

TOWN OF HILLSBOROUGH



AGENDA
HILLSBOROUGH BOARD OF COMMISSIONERS
March 14, 2016
7 p.m., Town Barn

COMPLIANCE WITH THE "AMERICANS WITH DISABILITIES ACT" interpreter services and/or special sound equipment is available on request. If you are disabled and need assistance with reasonable accommodations, call the Town Clerk's Office at 919-732-1270, ext. 71.

Please use the [Bookmark Feature](#) to navigate and view the [Item Attachments](#).

1. PUBLIC CHARGE

The Hillsborough Board of Commissioners pledges to the citizens of Hillsborough its respect. The Board asks its citizens to conduct themselves in a respectful, courteous manner, both with the Board and with fellow citizens. At any time should any member of the Board or any citizen fail to observe this public charge, the Mayor or their 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 their designee will recess the meeting until such time that a genuine commitment to this public charge is observed.

2. AUDIENCE COMMENTS REGARDING MATTERS NOT ON THE PRINTED AGENDA

3. AGENDA CHANGES & AGENDA APPROVAL

4. APPOINTMENTS

- A. Tree Board – Appoint Elizabeth Waters to a full term, expiring Feb. 28, 2019
- B. Planning Board – Re-appoint James Czar as an in-town member to a full term, expiring Feb. 28, 2019
- C. Orange County Food Council – Appoint Commissioner Jenn Weaver as the Hillsborough Board of Commissioners’ representative
- D. Tourism Development Authority – Appoint Mary Catherine McKee as Chair

5. COMMITTEE REPORTS (CRITICAL)

6. REPORT FROM THE TOWN MANAGER

7. DEPARTMENTAL REPORTS

8. ITEMS FOR DECISION – CONSENT AGENDA

- A. Minutes of the Board of Commissioners February 8, 2016 Regular Meeting, Minutes of the Board of Commissioners Regular Meeting’s Closed Session, Minutes of the February 22, 2016 Board of Commissioners Work Session and Minutes of the February 22, 2016 Board of Commissioners Work Session’s Closed Session
- B. Miscellaneous budget amendments and transfers
- C. Receive report of corrected typographical errors in the Unified Development Ordinance

- D. Resolution adopting the Kings Highway Park Plan as part of the town's comprehensive plan
- E. Consideration of a consistency statement and ordinance to amend Section 5.1.6 and 9.2 of the Unified Development Ordinance to amend the definitions of storage and self-storage
- F. Consideration of a consistency statement and ordinance to amend Section 5.1.6, Table 6.3.3, and Section 9.2 of the Unified Development Ordinance to define the use "government maintenance yard", allow the use in certain districts and reduce the side and rear setback when the Light Industrial District is adjacent to the Economic Development District
- G. Accept offer of dedication of Odie Street from the Freeland heirs
- H. Award Construction Engineering and Inspection contract for the Churton Street Improvements Project to Summit Design and Engineering Services, contingent on NCDOT concurrence

9. ITEMS FOR DECISION – REGULAR AGENDA

- A. Receive letter of interest from owner of Northside Mobile Home Park for voluntary non-contiguous annexation
- B. Receive request to modify the approved Special Use Permit for 128 W. Margaret Lane to expand permissible uses
- C. Consideration of the development project known as Collins Ridge (portion of OC PIN 9874-10-9993 north of Interstate 85)
 - 1. Water and Sewer Extension Agreement
 - 2. Ordinance to annex approximately 125 acres by voluntary petition of the owners
 - 3. Consistency statement and ordinance to amend the Zoning Map to designate the parcel Residential Special Use (currently Agricultural Residential)
 - 4. Ordinance amending the rezoning map for the property
 - 5. Resolution to take action on the Master Plan application and specify conditions of approval
- D. Request for an exemption to Section 6-29 of the Town Code, prohibiting parking pads in the public right-of-way by the owners of 302 W. Queen Street
- E. Stormwater Utility Fee Update

10. CLOSED SESSION

- A. Closed Session as authorized by North Carolina General Statute Section 143-318.11(a)(5) to discuss and give direction to staff regarding negotiating terms for the possible acquisition of real property (the former Colonial Inn, 153 W. King St.)

11. ADJOURN

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016
Department: Planning
Public Hearing: Yes No
Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

	4.A	
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Tree Board – Appoint Elizabeth Waters to a full term, expiring Feb. 28, 2019

Attachment(s):

none

Brief Summary:

Ms. Waters has expressed interest in returning to the Tree Board. The Board's recommendation is for Ms. Waters to be appointed to a full term. She previously served on the board but has been off the board and serving ex officio since 2011. As she is a recent volunteer, we did not ask Ms. Waters to attend the meeting to be interviewed or submit an updated application.

Action Requested:

Appoint Ms. Waters to a full term as an in-town member of the Planning Board for a term expiring Feb. 28, 2019

ISSUE OVERVIEW

Background Information & Issue Summary:

Financial Impacts:

Staff Recommendations/Comments:

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016
Department: Planning
Public Hearing: Yes No
Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

	4.B	
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Planning Board – Re-appoint James Czar as an in-town member to a full term, expiring Feb. 28, 2019

Attachment(s):

Application form

Brief Summary:

Mr. Czar has expressed interest in being reappointed to the Planning Board. Mr. Czar is currently the Planning Board representative to the Board of Adjustment as well. Mr. Czar has attended 26 of the 35 meetings since joining the Planning Board in 2013. That term will expire on Feb. 28, 2019.

Action Requested:

Reappoint Mr. Czar to a full term as an in-town member of the Planning Board for a term expiring Feb. 28, 2019

ISSUE OVERVIEW

Background Information & Issue Summary:

Financial Impacts:

Staff Recommendations/Comments:

James Michael Czar on 11/07/2012

Name: James Michael Czar
Home Address:
407 Regulators Way
Phone (home): 919 880 9492
Phone (work):
919 544 6436
Email:
james@czar-nc.com
Place of Employment:
GKC Associates PA
Job Title:
Associate

Personal Background

Date of Birth: Tue, 12/12/1972
Gender: Male
Ethnic Origin: Caucasian

Boards/Commissions:

Planning Board ([/content/planning-board](#))

Reasons for wishing to serve:

As a resident of Hillsborough, I have an interest in the development of my community. I accept and welcome growth within the community, but I would like to see growth happen in a fashion that benefits new and current residents.

Relevant Experience

Work Experience:

I am a licensed professional engineer. My career has focused on building structures. Through the course of my career, I have had many occasions to consider land use.

Educational Experience:

Bachelor of Architectural Engineering (Structural Emphasis) The Pennsylvania State University 1995

How did you hear about this opportunity?:

Internet

Agreement

I agree to the above statement.: I agree to the above statement.

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016
 Department: Administration
 Public Hearing: Yes No
 Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

	4.C	
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Katherine M. Cathey, Human Resources Director/Town Clerk

ITEM TO BE CONSIDERED

Subject:

Orange County Food Council – Appoint Commissioner Jenn Weaver as the Hillsborough Board of Commissioners' representative

Attachment(s):

None

Brief Summary:

The food council will have representation from a broad swath of Orange County including producers, retailers, and consumers across geographic, gender, racial, and economic demographics. The council will also include a member from each municipal-elected body in the county (Carrboro, Chapel Hill, Hillsborough, and Orange County). The purpose of this representation is to provide insight into the food-related issues and policies affecting each municipality and the role that local government can play in strengthening our food system.

Action Requested:

Appoint Commissioner Jenn Weaver as the Hillsborough Board of Commissioners' Orange County Food Council representative

ISSUE OVERVIEW

Background Information & Issue Summary:

Since October 2014, a committed group of ten to fifteen Orange County stakeholders has convened monthly to develop the Orange County Food Council. The task force has formed the council with community input and county specific data collected by hosting two community forums and conducting a quantitative baseline food assessment. The result of these meetings, forums and data collection has resulted in a Collaborative Agreement that includes a common purpose, values, and council structure, and a process for seating members of the council. The task force has created an application for potential members and will have a council seated by May 2016. Over the next year, the Orange County Food Council proposes to launch the council and further it's development through the following activities: hire a part-time coordinator; conduct the qualitative portion of the baseline community food assessment including working directly with the Orange County Family Success Alliance to assess food insecurity in their two zones; create a community food security action plan for Orange County; and hold two large community forums to continue to build collaborations and implement the action plan to strengthen the food system in Orange County.

The proposed activities will address one of the top six priority areas (Food), identified by Chapel Hill's Human Services Advisory Board, specifically by addressing the need for affordable food and access to healthy food in

Orange County. Food affordability and access will be key features of the council's action plan and the task force has already engaged Orange County stakeholders addressing these issues including Farmer FoodShare and the InterFaith Council for Social Services.

Financial Impacts:

None

Staff Recommendations/Comments:

Appoint Commissioner Jenn Weaver as the Hillsborough Board of Commissioners' Orange County Food Council representative

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016

Department: Planning

Public Hearing: Yes No

Date of Public Hearing: N/A

For Clerk's Use Only
AGENDA ITEM #

	4.D	
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning

ITEM TO BE CONSIDERED

Subject:

Tourism Development Authority – Appoint Mary Catherine McKee as Chair

Attachment(s):

None

Brief Summary:

At their meeting on March 1, 2016 the Tourism Development Authority voted to recommend Member Mary Catherine McKee as Chair for the Tourism Development Authority.

Action Requested:

Appoint Mary Catherine McKee as Chair of the Tourism Development Authority through January 2017.

ISSUE OVERVIEW

Background Information & Issue Summary:

None

Financial Impacts:

None

Staff Recommendations/Comments:

None

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016
Department: All
Public Hearing: Yes No
Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

	7	
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Department Heads

ITEM TO BE CONSIDERED

Subject:
Departmental Reports

Attachment(s):
Monthly Departmental Reports

Brief Summary:
n/a

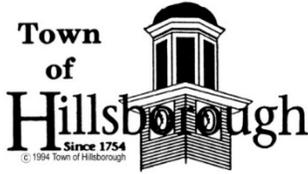
Action Requested:
Accept reports

ISSUE OVERVIEW

Background Information & Issue Summary:
n/a

Financial Impacts:
n/a

Staff Recommendations/Comments:
n/a



**ADMINISTRATION DEPARTMENTAL REPORT
March 2016**

**Human Resources Director/Town Clerk
February 2016**

Meetings

- Board of Commissioners Regular Meeting (2/8/16)
- RFQ Selection Committee (2/10/16)
- Safety Committee (2/10/16)
- Orange County Schools' Occupational Course of Study staff (2/17/16)
- Wellness Team (2/18/16)
- Board of Commissioners Work Session (2/22/16)
- Local HR Directors (2/24/16)
- Annual Budget Retreat (2/27/16)
- Administration Department Top Goal discussion (2/29/16)
- Twice-weekly update meetings with Town Manager
- Bi-weekly update meetings with Safety and Risk Management Officer
- Monthly meetings with Administration and Management Teams

Recruitment and Selection

- Police Officer (Police)
 - Recruitment opened (1/2/15)
 - Recruitment ongoing (95 applicants to date)
 - Seven offers accepted
 - One conditional offer accepted and pending background check
- Billing and Collection Clerk (Part-time)
 - Recruitment opened (10/7/15)
 - Recruitment closed (10/19/15) (24 applicants)
 - Telephone interviews conducted (11/2/15)
 - Offer extended but declined; position re-advertised (11/20/15)
 - Recruitment closed (12/2/15) (24 applicants)
 - Start Date (2/22/15)
- Water Treatment Plant Operator
 - Recruitment opened 12/2/15
 - Recruitment closed (12/16/15) (17 applicants)
 - Position re-advertised (1/13/16)
 - Position closed 2/1/16 (41 applicants)
 - Conditional offer accepted and pending background check and personnel file review
- Utilities Maintenance Technician
 - Recruitment opened (2/11/16)
 - Recruitment closed (2/29/16) (8 applicants)
 - Position re-advertised (3/8/16)

- Police Sergeant (Internal)
 - Recruitment opened (2/11/16)
 - Recruitment closed (2/29/16) (8 applicants)
 - Assessment Center (2/25/16)
- Police Sergeant (External)
 - Recruitment opened (1/11/16)
 - Recruitment closed (2/1/16) (3 applicants)
- Graduate School interns
 - Interviewed and offered summer internships to three UNC MPA students
 - Two offers accepted

Pay and Benefits

- Biweekly payroll (2)
- 2015 ACA reporting – data reconciliation and year-end review

Wellness

- Developed wellness mini-grant program
- Prepared to kick off On the Move Challenge

Performance Evaluation

- Provided ongoing support for NEOGOV performance evaluation system

Professional Development

- HCW Seminar - Diving into Alternative Risk Pools (2/3/16)
- Webinar - The Four Squares of a Well-Balanced Wellness Program (2/9/16)
- Webinar - Checkup for Applicable Large Employers: Healthcare Reform Update (2/10/16)
- Webinar - ACA/SyncStream Year End Reporting (2/16/16)
- Webinar - Employee Engagement + Learning Culture = A True Love Story (2/17/16)
- Webinar - Implementing Workplace Change (2/19/16)
- Webinar - Variable Hour Tracking/Reporting Essentials Training (2/22/16)
- Webinar - Develop a Talent Strategy Before It's Too Late! Using Talent Strategy Alignment to Ensure Business Success (2/25/16)
- IIMC Clerk Certification Course (2/29/16-3/4/16)

Miscellaneous

- Police Diversity Scholarship/Cadet Initiative
- NC -IPMA Conference Planning (March 2016)
- FY17 Budget preparation

Public Information Office Report February 2016

News Releases

- Issued news releases to media and subscriber list; posted to website and social media sites; and created bulletins for government access channel:
 - 1-Feb — Holiday-Related Items Should Be Removed from Hillsborough Cemetery
 - 4-Feb — Orange County Seeking Applicants for Hillsborough Advisory Board
 - 5-Feb — Additional Downtown Improvements Expected Next Week
 - 5-Feb — Agenda Available for Board of Adjustment Meeting
 - 8-Feb — Fire Departments to Train with Practice Fire in Hillsborough
 - 9-Feb — Hillsborough Board of Commissioners Meeting Summary — Feb. 8, 2016
 - 9-Feb — FAQs Updated on Hillsborough's Proposed Stormwater Utility and Fee
 - 10-Feb — Town Hall Buildings Getting Spruced Up
 - 11-Feb — Garbage Collection to Occur Earlier on Some Friday Routes
 - 15-Feb — Hillsborough Winter Weather Update — 7:15 a.m. Monday, Feb. 15
 - 15-Feb — Learn about Town Government in Hillsborough's Citizens Academy
 - 15-Feb — Today's Tourism Board Special Meeting Canceled
 - 16-Feb — Hillsborough Disinfecting Water with Chlorine, Flushing Lines in March
 - 18-Feb — Hillsborough Officer, Agency Honored for Special Olympics Efforts
 - 19-Feb — Hillsborough Seeks Letters of Interest from Engineers for Downtown Improvements Project
 - 19-Feb — Hillsborough Seeks Construction Bids for Downtown Improvements Project
 - 19-Feb — Hillsborough Planning Board Meeting Summary — Feb. 18, 2016
 - 19-Feb — Have a Say in Your Transportation Future
 - 24-Feb — Severe Weather Expected; Hillsborough Citizens Advised to Take Precautions
 - 24-Feb — Disregard Mystery Phone Calls from Hillsborough; Town Looking into Phone and Emergency Alerts Issues
 - 25-Feb — Pilot Project Reduces Hydrilla Threat in Eno River
 - 26-Feb — Hillsborough to Open Cates Creek Park and Parkway
 - 29-Feb — Hillsborough Releases Proposed FY2017 Budget Early
 - 29-Feb — Hillsborough Board Discusses Proposed Budget and Expectations at Retreat
 - 29-Feb — Reminder: One Week Left to Apply for Hillsborough's Citizens Academy
- As of March 7, subscriptions are:
 - Town News — 689
 - Meeting Agendas — 401
 - Bid Postings — 348

Website/Intranet

- Worked with town's project planner to provide information on the website regarding the Churton Street access improvements.
- Continued work on new website. Site is expected to launch at the end of March:

- Department content was sent to department heads for review and feedback.
- Worked on new website's backend.
- Worked on new website's user interface.

Newsletters/Brochures/Advertisements

- Completed requested edits to draft Old Town Cemetery walking guide and provided suggestions on additional decisions to be made on the text by the Cemetery Committee.

Social Media

- Created promotions for Citizens Academy and Hillsborough Alerts.
- Made 39 Facebook posts and 55 tweets. Posted one new video to YouTube.
- As of March 7:
 - Facebook: 1,233 likes
 - Twitter: 561 followers
 - YouTube: 44 subscribers
- Responded to 1 comment on Facebook and 3 tweets.

Government Access Channel/Videos

- Shot, edited and posted meeting summary video for Board of Commissioners' Feb. 8 meeting.
- Worked on rough cut of video on water treatment process. First cut has been reviewed. Addition of text and slides explaining some processes will be added.
- Cable to be installed for use of second external IP address that is needed due to an upgrade of the Cablecast system. Webstreaming of the channel currently is unavailable.
- Posted 7 bulletins to the government access channel.

Other Work

- Helped with guest suggestions for The Lunch Crunch, a WHUP-FM radio show hosted by the town's utilities director and featuring community news and interviews with town employees.
- Worked with Chapel Hill/Orange County Visitors Bureau and Hillsborough Arts Council on submitting a photo of the Stickwork sculpture to the N.C. League of Municipalities' Hometown Showdown contest. League decided to cancel the contest after the deadline for submissions.
- Edited additional questions and answers on proposed stormwater utility and fee and added to the website.
- Edited three budgeting articles to be submitted to law enforcement magazine.
- Edited flier for Police Department event benefiting Special Olympics North Carolina.
- Took photos of live burn site in advance of fire training for news release and social media use.
- Provided style and other tips to employees creating and posting news releases on meeting agendas.
- Prepared for and provided updates on severe weather on Feb. 15 and 24.
- Worked on trouble-shooting issue with phone lines and possible connection to the town's new emergency notifications system.
- Took photos of Cates Creek Park for news release, website and social media use.

- Worked with N.C. Forest Service to create and distribute news release about planned burn at Occoneechee Mountain State Natural Area.

Meetings/Events

- Attended Orange Rural Fire Department's live burn training on Feb. 13 to get photos for social media and future use.
- Interviewed three UNC Master of Public Administration students on Feb. 22 at UNC for a summer public information internship. Position has been offered and accepted.
- Attended a meeting on communications planning regarding mosquito prevention and control on Feb. 23 at the Orange County Health Department.
- PIO staff met on Feb. 23 for monthly meeting.
- Attended town's budgetary planning retreat on Feb. 27.

Safety and Risk Management Officer Monthly Report **February 2016**

Meetings Attended/Conducted

- Safety Committee Meeting
- Semi-monthly department meeting

Training Attended/Conducted

- Monthly Safety Trainings
- Annual NC Industrial Commission Training Event. Training included Confined Space, Basic First Aid, Electrical Safety and more

Site inspections

- Police K-9 vehicle
- Finance Department
- Hwy 70 work zone new water line installation
- Gold Park
- Turnip Patch Park
- Murray Street Park
- Hillsborough Heights Park

Miscellaneous

- On schedule for 1st quarter random drug screens
- Rode along with K-9 Officer to evaluate noise levels, air quality and other concerns
- Working on Active Shooter Program/Training
- Gathering information regarding Lead Safety Training/Policy
- Measured air quality in the Finance Department looking for O₂, gas fumes and/or unsafe atmospheric conditions
- Installed air monitors within the Finance Department
- Working on workers comp. incident
- Working on P & L claims
- Submitted information for cyber insurance application (awaiting quotes)
- Working on completion of incident reviews (Safety Committee)

- Stocked safety gear
- Assigning and installing stickers to employee's badges for vending machine access
- Vending machine tutorials for employees, demonstrating functions and accessibility
- Working on inspection requirements with Safety Committee members
- Updated training spreadsheet
- Distributed updated safety wear
- General duties concerning new facility at Hwy. 86 North
- Forwarded Safety Inspection results to departments
- Collecting Fire Extinguisher Monthly check sheets
- Forwarded recommendations (work orders) generated from Park Inspections

TOWN OF HILLSBOROUGH
ENGINEERING STATUS REPORT
MARCH 2016

Kenneth P. Keel, PE; 919-732-1270 ext 75; kenny.keel@hillsboroughnc.org

PROJECT	BUDGET	STATUS
WWTP Discharge Compliance	-	We were compliant with our discharge permit limits in January. Our sludge management program is in good condition.
Sewer Spill Summary	-	The Town had no reportable collection system sewage spills since my last report (none so far in 2016). There have been no reportable spill/bypass events at the WWTP in 2016.
West Fork of the Eno Reservoir	-	The reservoir is full, with approximately 345 days of supply remaining. The current overflow is exceeding the minimum release for March of 3.5 cubic feet per second (2.262 MGD).
WFER Phase 2 Design Project (FY16)	\$ 1,237,000	The road improvements design work is ongoing. Final design of Mill Creek Road and Carr Store road began in July. Discussions with NCDOT are ongoing to determine responsibilities and cost sharing of the Efland-Cedar Grove Road realignment and raising, with construction to begin in Summer 2016 and bidding in May , and the Town's share of project funds will be due to NCDOT upon contract award (approximately \$500,000). The remaining dam and project design work began in September, in order to complete all of the engineering and permitting required prior to construction of Phase 2 in early 2017. Project construction is planned in the FY17 budget. The total estimated construction cost of Phase 2 is currently at \$6.7 million, plus about \$910,000 in inspection & contract administration costs during construction (total of \$8.3M needed for construction in FY17, which includes contingency funds). These estimated costs are included in the FY17-19 budget requests.
Total Trihalomethanes (TTHM) Compliance	-	The 1st Quarter 2016 testing was performed in mid-February. These results are 6 parts per billion (ppb) higher than the 2015 1st Quarter, increasing our 1st Quarter average to 36 ppb, which makes our current running annual average increase to 51 ppb (up by 2 ppb, annual average limit is 80 ppb). <u>The Town remains compliant with TTHM levels.</u> 2nd Quarter 2016 testing is scheduled for mid-May.
Water Restrictions	-	No restrictions are in effect for Town customers. The Town is not subject to any withdrawal restrictions currently. Our usage is currently around 1.352 MGD . Lake Orange is full.
Water System Flushing	-	The Spring water system flushing operations are underway, and should be completed by the first week of April.
"Unaccounted-for" Water	-	The FY15 annual water audit was included with the February engineering reports. Unaccounted-for water percentage is higher than last year (13.46%), although our AWWA Infrastructure Leakage Index remains at a very acceptable level (1.88, acceptable range is between 1 & 3. Miscellaneous repairs have been proceeding as needed.
Miscellaneous Water Projects	-	Water improvements in the North Zone are ongoing. The 6" water line along US 70 between Walgreens and Orange High School Road was completed on March 5th. A short connection and road crossing on NC 86 North at the BP station will be constructed in late March or April.
New South Zone Water Transmission Main	\$ 240,000	A delay in the acquisition of the utility easement for the proposed water meter vault at Davis Road continues to delay construction of this project (a verbal agreement has been reached, but I am awaiting lender documentation from the owner). A new meter vault, additional connections to our existing distribution system, demolition of the existing OWASA Booster Pump Station, and addressing emergency pumping issues from OWASA due to pressure zone changes are all parts of this project. The project will be primarily constructed in-house, after attaining the easement and completing the current North Zone work.
Waterstone Elevated Water Tank	\$ 2,029,398	Tank construction is behind schedule, primarily due to contractor delays. Final piping connections are complete and electrical work is proceeding (waiting on service installation by Duke Energy). Tank construction began on 10/27/14, and final completion was scheduled by 11/9/15. We are awaiting an updated construction schedule, and working on resolution of various issues.
New South Zone Booster Pump Station	\$ 175,000	Construction of the Forest Ridge water booster pump station (BPS) has begun, and the water line from Executive Court to I-85 (which will link Forest Ridge to the South Pressure Zone) should begin later this year. Easements for the water line are currently being finalized. The BPS project is part of the next phase of Forest Ridge, and the Town's financial contribution to the project will add capacity to the BPS planned by the developer, to boost water to the South Zone and the Waterstone Tank.
Sewer Rehabilitation & Repairs and Eno River Outfall Lining	\$ 250,000	The sewer relining along the Eno (and Riverwalk) is complete. Some additional sewer relining will be done in the next few months further down the river near the WWTP. Cleaning and reinspection of the Eno River Outfall and some contributing sewers occurred in August, a few point repairs were completed in November, and relining of a few hundred feet near the Post Office was completed in late November.
Emergency Generators	\$ 75,000	A new portable generator has been delivered, and one additional unit is on order. We found significant maintenance issues with some generators earlier this year, and brought in a specialty contractor to repair deficiencies and perform proper maintenance. We are proposing additional funding to have generator maintenance performed regularly by an outside contractor beginning in FY17.

PRIORITY PROJECTS – STOPLIGHT REPORT
Engineering (March 2016)

Project & Key Information	Time ₂	\$\$\$ ³	Other ₄	% Complete	Comments/Notes/Key Lessons Learned To Date
<p><u>Waterstone Elevated Water Tank Project</u> Current Phase¹: Construction Original/Preliminary Estimated Cost (pre-design): \$1,300,000 Revised Cost (post-design): \$1,960,127 Revised Cost (actual): \$2,029,398 Original Completion Date: Spring 2015 Revised Completion Date: Fall 2015</p> <p><i>Original cost based on rough estimate with various assumptions. Revised costs based on actual design output, actual cost on bids received/construction contract and contingency.</i></p>				95%	<ul style="list-style-type: none"> • Disinfection and initial filling scheduled for March 18th. Tentative in-service date of March 22nd, after all testing is complete. • Driveway paving, curb and storm water drain construction, fencing, and other site work are in-progress. Quality testing of the tank structure was completed in February with positive results. • The electrical work is complete and awaiting final inspection and meter installation. • An additional 1-month delay occurred due to the discovery of the incorrect pipe size being installed for the tank during the UNC Hospital project. The incorrect pipe was a short (about 30 feet long) extension from the 12” main toward the tank site. The pipe was replaced with the correct size on November 27th by the UNC Health Care utility sub-contractor. • Work is complete for the piping (December). Contractor left project during July & August, resulting in the initial construction delay. • The interior and top painting was finished in September 2015, and the steel tank structure ground fabrication, painting, and jacking was completed in early June 2015. • Tank riser (concrete support column) was completed in early May 2015, foundation in February 2015. • Actual tank construction began on October 27, 2014 (site preparation). • The Notice to Proceed was issued on September 15, 2014. The substantial completion date is October 10, 2015, and final completion by November 9, 2015. • The Town awarded the construction contract on 6/9/14 to Caldwell Tanks for the <i>Composite</i> tank option. The alternates for a mixer, FAA lighting, and 2 text logos were also awarded. • SRF loan is being used for all project costs, \$2,029,398 at 0% for 20 years. The \$500,000 contribution from Waterstone will be used to make loan payments until it is exhausted. • In April 2014, the Town Board approved a UDO amendment to allow painting of a text logo (“Hillsborough”) on the tank. • Revised cost estimate increased from original estimates due to preliminary quotes received from tank contractors and more detailed estimating.
<p><u>New South Zone Transmission Main Project</u> Current Phase¹: Construction Original Cost: \$200,000 (entire project) Revised Cost: \$240,000 Original Completion Date: Dec. 2015 Revised Completion Date: Summer ‘16</p> <p><i>Delays due to meter easement acquisition and line crew workload. Added costs due to North Zone work.</i></p>				20%	<ul style="list-style-type: none"> • The North Zone loops are under construction (Walgreens to OHS Rd is complete as of March 5th & NC 86 adjacent to BP station to be completed). • Project delays due to easement acquisition & crew workload are not problematic. • The meter site easement is currently under negotiation. Construction of new meter vault will follow, then remainder of South Zone construction work (tie-ins & OWASA PS demo). • Initial design progress meeting held on 5/29/14. Design kickoff meeting held on 3/10/14. • Design of new meter vault near Davis Drive, pump connections near New Hope Creek, and various interconnections to existing Hillsborough distribution system began in early 2014. • Some additional water line was included along US70 between NC86 and OHS Road. This will create additional loops in the North Zone to improve water flow & quality. • Transfer of 16” water line through Hillsborough from OWASA was completed Sept. 2013.

