avoid 10% Late Listing Penalty**January 31, 2024**

P: / T: / S: REI



CORBINTON COMMONS ASSOCIATION INC
 701 MARKET HOUSE WAY
 HILLSBOROUGH NC 27278

**A. PLEASE LIST NAME AND ADDRESS CORRECTIONS BELOW**

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

Please read each section before completing.
Please review this property information for accuracy.

| ABSTRACT NUMBER | TAX JURISDICTION | MARKET VALUE (REAL PROPERTY) | DEFERRED/EXEMPT VALUE (REAL PROPERTY) | TAX ASSISTANCE VALUE | ASSESSED VALUE (REAL PROPERTY) |
|---------------------------|--------------------------------------|------------------------------|---------------------------------------|----------------------|--------------------------------|
| 0001061939 | HILL, ORAG | 1 | | | 1 |
| PARCEL ID NUMBER | REAL PROPERTY DESCRIPTION | | | | SIZE (ACRES/LOT) |
| 9874393219 | ALLEY A CORBINTON COMMONS P115/187-1 | | | | 0.37 ACRE |
| PRIMARY PHYSICAL ADDRESS | | | | | OFFICE USE |
| UNASSIGNED UNINCORPORATED | | | | | 4670 |

If you have any questions regarding the primary physical address, please contact us by emailing addressing@orangecountync.gov

- B. PERSONAL PROPERTY** - Owners of personal property are **required** to list annually. Therefore this form must be signed and returned if personal property is included.
- Add** any personal property owned on January 1, 2024 that is not preprinted on the form. List all manufactured homes, boats and boat motors, jet skis, aircraft, permanent/multi-year tagged trailers, rental property appliance furnishings, and unlicensed vehicles and motorcycles. **YOU DO NOT NEED TO LIST LICENSED VEHICLES WITH AN ANNUAL REGISTRATION.**
 - Preprinted Personal Property** - Mark through any personal property not owned on January 1, 2024. Indicate if it was sold, donated, given away, junked, etc.

EVEN IF YOUR PERSONAL PROPERTY IS ALREADY PRE PRINTED ON THIS FORM YOU MUST SIGN AND RETURN BY JANUARY 31, 2024 TO AVOID A 10% LATE LISTING PENALTY.

| PROPERTY TYPE | PERSONAL PROPERTY DESCRIPTION | ADDRESS OF MANUFACTURED HOME (IF APPLICABLE) |
|---------------|-------------------------------|--|
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RENTAL PROPERTY APPLIANCE / FURNISHINGS

If this listing is for rental property that you own, list the value of appliances and furnishings that you provide for your tenant(s). See back for info. \$ _____

MANUFACTURED HOMES ON YOUR LAND THAT YOU DO NOT OWN (EXCEPT MH PARKS)

NAME: _____ ADDRESS: _____

C. REAL PROPERTY - If you had any additions, improvements and/or deletions to your real property during 2023, indicate the type of work and percentage of completion as of January 1, 2024.**NEW CONSTRUCTION OR IMPROVEMENTS TO REAL PROPERTY**

ESTIMATED CONSTRUCTION COST WHEN COMPLETE \$ _____ ESTIMATED COMPLETION PERCENTAGE ON JANUARY 1, 2024 _____ %

PLEASE DESCRIBE THE CHANGES TO YOUR PROPERTY: _____

D. PROPERTY TAX ASSISTANCE – HOMESTEAD EXCLUSION, DISABLED VETERAN EXCLUSION, CIRCUIT BREAKER TAX DEFERMENT

Please review the details of the property tax assistance programs on the insert. Check the box below that is applicable.

- I no longer qualify for property tax assistance. A disqualifying event has occurred such as moved or sold the property, death, or I am over the income limit.
- I want to receive an application for property tax assistance. I am currently not receiving tax assistance from any of the above programs.

| PRIMARY PHONE | SECONDARY PHONE | EMAIL ADDRESS |
|---------------|-----------------|---------------|
| | | |

E. Affirmation: Under penalties prescribed by law, I hereby affirm that to the best of my knowledge and belief this listing, including any accompanying statements and other information, is true and complete. I understand that, if this listing is required, it must be returned by January 31 to avoid a 10% late listing penalty on personal property listings and real property new construction listings. I understand that values may be appealed as indicated on reverse.

Signature: *Earl Price - President HOA* Date: *01-30-2024* Title (owner, guardian, authorized agent, other): _____

Print Name: *EARL PRICE* If the owner is deceased, indicate date of death: _____

DO NOT ENCLOSE PAYMENT. MAIL ANY PAYMENT SEPARATELY TO: ORANGE COUNTY TAX COLLECTOR, PO BOX 8181, HILLSBOROUGH NC 27278

— SEE REVERSE SIDE FOR ADDITIONAL INFORMATION —



ORANGE COUNTY TAX OFFICE
 Nancy Freeman, Tax Administrator
 Gateway Center, 228 S. Churton St., 2nd Floor
 P.O. Box 8181 • Hillsborough, NC 27278
 Phone: (919) 245-2100
 Fax: (919) 644-3091
 E-mail: tax@orangecountync.gov
 Hours: M-F 8:00 am - 5:00 pm
 www.orangecountync.gov/Tax



0001061900-2024-2024-0000

2024 Individual Tax Listing Form

Individual Personal Property • Real Property New Construction

Deadline to Avoid 10% Late Listing Penalty

January 31, 2024

REI
 P: / T: / S:

A. PLEASE LIST NAME AND ADDRESS CORRECTIONS BELOW

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____



CORBINTON COMMONS ASSOCIATION INC
 701 MARKET HOUSE WAY
 HILLSBOROUGH NC 27278



Please read each section before completing.
Please review this property information for accuracy.

| ABSTRACT NUMBER | TAX JURISDICTION | MARKET VALUE (REAL PROPERTY) | DEFERRED/EXEMPT VALUE (REAL PROPERTY) | TAX ASSISTANCE VALUE | ASSESSED VALUE (REAL PROPERTY) |
|---------------------------|--------------------------------------|------------------------------|---------------------------------------|----------------------|--------------------------------|
| 0001061900 | HILL, ORAG | 1 | | | 1 |
| PARCEL ID NUMBER | REAL PROPERTY DESCRIPTION | | | | SIZE (ACRES/LOT) |
| 9874383849 | ALLEY B CORBINTON COMMONS P115/187-1 | | | | 0.23 ACRE |
| PRIMARY PHYSICAL ADDRESS | | | | | OFFICE USE |
| UNASSIGNED UNINCORPORATED | | | | | 4670 |

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B. PERSONAL PROPERTY - Owners of personal property are **required** to list annually. Therefore this form must be signed and returned if personal property is included.

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| PROPERTY TYPE | PERSONAL PROPERTY DESCRIPTION | ADDRESS OF MANUFACTURED HOME (IF APPLICABLE) |
|---------------|-------------------------------|--|
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MANUFACTURED HOMES ON YOUR LAND THAT YOU DO NOT OWN (EXCEPT MH PARKS)

| | |
|---------|-------|
| NAME | _____ |
| ADDRESS | _____ |

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NEW CONSTRUCTION OR IMPROVEMENTS TO REAL PROPERTY

ESTIMATED CONSTRUCTION COST WHEN COMPLETE \$ _____ ESTIMATED COMPLETION PERCENTAGE ON JANUARY 1, 2024 _____ %

PLEASE DESCRIBE THE CHANGES TO YOUR PROPERTY: _____

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Please review the details of the property tax assistance programs on the insert. Check the box below that is applicable.

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| PRIMARY PHONE | SECONDARY PHONE | EMAIL ADDRESS |
|---------------|-----------------|---------------|
| | | |

E. Affirmation: Under penalties prescribed by law, I hereby affirm that to the best of my knowledge and belief this listing, including any accompanying statements and other information, is true and complete. I understand that, if this listing is required, it must be returned by January 31 to avoid a 10% late listing penalty on personal property listings and real property new construction listings. I understand that values may be appealed as indicated on reverse.

| | | |
|--|---|---|
| Signature: <i>Earl Price - President HOA</i> | Date: <i>01-30-2024</i> | Title (owner, guardian, authorized agent, other): _____ |
| Print Name: <i>EARL PRICE</i> | If the owner is deceased, indicate date of death: _____ | |

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— SEE REVERSE SIDE FOR ADDITIONAL INFORMATION —



ORANGE COUNTY TAX OFFICE
 Nancy Freeman, Tax Administrator
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 Phone: (919) 245-2100
 Fax: (919) 644-3091
 E-mail: tax@orangecountync.gov
 Hours: M-F 8:00 am - 5:00 pm
 www.orangecountync.gov/Tax



0001061895-2024-2024-0000

2024 Individual Tax Listing Form

Individual Personal Property • Real Property New Construction

Deadline to Avoid 10% Late Listing Penalty

January 31, 2024

169 3 SP 1.110 P:169 / T:3 / S:



CORBINTON COMMONS ASSOCIATION INC
 701 MARKET HOUSE WAY
 HILLSBOROUGH NC 27278-9917

REI

A. PLEASE LIST NAME AND ADDRESS CORRECTIONS BELOW

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

Please read each section before completing.
Please review this property information for accuracy.