<p><u>WFER Phase 2 Road Design & Permitting</u></p> <p>Current Phase¹: Design Original Cost: \$458,019 1st Revised Cost: \$483,799 2nd Revised Cost: \$602,575 Original Completion Date: June 2015 1st Revised Completion Date: Fall 2015 2nd Rev. Completion Date: June 2016</p> <p><i>Revisions due to contract addendums to continue work to final completion for all 3 roads that require modifications.</i></p>				75%	<ul style="list-style-type: none"> • Municipal agreement negotiation with NCDOT anticipated for March/April. • Final right-of-way plans for the Efland-Cedar Grove Road realignment project were submitted in late January 2016. • Preliminary bridge design plans for Carr Store Road were submitted for NCDOT review in mid-October 2015. • A contract amendment was approved on July 13, 2015 for roadway & hydraulic design completion, bridge design, ROW staking, and 404 permit modification. • Discussions with NCDOT are ongoing regarding responsibilities and cost sharing. The Efland-Cedar Grove Road project bid is scheduled for March 2016, and the Town's share of costs will have to be made available to NCDOT at that time (currently estimated around \$500,000). • Some perimeter surveying and concrete & soils testing at the dam were done in April & May. • Environmental studies and the eagle survey are complete (see Facebook page for eagle photos). • Design is proceeding in accordance with the schedule NCDOT has set. Construction of Efland-Cedar Grove Road realignment will be completed in Summer 2016. Town schedule has been revised to match NCDOT postponement of construction (previously was scheduled for Summer 2015). • A contract amendment with Atkins, NA was approved on November 10, 2014 for the hydrologic model and flood mapping for the Phase 2 improvements. • We are partnering with NCDOT for improvements on Efland-Cedar Grove Road, which will benefit both parties. Atkins is leading this effort for Hillsborough.
<p><u>WFER Phase 2 Dam & Clearing Design</u></p> <p>Current Phase¹: Design Original Cost: \$633,500 Revised Cost: Original Completion Date: Dec. 2016 Revised Completion Date:</p>				18%	<ul style="list-style-type: none"> • Site visits for development of the clearing plan began in February. • Design work began in mid-September 2015. • The final design contract with Schnabel Engineering South, PC for dam & clearing design, contractor prequalification, and bidding services was approved on September 14, 2015.

Notes: ¹ Current project phase is basis for "stoplights." Current project phases may be in study, design, implementation, or construction.
² Time: **Green** = on schedule or ahead of time; **Yellow** = behind schedule but not problematic; **Red** = behind schedule/urgent/problematic.
³ \$\$\$: **Green** = w/in 5% of current phase budget; **Yellow** = w/in 5% to 15% of budget; **Red** = more than 15% & contingency likely exhausted.
⁴ Other: **Green** = no issues current phase; **Yellow** = minor issues; **Red** = major issues/concerns



FINANCE DEPARTMENTAL REPORT FOR FEBRUARY 2016

SUMMARY OF ACTIVITIES:

Daily Collections	\$	765,055.88
Tax & Vehicle License	\$	107,725.78
Solid Waste Disposal Tax	\$	1,053.54
Beer & Wine Receipt	\$	-
Franchise Tax	\$	-
Sales & Use Tax	\$	106,120.00
	\$	<u>979,955.20</u>

Expenditures: General Fund/Water Fund \$ 1,559,253.15

FINANCE:

- Compiled and submitted all monthly reports.
- Issued 32 purchase orders.
- Processed 401 vendor invoices, issued 244 accounts payable checks.
- Collected and processed 57 payments for food and beverage tax.
- Collected and processed 10 payments for fire inspection fees and permits.
- Prepared and mailed no delinquent fire inspection letters.
- Prepared and processed 2 payrolls.
- Issued 2 new special event permits; collected no payments.

METER READING:

- Terminated 94 services and connected 83 new services upon request.
- Rechecked 289 meter readings, responded to 4 call backs.
- Installed 9 new meters, changed no old meters, performed 2 pressure tests.
- Identified no hydrant tamperings and 1 meter tampering.
- Changed 111 meter registers.

BILLING & COLLECTION:

- Corrected 293 bills that were rechecked before the 03-01-16 billing.
- Bills adjusted after 02-01-16: 20 leaks; 16 late fees; no pools; 6 miscellaneous.
- Prepared 5,594 water bills; processed 9 returned checks.
- Disconnected 77 services for non-payment, reconnected 66.
- Adjustments made for month: 505,185 gallons totaling \$71,810.60.
- Processed 1,371 utility bank drafts.
- Processed 0 debt set-off letters.
- Processed 862 on-line bill pays.

FINANCE DIRECTOR

- Conducted Supervisor's Meetings February 2nd & 17th, 2016
- Conducted Check in Meeting with Tim Goetz from Harris February 2nd, 2016
- Attended LGFCU Fellows Followup Coaching Session February 3, 2016
- Participated in Conference Calls with Fathom February 4th, 9th, and 22nd, 2016
- Attended Town Board Meeting February 8th, 2016
- Participated in the Architect Selection Meeting February 10th, 2016
- Attended NCCMT Regional Advisory Board Meeting February 16th, 2016
- Attended Wellness Team Meeting February 18th, 2016
- Attended Board Workshop February 22nd, 2016
- Attended NCLM Legislative Action Committee Meeting February 23rd, 2016
- Participated in Police Sergeant Assessment Center February 25th, 2016
- Attended "How to Overcome Our Bias" Webinar February 26th, 2016
- Attended Board Retreat Meeting February 27th, 2016

Finance
Departmental Report
February 2016
Due: Monday, March 07, 2016

Revenues

Collections:	\$ 762,866.34
NCCMT Interest:	\$ 2,189.54
Tax & Vehicle:	\$ 107,725.78
Solid Waste Disposal Tax:	\$ 1,053.54
Beer & Wine Receipt:	\$ -
Franchise Tax:	\$ -
Sales & Use Tax:	\$ 106,120.00
Total:	\$ 979,955.20

Expenditures

General & Water Fund:	\$ 1,559,253.15	Central Depository + NCCMT account
CPF:	\$ -	

Finance

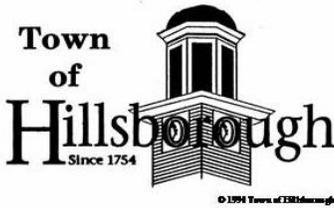
Purchase Orders:	32	32 purchase orders
Vendor Invoices:	401	401 vendor invoices
A\P Checks:	244	244 accounts payable checks
Food & Bev. Pmts:	57	57 payments
Fire Inspections Fees:	10	10 payments
Delinquent Fire Insp. Letters:	0	no delinquent fire inspection letters
Payrolls:	2	2 payrolls
Special Event Permits	2	2 new special event permits
Privilege Licenses Payments:	0	no payments
Last Fridays Permits		Leave blank if no permits were issued
Privilege License Renewals:		Leave blank if no permits were issued
Hillsborough Downtown Permits		Leave blank if no permits were issued
Beer & Wine Priv. Lic. Letters		Leave blank if no letters were sent out

Meter Reading:

New Services Connected:	83	83 new services
Services Terminated:	94	94 services
Meter Readings Rechecked:	289	289 meter readings
Call Backs:	4	4 call backs
New Meters Installed:	9	9 new meters
Old Meters Changed:	0	no old meters
Pressure Tests:	2	2 pressure tests
Hydrant Tamperings:	0	no hydrant tamperings
Meter Tamperings:	1	1 meter tampering
Meter Registers Changed:	111	111 meter registers

Billing & Collections

Bills corrected before 3-1-16:	293	293 bills
Bills adjusted after 2-1-16:		
Leaks:	20	20 leaks
Late Fees:	16	16 late fees
Pools:	0	no pools
Misc.:	6	6 miscellaneous
Water Bills Mailed:	5,594	5,594 water bills
Returned Checks:	9	9 returned checks
Services Disconnected for non-pmt:	77	Disconnected 77 services for non-payment
Reconnected:	66	66 services
Adjustments for Feb-2016(Gal.):	505,185	505,185 gallons
Adjustments for Feb-2016(\$):	\$71,810.60	
Utility Bank Drafts:	1371	1,371 utility bank drafts
Debt Set-Off Letters Processed:	0	0 debt set-off letters
Online Bill Pays Processed:	862	862 on-line bill pays



Planning Department Report February 2016

Advisory Board Activities

Planning Board

Members conducted recommended action on Collins Ridge, Kings Highway Park Master Plan and two text amendments following the public hearing. They began work on additional text amendments as part of the 5-year ordinance update.

Historic District Commission

The members considered applications for work on N. Churton Street, W. King Street and Calvin Street. Endorsed applying for a CLG grant with the Cemetery Committee to fund a training session. Interviewed new volunteer.

Board of Adjustment

Receive Conditional Use Permit modification request for a driveway at Hillsborough Christian Academy and referred it to public hearing in March.

Parks & Recreation Board

Discussed the scoring exercise for potential skate park locations. Received updates on on-going projects.

Tree Board

The members conducted a year-end review and goal-setting. Received tree planting updates.

Tourism Development Authority

Did not meet.

Tourism Board

The members reviewed logo proposals, recommend appointment of members and received updates from partner organizations. The special work session was held and focused on details of the grant process and proposed contracting process.

Revenues Collected

Development Review fees	\$1,343.50	Affordable Housing payments	\$ 3,000
<u>Zoning Permits & HDC reviews</u>	<u>\$1,198.58</u>	Code Enforcement Reimbursement	\$ 50
<i>Planning Total</i>	<i>\$2,542.08</i>	Park Reservations	\$ 260

Other department activities of note:

Tom conducted 14 certificate of occupancy site inspections and 3 other site inspections. He held 7 additional development inquiry meetings. Shannan continued meeting with local businesses and tourism service providers, participating with the Chamber and Alliance meetings. She presented the basics and resources the town has available for opening a new business to the Chamber business roundtable. Stephanie filed grant requests for downtown recycling and trash containers and to partner with other organizations on two state CLG grants. She supervised the paver installation on West King and released the Churton Street improvements for bidding. Margaret met with property owners and consultants on on-going projects and contracted work. She assisted the police department in the sergeant promotion process and met with staff about budget concerns.

*Planning Department Stoplight reports
February 29, 2016*

Project	Time	Budget	Other	% complete	
CMAQ 2012 - design/construction Design Complete: 9/15/15 Construction Complete 6/30/16				80%	Still awaiting final approval from NCDOT to advertise for construction bids.
Downtown access - construction				35%	Bidding authorized - recruiting contractors now.
Cates Creek Park construction/turnover				100%	Park opened to the public - still awaiting some details for the road opening.
N Churton and US 70 Pedestrian assessment				30%	The consultant contract is on the consent agenda for approval in November. The town is funding 20% of this \$100,000 project to assess feasibility of walkway construction along N Churton and US 70 bypass.
Kings Highway Park Plan				99%	The plan is recommended for adoption at the March Town Board meeting
Train station conceptual plan				15%	Staff and consultant have reviewed first round of conceptual plans.
Train station environmental documentation				0%	This review cannot begin until the conceptual design is complete.

Hillsborough Police Department Monthly Report

February 2016

REPORTED OFFENSES - UCR															
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2016	2015	2014
Part I Offenses															
Homicide	0	0											0	0	0
Rape	0	0											0	1	0
Robbery	1	0											1	3	10
Aggravated Assault	2	4											6	31	27
Burglary	2	2											4	59	39
Larceny/Theft	30	24											54	360	333
Motor Vehicle Theft	0	1											1	9	13
Total Part I	35	31	0	66	463	422									
Other Offenses													2016	2015	2014
Simple Assault	9	13											22	170	152
Fraud/Forgery	5	7											12	49	43
Stolen Property	0	1											1	3	3
Damage to Property	7	9											16	91	93
Weapons Violations	0	1											1	9	8
Sex Offences	1	3											4	9	12
Drug Violations	3	2											5	34	35
Driving While Impaired	3	6											9	38	31
Liquor Law Violations	0	0											0	6	7
Trespassing	1	1											2	9	14
Domestic Related	6	15											21	na	na
Missing Persons	1	1											2	14	14

Summary of Select Offenses:

On 02/01/2016, Officers received a report of a bonfire inside the Weaver St parking deck that had happened earlier in the morning. Subjects had burned pallets on the concrete.

On 02/03/2016, Officers responded to a report of a female chasing a male with a knife in the parking lot of 111 Hampton Pointe Blvd. going towards Wal-Mart. Upon arrival, Officers were advised that a Domestic had occurred and it became physical, but no injuries were reported. Officers arrested Deveon Markise Jackson, (B/M, 21, of Miller Rd) in connection to this incident.

On 02/04/2016, Officers responded to 215 Dalton St. in reference to a report of Discharging a Firearm into an Occupied Property. Upon arrival, Officers spoke to the residents who advised that they had heard gun shots and subsequent damage to the wall inside their residence, and no injuries were reported. The damages were estimated at \$500.00, and this incident is still under investigation.

On 02/11/2016, Officers received a report of a work van stolen from Patriot Pointe Apartments. The van was located at a neighboring apartment complex, in the parking lot with no signs of forced entry.

On 02/12/2015, a Sexual Assault was reported to a subject who had left the Wooden Nickel and was driven home by a subject who had also been at the Wooden Nickel.

On 02/14/2016, Officers responded to 605 Constitution Way reference to a Burglary. The victim advised that during an unknown time frame, someone entered his garage that had been left open and took \$450.00 in power tools.

On 02/16/2016, Officers responded to a reported Breaking and Entering and Larceny at Mayo's Unisex Hair Styles, 205 Cornelius St. The victim advised that someone had broken out a window, causing \$200.00 in damages, and took 23 pairs of clippers valued at \$2916.00 and a TWC Box valued at \$100.00.

On 02/18/2016, Officers responded to 515 Revere Rd. in reference to an Assault. Upon arrival, Officers located the victim who advised that he was struck in the face with a closed fist causing broken bones and various cuts to his face. Officers charged Frederick Lamont Wardlow, (B/M, 42, of Tuliptree Rd.) for Felony Assault Inflicting Serious Bodily Injury and he was arrested on 2/28/2016.

On 02/25/2016, An Aggravated Assault was reported to have happened near the intersection of Hwy 70 and N Churton St. The victim advised that a male in another vehicle drove by him and was shooting at his vehicle while in motion. The Officers viewed the two bullet holes in the vehicle. Investigators attempted to further investigate but the victim provided conflicting information and he then refused to cooperate. The victim advised they just needed a police report to provide information to the rental car company, which owned the damaged vehicle.

24 Larcenies were reported at various locations including:

- 12 larcenies were shoplifting related incidents at Hampton Pointe - Walmart (10), Home Depot, and at 662 N Churton St. - Dollar General.
- 7 larcenies from vehicles were reported –Dana Ct., Scotsburg Trl., Lakeshore Dr., and Hampton Pointe Blvd. 2 of the 7 larcenies were from unlocked/unsecured vehicles. 3 were tags stolen from the back of the vehicles. 2 of the larcenies were leaf blowers taken from trucks in the Home depot parking lot - one from an open truck bed and another from an unlocked truck.

Narcotics/Weapon related incidents

- A small amount of Marijuana was obtained from a suspicious vehicle call. On 02/02/2016 and 02/15/2016, Officers responded to a possible drug overdoses, and on 02/10/2016, Officers recovered Heroin in a syringe from a traffic stop.
- On 02/14/2016, Officers responded to a shots fired call in the 400 block of Faucette Mill Rd. Upon arrival, Officers were advised that an aggressive pit bull had been in the resident's yard attacking the homeowner's dog. The homeowner fired a shot off and scared the aggressive dog away. No injuries were reported.
- On 02/27/2016, Officers responded to a subject with a weapon call on Riverwalk and located a teenage male hunting squirrels with an air rifle. Wesley Randall Carter, (W/M, 17, of Mallory Ct.) was issued a citation for a Town Code violation for discharging an air rifle within 100 yards of any building. NC Wildlife also responded and cited Mr. Carter with hunting while not being licensed.

ADMINISTRATIVE SUMMARY

Training

- Total Hours of Non-Mandatory training – 24 (see RMS below for additional)
- Patrol Shift Training Conducted: 64 trainings conducted over 58 shifts (110%)

Complaints related to service or conduct:

- A complaint from January regarding an officer being rude to a citizen was investigated and is not sustained. An unrelated performance issue was addressed.
- A citizen who called 911 to report an aggressive driver complained due to the officer calling the citizen back to ask for more information. The citizen felt that it was unnecessary for the officer to have called since the citizen gave all of the information to the 911 operator. It was explained to the citizen that not all of the communication systems are linked and not all information is relayed, and the officer was calling back in an attempt to provide the best service. The citizen stated they understood.

Resistance encounters that result in the use of some kind of force:

- none

Commendations/Compliments Received:

- none

Other Notable Events/Activities/Accomplishments

- An assessment center and process to identify candidates for promotion to Sergeant was conducted in February. 6 employees participated in the process. The process involved nine different scored components, including a full day of testing and assessments. Results from the process are still being evaluated.
- Department-wide training was conducted on our new RMS system, and the new system went live February 23rd. 9 days of training (72 hours) were provided to get all employees trained on the system. Each officer received between 8 and 16 hours of training depending on their assignment.
- A program to identify and hire a candidate as a police cadet to attend an upcoming academy is nearing completion. The department is hoping to identify and hire someone who brings diversity and/or language skills to the agency.

PATROL SUMMARY

Patrol Activities 2016	Jan	Feb	Mar
DISPATCHED CALLS	350	502	
SELF INITIATED ACTIVITIES	248	164	
TRAFFIC STOPS	64	174	
TOTAL ENFORCEMENT			
On-View Felony Arrest/warrant issued	2	2	
On-View Misd Arrest/warrant issued	26	9	
Warrants/OFA/Summons Served	18	17	
Traffic Citations	30	44	
Written Warnings	38	92	
Parking Tickets	21	27	
DRUG/GUN ENFORCEMENT DETAIL			
Felony Drug Charge	0	1	
Misd Drug Charge	3	1	
Currency Seizure	0	0	
Gun(s) Seized/Recovered	1	0	
Schedule I Seized (gms)	0	2	
Schedule II Seized (gms)	0	0	
Schedule III Seized (gms)	0	0	
Schedule IV Seized (gms)	0	0	
Schedule V Seized (gms)	0	0	
Schedule VI Seized (gms)	5.8	0.8	

	Jan	Feb	Mar
TRAFFIC ENFORCEMENT DETAIL			
Injury Accidents investigated	5	1	
DWI Arrests	3	5	
Stopsign/Stop Light Violations	0	22	
Speeding Citations	4	4	
Other Traffic Citations	26	20	
Truck Route Cits/Warnings	0	0	
License Checks	0	0	
Traffic Directed Patrols	39	35	
COMMUNITY ENGAGEMENT			
Non-Traffic Directed Patrols	165	205	
School Patrols	32	49	
Downtown Foot Patrols	15	23	
Preventative Contacts	0	0	
Community Meetings Attended	0	3	
Community Event Attended	2	5	
Community Project/Problem Solved	0	0	

Summary of Community Engagement

-

Other Notable Events/Activities/Accomplishments

-

INVESTIGATIONS SUMMARY

VIOLENT/PROPERTY CRIME SUMMARY AND CLEARANCE STATUS							
Crime	CURRENT MONTH				YEAR TO DATE		
	Reported	Assigned to Invest.	Cleared By Invest.	Cleared By Other	Reported	Cleared	%
Homicide	0	0	0	0	0	0	na
Robbery	0	0	0	0	1	1	100%
Agg Assault	4	2	0	2	6	4	66%
Sex. Offense	1	1	1	0	2	1	50%
VIOLENT TOTAL	5	3	3	2	9	8	89%
Burglary	2	1	0	0	4	0	0%
Larceny from MV	7	1	0	0	15	0	0%
Other Larceny	17	11	4	1	29	15	52%
Motor Vehicle Theft	1	0	0	0	1	0	0%
PROPERTY TOTAL	27	14	8	1	49	19	42%

CID MONTHLY WORKLOAD	
Prior Cases	46
New Cases Assigned	41
Cleared by Arrest	6
Exceptionally Cleared	6
Unfounded	1
Closed/Inactivated	10
Cases to Carry	66

WARRANTS	F	M
Issued	10	1
Served	9	1

NARCOTICS	
Prior Cases	5
New Cases	0
Closed Cases	0

Other Notable Events/Activities/Accomplishments:

COMMUNITY POLICING SUMMARY

Community Watch Group Interactions/Activities

Group	Type of contact(s)
Beckett's Ridge	-
Cameron St.	-
Cornwallis Hills	Telephone contact and email
Fairview	Community Watch Meetings (2/1 and 2/29)
Gateway	-
Gatemoore	-
Hampton Point	Email contact
Hillsborough Heights	Inactive group, but Commissioner Ferguson who is a member attends Fairview Watch
Kenion Grove	-
Orange St.	-
Patriot's Point	-
River Bend	Community Watch Meeting (2/9)
% of Community Watch Groups Interacted with: 42% (5/12)	

Community Events/Youth Outreach

Event/Program	Participants
Tutoring (3 sessions)	33
Safe Kids Program	16
Spanish Speaking Comm. Meeting	53

On-going Programs

- Special Olympics – Fundraising events for the 2016 Special Olympics will include:
 - The Polar Plunge: Participants will take a plunge in an outdoor pool. This event is scheduled for March 12, 2016
 - Broom Ball: This is a hockey/soccer style event that will take place on April 12, 2016 at the Orange County Sports Plex.
- Vial of Life – 21 residents are registered with our Vial of Life program
- Adopt-A-Cop classes attended by HPD Officers: 3 officers attended their classes with 18 students each.
- Citizen Police Academy: Planning conducted for the May date
- Are You OK?: There are 13 elderly citizens are participants in this program. There were no checks conducted during the month of February, 2016. This problem has been corrected.

Community Concerns Summary:

- Residents of the Fairview Community discussed three individuals that they thought were homeless. It was explained to them that these individuals were known by law enforcement and after being approached wanted no assistance. The Fairview Community discussed the need for diversity in the police department. This topic was brought up by the Chair Person, Dorothy Johnson. Chief Hampton noted that this was a concern of his as well and that he is currently seeking qualified minority applicants.
- The Spanish-speaking community of Fairview discussed their relationship with law enforcement at the community watch meeting held Feb 1. Chief Hampton assured the residents of the positive direction that the police department was headed. A separate and additional meeting was held with the Latin Community of Fairview on Feb 29 to further discuss concerns. Approximately 53 citizens were in attendance. Chief Hampton was well received and thanked for his efforts to help the citizens of the Hispanic community.

Hillsborough Police Department Monthly Report

February 2016

- The River Bend community raised concerns about solicitors in the neighborhood. Stationary patrols were conducted, but no solicitors were seen.

Community Problem Solving Summary:

Problem	Actions	Results

Other Notable Events/Activities/Accomplishments

Feb 20: Alliance for Historic Hillsborough held a revolutionary war reenactment on the grounds of the visitor's center.

Hillsborough Public Works

February 2016 Monthly Report

Work Orders: 5 work orders, 5 completed within two days

Park Maintenance: 48 staff hours

Cemetery: 2 gravesites marked, 2 monuments marked

Loose Leaf Removal: 2 Loads, 11 staff hours

Stormwater Infrastructure: 81 staff hours

Snow/Ice Event: PW staff worked 82 staff hours

Training: 3 staff attended ITRE flagger training

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016
 Department: Administration
 Public Hearing: Yes No
 Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

8.A		
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Katherine Cathey, Human Resources Director/Town Clerk

ITEM TO BE CONSIDERED

Subject:

Minutes of the February 8, 2016 Board of Commissioners Regular Meeting, Minutes of the February 8, 2016 Board of Commissioners Regular Meeting Closed Session, Minutes of the February 22, 2016 Board of Commissioners Work Session, and Minutes of the February 22, 2016 Board of Commissioners Work Session's Closed Session

Attachment(s):

- 1) Minutes of the February 8, 2016 Board of Commissioners Regular Meeting
- 2) Minutes of the February 22, 2016 Board of Commissioners Work Session

Brief Summary:

None

Action Requested:

Approve minutes

ISSUE OVERVIEW

Background Information & Issue Summary:

None

Financial Impacts:

None

Staff Recommendations/Comments:

Approve minutes

TOWN OF HILLSBOROUGH



MINUTES
HILLSBOROUGH BOARD OF COMMISSIONERS
February 8, 2016
7:00 PM, Town Barn

PRESENT: Mayor Tom Stevens and Commissioners Mark Bell, Kathleen Ferguson, Evelyn Lloyd, Brian Lowen, and Jenn Weaver

STAFF PRESENT: Town Manager Eric Peterson, Planning Director Margaret Hauth, Finance Director Heidi Lamay, Town Engineer/Utilities Director Kenny Keel, Management Analyst/Assistant PIO Jen Della Valle, Human Resources Director/Town Clerk Katherine Cathey, Stormwater Program Manager Terry Hackett, and Town Attorney Bob Hornik

ABSENT: None.

[7:00:15 PM](#) Mayor Stevens called the meeting to order.

1. PUBLIC CHARGE

Mayor Stevens did not read the public charge but asked that everyone abide by it.

2. AUDIENCE COMMENTS REGARDING MATTERS NOT ON THE PRINTED AGENDA

There were none.

3. AGENDA CHANGES & AGENDA APPROVAL

There were no changes. Mayor Stevens approved the agenda as submitted.

4. INTERVIEWS

A. Interview Laura Simmons for a vacancy on the Historic District Commission
Not present.

5. APPOINTMENTS

A. Appoint Laura Simmons to a three-year term on the Historic District Commission with a term expiring March 31, 2019

[7:02:49 PM](#) Commissioner Lowen moved to appoint Ms. Simmons to a term on the HDC. Commissioner Ferguson seconded. The motion carried upon a unanimous vote of 5-0.

B. Re-appoint Anjan Desai as the 'Hotel/Motel Appointee' on the Tourism Development Authority with term expiring 1/31/2017

[7:01:46 PM](#) Commissioner Ferguson moved to re-appoint Mr. Desai to the TDA. Commissioner Bell seconded. The motion carried upon a unanimous vote of 5-0.

C. Re-appoint Mary Catherine McKee as the 'Alliance Appointee' on the Tourism Development Authority with term expiring 1/31/2017

[7:02:02 PM](#) Commissioner Ferguson moved to re-appoint Ms. McKee to the TDA. Commissioner Bell seconded. The motion carried upon a unanimous vote of 5-0.

6. PRESENTATIONS

There were none.

7. COMMITTEE REPORTS (CRITICAL)

Commissioner Lloyd reported there had been discussion about the future southern fire station.