| ABSTRACT NUMBER | TAX JURISDICTION | MARKET VALUE (REAL PROPERTY) | DEFERRED/EXEMPT VALUE (REAL PROPERTY) | TAX ASSISTANCE VALUE | ASSESSED VALUE (REAL PROPERTY) |
|---------------------------|--------------------------------------|------------------------------|---------------------------------------|----------------------|--------------------------------|
| 0001061895 | HILL, ORAG | 1 | | | 1 |
| PARCEL ID NUMBER | REAL PROPERTY DESCRIPTION | | | | SIZE (ACRES/LOT) |
| 9874382765 | ALLEY C CORBINTON COMMONS P115/187-1 | | | | 0.34 ACRE |
| PRIMARY PHYSICAL ADDRESS | | | | | OFFICE USE |
| UNASSIGNED UNINCORPORATED | | | | | 4670 |

If you have any questions regarding the primary physical address, please contact us by emailing addressing@orangecountync.gov

- B. PERSONAL PROPERTY** - Owners of personal property are **required** to list annually. Therefore this form must be signed and returned if personal property is included.
- Add** any personal property owned on January 1, 2024 that is not preprinted on the form. List all manufactured homes, boats and boat motors, jet skis, aircraft, permanent/multi-year tagged trailers, rental property appliance furnishings, and unlicensed vehicles and motorcycles. **YOU DO NOT NEED TO LIST LICENSED VEHICLES WITH AN ANNUAL REGISTRATION.**
 - Preprinted Personal Property** - Mark through any personal property not owned on January 1, 2024. Indicate if it was sold, donated, given away, junked, etc.
- EVEN IF YOUR PERSONAL PROPERTY IS ALREADY PRE PRINTED ON THIS FORM YOU MUST SIGN AND RETURN BY JANUARY 31, 2024 TO AVOID A 10% LATE LISTING PENALTY.**

| PROPERTY TYPE | PERSONAL PROPERTY DESCRIPTION | ADDRESS OF MANUFACTURED HOME (IF APPLICABLE) |
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RENTAL PROPERTY APPLIANCE / FURNISHINGS

If this listing is for rental property that you own, list the value of appliances and furnishings that you provide for your tenant(s). See back for info. \$ _____

MANUFACTURED HOMES ON YOUR LAND THAT YOU DO NOT OWN (EXCEPT MH PARKS)

NAME _____

ADDRESS _____

C. REAL PROPERTY - If you had any additions, improvements and/or deletions to your real property during 2023, indicate the type of work and percentage of completion as of January 1, 2024.

| NEW CONSTRUCTION OR IMPROVEMENTS TO REAL PROPERTY | |
|--|--|
| ESTIMATED CONSTRUCTION COST WHEN COMPLETE \$ _____ | ESTIMATED COMPLETION PERCENTAGE ON JANUARY 1, 2024 _____ % |
| PLEASE DESCRIBE THE CHANGES TO YOUR PROPERTY:: | |

D. PROPERTY TAX ASSISTANCE – HOMESTEAD EXCLUSION, DISABLED VETERAN EXCLUSION, CIRCUIT BREAKER TAX DEFERMENT

Please review the details of the property tax assistance programs on the insert. Check the box below that is applicable.

I no longer qualify for property tax assistance. A disqualifying event has occurred such as moved or sold the property, death, or I am over the income limit.

I want to receive an application for property tax assistance. I am currently not receiving tax assistance from any of the above programs..

| PRIMARY PHONE | SECONDARY PHONE | EMAIL ADDRESS |
|---------------|-----------------|---------------|
| | | |

E. Affirmation: Under penalties prescribed by law, I hereby affirm that to the best of my knowledge and belief this listing, including any accompanying statements and other information, is true and complete. I understand that, if this listing is required, it must be returned by January 31 to avoid a 10% late listing penalty on personal property listings and real property new construction listings. I understand that values may be appealed as indicated on reverse.

Signature: Earl Price President HOA Date: 01-30-2024 Title (owner, guardian, authorized agent, other): _____

Print Name: EARL Price If the owner is deceased, indicate date of death: _____

DO NOT ENCLOSE PAYMENT. MAIL ANY PAYMENT SEPARATELY TO: ORANGE COUNTY TAX COLLECTOR, PO BOX 8181, HILLSBOROUGH NC 27278

— SEE REVERSE SIDE FOR ADDITIONAL INFORMATION —



ORANGE COUNTY TAX OFFICE
 Nancy Freeman, Tax Administrator
 Gateway Center, 228 S. Churton St., 2nd Floor
 P.O. Box 8181 • Hillsborough, NC 27278
 Phone: (919) 245-2100
 Fax: (919) 644-3091
 E-mail: tax@orangecountync.gov
 Hours: M-F 8:00 am - 5:00 pm
 www.orangecountync.gov/Tax



0001061869-2024-2024-0000

2024 Individual Tax Listing Form

Individual Personal Property • Real Property New Construction

Deadline to Avoid 10% Late Listing Penalty

January 31, 2024

REI
 P: / T: / S:

A. PLEASE LIST NAME AND ADDRESS CORRECTIONS BELOW

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____



CORBINTON COMMONS ASSOCIATION INC
 701 MARKET HOUSE WAY
 HILLSBOROUGH NC 27278



Please read each section before completing.
Please review this property information for accuracy.

| ABSTRACT NUMBER | TAX JURISDICTION | MARKET VALUE (REAL PROPERTY) | DEFERRED/EXEMPT VALUE (REAL PROPERTY) | TAX ASSISTANCE VALUE | ASSESSED VALUE (REAL PROPERTY) |
|---------------------------|--------------------------------------|------------------------------|---------------------------------------|----------------------|--------------------------------|
| 0001061869 | HILL, ORAG | 1 | | | 1 |
| PARCEL ID NUMBER | REAL PROPERTY DESCRIPTION | | | | SIZE (ACRES/LOT) |
| 9874289478 | ALLEY D CORBINTON COMMONS P115/187-1 | | | | 0.38 ACRE |
| PRIMARY PHYSICAL ADDRESS | | | | | OFFICE USE |
| UNASSIGNED UNINCORPORATED | | | | | 4670 |

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 - Preprinted Personal Property** - Mark through any personal property not owned on January 1, 2024. Indicate if it was sold, donated, given away, junked, etc.

EVEN IF YOUR PERSONAL PROPERTY IS ALREADY PRE PRINTED ON THIS FORM YOU MUST SIGN AND RETURN BY JANUARY 31, 2024 TO AVOID A 10% LATE LISTING PENALTY.

| PROPERTY TYPE | PERSONAL PROPERTY DESCRIPTION | ADDRESS OF MANUFACTURED HOME (IF APPLICABLE) |
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If this listing is for rental property that you own, list the value of appliances and furnishings that you provide for your tenant(s). See back for info. \$ _____

MANUFACTURED HOMES ON YOUR LAND THAT YOU DO NOT OWN (EXCEPT MH PARKS)

NAME _____

ADDRESS _____

C. REAL PROPERTY - If you had any additions, improvements and/or deletions to your real property during 2023, indicate the type of work and percentage of completion as of January 1, 2024.

NEW CONSTRUCTION OR IMPROVEMENTS TO REAL PROPERTY

ESTIMATED CONSTRUCTION COST WHEN COMPLETE \$ _____ ESTIMATED COMPLETION PERCENTAGE ON JANUARY 1, 2024 _____ %

PLEASE DESCRIBE THE CHANGES TO YOUR PROPERTY: _____

- D. PROPERTY TAX ASSISTANCE – HOMESTEAD EXCLUSION, DISABLED VETERAN EXCLUSION, CIRCUIT BREAKER TAX DEFERMENT**
- Please review the details of the property tax assistance programs on the insert. Check the box below that is applicable.
- I no longer qualify for property tax assistance. A disqualifying event has occurred such as moved or sold the property, death, or I am over the income limit.
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| PRIMARY PHONE | SECONDARY PHONE | EMAIL ADDRESS |
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Signature: Earl Price President HOA Date: 01-30-2024 Title (owner, guardian, authorized agent, other): _____

Print Name: EARL PRICE If the owner is deceased, indicate date of death: _____

DO NOT ENCLOSE PAYMENT. MAIL ANY PAYMENT SEPARATELY TO: ORANGE COUNTY TAX COLLECTOR, PO BOX 8181, HILLSBOROUGH NC 27278

— SEE REVERSE SIDE FOR ADDITIONAL INFORMATION —



ORANGE COUNTY TAX OFFICE
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 Hours: M-F 8:00 am - 5:00 pm
 www.orangecountync.gov/Tax



0001061913-2024-2024-0000

2024 Individual Tax Listing Form

Individual Personal Property • Real Property New Construction

Deadline to Avoid 10% Late Listing Penalty
January 31, 2024

REI
 P: / T: / S:



CORBINTON COMMONS ASSOCIATION INC
 701 MARKET HOUSE WAY
 HILLSBOROUGH NC 27278



A. PLEASE LIST NAME AND ADDRESS CORRECTIONS BELOW

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

Please read each section before completing.
Please review this property information for accuracy.

| ABSTRACT NUMBER | TAX JURISDICTION | MARKET VALUE (REAL PROPERTY) | DEFERRED/EXEMPT VALUE (REAL PROPERTY) | TAX ASSISTANCE VALUE | ASSESSED VALUE (REAL PROPERTY) |
|---------------------------|--------------------------------------|------------------------------|---------------------------------------|----------------------|--------------------------------|
| 0001061913 | HILL, ORAG | 1 | | | 1 |
| PARCEL ID NUMBER | REAL PROPERTY DESCRIPTION | | | | SIZE (ACRES/LOT) |
| 9874385499 | ALLEY E CORBINTON COMMONS P115/187-1 | | | | 0.26 ACRE |
| PRIMARY PHYSICAL ADDRESS | | | | | OFFICE USE |
| UNASSIGNED UNINCORPORATED | | | | | 4670 |

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NAME _____

ADDRESS _____

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PLEASE DESCRIBE THE CHANGES TO YOUR PROPERTY::

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- Please review the details of the property tax assistance programs on the insert. Check the box below that is applicable.
- I no longer qualify for property tax assistance. A disqualifying event has occurred such as moved or sold the property, death, or I am over the income limit.
- I want to receive an application for property tax assistance. I am currently not receiving tax assistance from any of the above programs.

| PRIMARY PHONE | SECONDARY PHONE | FAMILY ADDRESS |
|---------------|-----------------|----------------|
| | | |

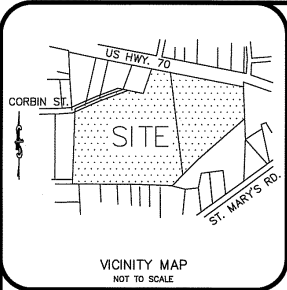
E. Affirmation: Under penalties prescribed by law, I hereby affirm that to the best of my knowledge and belief this listing, including any accompanying statements and other information, is true and complete. I understand that, if this listing is required, it must be returned by January 31 to avoid a 10% late listing penalty on personal property listings and real property new construction listings. I understand that values may be appealed as indicated on reverse.

Signature: Earl Price President NOA Date: 01-30-2024 Title (owner, guardian, authorized agent, other): _____

Print Name: Earl Price If the owner is deceased, indicate date of death: _____

DO NOT ENCLOSE PAYMENT. MAIL ANY PAYMENT SEPARATELY TO: ORANGE COUNTY TAX COLLECTOR, PO BOX 8181, HILLSBOROUGH NC 27278

— SEE REVERSE SIDE FOR ADDITIONAL INFORMATION —



I, RONALD T. FREDERICK, CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION RECORDED IN BOOK AND PAGE (AS SHOWN); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE (AS SHOWN); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; AND THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS

23 DAY OF March A.D. 2016
 RONALD T. FREDERICK PLS L-4720



I HEREBY CERTIFY THAT THIS PLAN IS OF THE FOLLOWING TYPE: G.S. 47-30 (f)(1)(g) THIS SURVEY CREATES SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

RONALD T. FREDERICK PLS L-4720

STATE OF NORTH CAROLINA
 COUNTY OF ORANGE

I, Michael Buzza, REVIEW OFFICER OF ORANGE COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING FOR WHICH THE REVIEW OFFICE HAS RESPONSIBILITY AS PROVIDED BY LAW.

Michael Buzza
 REVIEW OFFICER
 ORANGE COUNTY LAND RECORDS/GIS

DATE OF CERTIFICATION: 07-08-2016

| SITE DATA TABLE | |
|---------------------|-------------|
| TOTAL LOT AREA | 7.93 ACRES |
| TOTAL RIGHT OF WAY | 4.31 ACRES |
| TOTAL OPEN SPACE | 13.90 ACRES |
| TOTAL COMMUNITY LOT | 0.55 ACRES |
| TOTAL | 26.69 ACRES |

NOTE: OPEN SPACES, COMMUNITY LOT, AND BUFFER AREAS WILL BE DEDICATED TO THE HOA.

CERTIFICATE OF OWNERSHIP & DEDICATION
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE TOWN OF HILLSBOROUGH, THAT I HEREBY FREELY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE TO PUBLIC USE ALL AREAS SHOWN ON THIS PLAN AS STREETS, ALLEYS, WALKS, PARKS, OPEN SPACE, AND EASEMENTS, EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE, AND THAT I WILL MAINTAIN ALL SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC AUTHORITY.

BY: KEPSC, LLC
 EGA3, LLC ITS MANAGER
[Signature] 32216
 SIGNATURE OF OWNER DATE
 EDWARD KALKOW, MANAGING MEMBER

STATE OF NORTH CAROLINA
 COUNTY OF Orange

I, Jennifer Grim, A NOTARY PUBLIC FOR SAID COUNTY AND STATE, CERTIFY THAT Edward Kalkow PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THAT HE IS, MANAGER OF EGA3, LLC, A LIMITED LIABILITY COMPANY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING INSTRUMENT ON BEHALF OF THE COMPANY.

Jennifer Grim
 NOTARY PUBLIC

WITNESS MY HAND AND OFFICIAL SEAL OR STAMP, THIS THE 22 DAY OF March, 2016.

MY COMMISSION EXPIRES 4/20/19

GENERAL NOTES

- BEARINGS FOR THIS SURVEY ARE BASED ON NC GRID NAD 83
- ELEVATIONS FOR THIS SURVEY ARE BASED ON NAVD 88
- FLOOD NOTE
 BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN "ZONE X" AS DEFINED ON F.E.M.A. F.I.R.M. PANEL NUMBER 371087400 J, DATED FEBRUARY 2, 2007
 - COMMUNITY NO. 370343 - TOWN OF HILLSBOROUGH ETJ
- UTILITY STATEMENT THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS; THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
- ZONING: MIXED RESIDENTIAL SPECIAL USE DISTRICT - SUBJECT TO CONDITIONS OF SPECIAL USE PERMIT # 2006-5 - RECORDED D.B. 4065, PG. 215, ORANGE COUNTY REGISTRY.
- SITE IS IN THE NEUSE RIVER BASIN
- SINGLE FAMILY LOTS: 70 (LOTS 1-70)
- LAND USE BUFFER: THE USE AND MAINTENANCE OF THIS BUFFER AND THE BUILDING OF STRUCTURES THEREON IS RESTRICTED PURSUANT TO SECTION 4.7.4 OF THE TOWN OF HILLSBOROUGH SUBDIVISION REGULATIONS.
- LOTS 1-10 & 15-70 WILL BE ACCESSED FROM ALLEYS ADJACENT TO THE LOTS.
- ENTIRE PROPERTY TO BE SUBDIVIDED IS WITHIN THE TOWN OF HILLSBOROUGH TOWN LIMITS, PB 101, PG. 67.

BUILDING TYPE NOTE

LOTS 1-25 WILL BE SINGLE FAMILY RESIDENTIAL UNITS
 LOTS 26-41 AND 66-70 WILL BE ROWHOUSE
 LOTS 42-65 WILL BE DUPLEX RESIDENTIAL UNITS

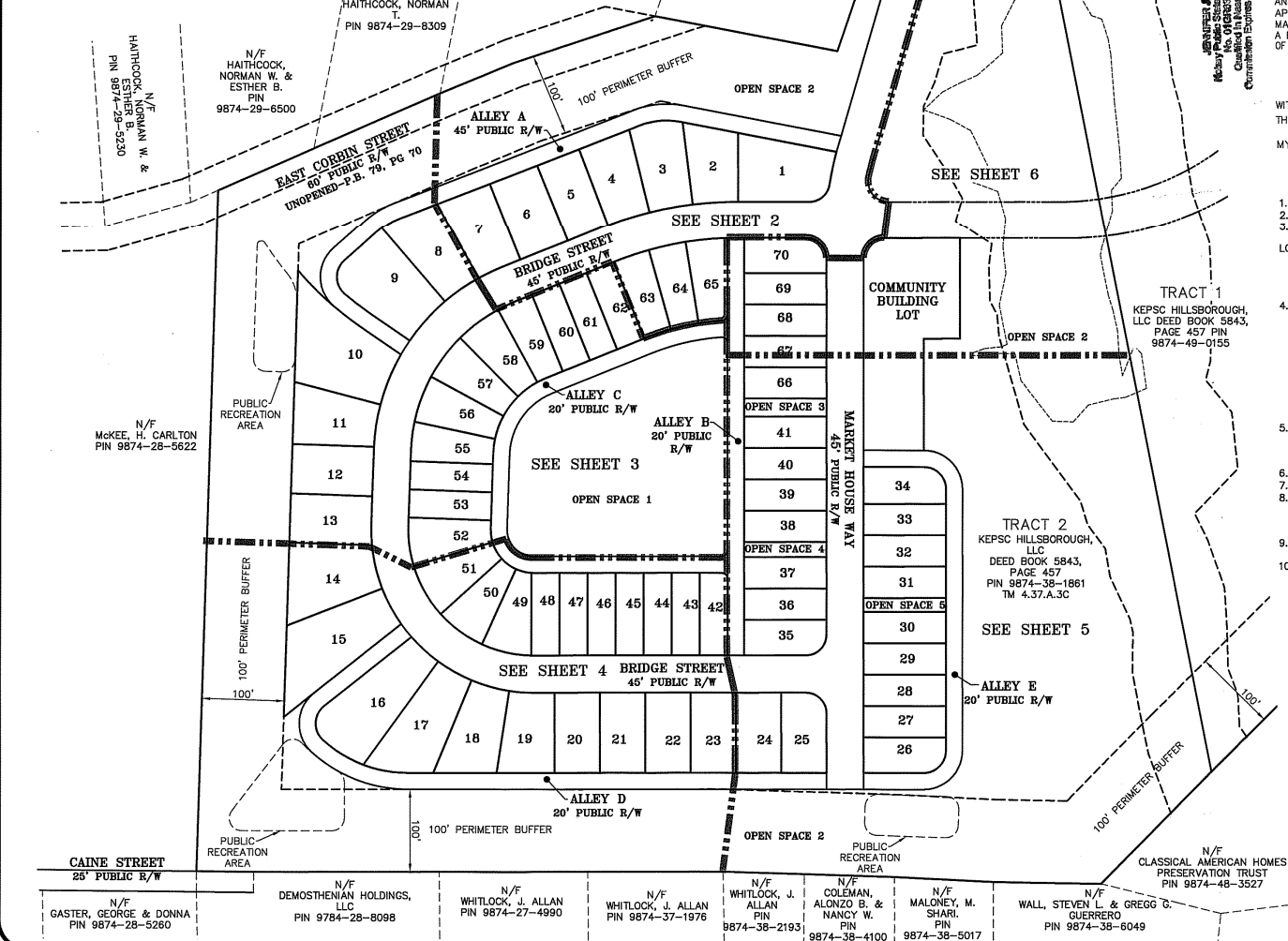
LEGEND

- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- EXISTING NAIL
- IRON PIPE SET
- CONCRETE MONUMENT SET
- ▲ CALCULATED POINT ADDRESS
- MATCHLINE
- ▨ 20' SANITARY SEWER EASEMENT (HEREBY DEDICATED)