Commissioner Ferguson reported that the Tourism Board special meeting did not have a quorum and would be rescheduled. She reported that the Partnership to End Homelessness added more to the leadership team (good community representation) and continued to finalize the strategic plan for this year. The Fairview Community met with Chief Hampton and the Hispanic community, who shared that people are terrified of deportations. There will be a summit for further clarification of the roles of the Orange County Sheriff's Department, Hillsborough Police and ICE. The second point that came out of that meeting was the community's concern about the loss of officers of color. We're not seeing the diversity. Chief Hampton explained at that meeting that he is really looking to increase diversity, and would like board members to send notes to the officers so they know they've got the support of the community. She reported that TJCOG had recently given a presentation on Smart Cities and that effort is ongoing.

Commissioners Lowen and Bell reported the boards on which they serve hadn't met.

Commissioner Weaver reported that the NRBA took a formal vote on signing a letter of support to the EPA for the study for Raleigh to reallocate water from the water quality pool of the lake and allocate it to drinking water. That group also approved \$20,000 additional to fund unforeseen meetings with the state to figure out how to implement new water quality standards. The \$20,000 came from the contingency fund. The Christmas storm was the highest the lake has been in 10 years, which will provide interesting data. Regarding the Rules Review Process, it has been pulled from the March agenda, as it is unknown when the state will decide to proceed with that issue. Also, there's an Orange County foods council being started. She will serve as representative from Hillsborough. The first meeting is planned for May.

Commissioner Lloyd added a thank you to the police who assisted when her pharmacy door was left open.

Mayor Stevens reported that he had attended the Water Sewer Advisory meeting and that group is concerned about determining whether the town is losing water and the issues with the water tank. He and Earl McKee, Chair of the Orange County Board of Commissioners, met and finalized the agenda for the joint meeting. There are a lot of little items that fall in the economic development and growth categories.

8. REPORT FROM THE TOWN MANAGER

Mr. Peterson reported he is working hard on the budget workbook to get it out by Friday. Late next week he'll follow up with key information points.

9. DEPARTMENTAL REPORTS

Commissioner Weaver asked Mr. Keel about information in the free water audit software. She asked if the town is losing a lot of water. Mr. Keel answered no, it's within range. It is a little higher than last year and he thinks some of it might have to do with the billing software. We're trying to determine if there are any other reasons, he said. Mayor Stevens said the Water Sewer Advisory Committee had the same question.

10. ITEMS FOR DECISION – CONSENT AGENDA

- A. Approval of Minutes of the November 30, 2015 Board of Commissioners Work Session, Minutes of the December 12, 2015 Board of Commissioners Regular Meeting, Minutes of the December 12, 2015 Board of Commissioners Monthly Work Session Closed Session, Minutes of the January 11, 2016 Board of Commissioners Regular Meeting, Minutes of the January 11, 2016 Board of Commissioners Closed Session and Minutes of the January 25, 2016 Board of Commissioners Work Session
- B. Budget Amendments and Transfers
- C. Approve contract amendment with The Design Workshop to fund design of interpretive signs
7:18:20 PM Commissioner Lloyd made a motion to approve items on the consent agenda. Commissioner Ferguson seconded. The motion carried upon a unanimous vote of 5-0.

11. ITEMS FOR DECISION – REGULAR AGENDA

- A. Update from Go Triangle about transit operations in Hillsborough
7:19:29 PM Jennifer Green, Capital Projects Planner for Go Triangle, addressed the board. She explained that Go Triangle has been looking for a permanent park-and-ride lot for the North Hillsborough route along the US 70

corridor. She reviewed background of the approval of bus service from the Orange County Bus and Rail Investment Plan, 5-year bus program in 2014 and Orange-Durham Express (ODX). She reviewed the definitions of park-and-ride and bus transfer station.

She reported Go Triangle is already seeing a need for up to 50 parking spaces for the two current routes. For long term growth, they see the need for 100 parking spaces. Go Triangle ridership has doubled in the last 10 years. The Durham Tech park-and-ride ridership has doubled in 3 years.

Go Triangle is looking for a parcel more than 5 acres in size and the organization has been working with town staff. They have been looking at parcels west of NC 86. Parcels are small and would require assembling several. Primary destination is for those people going to Duke/VA hospital, so it's best to be located to the east of NC 86, which is supported by customer requests as well.

She presented three options:

First is Go Triangle's preference: at New Hope Church (on the corner of Orange High School Road) with a transfer facility separately on US 70 at Faucette Mill Rd.

Alternative 1: Could locate a parking lot at the transfer facility on US 70 at Faucette Mill Rd. May need to assemble multiple properties or face capacity issues.

Alternative 2: Could conduct a more extensive site selection process, and continue to use Durham Tech as a park-and-ride lot. The transfer facility could still be provided at Faucette Mill Rd.

Commissioner Ferguson said a parking lot is not what any neighbors want for the Cornelius St. revitalization. Fairview uses UNC because of Medicaid; not Duke. They want sit down restaurants, beauty shops. We want tax revenue. Parking lots don't drive people to businesses. She asked how many acres the transfer station would be. The answer was that it could be an on-street facility. Just a bus stop. Commissioner Ferguson asked if that could be done at the church. Mayor Stevens said it's just a place for the bus to pull over.

Ms. Green answered questions about the potential park-and-ride lot. There are at least 130 spaces at New Hope Church, she answered. There would be wayfinding signs.

Ms. Hauth said if we can get NCDOT permission to put the transfer station in the right-of-way, we'll put it there. If we can't get it approved, it will be on private property.

The board thought the recommendation looked good.

Commissioner Bell said Orange High School Rd. is congested in the morning. Others agreed. Ms. Green answered that it will be studied (regarding buses coming in and out of Orange High School Rd. to access the church parking lot rather than just US 70).

B. [Receive Letter of Interest in annexation from Orange County for properties near the Sportsplex 7:52:27 PM](#) Ms. Hauth reviewed that the board may be aware that Orange County has acquired the properties that Meadowlands wraps around. The next phase of development at the Sportsplex involves developing those properties as an indoor field house. It's in the county's best interest to request annexing and erase property lines. She is introducing it now so that it can be on the next public hearing.

The board nodded heads that Orange County should file petition for annexation. The idea was well received.

C. [Update on storm water utility public outreach and citizen input 7:54:55 PM](#) Mr. Hackett reviewed that he and staff had sent three press releases, used social media, newsletter, radio,

a postcard mailer and held an informational meeting. The informational meeting on January 26 included 21 citizens, three staff members and himself. All 21 had something to say and had a lot of questions. He reviewed the FAQs, and has recommended changes. He briefly reviewed them and took some feedback from the board. He isn't proposing changing rates for residential properties. He ran through five tiers for non-residential properties. Budget numbers won't be changing but fees may as he tweaks.

Someone in the community has suggested creating an assistance program, which will be another recommendation.

Next steps are to update the financial analysis, finalize list of recommendations, draft stormwater utility ordinance, coordinate with Orange County, hold a public hearing, ask the board for formal adoption (April Town Board meeting), approve the inter-local agreement (May or June meeting), and continue public outreach.

Mr. Peterson will send an email to the county manager informing her that the budget office will be subject to this. Mr. Hackett said a couple of schools will, too.

Board members thanked him for his efforts. The schedule reflects what we need to do.

D. Discussion of DFI proposal regarding the Colonial Inn

8:27:17 PM Mayor Stevens said he had a discussion with Ms. Raulli this afternoon, and she's here to answer any questions. Commissioner Bell asked if there has been anything new with this proposal. Mayor Stevens answered no. It feels a little early to be coming back to this. It got mentioned in December to put this on the agenda in February. Mayor Stevens said people know we have this proposal and we haven't received additional ones, nor have we gone looking. There aren't other organizations like DFI. It seems like a good direction to go. Maybe wait to see how it goes with the appraisal and acquisition. He asked if the board wants to get other bids.

Commissioner Ferguson said as part of the economic development course at the School of Government, DFI presented other projects in NC, and she was really impressed with what they were able to accomplish. Having met with Ms. Raulli separately and seen this, she's supportive.

Mayor Stevens is supportive and recommends holding on this.

Commissioner Weaver said she thinks DFI does great work but it feels premature to say let's do this. It does feel a little odd not to have anything else to compare it to. Her mind is open to hearing other proposals.

Mayor Stevens asked whether the board wants staff time spent on this. Commissioner Weaver asked to hear other board members thoughts on it.

Commissioner Bell agrees that he would like more input on what the options are, but maybe the time isn't right for deeper conversation. I think we're following a process and we're not quite ready to commit to anything.

Commissioner Ferguson said the DFI offer is in the public realm. I don't think private entities could match this. We should have them respond by a certain date. For our own due diligence, we need to be clear that we are accepting other proposals.

Mayor Stevens said to town staff, we'll let entities know the town is accepting other proposals through mid-March.

Ms. Hauth asked if we are letting the general world know we are accepting proposals for entities that would walk us through acquisition. Mayor Stevens clarified that we are looking for pre-development services similar to DFI, and not proposals about what to do with the building.

Ms. Hauth said in December, someone suggested another firm that could help us. We could email that entity and ask if that organization is interested and could it respond by mid-March. Commissioner Bell said the end of March, as they need a little more time. The board agreed on a March 20 deadline.

Mr. Peterson asked that staff contact the one firm. Ms. Hauth said she'll put a paragraph on the bid page.

E. Preparations for the February 27 budgetary planning retreat
Quick lunch discussion

Additional Item – Encroachment Agreement

8:45:31 PM Commissioner Lowen moved to approve the additional item on the consent agenda. Commissioner Ferguson seconded. There was no discussion. The motion carried upon a unanimous vote of 5-0.

F. Discuss ways to improve or streamline the monthly departmental reports
Board is satisfied. It's ok if staff wants to streamline. Members will speak up if they feel like they're not getting enough information.

G. Hot Topics for the February 22 workshop

Mr. Peterson reported staff has narrowed the north campus architects down to four. We want to do site visits of where these architects have built. It's unlikely but possible to have recommendations by the next workshop. Also, when talking about the top three last month, staff felt it would be helpful if Ms. Trueblood gave updates on the connectivity plans. Commissioner Lowen would like to go on the site visits.

8:54:00 PM Commissioner Ferguson moved to go into closed session. Commissioner Weaver seconded. The motion carried upon a unanimous vote of 5-0.

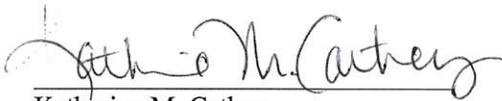
12. CLOSED SESSION

A. Closed Session as authorized by North Carolina General Statute Section 143-318.11(a)(5) to discuss and give direction to staff regarding negotiating terms for the possible acquisition of real property (the former Colonial Inn, 153 W. King St.)

13. ADJOURN

9:05:25 PM Commissioner Ferguson moved to adjourn. Commissioner Bell seconded. The motion carried upon a unanimous vote of 5-0.

Respectfully submitted,



Katherine M. Cathey
Town Clerk

DRAFT

FY 2015-2016

**TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT**

DATES: 02/08/2016 TO 02/08/2016

	<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>
General Fund Contingency	10-00-9990-5300-000 CONTINGENCY Interpretive Signs	2727	02/08/2016	EBRADFORI	200,000.00	-1,430.00	0.00
GF-Revenue Account	10-10-3400-3401-000 PLANNING FEES Adj budget due to higher than expected re	2728	02/08/2016	EBRADFORI	30,000.00	570.00	30,570.00
Planning	10-10-4900-5300-165 MAINTENANCE - INFRASTRUCTURE Interpretive Signs	2726	02/08/2016	EBRADFORI	5,100.00	2,000.00	13,300.00
Information Services	10-10-6610-5300-113 LICENSE FEES Web Filter Licenses & Replc Fees (3-yr)	2703	02/08/2016	EBRADFORI	15,000.00	7,592.00	22,592.00
Information Services	10-10-6610-5300-338 SUPPLIES - DATA PROCESSING (4) Web Filters	2704	02/08/2016	EBRADFORI	2,500.00	5,996.00	16,654.00
Information Services	10-10-6610-5300-570 MISCELLANEOUS (4) Web Filters & Licenses & Replc Fees	2705	02/08/2016	EBRADFORI	25,000.00	-13,588.00	63,661.00
Admin. of Enterprise	30-70-5972-5972-000 TRANSFER TO WATER CRF Adj to Reflect FY15 Cap Fees Rec'd after	2710	02/08/2016	EBRADFORI	303,170.00	2,485.00	305,655.00
Admin. of Enterprise	30-70-5972-5972-001 TRANSFER TO SEWER CRF Adj to Reflect FY15 Cap Fees Rec'd after	2711	02/08/2016	EBRADFORI	398,818.00	3,269.00	402,087.00
Water Treatment Plant	30-80-8120-5300-150 PLANT & EQUIPMENT MAINTENANCE/REPAI 52ft Lagoon Pump	2722	02/08/2016	EBRADFORI	47,200.00	-15,000.00	34,600.00
Water Treatment Plant	30-80-8120-5300-165 MAINTENANCE - INFRASTRUCTURE	2720	02/08/2016	EBRADFORI	0.00	0.00	0.00
Water Treatment Plant	30-80-8120-5300-550 ALUM SLUDGE REMOVAL 52ft Lagoon Pump	2723	02/08/2016	EBRADFORI	17,000.00	-5,817.00	11,183.00
	Pump lagoon at WTP	2725	02/08/2016	EBRADFORI	17,000.00	62,000.00	73,183.00
Water Treatment Plant	30-80-8120-5700-741 CAPITAL - EQUIPMENT 52ft Lagoon Pump	2724	02/08/2016	EBRADFORI	0.00	20,817.00	20,817.00
W&S Fund Contingency	30-80-9990-5300-000 CONTINGENCY Pump lagoon at WTP	0	02/08/2016	EBRADFORI	150,000.00	-62,000.00	74,000.00
	Transfer FY15 Cap Fees Rec'd after 5/15	2712	02/08/2016	EBRADFORI	150,000.00	-5,754.00	68,246.00
		2721	02/08/2016	EBRADFORI	150,000.00	0.00	68,246.00
W&S Capital Reserve Fund	70-70-3870-3870-000 TRANSFER FROM WATER FUND Adj to Reflect FY15 Cap Fees Rec'd up tc	2706	02/08/2016	EBRADFORI	2,137,830.00	356,225.00	2,494,055.00
	Adj to Reflect FY15 Cap Fees Rec'd after	2713	02/08/2016	EBRADFORI	2,137,830.00	2,485.00	2,496,540.00
W&S Capital Reserve Fund	70-70-3870-3870-100 TRANSFER FROM SEWER FUND Adj to Reflect FY15 Cap Fees Rec'd up tc	2708	02/08/2016	EBRADFORI	2,916,632.00	449,371.00	3,366,003.00
	Adj to Reflect FY15 Cap Fees Rec'd after	2714	02/08/2016	EBRADFORI	2,916,632.00	3,269.00	3,369,272.00
W&S Capital Reserve Fund	70-70-3870-3870-150 TRANSFER FROM GENERAL CAP. RESERVE Adj Budget to Reflect Actual Revenues	2717	02/08/2016	EBRADFORI	403,031.00	-0.31	403,030.69
W&S Capital Reserve Fund	70-80-6900-5700-730 CAPITAL IMPROV. - WATER Adj to Reflect FY15 Cap Fees Rec'd up tc	2707	02/08/2016	EBRADFORI	604,383.00	356,225.00	960,608.00
	Adj to Reflect FY15 Cap Fees Rec'd after	2715	02/08/2016	EBRADFORI	604,383.00	2,485.00	963,093.00
W&S Capital Reserve Fund	70-80-6900-5700-731 CAPITAL IMPROV. - SEWER Adj to Reflect FY15 Cap Fees Rec'd up tc	2709	02/08/2016	EBRADFORI	1,587,939.00	449,371.00	2,037,310.00
	Adj to Reflect FY15 Cap Fees Rec'd after	2716	02/08/2016	EBRADFORI	1,587,939.00	3,269.00	2,040,579.00

FY 2015-2016

TOWN OF HILLSBOROUGH
 BUDGET CHANGES REPORT
 DATES: 02/08/2016 TO 02/08/2016

<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>
W&S Capital Reserve Fund 70-80-6900-5700-732 CAPITAL IMPROVEMENT-WATER TOWER Adj Budget to Reflect Actual Revenues	2718	02/08/2016	EBRADFORI	503,372.00	-0.31	503,371.69
					<u>1,623,839.38</u>	

APPROVED: 5-0
 ON: February 8, 2016

VERIFIED: *Kathleen M. Cathey*

DRAFT



MINUTES
Board of Commissioners Monthly Workshop
Monday, February 22, 2016 – 7 p.m.
Town Barn

PRESENT: Mayor Tom Stevens, Commissioners Mark Bell, Kathleen Ferguson, Jenn Weaver, Evelyn Lloyd and Brian Lowen

ABSENT: None

STAFF MEMBERS PRESENT: Town Manager Eric Peterson, Planning Director Margaret Hauth, Finance Director Heidi Lamay, Human Resources Director/Town Clerk Katherine Cathey, Management Analyst/Assistant PIO Jen Della Valle, Project Planner Stephanie Trueblood, and Town Attorney Bob Hornik

1. Open the Workshop

7:00:33 PM Mayor Stevens opened the meeting at 7 p.m.

2. Agenda Changes & Agenda Approval

There were no changes. Mayor Stevens approved the agenda as it stands.

3. Committee Updates and Reports

Commissioner Lowen reported he had attended the MPO meeting.

Commissioner Bell attended the Chapel Hill/Orange County Visitors Bureau meeting. They worked on the budget, and discussions are still happening regarding a combined Chapel Hill/university museum. There was discussion of how to market what's going on in Hillsborough. He would like to report back to that group in three months.

Commissioner Ferguson reported the Tourism Board Special Meeting has been rescheduled for tomorrow night. It is important for us to focus on what we want. Home Trust had their retreat on Saturday at which someone representing Cornerstone Partnership emphasized that Home Trust is the national model. Chapel Hill is really looking for Home Trust to buy existing housing and repurpose it for the affordable rental market.

Commissioner Lloyd said the fire department meeting went well. She commended the Town Manager for his part in that discussion.

4. Miscellaneous budget amendments and transfers

7:08:19 PM Commissioner Lowen made a motion to approve. Commissioner Ferguson seconded. The motion carried upon a unanimous vote of 5-0.

5. Special Event Permit request from Chamber of Commerce for Riverwalk use on March 19

Ms. Hauth said it will be brief, no more than 15 minutes. It wouldn't require police. Mayor Stevens said what I'm hearing is that if it was within your power, you would approve this. Ms. Hauth said it is piggybacking on the Easter Egg Hunt event and then going on to an event in Gold Park.

There was brief discussion of waiving the fee and that it's different when it's for a private matter. This is raising money for a larger nonprofit.

[7:12:28 PM](#) Commissioner Ferguson moved to approve the permit and sponsor the event. Commissioner Lowen seconded. Commissioner Lowen commended Sara Stephens and her staff for doing a great job. The motion carried upon a unanimous vote of 5-0.

6. Update on the status of connectivity projects currently in process

Ms. Trueblood reviewed the importance of connectivity, the updated Community Connectivity Plan, which includes sidewalk recommendations, and greenway recommendations (including neighborhood connections along easements and streams). Of the 30 percent in connectivity plan not addressed, nearly all have another party involved.

She reviewed some of the major pedestrian projects including recent, upcoming and other pedestrian projects (created by other entities, Ayr Mount, River Park, private development like Waterstone, Bellevue Mill, and Forest Ridge). She reviewed the five pedestrian studies underway or recently completed (South Churton/I-85 crossing, North Churton St. and US 70, Orange Grove Rd. Extension, South Churton St. widening). She shared a color-coded map that indicates the connectivity. The green pieces are the little windows where high-priority sidewalks aren't built or aren't being studied yet.

Mayor Stevens asked, are we talking 20 years. Ms. Hauth and Ms. Trueblood explained that for US 70 they are attempting to design sidewalks that won't be torn up when that highway becomes four lanes. It would ideally be separate from the road. Mayor Stevens said so it wouldn't be out of the question to connect all neighborhoods in 10 years.

Ms. Trueblood shared a slide detailing key connections and barriers (Eno River, NCRR Corridor, interstates, topography, R/W, utilities, permitting).

Ms. Trueblood reviewed focus areas. She doesn't feel that we've yet focused on strategic neighborhood projects that wouldn't be that expensive.

Mr. Peterson asked for a list of those neighborhood projects with next steps. It could be included in the 3-year plan. Ms. Trueblood said she'd be comfortable doing that with those included in the Connectivity Plan. Perhaps more could be included in the next update. There was a lot of public input involved in the Connectivity Plan, so she wants the projects on her list to be vetted. She will list those that have already been vetted.

Commissioner Weaver said all discussions about roads need to include bike/ped discussions. Commissioner Bell said connectivity has put us in a better place.

Town Manager Eric Peterson said the budget doesn't have a lot of money for pedestrian connection. It's one of multiple gaps.

Mayor Stevens noted he'd received good feedback on the pavers' project in front of Cup A Joe. Ms. Trueblood shared that she'd coached the workers to be friendly to passersby and that our contractors like working with Hillsborough because of the friendliness of the passersby.

7. Board retreat preparation

Mr. Peterson made brief remarks regarding preparations.

8. Update from town attorney on email as it pertains to the open meetings law and public records

[8:01:42 PM](#) Mr. Hornik handed out the general statute and referred to David Lawrence's open meetings book. He cautioned that the closer electronic communication gets to resembling a conversation, it might be a meeting. It can be an electronic meeting if noticed like a meeting. There has to be a way for the

public to participate in that meeting. There's no case study on replying all to email. Probably the closer in time we are to responding, the closer we are to having a meeting, he cautioned.

Mayor Stevens added that there is damage to public confidence if the board violates the intentions of the open meetings law. Mr. Hornik agreed.

Mr. Hornik cited Lawrence's handbook regarding electronic meetings. If it's so urgent that everyone is responding via email, then it's probably time to call a special meeting.

Mayor Stevens said as soon as you go back and forth, that's a conversation.

Commissioner Bell (who discussed this topic at school of government workshop) said there's a difference between receiving background information and carrying on a conversation in a meeting. Mr. Hornik pointed out there's a difference between legislative and quasi-judicial meetings.

Mayor Stevens said down the road we probably want to train advisory board members. Mr. Hornik reviewed that the minutes requirement is to include a description of discussion and record actions. Many municipalities keep almost verbatim minutes. There was some discussion that some have gone away from that. Mr. Hornik said especially if the meeting is videotaped.

9. Other Business

Mayor Stevens acknowledged there is a joint meeting scheduled for Thursday with the county commissioners.

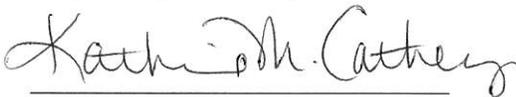
8:20:28 PM Commissioner Ferguson moved to go into closed session. Commissioner Bell seconded. The motion carried upon a unanimous vote of 5-0.

10. Closed Session as authorized by North Carolina General Statute Section 143-318.11(a)(5) to discuss and give direction to staff regarding negotiating terms for the possible acquisition of real property (the former Colonial Inn, 153 W. King St.)

11. Adjourn

8:29:30 PM Commissioner Lowen moved to adjourn. Commissioner Ferguson seconded. The motion carried upon a unanimous vote of 5-0.

Respectfully submitted,



Katherine M. Cathey
Town Clerk

FY 2015-2016

TOWN OF HILLSBOROUGH
 BUDGET CHANGES REPORT
 DATES: 02/22/2016 TO 02/22/2016

	<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>
Planning	10-10-4900-5300-080 TRAINING/CONF./CONV. Vehicle Stipend for Planner	2730	02/22/2016	EBRADFORI	5,000.00	-1,800.00	3,200.00
Planning	10-10-4900-5300-140 TRAVEL / VEHICLE ALLOTMENT Vehicle Stipend for Planner	2729	02/22/2016	EBRADFORI	0.00	3,600.00	3,600.00
Planning	10-10-4900-5300-570 MISCELLANEOUS Vehicle Stipend for Planner	2731	02/22/2016	EBRADFORI	5,500.00	-1,800.00	28,901.00
Information Services	10-10-6610-5300-458 DATA PROCESSING SERVICES Migration from Exchange to O365	2739	02/22/2016	EBRADFORI	79,220.00	5,646.00	87,449.00
Information Services	10-10-6610-5300-570 MISCELLANEOUS Migration from Exchange to O365	2740	02/22/2016	EBRADFORI	25,000.00	-5,646.00	58,015.00
Streets	10-30-5600-5300-330 DEPARTMENTAL SUPPLIES Traffic Data Recorders	2738	02/22/2016	EBRADFORI	25,000.00	7,176.00	36,376.00
Streets	10-30-5600-5700-730 CAPITAL INFRASTRUCTURE Loading Zone Property Lease	2733	02/22/2016	EBRADFORI	230,000.00	-1,080.00	240,328.50
	Traffic Data Recorders	2737	02/22/2016	EBRADFORI	230,000.00	-7,176.00	233,152.50
Special Appropriations	10-60-6900-5300-362 RENTAL - LAND Loading Zone Property Lease	2734	02/22/2016	EBRADFORI	0.00	1,080.00	1,080.00
Special Appropriations	10-60-6900-5700-921 TREE MAINTENANCE Cover Tree Maintenance Overages	2736	02/22/2016	EBRADFORI	5,000.00	500.00	8,030.00
Special Appropriations	10-60-6900-5700-922 NEW TREES Cover Tree Maintenance Overages	2735	02/22/2016	EBRADFORI	4,000.00	-500.00	3,500.00
						<u>0.00</u>	

APPROVED: 5/0
 ON: February 22, 2016

VERIFIED: 

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016
Department: Administration/Budget
Public Hearing: Yes No
Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

8.B		
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Management Analyst Jen Della Valle

ITEM TO BE CONSIDERED

Subject:

Miscellaneous budget amendments and transfers.

Attachment(s):

Description and explanation for budget amendments and transfers.

Brief Summary:

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

Action Requested:

Consider approving budget amendments and transfers.

ISSUE OVERVIEW

Background Information & Issue Summary:

Financial Impacts:

As indicated by each budget amendment.

Staff Recommendations/Comments:

To approve the attached list of budget amendments.

FY 2015-2016

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

DATES: 03/14/2016 TO 03/14/2016

	<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>
PEG Revenue Account	10-10-3900-3900-050 PEG FUND BALANCE APPROPRIATION To cover salary overages for videographer	2775	03/14/2016	JDELLAVAL	0.00	12,000.00	12,000.00
Governing Body	10-10-4100-5300-041 ATTORNEY FEES To cover election overages	2758	03/14/2016	JDELLAVAL	110,000.00	-3,488.00	106,512.00
Governing Body	10-10-4100-5300-910 GENERAL ELECTION To cover election overages	2759	03/14/2016	JDELLAVAL	5,000.00	3,488.00	8,488.00
Admin.	10-10-4200-5300-080 TRAINING/CONF./CONV. To cover Data Processing Services overage	2765	03/14/2016	JDELLAVAL	14,115.00	-1,000.00	13,115.00
Admin.	10-10-4200-5300-112 POSTAGE To cover Cust. Service & Innovation over	2763	03/14/2016	JDELLAVAL	3,000.00	-14.00	2,986.00
Admin.	10-10-4200-5300-113 LICENSE FEES To cover license fees overages	2760	03/14/2016	JDELLAVAL	12,671.00	556.00	13,227.00
Admin.	10-10-4200-5300-320 SUPPLIES To cover license fees overages	2761	03/14/2016	JDELLAVAL	7,000.00	-556.00	6,444.00
Admin.	10-10-4200-5300-330 DEPARTMENTAL SUPPLIES To cover Data Processing Services overage	2766	03/14/2016	JDELLAVAL	4,000.00	-968.00	3,032.00
Admin.	10-10-4200-5300-458 DATA PROCESSING SERVICES To cover Data Processing Services overage	2764	03/14/2016	JDELLAVAL	8,150.00	1,968.00	10,118.00
Admin.	10-10-4200-5300-580 CUSTOMER SERVICE & INNOVATIONS AWAR To cover Cust. Service & Innovation over	2762	03/14/2016	JDELLAVAL	2,000.00	14.00	2,014.00
Local Govt. Channel	10-10-4300-5100-020 SALARIES To cover salary overages for videographer	2774	03/14/2016	JDELLAVAL	9,799.00	12,000.00	21,799.00
Local Govt. Channel	10-10-4300-5120-050 FICA Cover overages in FICA from videograph	2777	03/14/2016	JDELLAVAL	566.00	1,000.00	1,566.00
Local Govt. Channel	10-10-4300-5300-570 MISCELLANEOUS Cover overages in FICA from videograph	2776	03/14/2016	JDELLAVAL	12,649.00	-1,000.00	11,649.00
B&C Revenue Account	30-80-3500-3524-000 WATER METER FEE To Cover New and Replacement Meters	2772	03/14/2016	EBRADFORI	30,000.00	43,277.00	100,277.00
Billing & Coll.	30-80-7240-5300-331 DEPT SUPP-METER READING To Cover New and Replacement Meters	2771	03/14/2016	EBRADFORI	45,000.00	43,277.00	115,277.00

FY 2015-2016

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT

DATES: 03/14/2016 TO 03/14/2016

<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
30-80-8200-5300-321 SUPPLIES/CHEMICALS (ODOR)						
Wastewater Collection To Cover Pump Station Repair	2769	03/14/2016	EBRADFORI	18,000.00	-10,000.00	8,000.00
30-80-8200-5300-322 SUPPLIES/LIFT STATION PUMPS						
Wastewater Collection To Cover Pump Station Supply Overages	2768	03/14/2016	EBRADFORI	32,000.00	5,000.00	39,800.00
To Cover Pump Station Repair	2770	03/14/2016	EBRADFORI	32,000.00	10,000.00	49,800.00
30-80-8200-5300-330 DEPARTMENTAL SUPPLIES						
Wastewater Collection To Cover Pump Station Supply Overages	2767	03/14/2016	EBRADFORI	82,000.00	-5,000.00	82,233.00
					<u>110,554.00</u>	

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016

Department: Planning

Public Hearing: Yes No

Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

8.C

*Consent
Agenda*

*Regular
Agenda*

*Closed
Session*

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Receive report of corrected typographical errors corrected in the Unified Development Ordinance

Attachment(s):

Memo detailing corrections

Brief Summary:

Section 3.4 of the UDO allows staff to correct typographical errors found in the ordinance, but requires the changes to be reported to the elected board so they are noted in their minutes.

Action Requested:

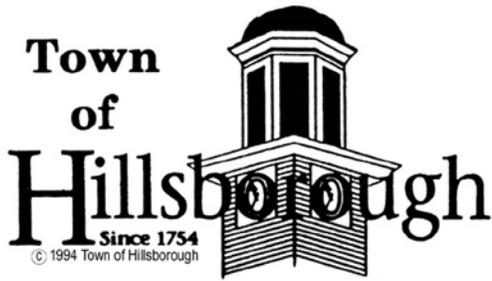
Receive report

ISSUE OVERVIEW

Background Information & Issue Summary:

Financial Impacts:

Staff Recommendations/Comments:



MEMORANDUM

To: Mayor Stevens and Hillsborough Town Board members
 From: Margaret A. Hauth, AICP, Planning Director
 Date: March 1, 2016

RE: Typographical errors corrected in the Unified Development Ordinance

As required by Section 3.4 of the Unified Development Ordinance, I am reporting the correction of the following typographical errors in the Unified Development Ordinance.

Section	What changed	Background
throughout	Uniformly refer to “planning director” in lieu “planning staff” or “planning department” when the reference is to an individual and not a location–change reference pronoun to “they” rather than “it”. Planning Department shall be the term when a location is the context	Ordinance specifically indicates the term “planning director” refers to the individual and staff.
3.8.16	“decision to be filed in the Planning Dept.”	Previously read “filed in the Planning Director”
3.9.4.2	Correct cross-reference to 5.2.52	When this section was renumbered from 5.2.48, the internal cross-reference was not corrected
3.9.5.1	Add period at the end of the paragraph	Needed to end the sentence properly
3.9.8	“decision to be filed in the Planning Dept.	Previously read “filed in the Planning Director”
3.11.4.1	(before “(as described below)	Closing parenthesis exists, needs pair.
3.13.2.a	replace the word “less” with “more”	This section sets the threshold for site plan reviews. A recent amendment deleted the wrong word when “less” and “more” were side by side and not both needed.
5.2.4	Cemetery and faith based cemetery	The uses are individually listed in the permitted use table, but have the same standards
5.2.5	“any bar”	Delete “nightclub” (since it’s not a defined use any longer)
5.2.10.5.a	Subsections d, e, & f should be subservient to c, not equal	renumber
5.2.19.1.g	“a size and/or type customary”	“and” “or” was missing

5.2.22.1.a	Delete comma before the word “The”	A random comma remained after the end of a sentence.
5.2.25.2	“and guests of the limited care”	Add “of the” so sentence makes sense
5.2.25.3.g	“services provided offer a variety of”	Add “offer” so sentence makes sense
5.2.26.1	Subsections e,f,g,h should be subservient to d, not equal	renumber
5.2.27.1.b	Correct cross-reference to 5.2.27.1.d	When this section was renumbered from 5.2.24, the internal cross-reference was not corrected
5.2.34.1.f	“site plan general standards included in Section 3.13, <i>Site Plan Review</i> ”	Replace “performance” with “general” to match the heading in Section 3.13 and correct heading name
5.2.43	“Retail Sales and Rental of goods”	And “of goods” to match PUT
5.2.48.1.c	“processed as a conditional subdivision”	Replace “major” with “conditional” since we really don’t use the term major subdivision
5.2.51.1.a	Delete “for” between “protect” and “existing”	The word makes no sense in the sentence.
6.11.3	Add period at the end of the paragraph	Needed to end the sentence properly
6.13.4	Subservient sections equal to heading	Renumber to have intro sentence and 4 subsections
6.15	Replace term “subdivision plan” with “development proposal”	This section applies to other development types than just subdivisions
6.15.3	“In all cases the Parks and Recreation Board shall review and make recommendations to the permit issuing authority on the applicant’s proposed provision or dedication of recreation space; and the permit issuing authority shall make the final decision”	Change board references to “permit issuing authority” – not all subdivision go to Planning & Town Board
6.15.8	Same issue as above in second paragraph	
6.16.1	“and mechanical units”	Replace “units” with “equipment” to match defined term in section 9.2
6.17.3.3.d	Correct “side” to “site”	Corrects the meaning of the sentence
6.21.3.3	Subsections individually numbered with full number	Renumber to something simpler
6.21.3.8	Delete “extension of an important street”	This clause appears to be left hanging from a previous edit effort.
9.2	Definition of Rooming Boarding house includes reference to tourist home	Replace tourist home with bed and breakfast since we no longer use tourist home
9.2	Subdivision, conditional or special	Replace the word major with conditional or special to match terminology used in ordinance

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016

Department: Planning

Public Hearing: Yes No

Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

8.D

*Consent
Agenda*

*Regular
Agenda*

*Closed
Session*

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Resolution adopting the Kings Highway Park Plan as part of the town's comprehensive plan

Attachment(s):

Resolution

Brief Summary:

The plan for Kings Highway Park was developed by the Parks and Recreation Board, staff, and the neighbors. It provides guidance on improvements proposed for the land consistent with the assets of the land. The public did not speak at the January Public Hearing. The Planning Board unanimously recommended approval of this plan.

Action Requested:

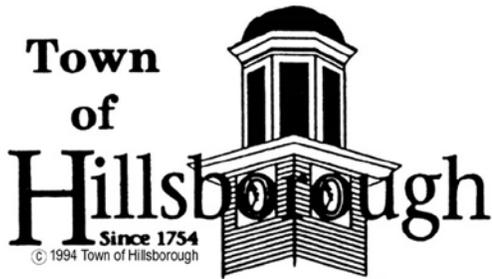
Adopt the attached resolution

ISSUE OVERVIEW

Background Information & Issue Summary:

Financial Impacts:

Staff Recommendations/Comments:



RESOLUTION ADOPTING
THE KINGS HIGHWAY PARK PLAN
FOR THE TOWN OF HILLSBOROUGH

WHEREAS, The Town of Hillsborough adopted a Master Parks and Recreation Plan for Hillsborough in 1993 and has systematically amended and updated the document in 2007, 2009, 2013, and 2014, and

WHEREAS, in 2014, the neighbors of Kings Highway Park approached the town Parks and Recreation Board with concerns about the park, and

WHEREAS, the Parks and Recreation Board undertook a process to develop a comprehensive plan for the park to address those concerns and develop a plan to improve the facility consistent with the land's resources, and

WHEREAS, the plan was endorsed by the Parks and Recreation Board and forwarded to public hearing on January 21, 2016, and

WHEREAS, the Planning Board unanimously endorsed the proposed Kings Highway Park Plan's approval

NOW, THEREFORE BE IT RESOLVED, that the Hillsborough Town Board of Commissioners hereby adopts the Kings Highway Park Plan as a component of the official plan for the Town of Hillsborough and its jurisdiction. The Kings Highway Park Plan as herein adopted shall be and is a component of the town's comprehensive plan in accordance with N.C.G.S. Section 160A-383.

BE IT FURTHER RESOLVED, that this Plan shall provide guidance to Town Board members, advisory members, town staff, citizens and potential applicants in understanding the town's stated policies and preferences. The Town Board and staff may also use this document to provide guidance on developing future work plans, strategies, and making budgeting decisions to implement the plan.

This the 14th day of March, 2016.

Seal

Tom Stevens, Mayor

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016

Department: Planning

Public Hearing: Yes No

Date of Public Hearing: January 21, 2016

For Clerk's Use Only
AGENDA ITEM #

8.E		
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Consideration of a consistency statement and ordinance to amend Section 5.1.6 and 9.2 of the Unified Development Ordinance to amend the definitions of storage and self-storage

Attachment(s):

Draft consistency statement and draft amending ordinance
Planning Board minutes from February 18, 2016

Brief Summary:

This item was discussed at the January public hearing. The owner of one impacted property spoke in favor. The Planning Board unanimously recommended approval of this amendment and will be working on further amendments to confine storage uses in GC existing buildings that are less visible to reinforce storage as an interim use before a building undergoes redevelopment. The planning board minutes are attached.

Action Requested:

Consider adopting the consistency statement that the amendment IS consistent with the Comprehensive Plan and adopt the ordinance amending the Unified Development Ordinance.

ISSUE OVERVIEW

Background Information & Issue Summary:

Financial Impacts:

Staff Recommendations/Comments:

Town Board's Statement per N.C. Gen. Stat. 160A-383

The Town of Hillsborough Town Board has received and reviewed the application of planning staff to amend the Town of Hillsborough Unified Development Ordinance as follows (insert general description of proposed amendment):

Amend the definitions of storage and self-storage to clarify the difference between the two and to permit storage as a by-right use in the General Commercial district.

The Hillsborough Town Board has determined that the proposed action is CONSISTENT /inconsistent with the Town of Hillsborough's comprehensive plan, and the Town Board's proposed action on the amendment is reasonable and in the public interest for the following reason(s):

This amendment corrects a number of non-conforming situations where existing buildings are being used as storage in the General Commercial district but limits the likelihood of new storage being built in that same district.

Adopted by the Town of Hillsborough Board of Commissioners this 14th day of March, 2016.

Katherine M. Cathey, Town Clerk

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF HILLSBOROUGH

THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH ORDAINS:

Section 1. The Permitted Use Table for Non-Residential Districts, Table 5.1.6, is amended to show “Storage & Warehousing: Indoor” as a “P” in the General Commercial district.

Section 2. Section 9.2, Definitions, is amended to reflect the following definitions to replace the current terms:

Storage & Warehousing: Indoor A use engaged in storage of *goods, products, or equipment* excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

Storage & Warehousing: Self A use that provides individual storage units, buildings, or spaces *with individual exterior access* for rent to businesses or individuals for storage of items excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive. This use may include parking spaces or outside storage areas for long-term storage of vehicles or boats and may include a dwelling for a caretaker or security guard.

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 14th day of March, 2016.

Ayes: _____

Noes: _____

Absent or Excused: _____

Katherine M. Cathey, Town Clerk

MINUTES
PLANNING BOARD
Thursday, February 18, 2016
7:00 PM, Town Barn

PRESENT: Chair Erin Eckert, Lisa Frazier, James Czar, Rick Brewer, Toby Vandemark, Jane Morris, Dan Barker, Jenn Sykes

STAFF: Planning Director Margaret Hauth, Town Attorney Bob Hornik

ITEM #1: Call to order and confirmation of a quorum

Chair Eckert called the meeting to order at 7 p.m. Ms. Hauth confirmed the presence of a quorum and welcomed new members Lisa Frazier and Dan Barker.

ITEM #2: Consideration of additions or changes to the agenda - none

ITEM #3: Approval of minutes from December meeting and January public hearing.

MOTION: Mr. Brewer made a motion to approve the minutes as submitted. Ms. Sykes seconded.

VOTE: Unanimous

ITEM #4: Recommendations to Town Board for items discussed at the January public hearing:

A) Master Plan for King Highway Park

MOTION: Ms. Vandemark moved to approve the plan and recommend it for adoption by the Town Board. Mr. Brewer seconded.

VOTE: Unanimous

B) Unified Development Ordinance Text Amendments to amend table 5.1.6 to allow storage in the General Commercial district and Section 9.2 to amend the definitions of storage and self-storage

Mr. Czar raised concerns about permitting storage everywhere. Ms. Hauth suggested restricting it from the properties subject to the South Churton Street non-residential buffer. She also suggested prohibiting it from property with road frontage on an arterial street.

Mr. Hornik advised that such restrictions wouldn't need to go back to public hearing because it would be scaling back what was proposed and sent to public hearing.

Mr. Hornik suggested the Planning Board can approve this tonight as written then tweak language and send new language to public hearing. His reasoning was that there aren't many people interested in implementing this storage allowance right now, but there is one property owner waiting for the board to approve this amendment.

MOTION: Mr. Brewer moved to approve as written. Ms. Vandemark seconded.

VOTE: Unanimous

MOTION: Mr. Barker moved to bring this back to public hearing with the language options discussed this evening. Ms. Morris seconded.

VOTE: Unanimous

C) Unified Development Ordinance Text Amendments to amend table 5.1.6 and Section 9.2 to define the use "government maintenance yard" and permit the use in the Office-Institutional and Light Industrial districts and Table 6.3.3 to allow the Light Industrial district to observe a 20' side and rear setback when adjacent to the Economic Development District.

Ms. Hauth reviewed that there are four government maintenance yards. It makes sense to call them what they are.

MOTION: Ms. Vandemark moved to approve. Ms. Morris seconded.

VOTE: Unanimous

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016
 Department: Planning
 Public Hearing: Yes No
 Date of Public Hearing: January 21, 2016

For Clerk's Use Only
AGENDA ITEM #

8.F		
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Consideration of a consistency statement and ordinance to amend Section 5.1.6, Table 6.3.3, and Section 9.2 of the Unified Development Ordinance to define the use "government maintenance yard", allow the use in certain districts and reduce the side and rear setback when the Light Industrial District is adjacent to the Economic Development District

Attachment(s):

Draft consistency statement and draft amending ordinance

Brief Summary:

Action Requested:

Consider adopting the consistency statement that the amendment IS consistent with the Comprehensive Plan and adopt the ordinance amending the Unified Development Ordinance.

ISSUE OVERVIEW

Background Information & Issue Summary:

Financial Impacts:

Staff Recommendations/Comments:

Town Board's Statement per N.C. Gen. Stat. 160A-383

The Town of Hillsborough Town Board has received and reviewed the application of planning staff to amend the Town of Hillsborough Unified Development Ordinance as follows (insert general description of proposed amendment):

Define the use government maintenance facility and permit the use in the Light Industrial and Office Institutional zoning districts and establish a 20 setback for those zoning districts when adjacent to the Economic Development District.

The Hillsborough Town Board has determined that the proposed action is CONSISTENT /inconsistent with the Town of Hillsborough's comprehensive plan, and the Town Board's proposed action on the amendment is reasonable and in the public interest for the following reason(s):

There are 4 operations in town that fall in this category and they don't fit well under any other defined use in the ordinance.

Adopted by the Town of Hillsborough Board of Commissioners this 14th day of March, 2016.

Katherine M. Cathey, Town Clerk

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF HILLSBOROUGH

THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH ORDAINS:

- Section 1. The Permitted Use Table for Non-Residential Districts, Table 5.1.6, is amended to show “Government Maintenance Yard” as a “P” in the Office Institutional and Light Industrial districts.
- Section 2. Table 6.3.3, Side and Rear Setbacks for Lots Abutting a Different Zoning District, is amended to establish a 20 setback when Light Industrial or Office Institutional is adjacent to the EDD district.
- Section 3. Section 9.2, Definitions, is amended add the following definition
- Government maintenance yard A facility owned and operated by a unit of government to park, storage, repair, and stage service vehicles and repair equipment includes but not limited to transit vehicles, solid waste and street repair vehicles, utility system and park vehicles.
- Section 4. All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 5. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 14th day of March, 2016.

Ayes: _____
Noes: _____
Absent or Excused: _____

Katherine M. Cathey, Town Clerk

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016

Department: Planning

Public Hearing: Yes No

Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

8.G

*Consent
Agenda*

*Regular
Agenda*

*Closed
Session*

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Accept offer of dedication of Odie Street from the Freeland heirs

Attachment(s):

Letters and map

Brief Summary:

The petitions from the property owners along Odie Street did not include dedication of the street. The Street is not currently a publicly dedicated street. For the town to provide garbage service, improvements to the street are needed and this is easiest to accomplish if the street is publicly dedicated to the town.

Action Requested:

Accept dedication

ISSUE OVERVIEW

Background Information & Issue Summary:

Public Works staff is still working on the improvements needed to provide service to the existing residents. There will be budgetary implications of these improvements.

Financial Impacts:

Staff Recommendations/Comments:

January 2016

Town Of Hillsborough
137 North Churton Street
Hillsborough, NC 27278

Re: Odie Street Dedication

To Whom It May Concern:

We, the undersigned, are the heirs of James J. Freeland and hereby offer for dedication to the Town of Hillsborough the 60' road right of way shown on a Plat recorded at Book 24 Page 150 in the Orange County Register of Deeds and named Odie Street. The plat is dated July 16, 1975 and prepared by Robert A. Jones.

The right of way is offered in its current condition with no warranty to construction methods or standards. The offer is made to facilitate the provision of public services to the recently annexed parcels that use the street for access.

Sincerely,

Betty J-M-Freeland

January 2016

Town Of Hillsborough
137 North Churton Street
Hillsborough, NC 27278

Re: Odie Street Dedication

To Whom It May Concern:

We, the undersigned, are the heirs of James J. Freeland and hereby offer for dedication to the Town of Hillsborough the 60' road right of way shown on a Plat recorded at Book 24 Page 150 in the Orange County Register of Deeds and named Odie Street. The plat is dated July 16, 1975 and prepared by Robert A. Jones.

The right of way is offered in its current condition with no warranty to construction methods or standards. The offer is made to facilitate the provision of public services to the recently annexed parcels that use the street for access.

Sincerely,

James E. Hopper, Jr.
Deborah U. Hopper

January 2016

Town Of Hillsborough
137 North Churton Street
Hillsborough, NC 27278

Re: Odie Street Dedication

To Whom It May Concern:

We, the undersigned, are the heirs of James J. Freeland and hereby offer for dedication to the Town of Hillsborough the 60' road right of way shown on a Plat recorded at Book 24 Page 150 in the Orange County Register of Deeds and named Odie Street. The plat is dated July 16, 2975 and prepared by Robert A. Jones.

The right of way is offered in its current condition with no warranty to construction methods or standards. The offer is made to facilitate the provision of public services to the recently annexed parcels that use the street for access.

Sincerely,





January 2016

Town Of Hillsborough
137 North Churton Street
Hillsborough, NC 27278

Re: Odie Street Dedication

To Whom It May Concern:

We, the undersigned, are the heirs of James J. Freeland and hereby offer for dedication to the Town of Hillsborough the 60' road right of way shown on a Plat recorded at Book 24 Page 150 in the Orange County Register of Deeds and named Odie Street. The plat is dated July 16, 2975 and prepared by Robert A. Jones.

The right of way is offered in its current condition with no warranty to construction methods or standards. The offer is made to facilitate the provision of public services to the recently annexed parcels that use the street for access.

Sincerely,

Handwritten signatures of Zachary R. Freeland and James L. Freeland. The signature of Zachary R. Freeland is written in a cursive style, and the signature of James L. Freeland is written in a similar cursive style below it.

Zachary R. Freeland
James L. Freeland
2-20-16

January 2016

Town Of Hillsborough
137 North Churton Street
Hillsborough, NC 27278

Re: Odie Street Dedication

To Whom It May Concern:

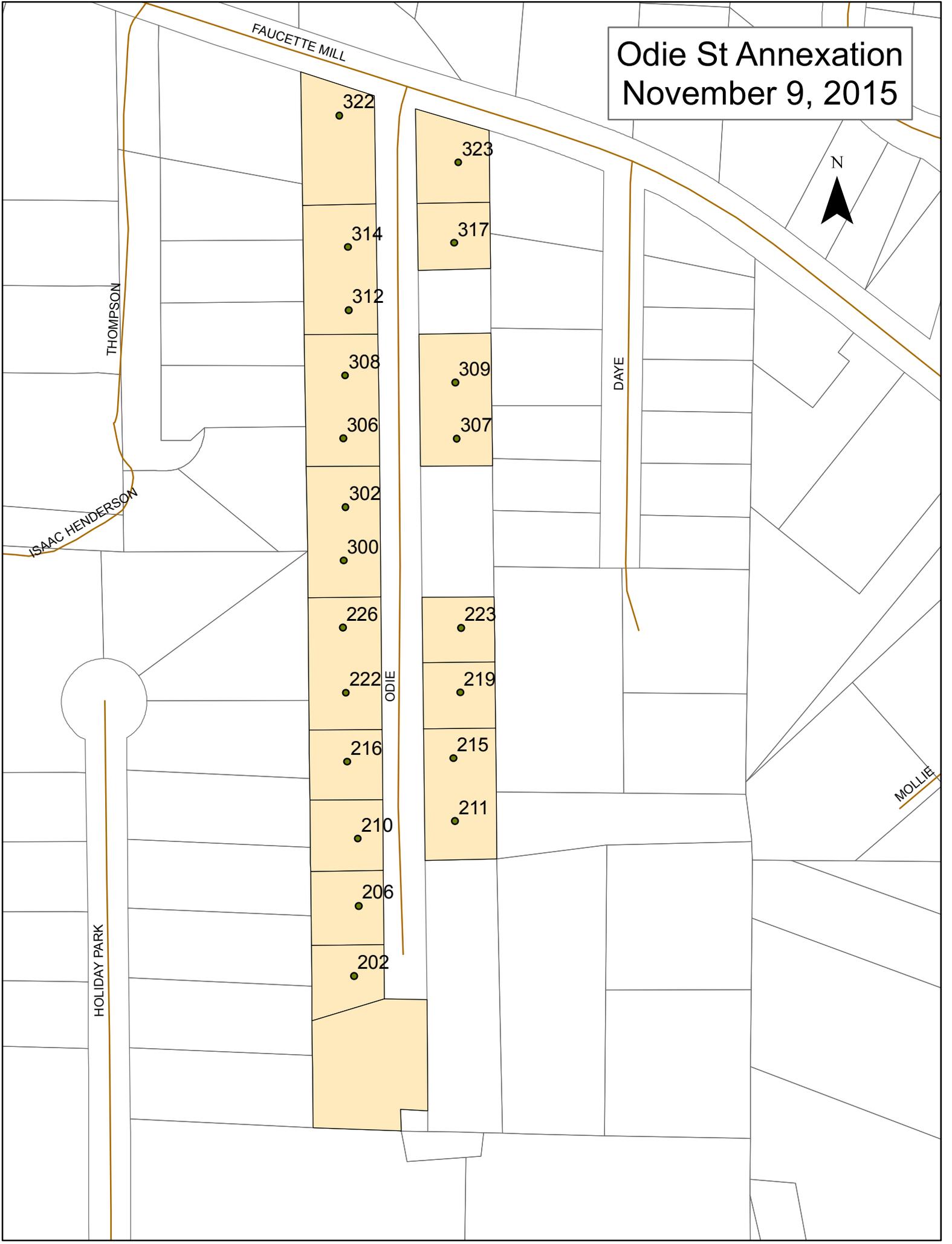
We, the undersigned, are the heirs of James J. Freeland and hereby offer for dedication to the Town of Hillsborough the 60' road right of way shown on a Plat recorded at Book 24 Page 150 in the Orange County Register of Deeds and named Odie Street. The plat is dated July 16, 2975 and prepared by Robert A. Jones.

The right of way is offered in its current condition with no warranty to construction methods or standards. The offer is made to facilitate the provision of public services to the recently annexed parcels that use the street for access.

Sincerely,


Nahale Freeland Kalfas

Odie St Annexation November 9, 2015



TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016

Department: Planning

Public Hearing: Yes No

Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

8.H

*Consent
Agenda*

*Regular
Agenda*

*Closed
Session*

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Award Construction Engineering and Inspection contract for the Churton Street Improvements Project to Summit Design and Engineering Services, contingent on NCDOT concurrence

Attachment(s):

Table of responding firms

Brief Summary:

The Construction Engineering and Inspection contract for the Churton Street Improvements was independently bid during February and early March, consistent with state requirements. The Town requested a waiver to allow Summit, the design engineer firm, to compete for this work. Staff is recommending Summit be hired for this work. NCDOT must concur with the town's award.

Action Requested:

Award the Construction Engineering and Inspection contract for the Churton Street Improvements Project to Summit Design and Engineering Services, contingent on NCDOT concurrence

ISSUE OVERVIEW

Background Information & Issue Summary:

Financial Impacts:

This contract is part of the project budget

Staff Recommendations/Comments:

Construction Engineering/Inspection respondents Scoring

Churton Street Improvements

	30%-Firm's experience, knowledge, familiarity and past performance with CEI services (score out of 30)	40%-The experience of the firm's proposed staff to perform the type of work required (score out of 40)	30%-Firm's understanding of the project specific issues and their responsibility in delivering services for the advertised project (score out of 30)	Final scores (out of 100)
Coulter Jewell Thames, S&ME Inc. score	Armbrust strong for Inspections, Hill doesn't cite NCDOT projects or sidewalk projects 20	ARRA and NCDOT funding for 6 trail and greenway projects, 1 NCDOT road widening project, Armbrust has City of Durham sidewalk repair and replacement project 30	Greenway and driveway experience 25	75
DRMP, Terracon score	Examples of CEI on roadway projects not sidewalks or downtown arena 23	Seems to do mostly NCDOT roadway projects, not many examples working with local projects and municipalities 32	Experience with federal funds reporting 22	77
Summit score	Leading CEI firm in state with largest number of certified technicians in the state, 18 years CEI experience 26	Greenway and intersection examples mostly, one sidewalk project (Nash Street) but not downtown arena, adequate experience with state and federal funds and permitting 35	Strong understanding of project, public relations, and NCDOT and federal reporting, clearly understand constraints and potential issues-complexities of this project 28	89
Wetherill, Froehling & Roberson score	CEI for NCDOT and greenway in Raleigh, doesn't site sidewalk or downtown area projects 20	Using sub for materials testing, unclear about survey, familiar with utility work and NCDOT coordination 28	Greenway project with federal funds, sub consultant has inspections and materials testing covered, no info about specifics in CSAIP project 15	63

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016
 Department: Planning
 Public Hearing: Yes No
 Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

	9.A	
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Receive letter of interest from owner of Northside Mobile Home Park for voluntary non-contiguous annexation

Attachment(s):

Email and map

Brief Summary:

The owner of an existing mobile home park with public water and sewer has inquired about annexation.