I HEREBY CERTIFY THAT ALL STREETS SHOWN ON THIS PLAN ARE WITHIN THE TOWN OF HILLSBOROUGH'S PLANNING JURISDICTION, ALL STREETS AND OTHER IMPROVEMENTS SHOWN ON THIS PLAN HAVE BEEN INSTALLED OR COMPLETED OR THAT THEIR INSTALLATION OR COMPLETION (WITHIN TWELVE MONTHS AFTER THE DATE BELOW) HAS BEEN ASSURED BY THE POSTING OF A PERFORMANCE BOND OR OTHER SUFFICIENT SURETY, AND THAT THE SUBDIVISION SHOWN ON THIS PLAN IS, IN ALL RESPECTS, IN COMPLIANCE WITH THE SUBDIVISION REGULATIONS FOR THE TOWN OF HILLSBOROUGH AND THEREFORE THIS PLAN HAS BEEN APPROVED BY THE HILLSBOROUGH PLANNING DIRECTOR, SUBJECT TO ITS BEING RECORDED IN THE ORANGE COUNTY REGISTRY WITHIN 60 DAYS OF THE DATE BELOW.

7/5/2016
[Signature]
 PLANNING DIRECTOR OR DESIGNEE

FOR MULTIPLE PIN SHEET
 SEE BOOK 0152 PAGES 469



DATE 7/5/2016
 PLANNING DIRECTOR OR DESIGNEE

HAITHCOCK, NORMAN W. & ESTHER B. PIN 9874-29-8309
 N/F HAITHCOCK, NORMAN W. & ESTHER B. PIN 9874-29-8500
 HAITHCOCK, NORMAN W. & ESTHER B. PIN 9874-29-8220
 N/F HAITHCOCK, NORMAN W. & ESTHER B. PIN 9874-29-8500
 N/F MCKEE, H. CARLTON PIN 9874-28-5622

DEMOSTHENAN HOLDINGS, LLC PIN 9874-28-8098
 WHITLOCK, J. ALLAN PIN 9874-27-4990
 WHITLOCK, J. ALLAN PIN 9874-37-1976
 WHITLOCK, J. ALLAN PIN 9874-38-2193
 N/F COLEMAN, ALONZO B. & NANCY W. PIN 9874-38-4100
 N/F MALONEY, M. SHARI. PIN 9874-38-5017
 WALL, STEVEN L. & GREGG G. GUERRERO PIN 9874-38-6049

Section 7, Item D.

THE JOHN R. McADAMS COMPANY, INC.
 2905 Meridian Parkway
 Durham, North Carolina 27719
 www.jrmcadams.com
 (800) 733-5646 • McAdamsCo.com

MCADAMS

REVISIONS:
 03/09/16 TOWN COMMENTS

OWNER:
 KE PSC HILLSBOROUGH, LLC
 8601 SIX FORKS ROAD
 RALEIGH, NC 27615

CORBINTON COMMONS
 SUBDIVISION PLAT, RIGHT OF WAY
 DEDICATION PLAT & EASEMENT PLAT

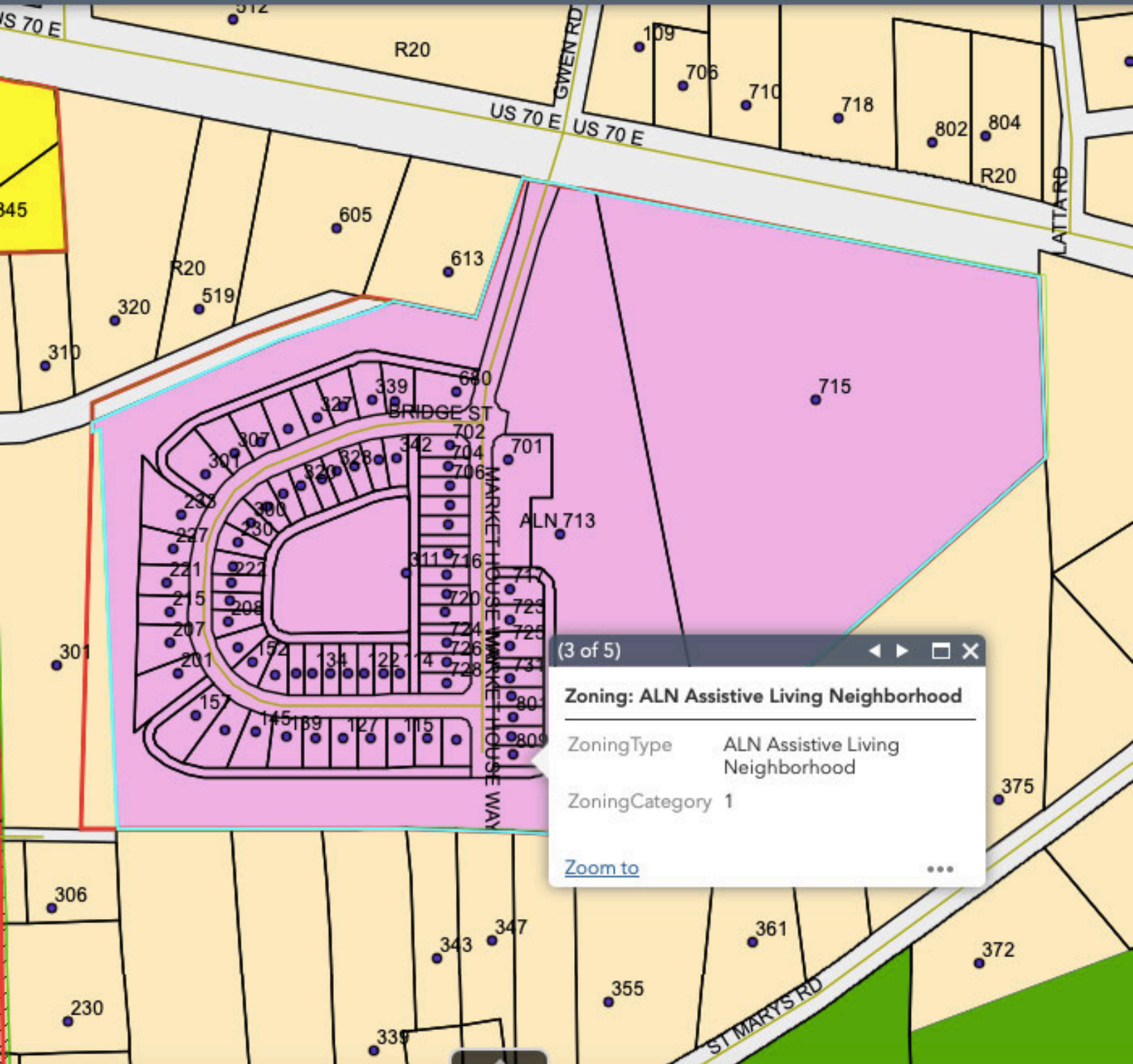
HILLSBOROUGH, TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA

FINAL PLAT

PROJECT NO. EYC14010
 FILENAME: EYC14010-F1
 SURVEYED BY: RTF
 DRAWN BY: KMM
 SCALE: 1"=40'
 DATE: 08/06/16

SHEET 1 OF 7

118



(3 of 5) [Navigation icons]

Zoning: ALN Assitive Living Neighborhood

ZoningType ALN Assitive Living Neighborhood

ZoningCategory 1

[Zoom to](#) [More options icon]

November 30, 2022

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

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

KEPSC Hillsborough, LLC
Edward Kalikow, Managing Member
7001 Brush Hollow Road
Westbury, NY 11590-1743

EYC Companies, LLC
Ellis Y. Coleman, Registered Agent
6837 Falls of Neuse Road, Suite 208
Raleigh, NC 27615

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

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

To Whom It May Concern,

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

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

to withhold issuance of other permits or certifications for development work undertaken under the SUP until satisfactory compliance has been achieved with respect to the current work undertaken under the SUP.

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

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

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

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

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

Please contact Margaret Hauth, Assistant Town Manager, at (919) 296-9471 with any questions.

Sincerely,

THE BROUGH LAW FIRM, PLLC



Kevin R. Hornik

KRH:

Corbinton Commons Final Punchlist 2/16/2022

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

1. With the exception of street trees lining the entrance road portion of Market House Way & those at the clubhouse, no other street trees have been installed. One-hundred sixty-five, two-inch caliper street trees were to be planted per the approved plans. Based on a count performed November 4, 2021, 33 trees have been installed.
One hundred thirty-two two inch caliper street trees need to be planted as shown on approved plans).
2. The perimeter asphalt walking trail stops at the end of Market House Way.
Asphalt trail needs to extend to the east property line (eastern phase) (condition of SUP & shown on approved plans).
3. A paved, "meandering sidewalk" with a surface material meeting NCDOT standards & serving as a walking trail must be constructed along US 70 East as shown on the approved plans.
The portion on the western side of the development needs to either be completed or a financial guarantee for completion needs to be posted. A projection of the property line separating the eastern & western parcels into the US 70 East right-of-way can be used as the boundary (condition of SUP approval).
4. A pedestrian access to East Corbin Street to connect the development with downtown needs to be constructed (condition of SUP approval).
5. The required opaque, vegetative perimeter buffer isn't planted between the asphalt trail & exterior property lines (condition of SUP approval).