Action Requested:

Direction – Does the Board want to receive a fiscal impact report?

- Should this be scheduled for the April public hearing?
- Are there discussion points needed with the owner before we proceed?

ISSUE OVERVIEW

Background Information & Issue Summary:

This existing mobile home park has water and sewer service and a paved road. The parcel is approximately 8 acres. The owner has asked about annexation to save his tenants on water and sewer expenses. He currently contracts with trash service and the residents have roll-out carts. He would like this service to transition to the town, but our code doesn't allow for service to lots with 5 or more dwellings.

This park is approximately 1,500 feet from the current city limits. The town has capacity to annex 123 acres via satellite. This parcel is located within the Urban Services Boundary.

Public Works comment– existing contractor must be backing down the road. Our code on not providing service to parcels with 5 or more dwellings would prevent us from providing service.

Engineering comment- The Utilities Department supports annexation, with the caveat that the sewer collection lines remain private. Staff is fairly certain that they are all 4" service lines anyway, which are typically private.

Financial Impacts:

Staff Recommendations/Comments:

Margaret Hawth

From: Andrew Halsey <halseyandrew@gmail.com>
Sent: Friday, February 12, 2016 11:20 AM
To: Margaret Hawth
Subject: 809 Faucette Mill Road, Annexation

Ms. Hawth,

Per our conversation, I am requesting the property I own at 809 Faucette Mill Road be annexed by the Town of Hillsborough. There are currently 18 homes on the property, and many are rented or owned by elderly or low income families. The property is currently serviced by the Town for both water and sewer, and the costs of those services makes it difficult for many people to afford. Thank you for your consideration.

Best Regards,
Andy Halsey

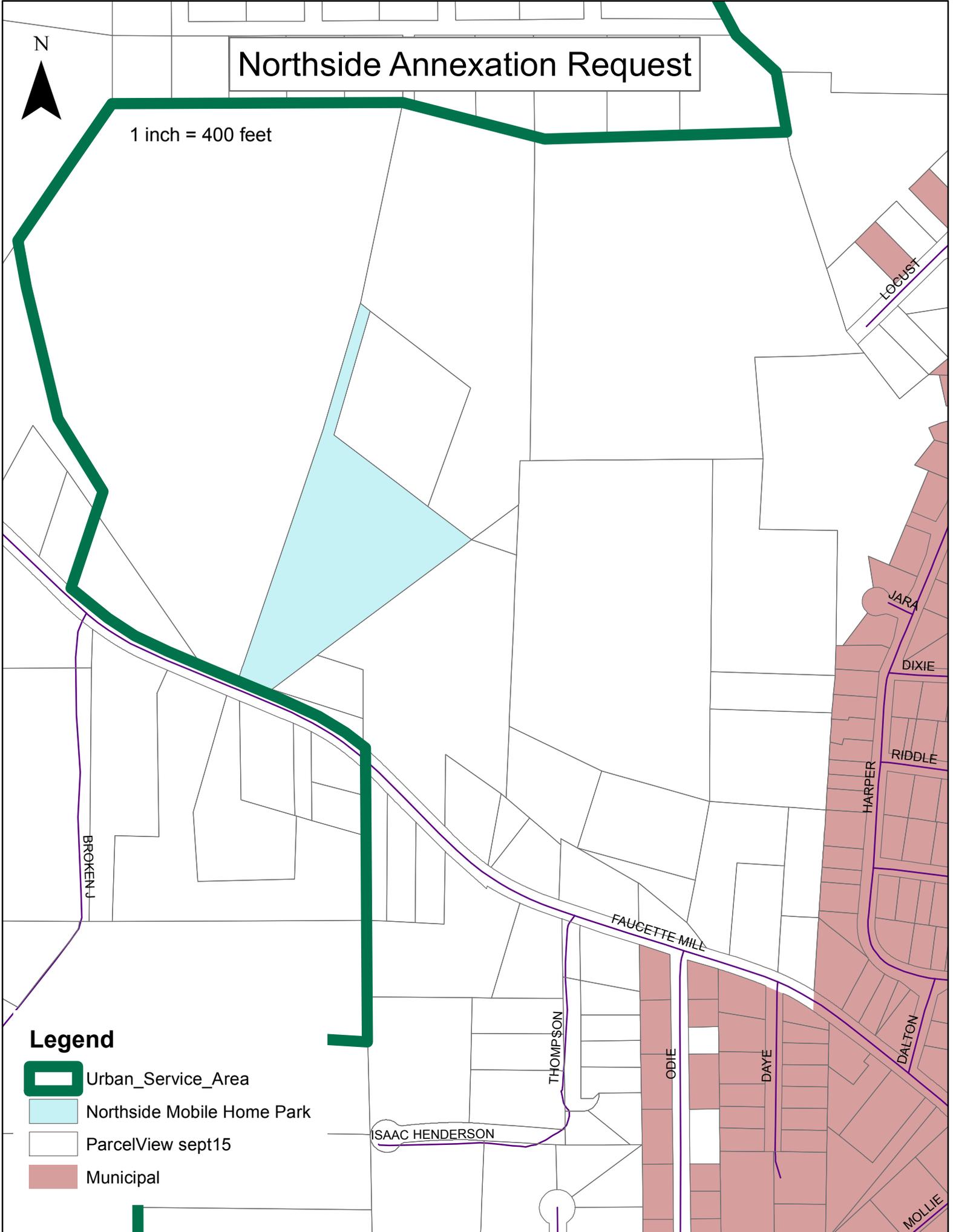
3819 Toms Creek Ct
Mebane, NC 27302
336 337 8662
halseyandrew@gmail.com

Northside Annexation Request

N



1 inch = 400 feet



Legend

-  Urban_Service_Area
-  Northside Mobile Home Park
-  ParcelView sept15
-  Municipal

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016

Department: Planning

Public Hearing: Yes No

Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

	9.B	
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Receive request to modify the approved Special Use Permit for 128 W. Margaret Lane to expand permissible uses

Attachment(s):

Application

Brief Summary:

The owner of 128 W Margaret Lane has asked to modify the uses allowed by the approved Special Use Permit for that location. This is not something staff can approve. The UDO gives the Town Board the flexibility to approve modifications, deny applications, or send them to public hearing before deciding.

Action Requested:

Direction – Is a public hearing required for this request? If the board is willing to approve the request without a public hearing, a motion to amend the permit with specific conditions is needed. The attorney does not recommend denying modifications without first calling a public hearing.

ISSUE OVERVIEW

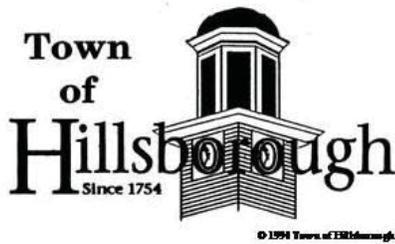
Background Information & Issue Summary:

The requested additional uses (counseling and massage therapy) are marked different in their external impacts that the attorney or real estate or office uses permitted, but are categorized differently under the UDO and trigger the modification. The possibility of the building being used as a dwelling in addition to a business (or two) is allowed by right but was not discussed in the public hearing. If, by chance, the combination of one business, and one dwelling operating a business that is larger than the 25% allowed under the home occupation, was requested, staff couldn't clearly approve it. The neighbor to the west spoke in opposition to the permit when it was approved in 2015 due to the proximity of the two structures to each other.

Financial Impacts:

Staff Recommendations/Comments:

Special Use Permits can be rather limiting when the property comes on the market for sale or lease because the uses are narrowly defined.



APPLICATION FOR Special Use or Conditional Use Permit Modification

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

Phone: (919) 732-1270, Ext. 73, 86, Fax: (919) 644-2390

Website: www.ci.hillsborough.nc.us

Project Title: Modify SUP for 128 W Margaret Lane Permit Type: SUP CUP
Address: 128 West Margaret Lane PIN #: 9874062054

Applicant Name: ZV Smith Jr. Family Trust
Mailing Address: PO Box 1411 Phone: 9194486150
City, State, Zip: Hillsborough NC 27278 E-mail: juliesmithnc@gmail.com

Property Owner Name: Same
Mailing Address: _____ Phone: _____
City, State, Zip: _____ E-mail: _____

Minor Change Requested: In the space provided below, or on a separate sheet of paper, explain the details of the proposed change(s) requested. Be as specific as possible. Also, attach a site plan indicating all proposed changes.

~~Expand the permissible uses at 128 W Margaret Lane to include massage therapy and mental health counseling in addition to the previously approved office uses with the same restriction on hours and employees and to clarify that the structure may include a residence and the occupant of the residence may also operate an office use as defined herein, even if it exceeds the home occupation guidelines for size.~~

Reference only – the approved permit reads:
Real estate, attorney, and other office uses which have no more than 8 employees (combined total of all offices) working from the site, and hours of operation limited to 6 AM to 8 PM seven days a week, may also occupy and operate at the property

I, the applicant, hereby certify that the forgoing application is complete and accurate. I understand that I am bound to comply at all times with the rules and regulations of the issued Special or Conditional Use Permit issued for the property identified in this application, as well as all applicable requirements of the Town of Hillsborough Zoning Ordinance.
APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE OF LEGAL OWNER OR OFFICIAL AGENT.

Applicant's signature date
2-17-16

Property Owner's signature date

DEPARTMENT USE ONLY	Date Received: _____	SUP/CUP #: _____
	Fee: \$ _____ .00	Receipt #: _____

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016

Department: Planning

Public Hearing: Yes No

Date of Public Hearing: 10/15/15, 11/19/15, 1/21/16

For Clerk's Use Only
AGENDA ITEM #

	9.C	
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Margaret Hauth, Planning Director

ITEM TO BE CONSIDERED

Subject:

Consideration of the development project known as Collins Ridge (portion of OC PIN 9874-10-9993 north of Interstate 85)

Attachment(s):

Draft Water and Sewer extension contract
 Draft Annexation ordinance
 Draft Consistency finding for zoning
 Draft Ordinance rezoning the property
 Draft resolution approving the master plan with conditions
 Map, draft minutes of the planning board discussion of the project, one email comment received by staff during public hearing period

Brief Summary:

The board and planning board have conducted 3 public hearings on this project. The Planning Board recommended approval with the specified conditions by a 7-1 vote. Ms. Morris votes against the project indicating the number of dwelling units was higher than she could support.

Action Requested:

Discussion and consider action. If the board wants to deny the application, the contract, annexation ordinance, consistency finding, rezoning ordinance, and master plan resolution should each be denied. If the board wishes to approve the project, the items must be approved in the order presented. Additional conditions can be discussed or modified.

ISSUE OVERVIEW

Background Information & Issue Summary:

Financial Impacts:

Staff Recommendations/Comments:

**NORTH CAROLINA
ORANGE COUNTY**

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

THIS CONTRACT is entered into this 14th day of March, 2016, by and between CARUSO HOMES (hereinafter the “Developer”) and the Town of Hillsborough, a North Carolina municipal corporation (hereinafter the “Town”):

WHEREAS, the Developer proposes to extend the Town water and sewer system to serve COLLINS RIDGE DEVELOPMENT (hereinafter the “Project”); and

WHEREAS, the Developer has agreed to pay certain costs associated with the proposed extension; and

WHEREAS, at its meeting held March 14, 2016, the Hillsborough Town Council authorized the proposed extension subject to execution of this agreement and compliance with its terms;

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

(1) Subject to Developer's compliance with the terms and conditions set forth herein, and subject to Developer obtaining any necessary approval from the State of North Carolina or any other agency or authority, the Town will permit the connection of improvements constructed for the above-referenced project to the Town water and sewer systems.

a) The Town reserves the right to refuse to allow connection to or use of the Town water and/or sewer system (i) when such connection would cause the Town's system or the operation thereof to be in violation of any applicable state or federal requirement; or (ii) for reasons not known or foreseen by the Town at the time this contract was executed that would create a clear and present danger to the public health or safety. Reasons for refusal to allow connection shall include, but not be limited to, lack of water supply or lack of capacity of one or more components of the water or sewer system.

b) The Town's authorization to connect to the Town's water and sewer system under this agreement shall expire if (i) substantial (i.e. more than token) construction of the project has not begun within two years from the date upon which this contract was executed; (ii) after construction begins, construction ceases for a continuous period of at least one year (unless a result of an action by the Town); or (iii) the extension to be constructed pursuant to this contract has not been connected to the Town's system in accordance with the requirements set forth herein within three (3) years from the date upon which this contract was executed.

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

(3) The Developer agrees to comply with or satisfy the following terms and conditions as well as those set forth in Appendix A and acknowledges that the Town's authorization to connect the proposed extension to the Town's system is specifically contingent upon compliance with or satisfaction of the same. If these conditions are not met, the extension agreement will be rendered null and void and the Developer will need to re-negotiate a new contract for extension of service from the Town.

A. General Conditions:

1. Unless otherwise explicitly and specifically stated, Developer shall bear the costs and expenses of all of the obligations and duties created by this contract, including without limitation, engineering and legal fees incurred by the Town in connection with the proposed extension.
2. The Town will permit the physical connection of the extension to the Town's water or sewer system only after all of the conditions set forth in Sections B and C and any additional conditions appended hereto have been satisfied.
3. The Town shall own and maintain the improvements constructed under this contract after they are dedicated and accepted. However, if within one year of the date that the offer of dedication of the extension constructed pursuant to this contract is accepted, or within one year of the date of completion of all construction for each phase, whichever occurs later, defects in workmanship or materials are discovered in work done pursuant to this contract by or for the Developer, the Developer shall see that such defects are promptly corrected at the Developer's expense. Construction and warranty bonding shall be as required by current Town policies.
4. The Town may make or authorize extensions or connections to or from any of the improvements constructed pursuant to this contract without permission of the Developer.
5. Developer's construction of improvements pursuant to this contract shall not relieve Developer of the obligation to pay applicable fees under the Town's water and sewer policies, except as amended by Appendix A.
6. Developer's construction of improvements pursuant to this contract does not affect the Town's policy with respect to the fees to be paid to the Town by property owners other than Developer for connection to the improvements constructed by Developer pursuant to this contract. Nor shall Developer have any right to collect fees from persons connecting onto or extending the improvements constructed under this contract except as specified herein Appendix A.
7. Water and sewer service which meet minimum State standards will be provided to this development. The Town makes no other warranty as to any particular water quality, quantity or pressure to be provided.

8. All fees and charges to be paid pursuant to this contract shall be calculated in accordance with the fee schedule in effect when the fees and charges are paid.
9. This contract may be assigned by the Developer, but such successor or assignee shall obtain no rights hereunder until after it has provided the Town with a written acknowledgment of its obligations and responsibilities under this agreement.

However, this contract is specific to the Project described above and any change or alteration in the approved intended use, i.e. residential and commercial development, of such project shall, absent the written consent of the Town, void this contract.

10. The words "line" or "lines" shall include "main or "mains" unless the contract otherwise requires. "Sewer" means "sanitary sewer."
11. This contract shall be deemed made in and shall be construed in accordance with the law of North Carolina. The Parties to this agreement shall make a good faith effort to resolve any dispute that may arise between them concerning this agreement. Should such effort fail, then either party may seek enforcement of the agreement and seek such remedies as may be available at law or equity in the Orange County, North Carolina Superior Court, which the parties agree shall be the sole venue for resolution of all disputes between them concerning this agreement.

B. Pre-Construction Conditions

1. The Developer shall engage a licensed Professional Engineer to prepare plans and specifications for the construction of water improvements and/or sanitary sewer improvements to serve the Project.
2. The Developer shall secure approval of the construction plans by the following agencies or authorities, to the extent applicable:

Town Engineer/Utilities Director
North Carolina Department of Environmental Quality
North Carolina Department of Transportation

3. The Developer shall obtain any necessary encroachment agreements or easements for use of property not owned by the undersigned Developer or project owner.
4. All water and sewer capital facilities fees for residential projects shall be paid before construction of the extension begins except as provided herein Appendix A.

C. Construction Conditions:

1. Unless otherwise provided in this contract, all construction shall be in accordance with Town policy, standards and specifications.

- a) The Town shall designate the size and type of material for all water and sewer lines.
 - b) All work shall be subject to inspection by the Town. No line may be covered up until such inspection has taken place and if any line or facility is covered up prior to inspection, the Town may require such line or facility to be uncovered or exposed to view at the Developer's expense to facilitate such inspection.
 - c) The Town will require any testing to determine that the work complies with Town standards and specifications. All such testing shall be at the Developer's expense.
 - d) The Developer's Engineer shall provide construction stake out and supervision.
 - e) An Engineer's representative shall be onsite each day that meaningful work is performed and shall prepare daily logs to be submitted weekly to the Town Engineer.
 - f) All construction shall be performed by a contractor licensed to perform this type of work in North Carolina.
 - g) The Contractor shall have a field superintendent onsite at all times during construction.
2. The Developer shall bear the total cost of all water and/or sewer construction within the Project and the total cost of all water and/or sewer construction required to extend service to the project.

D. Post-Construction Conditions:

Before the Town will allow water to flow to the project or permit use of the Town sewer system to serve the project, Developer shall:

1. Furnish the Town three printed copies and one electronic copy of the record drawings, complying with Hillsborough's Utilities Projects Checklist and Digital Submittal Requirements, together with:
 - a) the contractor's affidavit that the drawings accurately represent the as-built improvements, and
 - b) a certificate of compliance executed by the Professional Engineer of record indicating that work has been performed in substantial compliance with the approved plans and specifications.
 - c) a Contractor's Affidavit and Release of Liens from all subcontractors and materialmen.

- d) a Warranty from a viable Surety in the name of the Town of Hillsborough for a period of 1 year from the date of acceptance.
- 2. Convey to the Town and record or cause to have recorded in the Orange County Registry all deeds of easement and plats showing all water and/or sewer easements required to serve the project.
- 3. Formally dedicate to the Town all physical improvements constructed to serve the project that is the subject of this contract, which improvements shall become part of the Town water and sewer system and will thereafter be owned and maintained by the Town.

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

CARUSO HOMES

TOWN OF HILLSBOROUGH

By: _____
 Jeff Caruso
 Owner & CEO

By: _____
 Eric J. Peterson
 Town Manager

ATTEST:

ATTEST:

 Secretary

 Town Clerk
 Katherine Cathey

This instrument has been preaudited in the manner required by the Government Budget and Fiscal Control Act.

 Heidi Lamay, Finance Director

List of Appendices:
 Appendix A (p. 6 of contract)

Project: COLLINS RIDGE DEVELOPMENT

TOWN OF HILLSBOROUGH WATER/SEWER EXTENSION CONTRACT

APPENDIX A

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

- 1) The Project is anticipated to consist of 2 Phases having totals of up to 100 Single Family lots, 400 Townhome units, and 650 Apartment units. The capital facilities fees due for all Phases may vary since the prevailing rate at the time fees are paid will be charged. All water meters for the project shall be purchased from the Town at the prevailing rate at the time meters are purchased. The Developer shall pay all capital facilities fees for the first phase prior to any onsite utilities construction. Each additional Phase fees shall be due prior to any utilities construction on each particular Phase. Due to the Master Plan status of this project at the time of approval of this contract, the number of phases and individual units may vary from that stated above. This agreement shall apply to the actual number and type of units approved by the Hillsborough Town Board for this particular development.
- 2) Developer shall design, permit, gain easements, and construct all off-site utility improvements prior to constructing any on-site utilities as described below. These facilities shall include, but not be limited to, water and sewer mains of various sizes and their necessary appurtenances, connected to the Town's system. No public sewage lift stations are approved to be included in this project. Minimum tie-ins shall be made to the Town's water and sewer systems at various locations to include, but not be limited to:
 - a) *Water*: 8-inch minimum tie-in to existing Town water at northwestern entrance of property at Orange Grove Street and South Churton Street (up to 12-inch available at South Churton Street).
 - b) *Water*: 6-inch minimum tie-in to existing Town water at southwestern entrance of property at Daniel Boone Village (or South Churton Street as necessary for larger tie-in, up to 12-inch).
 - c) *Sewer*: 8-inch minimum tie-in to existing Town gravity sewer at existing manhole at southeast corner of property (adjacent to I-85 and NC Railroad tracks).
 - d) *Sewer*: 8-inch minimum tie-in to existing Town gravity sewer near intersection of Orange Grove Street and South Churton Street.
 - e) *Sewer*: 8-inch minimum tie-in(s) as necessary to existing Town gravity sewer along South Churton Street.
- 3) All water and sewer utilities shall be installed per Town Specifications & Details after the plans are approved by the Town Engineer and applicable State agencies.
- 4) Front Footage Fees shall be collected from new customers that tie directly into the gravity sewer and the water line portions of the required off-site extension for a period of ten years from the date of this contract. Fees assessed will be at the prevailing rate at the time of tie-on and will be reimbursed to the developer per the guidelines established in the Town Code.

Ordinance No. _____

The following ordinance was introduced by Commissioner _____, and duly seconded by Commissioner _____.

***AN ORDINANCE ANNEXING
CERTAIN CONTIGUOUS PROPERTY***

WHEREAS, a petition was received requesting the annexation of 125.63 acres on the north side of Interstate 85 and East of Orange Grove Street (portion of OC PIN 9874-10-9993)

WHEREAS, the petition was signed by the owners of all the real property located within such area; and

WHEREAS, a public hearing on the annexation was held on October 15, 2015 and continued to November 19, 2015 and January 21, 2016 following notice of such hearing published in the News of Orange County on September 30, 2015, October 7, 2015, January 6, 2016, and January 13, 2016.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS FOR THE TOWN OF HILLSBOROUGH ORDAINS:

Section 1. The Board of Commissioners finds that a petition requesting the annexation of the area described in Section 2 was properly signed by the owners of all the real property located within such area and that such area is contiguous to the boundaries of the town of Hillsborough, as the term "contiguous" is defined in G.S. 160A-31(f).

Section 2. The following area is hereby annexed to and made a part of the Town of Hillsborough:

Beginning at a Parker Kalon nail in the center line of Orange Grove street and the common property line of the Town of Hillsborough the Point of Beginning; thence with said common property line South 83°46'16" East a distance of 1162.60 feet to a point on the common property line of Lille Marie Partin; thence with said common property line South 11°02'06" East a distance of 313.19 feet to an iron pipe; thence South 89°40'06" East a distance of 591.00 feet to an iron pipe on the western right of way of Southern Railroad recorded in Deed Book 53, page 572; thence with said right of way a curve to the right a radius of 1,546.72 feet, an arc length of 689.73 feet, a chord bearing of South 11°03'04" East, and a distance of 684.03 feet to an iron pipe; thence South 01°43'26" West a distance of 166.17 feet to an iron pipe; thence with a curve to the left a radius of 1,555.32 feet, an arc length of 725.10 feet, a chord bearing of South 11°37'55" East, and a distance of 718.55 feet to an iron pipe; thence South 24°59'16" East a distance of 835.69 feet to a right or way monument at the intersection of the northern right of way of interstate I-85; thence with said right of way South 70°11'01" West a distance of 284.49 feet to a right or way

monument; thence South 27°33'47" East a distance of 13.09 feet a right or way monument; thence South 69°24'51" West a distance of 393.88 feet to a right or way monument; thence North 19°53'06" West a distance of 20.51 feet to a right or way monument; thence South 68°46'21" West a distance of 294.29 feet to a right or way monument; thence South 14°15'00" East a distance of 20.28 feet to a right or way monument; thence South 71°58'41" West a distance of 387.04 feet to a right or way monument; thence North 09°15'56" West a distance of 29.54 feet to a right or way monument; thence with a curve to the right a radius of 3,690.00 feet, an arc length of 577.69 feet, a chord bearing of South 79°28'43" West, and a distance of 577.10 feet to iron pipe; thence South 08°20'00" East a distance of 20.02 feet to an iron pipe; thence with a curve to the right a radius of 3,710.00 feet, an arc length of 401.62 feet, a chord bearing of South 86°59'03" West, and a distance of 401.42 feet to an iron pipe at the intersection of the common property line of Daniel Boone LTD.; thence with said common property line North 03°27'19" West a distance of 50.08 feet to an iron pipe; thence North 03°13'39" West a distance of 239.38 feet to an iron pipe; thence North 00°05'10" East a distance of 207.56 feet to an iron pipe; thence North 09°38'31" West a distance of 257.10 feet to an iron pipe; thence North 20°32'32" West a distance of 119.30 feet to an iron pipe; thence North 10°49'40" West a distance of 126.84 feet to an iron pipe; thence North 06°02'19" West a distance of 65.83 feet to an iron pipe; thence North 13°51'45" East a distance of 60.03 feet to an iron pipe; thence North 41°39'20" East a distance of 301.37 feet to an iron pipe; thence North 13°37'48" East a distance of 104.32 feet to an iron pipe; thence North 21°23'05" East a distance of 212.22 feet to an iron pipe; thence North 07°22'14" West a distance of 229.47 feet to an iron pipe; thence North 07°22'14" West a distance of 142.92 feet to an iron pipe; thence North 20°07'14" West a distance of 269.73 feet to an iron pipe; thence North 14°20'37" West a distance of 206.49 feet to an iron pipe; thence North 10°03'07" West a distance of 260.49 feet to an iron pipe; thence North 14°46'06" West a distance of 170.17 feet to an iron pipe; thence North 11°46'05" West a distance of 202.89 feet to an iron pipe; thence North 11°03'30" West a distance of 254.21 feet to the Point of Beginning, containing or 125.63 acres.

Section 3. This Ordinance shall become effective on adoption.

Section 4. The Town Clerk shall cause to be recorded in the Office of the Register of Deeds of Orange County and in the Office of the Secretary of State an accurate map of the annexed territory described in Sections 2 and 3 together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Orange County Board of Elections as required by G.S. 163-288.1.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 14th day of March, 2016.

Ayes:

Noes:

Absent or Excused:

SEAL

Town of Hillsborough
Katherine M. Cathey, Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, Sherri L. Ingersoll, a Notary Public of the County and State aforesaid, certify that Katherine M. Cathey personally appeared before me this day and acknowledged that she is the Town Clerk for the Town of Hillsborough, a North Carolina municipal corporation, and that she, as Town Clerk, being duly authorized to do so, executed the foregoing instrument to acknowledge that it is an Annexation Ordinance duly adopted by the Town of Hillsborough Board of Commissioners on the date indicated.

Witness my hand and official seal, this the _____ day of _____.