A previous site inspection indicated that this condition has not been met. Solutions offered would be to either:
 - (i) *plant vegetation that will provide the opaque screen*
 - (ii) *build an eight-foot tall wood privacy fence along the project perimeter*
6. A fence with a gate needs to be installed to block neighboring views along the southwest sewer easement at Caine St if approved by utilities (condition of SUP approval).

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

1. Damage to the alleys will need to be repaired consistent with on-site communication. There is some significant cracking occurring that needs fixed, there are raised manholes in some alleys that need additional asphalt, and the alleys need to be widened to accommodate the turn radius of the trash collection vehicles.
2. Since so much time has lapsed an additional final walk-through inspection of all cubing, sidewalks, gutters, drains will need to take place before the town will accept these improvements.

3. Final lift of asphalt will need to be completed with the town's contractor, Summit Design, present for inspection while the asphalt is being performed.
4. The attached **Final Street Acceptance Checklist** will need to be completed with a letter from the developer indicating that all checklist items are completed and a request for the town to accept the streets for maintenance.

Stormwater Punchlist (previously provided on 11/5/2021) Heather Fisher 919-296-9622

Heather.Fisher@hillsboroughnc.gov

A. As-Built Plans and Certification, Site-Specific Requirements

1. For the as-built plans, we require a plan sheet showing the as-built condition and key elevations of the entire stormwater system and a separate detailed as-built plan sheet of the SCM, with both cross-section and plan views and key elevations.
2. The certification may be provided as a separate letter or included on the as-built plans.
3. With the as-built plans and certification, please provide photos and video of the entire lengths of each outlet pipe from the riser or siphon headwall inlets to the outlets, showing all seams. This documentation should also include the riser structure showing that there are no leaks after a large rain event.
4. In addition, include a statement in the certification that all structures have been inspected for leaks and/or pipe separation and that no leaks or other deficiencies were found, or similar language.
5. Have the dam elevations been corrected per Dave Brown's 11-11-20 comments?
6. Have the forebay berm elevations been corrected per Dave Brown's 11-11-20 comments?

B. Clubhouse Area

1. The roofdrain outflow on the northeast corner of the clubhouse is eroding the slope. Stabilize area, add protection measures, and re-vegetate.



C. Pump Station Drive, Open Space, and Parking Area

As previously discussed, runoff from the clubhouse parking, adjacent grass area, and alley/driveway has formed a gully on the hill above the pump station. This flow is also depositing sediment in front of the pump station and eroding an area past the pump station just before the flow enters the stream. Redirect this concentrated flow to the pond and repair gully using the following measures:



1. Install speed bump type berm to re-direct flow.
2. Re-grade open space so that runoff from the parking area and open space is directed to the berm or otherwise reaches the pond.
3. Add curbs along the driveway/alley way to direct flow to pond.
4. Repair gully, including filling and compacting as appropriate, and stabilize and revegetate area. Compost or topsoil amendment may be necessary to re-establish vegetation.



D. Outlet Structures

1. Siphon Headwall/Low Flow Orifice.
 - a. In the approved plans, Sheet PD-2c specifies a 2-inch orifice with an invert elevation of 524 ft. Currently there is a solid brick wall instead of a water quality inlet/orifice, and several other specified components are missing. This is also indicated on the McAdams punchlist as "siphon headwall and intake pipe still needs to be installed." Correct per Sheet PD-2c.
 - b. The grate cover on the siphon headwall is oversized and does not appear to be secured.
 - i. Question for McAdams: Are there any concerns about the size of the grate that would affect the function of the pond or future maintenance?
 - ii. If there are concerns about the size, follow recommendations from McAdams.
 - iii. Once the size issue is addressed, secure the grate to the structure using bolts or other appropriate method.
2. Pre-cast Riser Outlet Structure
 - a. Once any leaks have been repaired, provide video of riser function during the design storm event.
3. Low flow/water quality outlet and rip rap dissipater area:
 - a. The surrounding area near the bottom of the dam appears to have been disturbed by heavy equipment or not repaired after sediment fencing was removed. Re-grade, repair, stabilize, and revegetate this area.
 - b. The outlet pipe joint above the scour hole has deteriorated. Repair pipe joint at scour.
 - c. Once any leaks or pipe separation is addressed, provide photos or video of all seams along entire length of pipe.
 - d. McAdams indicated that "preformed scour hole at water quality outlet appears to be less than what was provided in the design." Correct to provide adequate size.



4. Overflow outlet and rip rap dissipater area:
 - a. The surrounding area near the bottom of the dam appears to have been disturbed by heavy equipment. Re-grade, repair, stabilize, and revegetate this area.
 - b. Once any leaks or pipe separation is addressed, provide photos or video of all seams along entire length of pipe.



5. Water Level
 - a. The current water level is below normal pool. The SCM will not be closed out until the water level has reached the normal pool elevation per the approved plans and pond function has been demonstrated during a design storm event.



E. Inlet and Pond Forebay

1. Berm between forebay and main pool: while some stabilization has been accomplished, this area remains unevenly graded and does not appear to provide a stable conveyance between the forebay and the main pool. Question for McAdams: What is expected final condition for this berm (grading, stabilization, placement of rip rap, etc.) in order for the pond to function as designed?



2. Forebay inlet: The repair to the pipe separation appears to be half complete. Question for McAdams: Is this considered a functional repair?



3. The inlet headwall is damaged. Repair headwall.



4. Forebay inlet rip rap dissipater: Rip rap and fabric have been displaced and bare areas are present. Repair so that entire area is stabilized with sufficient fabric and correctly sized rip rap.



5. A gully exists in the pond side slope below the retaining wall and near the forebay inlet. Repair gully, including filling and compacting as appropriate, and stabilize and revegetate area. Compost or topsoil amendment may be necessary to re-establish vegetation.



F. Main Pool Area

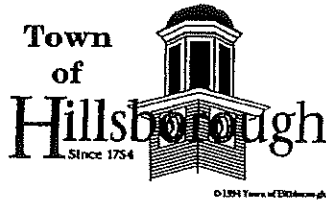
1. There is a solid white ~4-inch PVC pipe outletting from the alley to the SCM:
 - a. What is the purpose of this pipe? If this pipe represents an illicit discharge, it will need to be removed. At a minimum, the pipe will need to be reconfigured to prevent erosion to the side slopes.
 - b. The outflow from this pipe is gradually causing an eroding area in the pond side slope. Stabilize and revegetate this area.
2. Aquatic shelf plants are required to be planted per the State's 1999 stormwater BMP manual: <https://deq.nc.gov/about/divisions/energy-mineral-land-resources/energy-mineral-land-permit-guidance/stormwater-bmp-manual/archive> To be spaced 2 feet apart, recommended species are *Juncus effusus*, *Hibiscus coccineus*, *Carex grayi*, and *Saururus cernuus*. Evidence of plant survival and establishment will be necessary prior to close-out. Install aquatic plants and irrigate until established.
3. Grass appears to be establishing well in areas that were recently seeded. The permanent grass cover will need to be fully established on all side slopes and both sides of the dam prior to close-out.
4. Vegetation is currently well-maintained. If any trees or shrub seedlings establish within the SCM area, these will need to be removed by the developer prior to SCM close-out.



G. By-pass Swale along Trail

1. As previously discussed, 2 corrugated pipes convey flow from the bypass swale to the alley but these pipes were not on the approved plans. These pipes are located at 101 and 139 Bridge Street. Remove pipes and repair bypass swale so that flow remains in bypass swale and swale remains stabilized and functioning as designed.
2. Near the trail entrance, a corrugated pipe leading to the swale is broken in several places. Replace pipe with a more permanent and stable conveyance method. (photo below left)
3. A pile of what appears to be overgrown construction debris exists near the entrance to the trail. Remove this debris, re-grade, stabilize, and re-vegetate swale and surrounding area as appropriate. (photo below right)





STORMWATER CONTROL MEASURE CLOSE-OUT

Stormwater & Environmental Services Division
101 E. Orange Street / P.O. Box 429
Hillsborough, NC 27278
Phone: (919) 296-9622, Fax: (919) 644-2390

Close-Out Checklist

To complete the close-out process for Corbinton Commons West, the Permittee must submit or demonstrate the following items to the Stormwater and Environmental Services Division.