Seal

Notary Public

My commission expires _____

Town Board's Statement per N.C. Gen. Stat. 160A-383

The Town of Hillsborough Town Board has received and reviewed the application of Caruso Homes to amend the Town of Hillsborough Zoning Map as follows (insert general description of proposed amendment):

Rezone 125.63 acres east of Orange Grove Street, south of the North Carolina Railroad and north of Interstate 85 from Agricultural Residential to Residential Special Use

The Hillsborough Town Board has determined that the proposed action is CONSISTENT /inconsistent with the Town of Hillsborough's comprehensive plan, and the Town Board's proposed action on the amendment is reasonable and in the public interest for the following reason(s):

The Future Land Use Plan designates this parcel as Mixed Residential Neighborhood and Residential Special Use is an expected zoning district for that designation. The parcel meets the application criteria for the Residential Special Use district listed in Section 4.4.4 of the Unified Development Ordinance.

Adopted by the Town of Hillsborough Board of Commissioners this 14th day of March, 2016.

Katherine M. Cathey, Town Clerk

AN ORDINANCE AMENDING THE ZONING MAP
OF THE TOWN OF HILLSBOROUGH

THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH ORDAINS:

Whereas an application has been made for the rezoning of the property herein; and

Whereas the application has been referred to the Town Planning Board for its recommendation and the Planning Board has provided the Town Board with a written recommendation addressing the consistency of the proposed rezoning with the Town's comprehensive plan and such other matters as the Planning Board deemed appropriate; and

Whereas the Town Board has, prior to acting on the application, adopted a statement describing the consistency of the proposed rezoning with the Town's comprehensive plan and explaining why the action contemplated by the Town Board as reflected herein is reasonable and in the public interest.

NOW, THEREFORE, be it ordained as follows:

- Section 1. The Zoning Map of the Town of Hillsborough is hereby amended to rezone 125.63 acres east of Orange Grove Street, south of the North Carolina Railroad and north of Interstate 85 from Agricultural Residential to Residential Special Use (portion of OC PIN 9874-10-9993)
- 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/DENIED this 14th day of March, 2016.

Ayes:

Noes:

Absent or Excused:

Katherine M. Cathey, Town Clerk

TOWN OF HILLSBOROUGH BOARD OF COMMISSIONERS

**RESOLUTION APPROVING THE
MASTER PLAN FOR THE COLLINS RIDGE PROJECT**

WHEREAS, the Town of Hillsborough Board of Commissioners has received an application from Caruso Homes, as contract purchaser and with the owners' consent, for the approval of a Master Plan pursuant to Sections 3 of the Unified Development Ordinance for the Town of Hillsborough to guide development of the 125.63 acres east of Orange Grove Street, south of the North Carolina Railroad and north of Interstate 85 from Agricultural Residential to Residential Special Use (portion of OC PIN 9874-10-9993).

WHEREAS, the Town of Hillsborough Board of Commissioners has referred the application to the Town of Hillsborough Planning Board in accordance with the applicable provisions and procedures of the Town of Hillsborough Unified Development Ordinance; and

WHEREAS, the Town of Hillsborough Planning Board and the Board of Commissioners conducted a joint public hearing to consider the application for the Master Plan on October 15, 2015 and continued to November 19, 2015 and January 21, 2016 after giving notice as required by law of such hearing; and

WHEREAS, at the aforesaid public hearing, the applicant and all others wishing to be heard in connection with the application for the Master Plan were given an opportunity to speak; and

WHEREAS, the Town of Hillsborough Planning Board made its recommendation of approval on February 18, 2016 to the Town of Hillsborough Board of Commissioners regarding the application for the Master Plan approval; and

WHEREAS, the Town of Hillsborough Board of Commissioners has considered the recommendation of the Planning Board and all the information and testimony presented to it at the public hearing; and

WHEREAS, the Master Plan application and associated exhibits, including but not limited to a Master Plan prepared by the John R. McAdams Company received December 22, 2015, are incorporated herein by reference; and

NOW, THEREFORE, BE IT RESOLVED by the Town of Hillsborough Board of Commissioners, on motion of _____, seconded by _____, this 14th day of March, 2016, as follows:

1. The Board of Commissioners has considered all the information presented to it both in support of and in opposition to the application a Master Plan at the public hearings;

2. The Board of Commissioners finds that the application a Master Plan is complete, and, subject to additional condition of approval detailed below, complies with all applicable provisions of the Town of Hillsborough Zoning Ordinance;

3. The Board of Commissioners finds that the Conditions of Approval (Attachment A), are intended to preserve and/or promote the health, safety and welfare of the surrounding areas and the Town of Hillsborough in general; and

WHEREFORE, the foregoing Resolution was put to a vote of the Town of Hillsborough Board of Commissioners this 14th day of March, 2016 the result of which vote was as follows:

Ayes: _____

Noes: _____

Absent or Excused: _____

Dated: _____

Katherine M. Cathey, Town Clerk

Attachment A

COLLINS RIDGE
CONDITIONS OF APPROVAL

Statement of Intent Applicable Generally to the Master Plan

Collins Ridge Master Plan (“Collins Ridge”) is proposed to provide a residential community with a mix of housing styles designed to comply with the Town of Hillsborough’s (“Town”) Future Land Use Plan, respect the visual character of its site, minimize environmental impacts and maximize water and energy conservation principles. This proposal meets the requirements of the Future Land Use Plan, which designates the property subject to the Collins Ridge Master Plan for “Mixed Residential Neighborhood”. Further, Hillsborough Vision 2030 encourages development that is compatible with the special character of Hillsborough. Collins Ridge strives to be an integral part of the unique Town of Hillsborough.

The site is situated between Highway 70 to the north, the North Carolina Railroad to the east and north, I-85 to the south and South Churton Street to the west. The property subject to the Collins Ridge Master Plan is well-located to provide a mix of residential land use designed to support existing and planned retail and other commercial land uses on the Daniel Boone property, and the nearby rail station and community park.

To the extent not specifically addressed in the Collins Ridge Master Plan, or otherwise required by the Town Unified Development Ordinance to be addressed as a part of the Special Use permit process, the developer of the Collins Ridge project, its successors and assigns, shall explain specifically the manner in which the design for improvements on each Parcel address the following issues at the time that application for Special Use Permits are submitted to the Town for each Parcel depicted in Collins Ridge Master Plan: (1) site lighting; (2) whether and how on-street parking should be accommodated; (3) emergency vehicle access to the site; (4) buffering between different land uses; and (5) street design within the parcel; (6) connectivity (vehicular and pedestrian) within the parcel and among neighboring parcels; (7) building and site design on the site; (8) location, specific design, and timing of construction of recreation features and amenities; signage for and within parcels, including location and design; (9) compliance with applicable stormwater regulations applicable to the parcel and/or to the Property as a whole; (1) buffers and setbacks within parcels .

General Conditions Applicable to the Entire Project

1. Land Uses. The following land uses shall be permitted within Collins Ridge, and all uses shall be permitted on all Parcels:
 - Dwelling;
 - Dwelling, Attached, including Townhomes and other attached dwellings (all uses in this category may be traditional, age-restricted and age-targeted dwellings);
 - Dwelling, Multi-family, including Condominiums and Apartments dwellings (all uses in this category may be traditional, age-restricted and age-targeted dwellings)
 - Dwelling, Single-family Detached;
 - Attached and detached garages;
 - Community Garden;
 - Park, Athletic or Community;
 - Park, Cultural or Natural;
 - Park, Neighborhood;
 - Passive Recreation Area;
 - Public Utilities;
 - Private Utilities, including stormwater and erosion control devices;
 - Public and private streets, private alleys, sidewalks, trails, and paths;
 - Recreational Facilities;
 - Community pool, Community Center, tennis courts, volleyball courts and other recreational amenities generally associated with residential communities;
 - Health/Fitness Club for exclusive use of Collins Ridge residents, and operated by developer or one or more homeowner's associations; and
 - Any and all other uses ancillary to or supportive of a residential subdivision.

2. Density: No more than 950 dwelling units, plus a minimum of 60_ and a maximum of 88 Affordable Housing Units, shall be permitted on the property subject to the Collins Ridge Master Plan.

3. Affordable Housing.

The Collins Ridge Master Plan provides for a range of housing types at varying price points. The availability of single-family homes, townhomes and multi-family units is naturally conducive to affordable housing as these varying home types and sizes will appeal to residents with a range of incomes and housing needs.

In order to provide additional opportunities for housing for Low-Income Households (“Affordable Housing”), as defined by the North Carolina Housing Coalition below, the developer shall offer to donate without charge at least three (3) acres of land available to support eighty-eight (88) multi-family dwellings within Parcel B to CASA or its assignee at a mutually agreeable location with a deed restriction ensuring the property will be used for Affordable Housing for Low-Income Households (“Affordable Housing Property”). Specifically, the deed shall require that: (i) the parcel be used for a minimum of sixty (60) and a maximum of eighty-eight (88) Affordable Housing units, including but not limited to Veterans with Disabilities; (ii) CASA, or its assignee, shall accept all types of rental subsidies; (iii) CASA, or its assignee, will apply for federal and/or state funding for construction within two (2) years of receipt of the property; (iv) that CASA will use its best efforts to obtain funding for construction of rental units as described above; and (v) if CASA has not received at least one building, grading or other related construction permit on the fifth (5th) anniversary of the date CASA takes ownership of the Affordable Housing Property, ownership of the parcel shall be transferred to the Town of Hillsborough. The Developer shall provide the Town with a copy of the recorded deed of the property conveyed to CASA within thirty (30) of recordation on the deed.

The developer of Collins Ridge shall ensure that the Affordable Housing Property has vehicular and pedestrian access to public streets and on-site access to all public utilities that are available to the remainder of the Collins Ridge Community. The design and location of such vehicular and pedestrian access must be approved by then Town as part of the Special Use Permit process for Parcel B. CASA shall also ensure that the design of amenities and landscape features on the Affordable Housing Property shall be consistent with and of quality and quantity equal to all other parcels in Collins Ridge. The Affordable Housing Property shall be offered to CASA at no cost within thirty (30) days of issuance of the first building permit in the Collins Ridge Community.

The developer of Collins Ridge shall ensure that the Affordable Housing Property to be conveyed to CASA (or its assignee), or to the Town of Hillsborough in the event that CASA has not received its first construction permit by the fifth anniversary date of the date CASA takes ownership of the Affordable Housing Property, shall be fully integrated into the Collins Ridge Community so that residents of Affordable Housing units shall have access

to all amenities in Collins Ridge on the same basis and to the same extent as all other residents of Collins Ridge.

CASA, or its assignees, shall be responsible for constructing, managing and maintaining the dwelling units, including submitting and obtaining approval of a Special Use Permit for development of the site.

The definition of the term “Low-Income Households” is derived from the North Carolina Housing Coalition and set out in its entirety below.

Low-Income Household(s) – Household(s) whose income does not exceed Eighty Percent (80%) of the median income for the area as determined by HUD.

4. Conservation Measures. The following conservation measures shall apply to the property within the Collins Ridge Master Plan:
 - a. All dwelling units shall be constructed with Energy Star Appliances, with the exception of ovens, ranges and microwave ovens which are not rated by Energy Star at this time.
 - b. To encourage water conservation, all dwelling units shall be constructed with WaterSense Certified High Efficiency Toilets (1.28 GPF), or equivalent.
 - c. To ensure compliance with the North Carolina State Building Code, each application for a certificate of occupancy for a home subject to the One or Two Family Building Code, shall submit a photograph or copy of a certificate confirming that the dwelling unit has passed a blower door test or a duct leakage test.
 - d. Solar panels will be offered as an option at the time of purchase for all single-family home and townhomes within Collins Ridge Community. Solar panels will be available to apartment developers at the time of construction.
 - e. Landscape materials planted within street rights-of-way, in open space or in common areas shall meet the following requirements:
 - i. Planting shall be made in accordance with the requirements and specifications of the Town’s Administrative Manual. Plant materials shall be chosen to thrive based on their exposure to sun, wind, and soil conditions.
 - ii. All landscape beds shall provide a 3” layer of mulching material.
 - iii. Plants shall be grouped according to water needs, or “hydrozones,” to limit overwatering.

- iv. All landscaping in the public right-of way shall be maintained by the Developer or by a property owners' association for the Collins Ridge Master Plan Property, and/or for the Parcel within which the landscaping is situated.
 - f. Installation of landscaping on residential lots as a part of the initial construction process shall meet the following requirements:
 - i. Planting shall be made in accordance with the Town's Administrative Manual. Plant materials shall be chosen to thrive based on their exposure to sun, wind, and soil conditions.
 - ii. All landscape beds shall provide a 3" layer of mulching material.
 - iii. Plants shall be grouped according to water needs, or "hydrozones," to limit overwatering.
- 5. Open Space. At least ten percent (10%) of the property that is subject to the Collins Ridge Master Plan shall be open space.
- 6. Community Amenities. The following amenities shall be provided:
 - a. Town Park. The developer shall offer to dedicate to the Town of Hillsborough at least two (2) acres of land generally as shown on Exhibit 9, entitle Master Plan Collins Ridge, within thirty (30) days of purchase of the property subject to the Collins Ridge Master Plan by Caruso Homes.
 - b. Community Center. The developer shall construct a community center building at least 3,000 square feet in size, including at least one meeting room, a catering kitchen, an outdoor swimming pool at least 2,500 square feet in size, two tennis courts, restroom/changing rooms and twenty (20) parking spaces to serve the townhome and single-family homes. The Community Center tract shall be at least 3 acres in size. The Community Center shall be completed prior to the issuance of a certificate of occupancy for the 300th townhome and/or single family detached home in Collins Ridge (it being the intent that apartment units are not counted for purposes of this subparagraph because apartment units will have some recreational amenities incorporated into their design as required by subparagraph d below).
 - c. Neighborhood Parks. The developer shall construct at least six (6) neighborhood parks one (1) within each of the six Parcels (A-F) in Collins Ridge Community. At least three (3) of the neighborhood parks shall include fenced children's playgrounds. Each park shall be at least one-quarter (1/4) acre in size. The timing of the construction and completion of the required neighborhood park within each parcel shall be determined during the special use permit process that Parcel. Neighborhood parks may be provided in combination with Recreational Amenities in Apartment Complexes. Although the general location of neighborhood parks are shown on Exhibit 9, entitled Proposed

Master Plan, the final location of each neighborhood park shall be determined during the Special Use Permit review and approval process for the Parcel in which each park is located

- d. Additional Recreational Amenities for Apartment Complexes. Each apartment complex shall provide at least one (1) additional recreational amenity, such as a swimming pool, playgrounds, play field or play court, as a part of the apartment complex. Neighborhood Parks may be provided in combination with Recreational Amenities in Apartment Complexes.
 - e. Sidewalks. Sidewalks meeting Town of Hillsborough standards shall be provided on both sides of all public streets. At least 9,600 linear feet (1.8± miles) of public sidewalk shall be provided within Collins Ridge.
 - f. Walking/Biking Trails. The developer shall construct at least 6,000 linear feet (1.1± miles) of walking/biking trails, in addition to sidewalks. Walking/biking trails shall be constructed generally as shown on the “Proposed Master Plan Collins Ridge Map”, identified as Exhibit 9 of Collins Ridge Master Plan. Walking/biking trails shall be at least eight feet (8’) wide and constructed of asphalt in accordance with Town of Hillsborough trail standards, including the Access Board Guidelines. Walking/biking trails located within the perimeter buffer of Collins Ridge shall be dedicated to the Town of Hillsborough and accepted by the Town of Hillsborough for maintenance.
 - g. Bicycle Racks. In order to encourage the use of bicycles within the community, the developer shall provide at least twelve (12) total Bike Rack Stations located at the community center, apartment complexes, parks and transit stops throughout the Collins Ridge Community. Each Bike Rack Station shall contain parking for at least six (6) bicycles.
 - h. Transit/ Bus Stops. The developer shall provide easements to the Town of Hillsborough, or to Go Triangle or another public entity which provides public transportation services in the area, for at least three (3) transit stops measuring at least twenty feet by fifteen feet (20’ x 15’) (the specific design and location of each transit stop shall be determined during the Special Use Permit review and approval process for the Parcel within which, or adjacent to which, the transit stop is to be located) prior to issuance of the first certificate of occupancy for the first dwelling unit in the Parcel associated with the transit stop. The developer shall install a bench (to be designed and installed in accordance with approved Town of Hillsborough standards) at each transit stop location. Although the general location of transit stops are shown on Exhibit 9, entitled Proposed Master Plan, the transit stops may be relocated during the Special Use Permit process for that Parcel to another location along the main spine road.
7. Public Water and Sewer. All property subject to the Collins Ridge Master Plan shall be served by public water and sewer subject to availability of capacity in accordance with the

terms of a Water and Sewer Agreement to be negotiated between Collins Ridge and the Town.

8. Street and Pedestrian Circulation. The following streets and pedestrian walkways shall be provided within the Collins Ridge Master Plan:
 - a. Streets within the Collins Ridge Master Plan shall be built to the standards shown on Exhibit 13 of the Collins Ridge Master Plan, entitled “Proposed Street Sections”.
 - b. The street network shall be designed to provide interconnection between and among the various parcels that make up the Collins Ridge Master Plan.
 - c. Cul-de-sacs shall not be permitted on the public streets within the Collins Ridge Master Plan except for “stub” streets and any town required turn-arounds.
 - d. Prior to the issuance of the first Special Use Permit in the Collins Ridge Master Plan property, the developer shall secure an irrevocable legal right to provide a second permanent vehicular and pedestrian access point in a location acceptable to the Town’s consulting traffic/transportation consultant and to NCDOT, connecting the main north-south “spine” road on Collins Ridge Master Plan property to Churton Street in Phase 2 of the Collins Ridge Master Plan generally as shown on Exhibit 11, entitled Phasing Plan, in addition to the primary access shown on Proposed Collins Ridge Master Plan map from Orange Grove Road. The second permanent access does not need to be constructed at the time of issuance of the first special use permit in Collins Ridge. The second permanent access must be constructed and available for use prior to the issuance of the certificate of occupancy for the 451st dwelling unit within Collins Ridge.
 - e. The developer shall be permitted to construct 450 dwelling units within Phase I of Collins Ridge Master Plan generally as shown on Exhibit 11, entitled Phasing Plan, provided that the following access points are constructed: a permanent access from Orange Grove Road into Collins Ridge (as currently contemplated by NCDOT TIP Project No. U-5848) and a second temporary access through the power line easement to Churton Street at least twenty feet (20’) wide and graveled in accordance with Town Standards. The developer shall be required to maintain the secondary temporary access easement in good condition, satisfactory to the Town of Hillsborough Fire Marshall, the Town of Hillsborough Police Department and the Fire Department serving the Collins Ridge Master Plan property. Should the Developer fail to adequately maintain the easement, then the Town may suspend the issuance of permits or certificates of occupancy for new dwelling units until the condition of the temporary access easement is restored or until another secondary access acceptable to the Town has been provided.
 - f. Prior to the issuance of the zoning permit for the 751st dwelling unit, the developer shall install the 2018 road improvement recommended in Section X entitled

- “Recommendations” of the CRTIA unless these improvements are required to be installed earlier by the North Carolina Department of Transportation.
- g. Prior to the issuance of the zoning permit for 950th dwelling unit, the developer shall install the 2022 road improvements recommended in Section X entitled “Recommendations” of the CRTIA unless these improvements are required to be installed earlier by the North Carolina Department of Transportation.
 - h. The developer shall submit construction drawings to the Town for review and approval prior to commencement of construction of the public spine street for Collins Ridge which is generally depicted on Exhibit 12 (“Connectivity Plan – Collins Ridge”). The spine street shall be completed up to the point of secondary temporary access easement as described in Section 8(e) prior to the issuance of any certificate of occupancy in Collins Ridge. The timing of construction and completion of the remainder of the spine street shall be determined during the special use permit process for each Parcel located south of the temporary access easement (Parcels B, C, D and E). The public spine street generally as shown on Exhibit 12, entitled Connectivity Plan Collins Ridge, shall be constructed within at least a fifty-nine foot (59’) right-of-way along the common boundary line of Parcels D and E ending in a stub one hundred feet (100’) from the right-of-way for Interstate 85 for the purpose of construction by the Town of Hillsborough of a public street to the south and across Interstate 85 connecting to the existing street network prior to the issuance of a building permit in Parcel D. In addition, the developer shall reserve a strip of land at least fifty-nine (59’) feet wide from the end of the public spine street to the right-of-way for Interstate 85 until the issuance of a building permit in Parcel D for the Town of Hillsborough to be used as right-of-way for a possible crossing of Interstate 85. The applicant shall not be required to construct a street within this reserved strip of land, nor shall the applicant be required to install a bridge, tunnel or other crossing over or under Interstate 85.
 - i. The developer is the owner of an approximately 11 acre parcel of land (the “Southern Parcel”) on the south side of Interstate 85, lying generally between Interstate 85 and the Old Mill Business Park and the Beckett’s Ridge development. The developer agrees to reserve and to make available to the Town at no cost for a period of ten (10) years from the date of issuance of the first certificate of occupancy in Collins Ridge, a sufficient area of land on the Southern Parcel to accommodate pedestrian and bicycle connectivity to the strip of land reserved by the developer at the southern end of the “spine street” referred to in subparagraph h above. The developer shall work with the Town to determine the location and specific design details of the area reserved pursuant to this condition, toward the end of facilitating pedestrian and bicycle connectivity between development south of Interstate 85 and the public rights-of-way, sidewalks, greenways and trails in Collins Ridge.
 - j. The developer acknowledges that the North Carolina Department of Transportation (“NCDOT”) is currently in the process of reviewing/designing projects along South

Churton Street and along the North Carolina Railroad line adjacent to, and running generally north and east of, the Collins Ridge property. The developer shall coordinate its development plans to the maximum extent practicable with the NCDOT to facilitate compatible design. Nothing in this condition shall be deemed a requirement by the Town for the developer to convey any right of way to NCDOT or to the North Carolina Railroad.

9. **Voluntary Annual Contributions.** The developer shall make the following voluntary contributions to equitably offset the initial impact of the Collins Ridge project upon the Town's obligation to provide public utilities, police and fire protection, taking into account the improvements and other benefits provided by the Collins Ridge project:

Public Safety Capital Contribution: Three (3) annual contributions totaling \$235,440.00 shall be made to the Town of Hillsborough to defray the cost of providing public safety services to the property subject to the Collins Ridge Master Plan. The developer shall make an initial contribution of \$78,480.00 within thirty (30) days of approval of the first Special Use Permit on property subject to the Colling Ridge Master Plan. Thereafter, contributions of \$78,480.00 shall be made annually on the anniversary date of the initial contribution for a total contribution of \$235,440.00.

To secure payment of the voluntary contributions described above, the property owner shall provide an irrevocable letter of credit issued by a financial institution acceptable by Town of Hillsborough in a form acceptable to the Town of Hillsborough in the amount of \$156,960.00 simultaneously with the first annual payment of \$78,480.00. The amount of this letter of credit shall be reduced in an amount equal to each contribution made by the property owner to Town of Hillsborough within thirty (30) days after each contribution is received by the Town.

Utility Meter Reading Antennae: To defray the cost of reading utility meters in the property subject to Colling Ridge Master Plan, the developer shall make a contribution of \$15,000.00 to the Town of Hillsborough within thirty (30) days of formal application for the first special use permit within the Collins Ridge Master Plan.

10. **Stormwater Facilities.** All stormwater control devices to be located on the property subject to the Collins Ridge Master Plan shall be reviewed and approved by the Town prior to construction, but shall remain the property and maintenance responsibility of the developer, or in its sole discretion, a property owner and/or tenants' association to be established by the developer. In addition, the developer shall comply with all Federal, state and local stormwater regulations, including riparian buffer regulations. The developer shall submit to the Town for its prior approval proposed conditions and covenants addressing continuing operation and maintenance of all stormwater control measures. The conditions and covenant shall include provisions authorizing the Town to perform maintenance of such facilities and to charge the cost thereof against the developer or property owners' or tenants' association(s) in the event that they fail to properly and timely maintain the stormwater control measures.
11. **Informal Concept Plan Submission.** The developer shall submit to the Town a concept plan for informal review by the Planning Director or her designee prior to submitting a

formal application for Special Use Permit for any Parcel as shown on the Collins Ridge Master Plan.

12. Assignment of Rights and Obligations. The developer shall be entitled to assign the rights and obligations contained in Collins Ridge Master Plan and these Conditions of Approval to subsequent purchasers of any portion of the property subject to the Collins Ridge Master Plan, provided that any subsequent purchasers must acknowledge in writing to the Town that they have acquired the property, or any portion thereof, subject to the obligations and conditions stated in the Collins Ridge Master Plan and these Conditions of Approval and that they agreed to be bound by them.
13. Restrictive Covenants. Prior to recording any restrictive covenants or any other document intended to affect development on any portion of the property subject to the Collins Ridge Master Plan (the “Restrictive Covenants”), the developer or any other subsequent owner of any portion of the property subject to the Collins Ridge Master Plan shall first submit the Restrictive Covenants to the Town for review.
14. Vested Rights. A vested right pursuant to G. S. 160A-385.1 and Section 1.8 of the Town of Hillsborough Unified Development Ordinance is established as of the date hereof. The vested right arising from the approval of this Collins Ridge Master Plan shall be valid for five years from the date of approval, unless such date is formally extended by the Town Board prior to its expiration.
16. Compliance with Unified Development Ordinance. The Collins Ridge Master Plan was submitted to the Town in compliance with the requirements of Section 3.7 of the Town of Hillsborough’s Unified Development Ordinance. Prior to development of any specific Parcel shown on Collins Ridge Master Plan, a Special Use Permit Application for that Parcel shown on the Collins Ridge Master Plan will be submitted to Town in accordance with the applicable provisions of the Town Unified Development Ordinance in effect at the time the application is made; provided, however, that in the event that there are inconsistencies between the Town Unified Development Ordinance and the Collins Ridge Master Plan at the time any Special Use Permit application is submitted, the terms of the Collins Ridge Master Plan shall control. The requirements of section 3.8.3 of the Town Unified Development Ordinance shall be addressed in detail for each specific Parcel shown on the Collins Ridge Master Plan at the time a Special Use Permit application for each parcel is submitted to the Town for approval.
17. These Conditions of Approval shall supersede the terms of the Collins Ridge Master Plan application to the extent these Conditions of Approval are inconsistent with the terms of the Collins Ridge Master Plan Application. The Summary of Conditions of Approval Chart below is a reference and shall not supersede this Conditions of Approval document.

Summary of Conditions of Approval Applicable to Specific Parcels Identified on the Collins Ridge Master Plan:

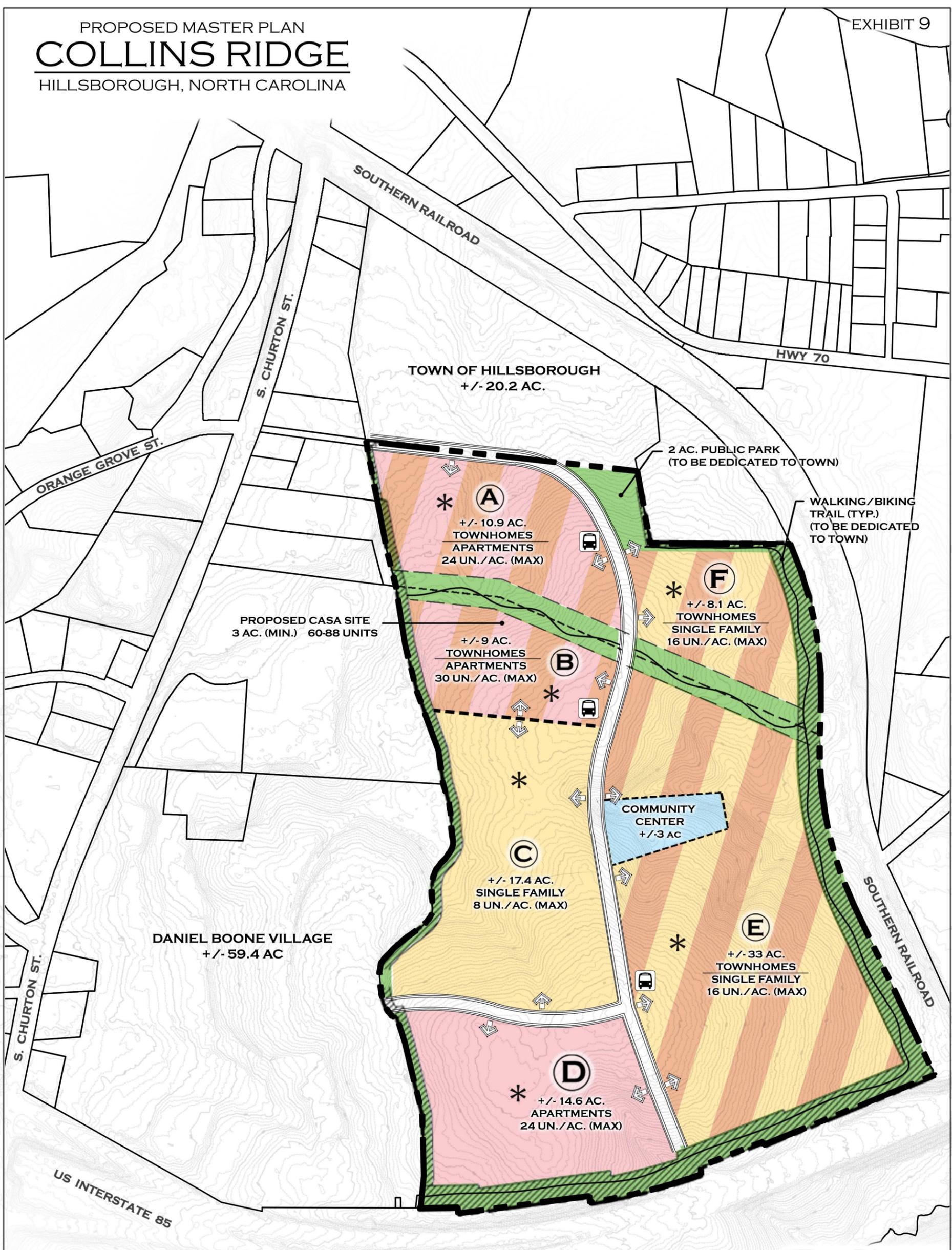
<u>Parcel #</u>	<u>Anticipated Land Use</u>	<u>Conditions & Other Information</u>
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<p>A</p>	<p>Apartments, Townhomes and/or other Attached Dwellings</p>	<ul style="list-style-type: none"> • The developer shall be entitled to be built to a maximum density of 24 units per acre. Provided, however, that the maximum number of dwelling units allowed on the entire Collins Ridge Master Plan property shall not exceed 950 units (not including up to 88 Affordable Housing units on Parcel B) • A recreational amenity shall be provided for each apartment complex. See Section 6, sub-bullet entitled “Additional Amenities for Apartment Complexes”. • Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.” • No building shall exceed four (4) stories above grade.
<p>B</p>	<p>Apartments, Townhomes and/or other Attached Dwellings</p>	<ul style="list-style-type: none"> • The developer shall be entitled to build to a maximum density of 30 units per acre. Provided, however, that the maximum number of dwelling units allowed on the entire Collins Ridge Master Plan property shall not exceed 950 units. At least 60, and no more than 88, Affordable Housing units shall be built on Parcel B, and the Affordable Housing units shall be in addition to the 950 dwelling unit maximum otherwise applicable to the Collins Ridge property. • Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.” • A recreational amenity shall be provided for each apartment complex. See Section 6, sub-bullet entitled “Additional Amenities for Apartment Complexes”. • No building shall exceed four (4) stories above grade.
<p>C</p>	<p>Single-family Detached</p>	<ul style="list-style-type: none"> • The developer shall be entitled to build to a maximum density of 8 units per acre. Provided, however, that the maximum number of dwelling units allowed in the entire Collins Ridge Master Plan property shall not exceed 950 units (not

		<p>including up to 88 Affordable Housing units on Parcel B).</p> <ul style="list-style-type: none"> • No lot for a single-family detached dwelling shall exceed 10,000 square feet in size. • Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.” • No building shall exceed three (3) stories above grade.
D	Apartments	<ul style="list-style-type: none"> • The developer shall be entitled to build to a maximum density of 24 units per acre. Provided, however, that the maximum number of dwelling units allowed in the entire Collins Ridge Master Plan property shall not exceed 950 units (not including up to 88 Affordable Housing units on Parcel B). • Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.” • A recreational amenity shall be provided for each apartment complex. See Section 6, sub-bullet entitled “Additional Amenities for Apartment Complexes”. • No building shall exceed four (4) stories above grade.
E	Townhomes and other Attached Dwellings, Single-family homes detached and/or Community Center	<ul style="list-style-type: none"> • The developer shall be entitled to build to a maximum density of 16 units per acre. Provided, however, that the maximum number of dwelling units allowed in the entire Collins Ridge Master Plan property shall not exceed 950 units (not including up to 88 Affordable Housing units on Parcel B). • Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.” • No building shall exceed three (3) stories above grade.

F	Townhomes and other Attached Dwellings, and/or Single-family homes detached	<ul style="list-style-type: none">• The developer shall be entitled to build to a maximum density of 16 units per acre. Provided, however, that the maximum number of dwelling units allowed in the entire Collins Ridge Master Plan property shall not exceed 950 units (not including up to 88 Affordable Housing units on Parcel B).• Neighborhood Park required. See Section 6, sub-bullet entitled “Neighborhood Parks.”• No building shall exceed three (3) stories above grade.
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PROPOSED MASTER PLAN COLLINS RIDGE HILLSBOROUGH, NORTH CAROLINA



12-21-2015



NORTH



* NEIGHBORHOOD PARK

TRANSIT STOP

THIS GRAPHIC REPRESENTATION IS MEANT FOR ILLUSTRATIVE PURPOSES ONLY.
ELEMENTS SHOWN ARE APPROXIMATE IN LOCATION AND ARE SUBJECT TO CHANGE AT THE TIME OF SPECIAL USE PERMIT.

PREPARED FOR:



PREPARED BY:



MCADAMS

ITEM #5: Recommendation to Town Board regarding Annexation, Rezoning and Master Plan application for the project known as Collins Ridge (portion of OC PIN 9874-10-9993 north of Interstate 85).

Ms. Hauth reviewed a few minor changes. Mr. Hornik reminded the board that the conditions of approval of the master plan is a package. Look at the whole picture before you deliberate on any piece of the picture (for instance, do you want to rezone the property in the first place?).

Mr. Hornik pointed out some changes: in paragraph 6D, back and forth about community center having to be completed prior to Certificate of Occupancy of the 300th dwelling unit (apartments) or 300th townhome/single family home. The attorneys found common ground on single family/townhome because apartment complex will have some of its own recreational amenities.

Mr. Hornik pointed out in 6C, they changed 100th dwelling unit to 50th and allowed this site to be set during Special Use Permit process.

Mr. Hornik explained regarding paragraph 8H, talked about timing of completion of the spine road, dividing east and west. Have proposed condition that before the first Certificate of Occupancy is issued, the spine street has to be completed up to the point of the secondary temporary access easement.

Ms. Hauth explained we took out the requirement for Special Use Permit for the roads because there's no PIN to tie that SUP. As long as they underwent a construction drawing review process, that's sufficient.

Ms. Morris prepared a few remarks and read them. She believes Collins Ridge brings too many dwellings to Hillsborough. She listed other developments under construction. How many new dwellings is enough? She also expressed concern about traffic. Not until the 451st dwelling is built in Collins Ridge is there going to be more than one way for residents to get in and out. There's a lot of congestion on South Churton Street. DOT's plans to enlarge South Churton Street are several years down the road. Ms. Morris said she does support annexation and rezoning.

Mr. Barker said he's trying to figure out what mechanism could get the bridge across I-85 built. How is it to be funded, built, paid for by this proposal? Ms. Hauth answered it is not. The town will have to fund it through a competitive process through the DOT. The town did the studies first and jumped ahead of the offers from Caruso Homes to fund the studies.

Mr. Barker said part of the Collins property is south of I-85. Will it be rezoned? Ms. Hauth answered that it is not in this proposal. Mr. Barker said that seems like a problem to me.

Chair Eckert requested that the developers make certain that Parcel B is fully accessible. The recreational amenities need to be accessible. She also asked that the developers consider landscaping Parcel B to lower CASA's costs. She would also like to see parcel F be built more densely because of the proximity to transit.

Mr. Barker said I think that's very important. With the train station coming, we want transit development and it's not here. Chair Eckert reminded him that the town has acres for designing the transit development.

Randy Sexton, representing Caruso Homes, addressed Mr. Barker. He said the 12-acre parcel south of the Interstate is designated as industrial. To include it in the mixed use residential is not allowed.

Mr. Barker asked when should we expect that proposal. We don't plan to do anything with it, Mr. Sexton said. Mr. Barker asked whether they've put it on the market. Mr. Sexton answered no.

Mr. Sexton added, addressing Ms. Morris's concerns, that the town did a traffic study and a traffic engineer from Volkert is present tonight. They recommended 850 units without adding the second access. Their traffic study was forwarded to DOT and DOT concurred with their findings. Mr. Barker asked do you expect a second access through Daniel Boone to be done in a way to be a town street. Mr. Sexton answered it will be a public right of way. It will line up with Mayo Street. Road and will be built prior to the 451st dwelling. Mr. Sexton added there will be a second access adjacent to the Duke Medical Center property, 20 foot wide, emergency use only.

Ms. Vandemark asked if there's any thought of Parcel F becoming townhomes instead of single family. Mr. Sexton answered there is a possibility of both. They are talking with a senior housing project developer and it might spill over. This would be age targeted, 55 and older.

Chair Eckert asked about her request for CASA integration. Mr. Sexton said that was always the intention. Inhabitants of Parcel B are included. Mr. Sexton said the development will have a master HOA.

Ms. Frazier said she understands Ms. Morris's traffic concern and she shares that opinion.

Ms. Sykes thinks there's market demand for the density. There isn't as much demand for single family homes there, in her opinion.

Chair Eckert said we recognize our traffic situation is difficult.

Will Letchworth with Volkert addressed the board. As these pods come up with a Special Use Permit application, they'll be accompanied by a traffic study as well, he reminded them. You will continuously monitor this traffic. The improvements required may change. That might give you more comfort that we're going to keep a handle on this.

Chair Eckert said it's important to keep in mind there will be another way to for people to get out eventually. Mr. Sexton added there will be three transit stops in our design. We want our community to use that.

Mr. Barker asked whether there was a way to attach a right of way to reach I-85 to the plan. Mr. Sexton said it's behind other parcels. There are three or four other lots in front of us. He doesn't mind providing a right of way. Ms. Hauth said in a location with one of the two recommendations for the bridge in the study would be beneficial.

Beth Trahos, representing Caruso Homes, reminded the Planning Board that this is not a part of the application. A crossing is going to be extremely expensive and will provide minimal benefit from a traffic perspective. Ms. Hauth added that the true benefit is for bikes and pedestrians.

Jeff Caruso said we would have no problem providing that. We are happy to give a right of way through here. If 10 years from now you decide you are not doing that, we'd like the right of way returned to us. Mr. Hornik and Ms. Trahos agreed they'd write something up.

Mr. Barker said people on the south side of Hillsborough are asking how do we walk downtown. I don't want to lose the opportunity. The bridge would be really nice for cyclists and pedestrians. Mr. Caruso said he's on board with it. Mr. Hornik said what I'm hearing is a willingness on the part of the applicant. We can put together a condition for the Town Board where the developer is agreeing to reserve an area for a bike/ped right of way landing area on the parcel on the south side of I-85,

for up to 10 years. Mr. Barker asked for 20 years because DOT moves slowly. Ms. Trahos said she'll wordsmith with Mr. Hornik and it's not a part of this application.

Mr. Barker asked about the alignment of the extension of Orange Grove Road. At what point will the name of the road break? Ms. Hauth answered we don't know if it will be a curve or T intersection.

Mr. Barker would like to see phrasing updated. He would like assurance that parcel F is a transit oriented plan rather than how it's phrased right now. Mr. Sexton said we will push the density there. Mr. Barker said on that northern end, density would be good. On the southern end, not so much. Mr. Sexton said the south end has high visibility and proximity to the interstate which lends itself to higher density.

There was brief discussion about the location of apartments by highways and while that sometimes leads to cheap apartments, sometimes those apartments are quite expensive.

Mr. Brewer said given the willingness of both parties to craft language, are you willing to move forward tonight? Mr. Barker said he wasn't certain.

Mr. Brewer said he doesn't think it's fair for the southern parcel to hold this up. Ms. Trahos thanked the board and requested that the project move forward.

Chair Eckert said if you think about this in reverse, she believes this is good for Hillsborough. There will be growing pains. The alternative is nothing and that isn't beneficial. It's not worthwhile to turn down a good development for what should be short term growing pains. The master plan aligns with what the town laid out in the Future Land Use Plan. She credited the developers for listening and being partners in the process. She believes if the development were turned down, it would be really disappointing for Hillsborough. It's hard to imagine what 1,100 homes will look like. Hopefully we'll take it in bits and chunks. They've been receptive and polite. I have no further concerns. She asked for other comments or questions.

Ms. Morris reiterated that in her opinion it's just too many dwellings. I appreciate Caruso Homes but I cannot in good conscious go forward with this plan. I wish I could be positive about this. I grew up in Hillsborough. I've seen a lot of changes. Every change I really like. This is a lot for me to take in. I can't see it.

Mr. Brewer said I appreciate where Ms. Morris is coming from. It's hard to conceptualize. He likes that Mr. Letchworth mentioned that as it rolls out, we'll be smarter in the future about what DOT is planning, the developer will be smarter about the market for each parcel. And each parcel will come before us again. Being able to address a portion at a time makes it digestible. Ms. Sykes reminded the board that it could theoretically have as few as 700 dwelling units.

Ms. Hauth said we have the water capacity. We can accommodate the density.

Ms. Vandemark said from a retail perspective, downtown is dead after 5 p.m. on Tuesdays and Wednesdays. The town is pretty quiet and that hurts retail establishments. The downtown needs the greater number of people this project will bring.

Ms. Sykes asked about the town's 20 acres for the train station. Ms. Hauth said at this point we don't know whether it will be all commercial or have a residential component. The Town Board understands commercial near the train station is good.

Mr. Barker asked about 4B, the added words “or equivalent”, who determines? Mr. Hornik said he put it to cover if the toilet doesn’t have that wording exactly. Ms. Hauth said it’s a commitment they’re making that there’s no way to enforce.

There was discussion of crafting language to be sure that CASA is fully integrated into Parcel B and that the recreational amenities are open and accessible to these residents. Ms. Hauth said what needs to be said is the portion of parcel B that goes to CASA is fully integrated in the HOA. Chair Eckert added that they make sure that recreational amenities ensure accessibility. Mr. Sexton and Mr. Caruso affirmed that both would be done.

Mr. Hornik said the other item is making sure there is a right of way for a landing area available on the south side for a bike/ped bridge.

MOTION: Ms. Vandemark moved to recommend to the Town Board annexation, rezoning, and master plan approval including the items discussed this evening. Mr. Brewer seconded.

VOTE: Passed, 7-1 (nay: Ms. Morris)

ITEM #6: Introduction of text amendments for discussion at the March meeting

- A) Definition of office & recreation facilities
- B) Deleting the watershed protection zoning districts because these areas were removed from town jurisdiction with the ETJ adjustment.
- C) Merging Economic Development District uses into the UDO to eliminate the EDD design manual

Ms. Hauth reviewed the proposed changes. She suggested board members drive on Millstone Drive and Leah Drive and see what’s there and what might be missing and compare with the table.

Ms. Hauth explained the prohibition on standalone retail was to prevent a shopping center at a particular point in Hillsborough’s history.

The board is OK with retail and restaurant. Mr. Barker pointed out church is not on the table but at least one exists.

There was discussion of what an office that is not a headquarters means and that it makes a difference whether training takes place on site and whether clients come to the office.

Ms. Hauth appreciated the feedback she received from the board this evening.

ITEM #7: Adjourn

MOTION: Ms. Vandemark moved to adjourn. Ms. Morris seconded.

VOTE: Unanimous

Respectfully submitted,

Margaret A. Hauth
Secretary

Margaret Hawth

From: Bishop's <bcc1@embarqmail.com>
Sent: Thursday, November 19, 2015 11:58 AM
To: Margaret Hawth
Subject: Collin Ridge

I believe that organized development is a good way for Hillsborough to develop. The extension of Mayo St would be one entrance but we need better traffic planning for the whole S. Churton St area. I think for a development of this many unit we would need outlets to 70 A as well as connection to 86. We do not need to create more problems but it is an chance to improve the entire area south of Hillsborough.

Bishop's Custom Cabinetry
179 Daniel Boone St
Hillsborough, NC 27278

919-732-7775 office
919-260-7753 cell

Thank you for choosing Bishop's

TOWN OF HILLSBOROUGH

Board of Commissioners Agenda Abstract Form

Meeting Date: March 14, 2016

Department: Public Works

Public Hearing: Yes x No

Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

	9.D	
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Ken Hines, Public Works Director

ITEM TO BE CONSIDERED:

Request for an exemption to Section 6-29 of the Town Code, prohibiting parking pads in the public right-of-way by the owners of 302 W. Queen Street.

Attachment(s):

Photographs of 302 W. Queen Street, North Hassell Street frontage

Background:

The owners of the property located at 302 W. Queen Street are requesting an exemption to Section 6-29, item (c) of the Town Code which states pre-existing parking pads may remain if vehicles can park completely off the improved road surface and cannot be expanded or altered in any way. They are requesting to add rock at this location where vehicles are unable to meet this requirement which had been previously graveled (see photo). The owners of the property stated this parking area will be used by customers of a planned Airbnb at the property and the addition of rock will allow better access to the house.

Action Requested:

Consider request to exempt 302 W. Queen Street from the parking pad ordinance.

ISSUE OVERVIEW

Financial Impacts:

Staff Recommendations/Comments:

North Hassell Street is narrow at this location so when vehicles park it will allow only one vehicle to pass.



302 W. Queen Street
N. Hassel Street Frontage

TOWN OF HILLSBOROUGH

Board of Commissioners

Agenda Abstract Form

Meeting Date: March 14, 2016

Department: Stormwater

Public Hearing: Yes No

Date of Public Hearing: _____

For Clerk's Use Only
AGENDA ITEM #

	9.E	
<i>Consent Agenda</i>	<i>Regular Agenda</i>	<i>Closed Session</i>

PRESENTER/INFORMATION CONTACT: Terry Hackett, Stormwater Program Manager

ITEM TO BE CONSIDERED

Subject:

Stormwater Utility Fee Update

Attachment(s):

Updated Stormwater Utility Information - March 2016

Brief Summary:

Stormwater Program Manager, Terry Hackett, will present an update on the budget and revenue analysis including changes that impacted expected revenue, reasons for those changes and options for a new proposed fee structure.

Action Requested:

Receive presentation by Stormwater Program Manager, Terry Hackett summarizing budget and revenue analysis and discuss 3 proposed options for the proposed stormwater utility fee structure.

ISSUE OVERVIEW

Background Information & Issue Summary:

A brief summary was presented to the town board at the February budget retreat indicating some necessary changes to the proposed stormwater utility fee structure. Based on public input additional tiers were added for non-residential property; fees for non-residential properties were changed to be based on the "equivalent residential unit" and fees would not be assessed for open space, undeveloped parcels and parcels owned by homeowner associations. This coupled with refined parcel data used to determine property type significantly reduced projected revenue. This required staff to make cuts in the stormwater budget for FY17 but would lead to large shortfalls in the future.

Financial Impacts:

Three options for the proposed stormwater fee structure will be presented. The options include keeping rates as proposed to start, raising them now to cover shortfalls or raising them incrementally each year. The attached document discusses advantages/disadvantages of each option.

Staff Recommendations/Comments:

Staff recommends that the board receives the information and discuss the three options presented. Staff further recommends that the board open a public hearing on the matter at its April 2016 meeting, keeping the public hearing open until the May budget public hearing and workshop to receive input and consider adoption at the June 2016 town board meeting.

The Town of Hillsborough is proposing the creation of a stormwater utility and associated fee beginning July 1, 2016. This fee is not a tax and would apply to all properties within the town limits, including tax-exempt parcels. The initial analysis was detailed in the town's [Stormwater Utility Fee Analysis & Report](#) dated November 2015. This document provides an update to that report.

Update Summary

The Town of Hillsborough began its *Stormwater Management Program* in 2005 as required by state and federal regulations. The primary purpose of the town's stormwater management program is to reduce stormwater runoff pollution from entering local streams and the Eno River. Reducing stormwater runoff pollution is a valuable service provided to town citizens.

Funding for the stormwater management program has been provided by the town's general fund through the current fiscal year. However, expanding state and federal requirements make it necessary for the town to find alternative funding options. These state and federal requirements are unfunded mandates.

Staff conducted an outreach campaign to solicit input on the initial proposed stormwater fees. This input resulted in some changes to the proposed rate structure. Budget figures were also refined while more precise parcel data was analyzed to provide a more accurate revenue projection. Details of these changes are provided in this document and are linked below:

- [Public Outreach Highlights](#)
- [Stormwater Budget Changes](#)
- [Stormwater Utility Fee Determination](#)
- [Proposed Fees, Revenue & Expenditures](#)
- [Stormwater Utility Fee Options](#)

Proposed stormwater utility fees would be collected annually, assessed through property tax bills. Residential properties would pay a flat rate. Rates for non-residential properties would be based on the amount of impervious surface (such as buildings, driveways and parking lots) for each property. Please see the section, [Stormwater Utility Fee Determination](#) for details on how fees were determined.

Based on the public input and refined data, revenue projections are significantly lower than originally presented. Two reasons for this include the change in non-residential tiers and rates and the decision to not charge a fee for undeveloped land, open space and land owned by homeowner associations. These changes were a direct result of public input.

To account for lower revenues, the proposed FY17 budget was reduced, resulting in fewer stormwater services being provided by the town over the next two fiscal years. Adding those cuts back into the budget in FY19 creates a significant shortfall. This necessitates consideration of optional fee structures to address the shortfall. Three [options](#) are included with this document.

Public Outreach Highlights

The initial Stormwater Utility Fee and Analysis was presented to the town board at its November 30, 2015 workshop meeting. At that meeting the town board directed staff to begin a public outreach campaign to disseminate information about the proposed stormwater utility. Public outreach included, press releases, articles, an informational mail out and a public informational meeting. Public outreach efforts are summarized below:

- Four press releases, two in December and one in January were issued describing the proposed stormwater utility and announcing the public informational meeting; one press release was issued in February that summarized the informational meeting, including updates to the stormwater utility FAQ
- Press releases also posted to the town's Facebook and Twitter accounts;
- An article was written for the town's stormwater newsletter, *The Stormwater Almanac*, highlighting the proposed stormwater utility.
- Information regarding the proposed Stormwater Utility and Fee was posted on the town's website; this included the Stormwater Utility Analysis and Report, summary document and a "frequently asked questions" page;
- Developed and mailed (~2,500) an informational postcard to all property owners within town limits; the card summarized the proposed stormwater utility and included a notice for the public informational meeting;
- Stormwater Program Manager, Terry Hackett appeared on the WHUP "Lunch Crunch" radio show on January 25, 2016 hosted by Will Baker; Terry spoke about the utility and reminded folks about the public informational meeting
- Hosted a public informational meeting in the town Barn on January 26, 2016 that included 21 citizens;
- Stormwater Program Manager has emailed, spoke on the phone, and spoke in person with about 12-14 citizens regarding the proposed stormwater utility.
- Provided an update to the town board at their February 8, 2016 meeting regarding outreach efforts and to keep schedule on track;
- Presented information about the stormwater program and proposed utility to the Exchange Club on February 25, 2016;
- Updated FAQ page based on citizen questions received during the informational meeting and through email and personal communication.

Stormwater Budget Changes

The Stormwater Fund budget and revenue has changed considerably from the initial [stormwater utility fee analysis](#). Changes resulted from refinement of budget estimates as well as more accurate parcel data. Public input regarding the initial proposed fees raised various inequities and a new tier structure for non-residential fees has been proposed. These changes decreased expected revenue. Changes to expected revenue and expenditures are summarized below.

1. *Expected revenue significantly dropped due to:*
 - a. Change in tier structure for non-residential properties to meet public input and more equitably assess fee on impervious surface or “stormwater impact;”
 - b. Recommendation to only assess fee on properties with impervious surface; no fee to be assessed on HOA owned lands, open space and undeveloped parcels;
 - c. Zoning layer used in initial assessment greatly over estimated the number of both residential and non-residential properties;
 - d. Typical estimates indicated only a 97% collection rate of fees, thus reducing revenue projection by 3%.
2. *Budget numbers increased due to:*
 - a. Decision to list new Public Works and Stormwater positions as full FTEs for the entire year;
 - b. Added amounts for private drainage cost share program, Falls Lake rules, targeting 10% maintenance of stormwater infrastructure annually;
 - c. Inclusion of UNRBA dues in Stormwater instead of Utilities;
 - d. Confirmation that billing and collection would cost 3% of expected revenue.
3. *Proposed changes to the Stormwater budget to address shortfalls include:*
 - a. Delay new Public Works equipment operator allocated to Stormwater by 6 months with a start date in January 2017;
 - b. Delay new Stormwater Coordinator position 6 months with a start date in January 2017;
 - c. Reduce pipe replacement & other stormwater maintenance to \$35,000 which is close to what was spent in FY15;
 - d. Reduce the Field & ROW inspections “contract services” to \$15,000...which will necessitate assessing only 1 area per year;
 - e. Keep Monthly Street Sweeping as shown...town streets are being added this year and cannot reduce this budget line item;
 - f. Reduce Storm Drain Cleaning to target 1-3%; eventually increase to reach 10% in future years;



- g. Eliminate the amount for the Private Drainage Cost Share for the first or second year but include it in year 3 of the budget;
- h. Reduce Miscellaneous Maintenance which was earmarked for the maintenance identified in Field & ROW inspections which will reduce the work to one “neighborhood” a year and possibly need 2-3 years to complete depending;
- i. Reduce the Consulting Services; with the proposed new Stormwater Program position, less reliance on consulting services may be possible;
- j. Move the UNRBA dues back to Utilities budget;
- k. Reduce/eliminate the Stage 1 Falls Lake budgeted amount for FY17 and possibly FY18 since no projects will need to be completed in FY17 due to delays by the state; add the full amount in the year 3 of the budget.

The following tables compare changes between the initial analysis in the November 2015 report and the current analysis. The first table compares the number of properties estimated in the initial analysis and the current analysis. Originally zoning data was used to determine the number of properties by type. This data over estimated the number of properties and in the initial analysis, all properties were included in the estimation of fees. Since then town properties were designated as “not applicable” and designated open space or undeveloped parcels are not proposed to have a stormwater fee. Also note that the initial analysis used projections provided to staff for new residential properties. It does not appear that the number of new residential properties in FY16 and FY17 will be as high.