- Operation and Maintenance Easement and Agreement covering all Stormwater Control Measures (SCMs), notarized, signed, and recorded, providing access via a public road
- Detailed as-built survey showing the entire site stormwater system with a final impervious surface summary and separate detailed drawings of each stormwater control measure design with key elevations (submit PDF via email with corresponding CAD files)
- Certification by licensed engineer of constructed stormwater controls
- Final inspection and acceptance by the Town of Hillsborough Stormwater and Environmental Services following engineer's certification
- Homeowner/Property Owner Association acknowledgement of SCM Maintenance Requirements (if applicable)

Financially Responsible Party Contact Information

Edward Kalikow, KEPSC Hillsborough, LLC

(516) 876-4800

7001 Brush Hollow Road, Westbury, NY 11590

andy@eyccompanies.com

Public Street or Sidewalk Construction Acceptance Checklist

Before construction of a public street or sidewalk begins:

- Utilities plans must be approved and all agencies signed off
- Lighting plans must be approved and all agencies signed off
- Pavement marking plans must be approved and all agencies signed off
- Signage plans must be approved and all agencies signed off
- All permits and approvals must be granted

During construction of a public street or sidewalk:

- The Town may perform inspection at any time for quality assurance purposes
- Developers must conduct typical inspections and provide reports to the town (roadway and sidewalk preparation, proof-rolling etc.)
- Town must be notified 24-hours in advance before of tests performed
- Developers must test concrete for sidewalks, driveway aprons, and curbing and provide concrete strength reports to town
- Any changes to approved plans must be reviewed and approved by staff prior to changes being made
- Preliminary inspections must be conducted to generate damages and repairs list
- Punch list will be developed by town staff

Final inspection of a public street or sidewalk:

- A final inspection will be conducted by the town when a minimum of 75% of houses/structures have Certificate of Occupancy
- Construction inspection is required for streets, sidewalks, stormwater infrastructure, and accessibility requirements
- Materials testing inspection reports must be provided to the town for street related infrastructure including but limited to:
 - Curb/gutter
 - Stormwater system
 - Sidewalks
 - Driveways
- Town staff will inspect trees and landscaping, signage, and pavement markings for plan compliance

Before final acceptance of a public street or sidewalk:

- Developer must provide certification of plan compliance
- Developer must provide certification of ADA compliance
- Developer must provide certification that all roads are constructed to NCDOT and Town of Hillsborough standards (Engineer must sign and seal document)
- All change orders must be documented and reported to town
- Scaled as-built drawings must be provided to the town showing all utilities and total linear footage of streets and sidewalks (hard copy and electronic copies)
- As-built stormwater infrastructure information must be submitted electronically in accordance with the current version of *The Town of Hillsborough As-Built Submittal Requirements* document.
- Substantial completion certificate must be provided to town
- Inspection reports must be provided to town
- Schedule of values for road and sidewalk construction costs must be provided to town
- Maintenance agreements must be in place (landscaping, custom signage etc.)
- Compliance with checklists must be established
- Easements and plats must be recorded

Warranty Period:

- One year warranty period begins once the Town Board accepts streets
- A street infrastructure warranty inspection will occur ten months after street acceptance. A punch list of items to be repaired will be provided to the developer/owner.

Corbinton Alleys

Board of Commissioners

March 11, 2024



TOWN OF
HILLSBOROUGH

Introduction

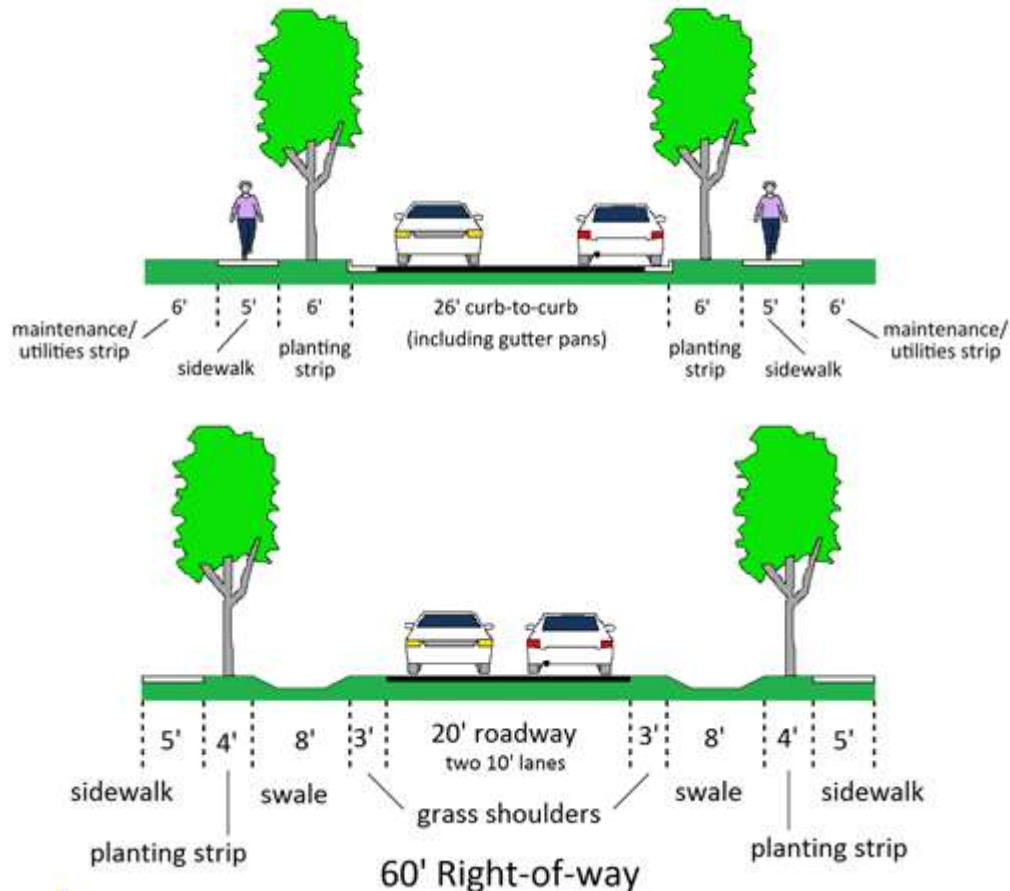
- Request from Corbinton residents to reconsider staff position on acceptance of alleys for public maintenance
- Staff and residents have worked together for years to try to get developer to complete infrastructure
- Residents have devoted a significant amount of time and energy over the years advocating for the developer to deliver a finished product
- Residents have been immensely helpful to staff in identifying and tracking construction deficiencies
- This is not a case of the town and residents being at odds; interests are aligned in trying to address subpar performance by the developer

Condensed Timeline

- **2003/2004** – Board denies rezoning and SUP, applicant appeals, town ordered to issue SUP
- **2004-2006** – litigation continues, SUP finally issued June 2006
- **2006/2007** – Construction drawings approved. Initial set indicated private alleys, final set changed to public
- **2016** – Plat recorded for development including public right-of-way for alleys. Includes statement that developer will maintain alleys until dedication is accepted by public authority
- **6/2020** – Initial punch list for streets/sidewalks/stormwater conveyance provided to developer
- **8/2020** – Final residence issued certificate of occupancy
- **1/2022** – Alleys deeded from developer to HOA
- **2/2022** – Email from staff to HOA – “The recorded plat for the community clearly indicates the alleys are dedicated to public use. The town has been operating under the assumption they would be dedicated once our standards are met.”
- **11/2022** – Town Attorney sends final punch list to developer. References at least 4 earlier communications.
- **2/2023** – Board updated on lack of progress
- **2/2024** – Email from town staff to HOA - Developer no longer owns alleys, and alleys are not constructed to town standards, staff advises that they should remain under HOA ownership.

Comparison of Alleys to Street Standards

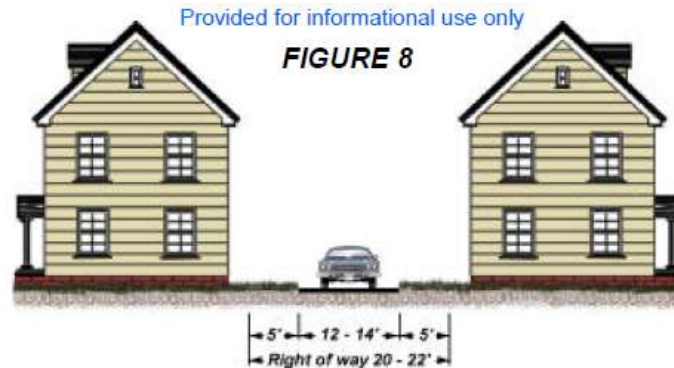
RESIDENTIAL LOCAL STREET



Options for Consideration

| Option | Pro | Con |
|---|--|---|
| 1 – Town accepts alleys as-is, brings to standards at town expense | Ends discussions with developer, HOA no longer responsible for maintenance, streets will be improved, avoids additional costs to HOA | Against recent precedent, puts cost burden on town and other residents, may not be feasible under current standards* |
| 2 – Town accepts alleys after HOA brings into compliance with standards | Ends discussions with developer, HOA no longer responsible for maintenance, streets will be improved, aligns with recent precedent, avoids additional cost to town | Puts cost burden on HOA and residents, may not be feasible under current standards* |
| 3 – HOA maintains ownership and responsibility, town continues to provide service via Hold Harmless agreement | Ends discussions with developer, residents continue to receive services, consistent with another neighborhood in town | HOA and residents bear cost of maintenance and eventual replacement |
| 4 – Town and/or HOA continue to pursue developer to bring alleys to standards | Neither town or HOA burdened with cost, puts responsibility on rightful party | Requires protracted negotiations or legal action, continues status quo for undetermined time, cost for attorneys, may not be successful |

Option – NCDOT Traditional Neighborhood Design Guidelines



Alleys

Purpose: Although part of the interconnected street system, alleys provide access to property but are not intended to accommodate through traffic. Alleys are often used by garbage trucks. In some areas alleys must accommodate dumpsters.

[Note: Not to be accepted onto the state system]

Features

- Requires 20' right of way (minimum)
- Utilities, either above or underground, may be located in alleyways to provide service connections to rear elevations
- Width 12' (minimum)
- Additional pavement at alleyway intersections is necessary to facilitate turns.

Building and Land Use

- Residential - primarily single family
- Provides rear access to garages

Corbinton Alleys

Board of Commissioners

March 11, 2024



TOWN OF
HILLSBOROUGH



TOWN OF HILLSBOROUGH

To: Mayor and Board of Commissioners

From: Matt Efird, Assistant Town Manager

CC: Eric Peterson, Town Manager

Corbinton Commons HOA

Date: March 11, 2024

Subject: Status of Corbinton Commons Alleys

As Board Members may be aware, town staff and residents of the Corbinton Commons neighborhood have been working for years, mostly unsuccessfully, to get the public infrastructure associated with the Corbinton Commons neighborhood to be acceptably completed by the developer in order for the town to assume maintenance responsibility. **The residents have devoted a significant amount of time and energy over the years advocating for the developer to deliver a finished product, and have been immensely helpful to town staff in identifying and tracking construction deficiencies. This is not a case of the town and residents being at odds; the interests of both parties are aligned in trying to address subpar performance by the developer.** The Board was recently briefed on a series of conditions from the developer and staff recommendations on a response, with the goal of bringing the negotiations to a close.

Of the many uncompleted punch list items that staff and residents have been pushing for, a number relate to the alleys located around the exterior of the property to the rear of a number of residences (see image below – alleys highlighted in purple). This memo is intended to provide additional background information to inform the Board and residents of the issues being considered by staff in determining next steps on potential acceptance of the alleys for public maintenance.



I. Timeline

One of the significant factors in the ongoing disputes and confusion over the public infrastructure in the Corbinton Commons neighborhood is the length of time between initial approval of the development, construction of public infrastructure and construction of the homes that have now been occupied for several years. The following brief timeline is a reminder of pertinent dates.

1. October 2003 – Board of Commissioners (BOC) denies rezoning and Special Use Permit (SUP) for Corbinton Commons after more than a year of consideration
2. 2004 – Town ordered by Court to issue SUP
3. 2004-2006 – Litigation continues over various aspects of Corbinton SUP. SUP ultimately issued June 12, 2006.
4. 2006-2007 – Construction drawings approved for Corbinton Commons, including public infrastructure. 2006 Construction Drawings list alleys as “20’ Private R/W”, but 2007 Drawings list alleys as “20’ Public R/W”, but also states that “By referencing roadway improvements on the plan, the Applicant agrees to construct said improvements prior to the issuance of Certificate of Occupancy in a manner that will allow them to function as noted on the plan and in accordance with NCDOT and Town of Hillsborough Standards and Policies...”
5. 2015 – Updated Construction Drawings received indicating Alleys as “20’ Public R/W, 14’ PVMT”. Includes same agreement to construct to standards as 2006/2007 documents.
6. 2016 – Plats recorded indicating Alleys as “45’ Public R/W” – also includes dedication from developer “to public use all areas shown on this plat as streets, **alleys**, walks, parks, open space and easements, except those specifically indicated as private, **and that I will maintain all such areas until the offer of dedication is accepted by the appropriate public authority.**”
7. 2015-2017 – Construction of Residential Units by Blue Heel.
8. June 2020 – Punch List prepared by Summit Engineering covering acceptance criteria for streets, sidewalks and stormwater conveyances.
9. August 2020 – final Certificate of Occupancy issued for residential construction.
10. January 2022 – Alleys deeded from developer to Corbinton Commons Association. This is contrary to the plat language listed above with respect to maintenance of the alleys until dedication is accepted by the “appropriate public authority”. This occurred without the knowledge of the association, though that was apparently not a legal requirement of the transfer.
11. February 2022 – Email from town staff to HOA states “**The recorded plat for the community clearly indicates the alleys are dedicated to public use. The town has been operating under the assumption they would be dedicated once our standards are met.**”
12. November 2022 – Town Attorney sends final consolidated punch list to developer. **The transmittal references multiple previous instances of notice of construction defects to developer in May 2020, October 2021, December 2021, and March 2022.** Of note, the punch

list includes several necessary repairs in alleys, indicating that they would be accepted as public.

13. December 2022 – Town Board approves a Hold Harmless Agreement to allow the Town to provide snow plowing services prior to acceptance of streets and sidewalks. The agreement specifically says that the Town was not committing to accept the dedication of rights-of-way. The agreement is renewed in October 2023 with the same stipulations.
14. February 2023 - Board is updated on lack of progress on Corbinton punch list, including alleys.
15. December 2023 – Town staff meets with developer to discuss lack of progress on punch list. Developer primarily focused on their plans for east section of development, which has no active planning entitlements. Staff repeatedly refuses to discuss entitlement of future phases. Outstanding punch list provided again to developer.
16. February 2024 – Letter from developer to Town Attorney following up from December 2023 meeting states that the developer “no longer has the right or obligation to make additional repairs” to the alleys, which have been conveyed to the HOA. Additionally, the developer claims that the act of issuing Certificates of Occupancy for the residences indicates town approval of standards being met for streets and sidewalks per UDO Section 6.1. It should be noted that that section specifically says “The standards set forth in this section are to be used in conjunction with the other sections of this Ordinance in the development of projects and submittal of site plans”, and that Section 6.21 holds that new public streets must meet both the town standards for street construction and town acceptance procedures.
17. February 2024- Staff briefs Town Board on demand letter from developer, indicates intended direction on continued negotiations. As developer no longer owns alleys, and alleys are not constructed to town standards, staff advises that they should remain under HOA ownership. Following board discussion, town staff advises HOA of direction regarding alley ownership.

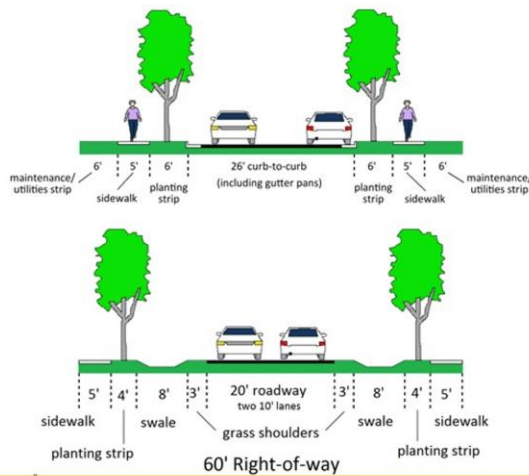
II. Alley Construction vs. Standards

The chart below illustrates the differences between the alleys as constructed and the Town’s current minimum street standards. It is unclear what, if any standard the alleys were originally reviewed against during the construction drawing approval process as there is no similar town or NCDOT standard. If originally intended as private, they would not have been reviewed against a town or NCDOT standard. The depth and condition of the asphalt and subgrade is currently unknown and would require core sampling to determine what, if any, upgrades would be needed to meet town standards.

| <u>Requirement</u> | <u>Standard</u> | <u>Corbinton Alleys</u> |
|--------------------|---------------------------|------------------------------|
| Right-of-Way width | 60' | 20' |
| Roadway width | 26' | 14' |
| Planting Strip | 6' each side | None |
| Sidewalk | 5' on each side | None |
| Sight Distance | 70' | Unknown – but well below 70' |
| Drainage | Curb & gutter or 8' swale | Central drain |

Comparison of Alleys to Street Standards

RESIDENTIAL LOCAL STREET



III. Precedents

There are several other situations in new developments around town that have similar issues that needed to be worked through. In considering the path forward on this issue, the board should be aware of past decisions and potential implications on future developments.

1. Forest Ridge – Homes in the Forest Ridge development along Quincy Cottage Rd. and Ellsworth Manor Dr. are served by rear alleys similar to Corbinton Commons. The alleys are similarly narrow and do not meet town standards for street construction. In Forest Ridge, the alleys are not platted as separate right-of-way, they are either included in the development's common property or as part of individual residential parcels (likely with an access easement). The town does not provide maintenance for these alleys, nor are they serviced for trash

collection or snow plowing. Trash and recycling are collected at the front of the property on public roads. In Corbinton, there are not necessarily direct paths for residents to take their trash and recycling containers to the public street in front of their homes.

2. Waterstone Terraces – The HOA was required to bring Aronia Dr., Monarda Way, Rubrum Dr and Allium Ln. up to Town standards before acceptance for town maintenance. These streets were intended by the developers to be private. Private streets in residential developments no longer allowed since March 2022.
3. Harmony @ Waterstone, Elfin’s Pond – Both development’s HOAs are currently in the process of bringing their streets up to town standards, including re-platting the properties into separate right-of-way parcels. In both cases, the streets were originally intended by the developers to be private. Private streets in residential developments no longer allowed since March 2022.

IV. Options for Moving Forward

In this particular situation, there is likely no good win-win scenario. Either the residents or the town will incur the responsibility and cost of addressing something that should have been handled by the developer. At this point, staff offers to the board for consideration the following options:

1. Town accepts the alleys as-is, brings them up to standards at town expense
 2. Town agrees to accept alleys once HOA has brought them into compliance with standards
 3. HOA maintains ownership and maintenance responsibility for alleys, town continues to provide services via hold-harmless agreement.
 4. Town and/or HOA continues to pursue developer to bring roads to standards
- Scenario 1 puts all of the cost burden on the town (and other residents) and is contrary to precedent.
 - Scenario 2 puts the burden on the Corbinton residents but is consistent with recent precedent.
 - Scenario 3 is what town staff recently proposed to both the board and HOA. This avoids either party having to bear the cost of improving the alleys to town standards at this time. This is similar to the Forest Ridge example above but it does not address the identified information in the timeline above that indicates that the town would accept the alleys, which may not be fair to the residents that relied upon that information.
 - Scenario 4 could place the cost burden on the developer – but only if negotiations and/or legal actions are successful in compelling the developer to do so. There will potentially be a cost to ongoing legal action, and the residents will continue to go without closure. The town may continue to offer snow plowing and trash collection services via a hold-harmless agreement, so this scenario ultimately continues the status quo for some undetermined time into the future.

v

- If the board were to decide that Option 1 or 2 is most appropriate (i.e. that the town will ultimately accept the alleys as public), staff has started working on an alternative compliance path that is more feasible than bringing the alleys up to town standards. This would entail bringing the alleys up to standards consistent with NCDOT Traditional Neighborhood Development design guidelines and would include one-way travel, reduced speed limits, restricted truck traffic, additional encroachment agreements and changes to the neighborhood covenants and town policies. The significant issues of apron width, sight triangles and driveway tie-ins would still need to be addressed under this scenario. The condition of the asphalt and subgrade would still need to be examined and addressed as needed. This process will not necessarily be easy, quick or inexpensive, but offers a better option than trying to reach current town standards.

Option – NCDOT Traditional Neighborhood Design Guidelines



Purpose: Although part of the interconnected street system, alleys provide access to property but are not intended to accommodate through traffic. Alleys are often used by garbage trucks. In some areas alleys must accommodate dumpsters.
 [Note: Not to be accepted onto the state system]

Features

- Requires 20' right of way (minimum)
- Utilities, either above or underground, may be located in alleys to provide service connections to rear elevations
- Width 12' (minimum)
- Additional pavement at alleyway intersections is necessary to facilitate turns.

Building and Land Use

- Residential - primarily single family
- Provides rear access to garages



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: Administrative Services
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Town Manager Eric Peterson

ITEM TO BE CONSIDERED

Subject: Hot topics for work session March 25, 2024

Attachments:

None

Summary:

Possible topics for the March 25 work session include:

- US Hwy 70 project updates
- Updated cemetery regulations
- Remote participation policy for Board of Commissioners meetings
- Update on legislative priorities

Financial impacts:

None

Staff recommendation and comments:

None

Action requested:

None



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date: March 11, 2024
Department: All
Agenda Section: Regular
Public hearing: No
Date of public hearing: N/A

PRESENTER/INFORMATION CONTACT

Department Heads

ITEM TO BE CONSIDERED

Subject: Staff (written reports in agenda packet)

Attachments:

Monthly departmental reports

Summary:

N/A

Financial impacts:

N/A

Staff recommendation and comments:

None.

Action requested:

Accept reports.



Administrative Services Report

February 2024

Budget

- Held budget review meetings with departments to discuss FY25 budget requests.
- Budget Retreat was held Saturday, February 17.

Communications

- Branding — Created versions of the logo with the American and pride flags as background for possible use on website and social media when flag banners are displayed. Created volunteer version of Hillsborough logo.
- Town materials — Completed March print newsletter. Created rights of way insert.
- Website — Conducted monthly website support group meeting. Completed list of requested additional icons for Granicus to provide. Support and IT support continued to work on issue with hillsboroughnc.org and hillsboroughmail.org domains. Received demos of accessibility applications. Updated public works contact forms to require an address and reviewed with staff how to access form responses on the website. Investigated use of Calendly for reservations.
- Utilities Outreach — Continued to communicate about fiber work in neighborhoods and explained rights of way. Shared information about March chlorine disinfection and hydrant flushing. Published a feature on a Water and Sewer Advisory Committee member and encouraged applications. Shared information about a water main break and repair on Harper Road and sent the appropriate OC Alerts. Took and shared photos of the full reservoir. Promoted the Water Assistance Program and the Call Before You Dig campaign. Published a feature on Tyler Freeman for National Engineers Week. Reviewed a request for qualifications.
- Other — Reviewed and promoted the greenway survey. Continued populating folder of photos to be accessible by staff. Attended Communicators Work Group meeting on language access. Made various updates to payment forms on the payment platform and corrected a broken link on the one-time payment page. Participated in WebEOC training. Began publishing a Star Saturdays social media feature each Saturday to highlight employees who received town awards. Published photos of the Orange Rural Fire Department’s live burn training. Published a Q&A featuring Catherine Wright for Government Communicators Day. Reviewed Hillsborough Climate Challenge materials.

Fleet Maintenance

- No updates.

Human Resources/Town Clerk

- Biweekly payroll

| RECRUITMENT AND SELECTION | |
|---------------------------|--|
| Position | Status |
| Police Officer | Continuous recruitment. |
| Safety & Risk Manager | Closed 2/25. Phone interviews scheduled. |
| Utility Systems Mechanic | Open until filled. |

- Made draft revisions to the racial equity assessment lens (REAL) and tested it with the internal DEI Core Team. Will be walking through the lens with the Operations Team at the end of March and making additional revisions based on that discussion.
- Continued collaboration with the One Orange team, with current focus on enhancing the data dashboard and developing a countywide racialized history document.

Information Technology

- Worked on information security incident for Finance.
- Working with CityWorks, Cartegraph, Brightly, and CivicPlus to get asset management/workflow demos scheduled. Demos have been delayed until March or early April.
- Completed mandatory SSO upgrade for OpenGov.
- Met with NCDIT structured cabling division to discuss options for the fiber project.
- Reviewing recommended security enhancements to Microsoft 365 multi-factor authentication (MFA) method for staff. Migrated to FIDO2 security key authentication method for town's tenant global administrators.

Safety and Risk Management

- Inspections — Gold Park, Turnip Patch Park, Murray Street Park, Hillsborough Heights Park, Cates Creek Park, Utilities Department Meeting, Utilities Department visit. Incident review/inspection Hwy 70 employee rear ended.
- Meetings – HR Team Meeting, Division Meeting, Safety Committee Meeting.
- Random drug screens — 1st quarter drug screens, random FMCA drug screens and random breathalyzer tests underway (Trial - Contracting collections).
- Training – 6-hour Dual CEU's for water/wastewater certification. Open to all employees.
- Safety equipment — Stocked/distributed/ordered safety gear generally and distributed updated safety wear and supplies.
- Other — Worked on employee training schedule, workers compensation claims, property and liability claims and general duties pertaining to the Highway 86 building, collected fire extinguisher monthly check sheets. Prepared/repared training equipment for January fire extinguisher training event.



Public Works Report: February 2024

Work Orders

15 completed within two days.

Public Spaces

113 staff hours

Stormwater Maintenance

2,442 linear feet, 162 staff hours.

Inspections

1 Driveway Permits, 9 sidewalk inspections, 13 utility cut inspections

Special Events

Training

1 staff attended training through ITRE, and 1 staff attended pesticide training for continuing education hours.

Cemetery

Marked 2 graves and 1 headstone.

Asphalt Repairs

2 Road repairs, 1 Utility Cut, and 3 potholes


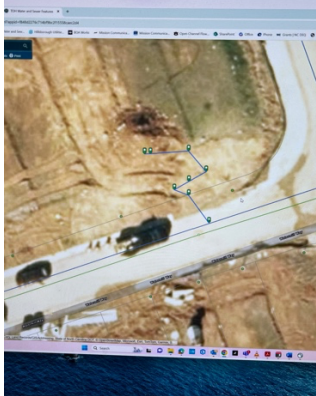
Leaf Collection

1 Load



TOWN OF
HILLSBOROUGH

Utilities Department Status Report for Mar. 2024 (covering Feb. 2024)

| PROJECT/CATEGORY | STATUS |
|--------------------------------|---|
| WTP | Waiting on parts for the raw water pump rebuild and also a control board for the main generator. |
| WWTP | Kickoff for a wastewater master plan is being scheduled. Jeff Mahagan is doing a good job being a lead on this. |
| West Fork of the Eno Reservoir | <p>The reservoir is spilling!</p>  |
| Developments/Other | <p>Staff discovered possibly modified taps in Collins Ridge Phase 1A that are not to town standards. The developer still has not requested acceptance of Phase 1A well over a year after it was placed into service. Staff is concerned about how many taps now in this phase were modified after original inspections, videos and record drawings were received. The developer is fixing the two that were found to be incorrect as staff would never have been able to properly locate services in the future. An example of the finding, on the future public side, is below. The developer must also fix where they installed retaining walls within a sewer easement that was not depicted in the approved drawings.</p>  |

| | |
|--|---|
| | <p>We understand Capkov development has applied for a public hearing for their project in April. Staff is running some sewer hydraulic modeling scenarios. The financial rate model is underway. We are unclear whether we will have answers on the cost participation by this time.</p> <p>A contractor was selected for McAdams Road Water Main. Vortex is the contractor, and they were the lowest and best bid for the project (and under the engineer's estimate). The town has worked with Vortex before on the S. Churton St. Sewer Main Project. The contract is being routed for signature, then a schedule will be set for the work.</p> <p>The town will be flow monitoring its sewer outfalls again for four months to compare flow to the prior modeling study completed a few years back.</p> |
| Fiber Installs | Hydrant tampering has seen a slight uptick. A few tampering incidents were not related to the fiber installation. Customers are not happy with the disruption in some areas. We continue to work with the main fiber companies on issues. |
| Staffing | Interviews are being conducted for the open mechanic position. The administrative position recently approved will be advertised soon. |
| Funding | RFQs for design/bid/construction services were released for the two FEMA funded projects. We are moving on other funded projects (water system master planning, Hassell and US 70). |
| Water and Sewer Advisory Committee (WSAC) Activities | Two out of town vacancies are open. The next meeting is in April. |