Table 1. Comparison of Number of Property Types Zoning versus Parcel Data

Property Type	Initial Analysis Based on Zoning Data*	Current Analysis Based on Parcel Data
Residential	3190	2360
Non-Residential	730	336
Open/Undeveloped	0	576
Not Applicable	0	22
<i>Total</i>	3920	3294

** Residential data included projections based on approved projects under construction*

Table 2 compares the difference between the original 3-Tier rate structure versus the current 5-Tier approach for non-residential properties. The table uses the more accurate parcel data which is the current estimation for the number of non-residential properties. Interestingly, there is not a big difference between the projected revenue, but the 5-Tier approach is much more equitable in terms of charging properties based on impervious surface.



Table 2. Comparison of 3-Tier versus 5-Tier Rate Structure for Non-Residential Properties

Non-Residential Tier	Annual Fee	Number of Properties	Projected Revenue
Tier 1 (below 30,000 square feet)	\$500	242	\$121,000
Tier 2 (30,001-90,000 square feet)	\$1,500	64	\$96,000
Tier 3 (over 90,000 square feet)	\$2,500	30	\$75,000
<i>Totals</i>		336	\$292,000

Non-Residential Tier	Annual Fee	Number of Properties	Projected Revenue
Tier 1 (below 10,000 square feet)	\$100	129	\$12,900
Tier 2 (10,001-30,000 square feet)	\$400	106	\$42,400
Tier 3 (30,001-100,000 square feet)	\$1,200	72	\$86,400
Tier 4 (100,001-200,000 square feet)	\$2,700	17	\$45,900
Tier 5 (over 200,000 square feet)	\$8,600	12	\$103,200
<i>Totals</i>		336	\$290,800

Table 3 highlights budget items that were reduced significantly or cut from the initial FY17 budget draft submitted to the town board. A reduction of approximately \$310,000 was necessary to balance with projected revenue. The two biggest cuts/reductions came from money earmarked for capital projects to comply with stage 1 of the Falls Lake rules, and systematic infrastructure maintenance. The private drainage cost share program was also cut and Upper Neuse River Basin Association (UNRBA) dues were moved back to the Sewer & Water fund.

Included on page 7 is a comparison of all stormwater budget line items. The first column includes the budget as provided in the November 2015 stormwater utility analysis. The second column is the more refined FY17 budget reviewed by the town board in February and the third column is the currently proposed FY17 budget showing reductions and cuts.



Table 3. Comparison of Budget Items with Significant Cuts

Budget Item	Original	Current	Notes
Personal Services Subtotal	\$213,619	\$163,368	Postpone hiring both new stormwater positions for 6 months
Pipe Replacement & System Maintenance	\$45,000	\$35,000	General stormwater maintenance by Public Works staff
Field & ROW Inspections	\$25,000	\$15,000	Contract engineering assessment of infrastructure for systematic maintenance
Miscellaneous Maintenance	\$125,000	\$25,000	Contract infrastructure maintenance as identified by Field & ROW Inspections
Monthly Street Sweeping	\$20,000	\$20,000	Increase in number of streets that must be swept so no change
Storm Drain Cleaning	\$10,000	\$5,000	Required by NPDES Permit but target 1% instead of 3-5%
Private Drainage Cost Share	\$10,000	\$0	Hold off funding the cost share program
C.S./Engineering	\$15,000	\$9,000	Consulting/engineering services stormwater inspection and preliminary retro-fit design
UNRBA Dues	\$19,000	\$0	Moved fees back to Sewer & Water Fund
Capital Infrastructure <i>Stage 1 Falls Lake</i>	\$100,000	\$0	Funding for stormwater retro-fit design and construction and other mitigation required by Falls Lake Rules
<i>Totals</i>	<i>\$582,619</i>	<i>\$272,368</i>	<i>A reduction in \$310,251</i>

Proposed Stormwater Utility – March 2016 Update



STORMWATER				
	November FY17	Initial FY17	Current FY17	
Account Name	Projection	Projection	Projection	Comments
Personal Services				
Salaries - Regular	82,579	74,556	74,566	4% annual increase
FICA	6,606	5,704	5,704	4% annual increase
Hospitalization	10,442	9,613	9,613	10% annual increase
Life/Disability/Vision	382	484	484	2% annual increase
Dental Insurance	340	299	299	2% annual increase
Retirement	5,802	5,406	5,406	4% annual increase
Supplemental Retirement - 401K	4,098	3,728	3,728	4% annual increase
Personnel Expansion - Salaries	77,149	113,829	63,568	
<i>Equipment Operator - FY17</i>	15,897	66,530	39,918	
<i>Stormwater Position - FY17</i>	61,252	47,299	23,650	
Personal Services Subtotal	187,398	213,619	163,368	
Operations				
Travel & Training	2,000	2,000	2,000	
License Fees	450	0	0	
Telephone/Internet	1,560	840	840	(2) Smartphone Stipends
Fuel	2,000	1,500	1,500	10% annual increase
Supplies - Office	300	300	300	
Supplies - Departmental	500	500	500	
Supplies - Data Processing	0	0	0	
Maintenance - Infrastructure	85,000	235,000	100,000	Street sweeping, stormdrain pipe replc, etc.
<i>Pipe Replacement & Other Sys Maint.</i>	45,000	45,000	35,000	General stormwater maintenance by Public Works
<i>Field & ROW Inspections</i>		25,000	15,000	Contract systematic infrastructure inspection
<i>Monthly Street Sweeping</i>	20,000	20,000	20,000	Increase due to adding additional streets
<i>Storm Drain Cleaning</i>	10,000	10,000	5,000	Required by NPDES Permit
<i>Private Drainage Cost Share</i>	10,000	10,000	0	Hold off funding for 2 years
<i>Miscellaneous Maintenance</i>		125,000	25,000	Contract infrastructure maintenance as identified by inspections above
Uniforms	200	200	200	
Data Processing Services	3,000	3,000	2,500	Utility Cloud fee & application development
C.S./Engineering	15,000	15,000	9,000	Contract assistance for field inspections, etc.
C.S./Inspection	15,000			Moved to Field & ROW Inspections above
Dues & Subscriptions	19,500	20,000	1,000	
<i>UNRBA Dues</i>	18,000	19,000	0	Moved back to Utilities
<i>Miscellaneous Dues</i>	1,500	1,000	1,000	
Collection Expense			12,264	3% billing/collection charge from OC
Clean Water Education Partnership	2,800	2,800	2,500	
Miscellaneous	5,000	5,000	5,000	
Vehicle Tax & Tags	0	0	0	
Leaf Collection	21,850	0	0	Stays in Public Works
Personnel Expansion - Op Expenses		6,950	6,950	
<i>Stormwater Program Coordinator - FY17</i>		5,750	5,750	
<i>Equipment Operator - FY17</i>		1,200	1,200	
Operations Subtotal	174,160	293,090	144,554	
Capital Outlay				
Capital - Vehicles	0		0	
Capital - Equipment	8,000	8,000	8,000	Jet/Vac truck attachment
Capital - Infrastructure	100,000	0	0	Push this back due to delay by state
<i>Nutrient Reduction Falls Lake - Stage I</i>	100,000	0	0	Stormwater retro-fits; mitigation projects, etc.
Cost Allocations Subtotal	108,000	8,000	8,000	
Cost Allocations				
Cost Allocation - Governing Body	5,150	5,164	5,164	2% allocation (SW is 2 % of FTEs)
Cost Allocation - Administration	22,023	23,189	23,189	2% allocation (SW is 2 % of FTEs)
Cost Allocation - Finance	24,076	11,926	11,926	2% allocation (SW is 2% of Town rev/exp)
Cost Allocation - Ruffin-Roulhac	14,042	18,226	18,226	8% allocation (SW is 8% of TH staff)
Cost Allocation - Safety & Wellness	3,256	3,174	3,174	2% allocation (SW is 2% of FTEs)
Cost Allocation - Information Services	4,784	6,915	6,915	2% allocation (SW is 2% of Town computers)
Cost Allocation - Fleet Maintenance	7,454	7,337	7,337	2% op costs & facility debt pymt; 100% maint costs
Cost Allocation - Streets	12,589	0	0	
Cost Allocation - Solid Waste	15,415	0	0	
Cost Allocation - WW Collections	2,850	0	0	
Cost Allocations Subtotal	111,639	75,931	75,931	
Stormwater Total	\$ 581,197	\$ 590,640	\$ 391,853	
% Change	0.0%	1.6%	-33.7%	
Projected Revenue	796,500	796,500	396,536	Based on \$50 annual fee and corresponding ERU
Surplus / (Deficit) at Current Rate	215,303	205,860	4,683	
Ret. Earn. Needed to Balance Budget	0	0	0	
Available Retained Earnings Remaining	\$ 215,303	\$ 205,860	\$ 210,543	Goal of 17-33% with a target of 25%; excess funds can be used to fund
Retained Earnings as % of Op Expenditur	37.0%	34.9%	53.7%	infrastructure improvements

Stormwater Utility Fee Determination

The *Stormwater Utility Fees* are based on impervious surface. The amount of impervious surface directly affects the amount of stormwater runoff generated on a parcel. The higher the impervious surface, the more stormwater runoff. Likewise the type of property also impacts the potential for stormwater runoff pollution. In general an industrial, commercial or even institutional property has higher traffic volumes and increased activity than a single family residence. For this reason non-residential properties tend to have a higher risk of stormwater runoff pollution than single family, residential properties.

Something to consider... 1000 square feet of impervious surface generates 623 gallons of runoff from one inch of rainfall. Table 4 compares the amount of stormwater runoff that would be generated by one inch of rainfall for various amounts of impervious surface and then multiplied by amount of stormwater runoff generated by the total amount of rainfall recorded for Hillsborough in 2015*, which was 49.07 inches.

Table 4. Comparison of Stormwater Runoff Generated

Impervious Surface (square feet)	Runoff 1-inch Rainfall (gallons)	Runoff 2015 Total (gallons)
5,000	3,115	152,853
10,000	6,230	305,706
50,000	31,150	1,528,531
100,000	62,300	3,057,061
500,000	311,500	15,285,305

*Calendar year 2015 as recorded by the Town of Hillsborough’s rain gage located at the town

Stormwater Utility Fees

Generally, stormwater utilities assess either flat fees, tiered fees, calculate the fee based on exact amount of impervious surface or some combination. Flat fees are the simplest to administer and have the lowest cost to collect. Fees calculated on the exact impervious surface, while equitable, take the most time to administer and can be extremely costly to maintain up to date impervious data. Most Stormwater Utilities choose a simple flat rate to start, so that additional personnel do not need to be hired simply to administer the fee assessment and collection.

In order to start simply and keep administrative costs to a minimum, town staff initially selected to assess a flat fee for residential properties and a higher flat fee for non-residential properties. However after input from the town’s management team, elected officials and citizens, staff recommended a simple tiered approach to more equitably assess fees on non-residential properties. For additional details, please consult the [Stormwater Utility Fee Analysis and Report](#) available on the town’s website.

Residential Fees

A residential property is defined as a single family residence and includes individually owned townhomes and condominiums. For the purpose of the stormwater fee, apartment complexes are considered non-residential (i.e. commercial properties). To determine the fee, town staff used recent aerial photography as well as actual as-built surveys to determine the average impervious surface for each primary, single family residential area within the town limits. Interestingly, there did not seem to be a significant difference in impervious surface average across neighborhoods. Often, neighborhoods with small house foot prints had larger driveways while larger homes had smaller driveways. Based on this analysis, it was determined a flat fee is appropriate and would allow simple administration. The amount of the fee was based on analyzing the average of all stormwater utilities across North Carolina. Staff wanted the fee to be near the average while allowing enough revenue to meet proposed budget needs.

Non-Residential Fees

As indicated above, input from the town's management team, elected officials and citizens guided staff to propose a simple tiered approach. Tiers allow assessing fees to a range of impervious surfaces and are therefore more equitable since they are based on impact. However, tiers are also relatively simple to administer since it is not anticipated that properties will change tiers frequently as property owners add or remove impervious surface.

Initially staff proposed three tiers, but input from local businesses showed a need for either assessing a fee based on the actual amount of impervious surface or at a minimum adding tiers so that properties are assessed a fee that is more equitable based on impervious surface. While assessing fees based on the exact amount of impervious surface, is equitable, it also costs more in administrative fees. Other municipalities that opted for this method incurred significant costs. Choosing this method would require fees to go up substantially over those currently proposed.

With that in mind, staff chose to stay with a tiered approach for non-residential properties, but expand the tiers from three to five. By expanding the tiers, properties with smaller impervious surfaces would not be charged similarly to those with larger impervious surfaces. After researching the matter, staff determined that there was not a standard way to determine tiers. Instead staff used scatter plots showing impervious surface by parcel and professional judgment to determine "break points" between tiers. Based on staff's professional opinion the proposed tier structure is:

- *Tier 1..... Less than 10,000 square feet impervious surface*
- *Tier 2..... 10,001 square feet to 30,000 square feet impervious surface*
- *Tier 3..... 30,001 square feet to 100,000 square feet impervious surface*
- *Tier 4..... 100,001 square feet to 200,000 square feet impervious surface*
- *Tier 5..... More than 200,000 square feet impervious surface*



Arguably the tiers are somewhat arbitrary but clearly properties falling within Tier 5 will have significantly more stormwater impact than Tier 1. The middle tiers were determined on “similar” impact and where there seemed to be “groupings” or “break points” of impervious surface amounts.

Fees for each tier were approximated based on the equivalent residential unit (ERU). An ERU is simply a way to equate a non-residential property to a residential property. The average impervious surface for a single family residential property in Hillsborough is about 2,800 square feet. Using the mid-point of impervious surface for each tier, the number of ERUs were calculated and multiplied by the proposed annual residential fee. This number was rounded to the nearest \$100.

Something to consider...

Stormwater utility fees for a residential property varies widely across the United States and North Carolina. Based on available information the average annual stormwater fee for a single family residential property are:

<i>National Average</i>	\$70
<i>(based on 2014 Black & Veatch Survey)</i>	
<i>North Carolina Average</i>	\$49
<i>(based on 2013 UNC School of Government Stormwater Dashboard)</i>	
<i>Communities within Falls Lake Watershed</i>	\$78
<i>(based on 2016 fees)</i>	

Most stormwater utilities then assess non-residential properties on their “equivalent residential unit” and amount of square footage of impervious surface.

Proposed Fees, Revenue & Expenditures

Both the proposed residential and non-residential fees were multiplied by the number of each property type and analyzed against the proposed budget. The proposed rate structure is provided in Table 5:

Table 5. Number of Properties based on Current Parcel Data

Property Type	Annual Fee	Number of Properties
Residential	\$50	2360
Non-Residential, Tier 1	\$100	129
Non-Residential, Tier 2	\$400	106
Non-Residential, Tier 3	\$1,200	72
Non-Residential, Tier 4	\$2,700	17
Non-Residential, Tier 5	\$8,600	12

Updated budget and revenue figures are provided in the Table 6. Total projected revenue is based on a 97% collection rate fees which is considered typical. The projected revenues are based on a residential flat rate of \$50 and corresponding ERU rates for non-residential property tiers as shown above. Proposed expenses are from the current draft FY17-19 budget. The FY17 budget was reduced significantly to meet projected revenues. As indicated, the fee schedule above shows a shortfall in FY18 and FY19. This necessitated the need to consider optional rate structures. Proposed options are provided in the following section (page 11).

Table 6. Updated Proposed Budget Figures and Estimated Revenue

		FY17	FY18	FY19
Estimated Revenue	Residential Properties	\$118,000	\$137,600	\$149,950
	Non-Residential Properties	\$290,800	\$310,100	\$310,600
	<i>Sub Total</i>	\$408,800	\$447,700	\$460,550
	<i>Total Projected Revenue*</i>	\$396,536	\$434,269	\$446,734
Proposed Expenses		\$391,853	\$450,891	\$725,361
Surplus/Deficit		\$4,683	(\$16,622)	(\$278,628)

*Assumes a 97% collection rate of fees



Stormwater Utility Fee Options

Currently the proposed fee for Residential property is \$50 annually. Non-residential fees are based on the “equivalent residential unit” or ERU for the midpoint of the tier. For Hillsborough the average impervious surface for residential properties is about 2,800 square feet. That equates to roughly \$0.02 per square foot.

However, as noted above there is a significant reduction in revenue resulting in a budget shortage. This will require fees to be increased at some point in time. The question is whether fees should remain as proposed and raised later, raise fees now or incrementally increase fees over a few years. This document proposes three options. All options include a flat fee for residential and a 5-tier fee structure based on the ERU and the midpoint of the tier. Tiers are based on impervious surface as described previously. None of the options include fees for undeveloped parcels, open space or lands owned by homeowner associations. The three options proposed are:

- Option 1 Keep Fees as Proposed*
- Option 2 Increase Fees 64%*
- Option 3 Increase Fees Incrementally 10%*

Each option is described below and includes a list of advantages and disadvantages; a table showing the fee structure for each option; and charts comparing the fees to other municipalities with stormwater utilities within the Falls Lake watershed.

Table 10 on the last page of this document shows a comparison of projected revenue for each of the next three fiscal years based on differing stormwater utility rates. The rates are based on a residential flat rate and corresponding ERU for non-residential rate for each of the 5 tiers.

Something to consider...a 2014 survey of stormwater utilities across the United States found that funding adequacy is a major concern. According to the study,

“Lack of adequate funding continues to plague even those municipalities that have a dedicated stormwater user fee. Out of a total of 78 respondents that participated in this survey and indicated having a stormwater user fee, 62% did not have adequate funding to meet most of their utility needs. The survey continues to highlight a growing funding gap. Despite funding inadequacy, 31% of the respondents indicated not having any rate increases since 2004, which can further exacerbate the funding gap¹.”

*2014 Stormwater Utility Survey, A Black & Veatch Report



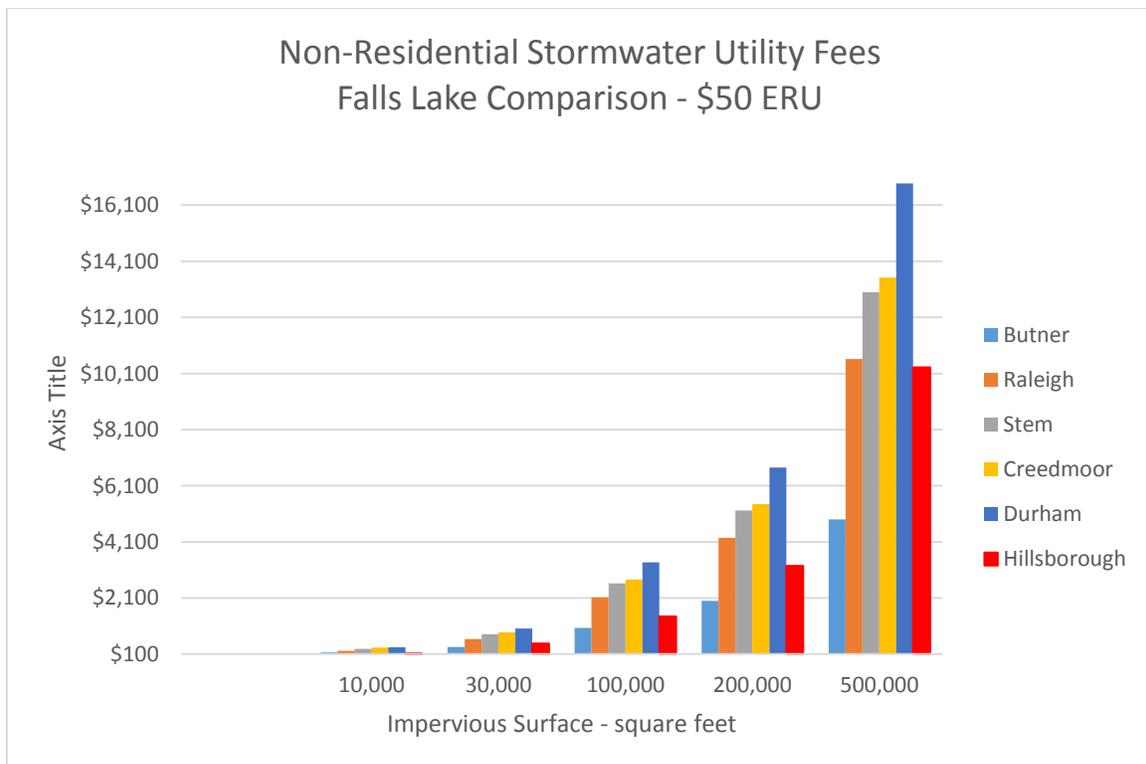
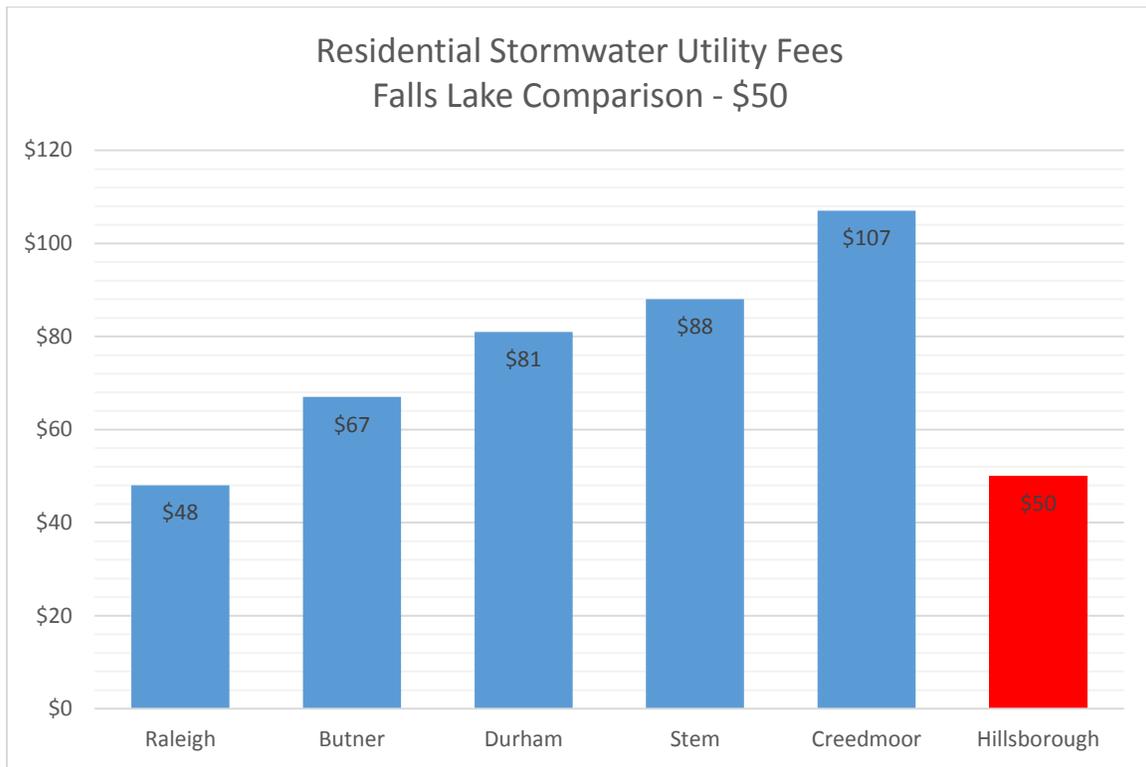
Option 1 – Keep Fees as Proposed for FY17 & FY18

- Residential properties – flat fee of \$50/annually
- Non-residential properties – 5 Tiers with fees based on \$50 ERU
- Analyze revenue and budget expenditures during FY17 and FY18
- Increase fees significantly in FY19 based on analysis
- Advantages:
 - \$50 residential flat fee is the same as originally proposed
 - Keeps fees well below average compared to other Falls Lake municipalities
 - Allows time for additional analysis and refinement of data
- Disadvantages:
 - Requires significant budget cuts including:
 - Postpones hiring new stormwater positions for 6 months
 - No funding for private drainage cost-share program
 - Reduced funding for storm drain cleaning from 3-5% target to 1%
 - Reduced funding for routine stormwater system maintenance and replacement by Public Works
 - Reduced funding for engineering assessment of stormwater infrastructure from 2 areas annually to 1.
 - Significantly reduced funding for contract services to complete stormwater infrastructure improvements identified in the engineering assessment.
 - No funding for Falls Lake nutrient reduction design/construction of projects
 - No retained earnings/fund balance
 - Requires a large increase in FY19

Table 7. Proposed Option 1 Fees

OPTION 1 FEES	
Property Type	FY17 Annual Fee
Residential	\$50
Non-Residential, Tier 1	\$100
Non-Residential, Tier 2	\$400
Non-Residential, Tier 3	\$1,200
Non-Residential, Tier 4	\$2,700
Non-Residential, Tier 5	\$8,600

Option 1 (continued)



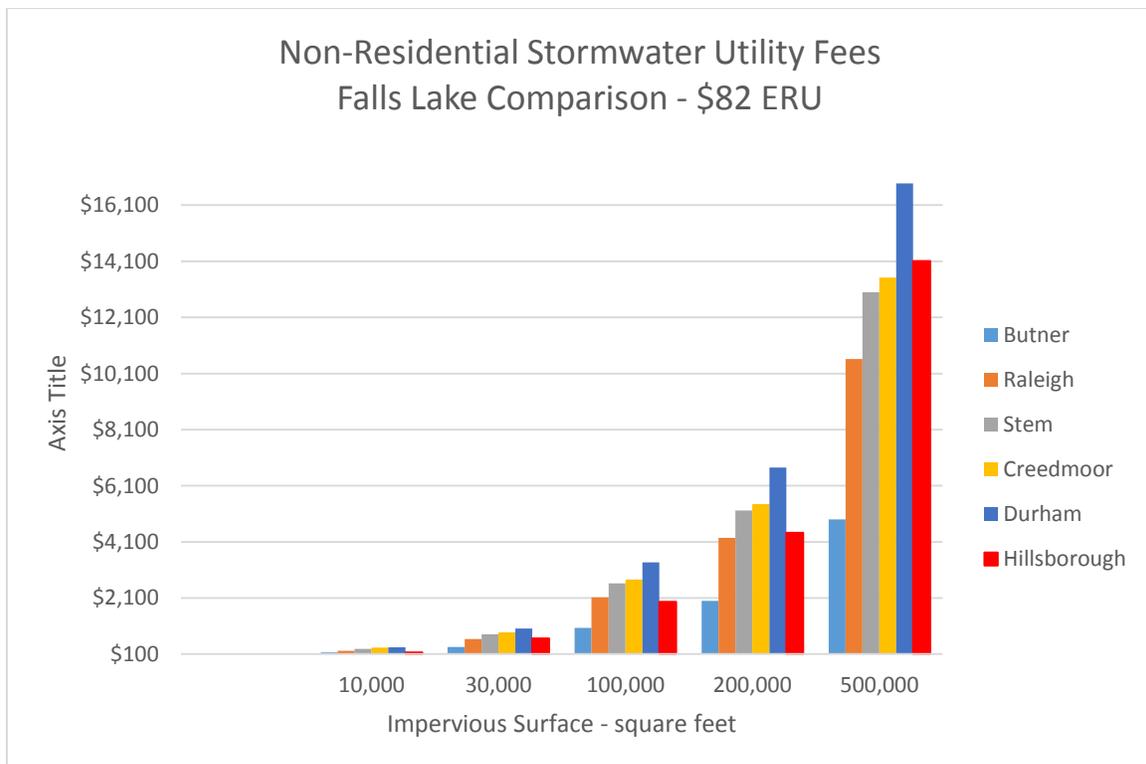
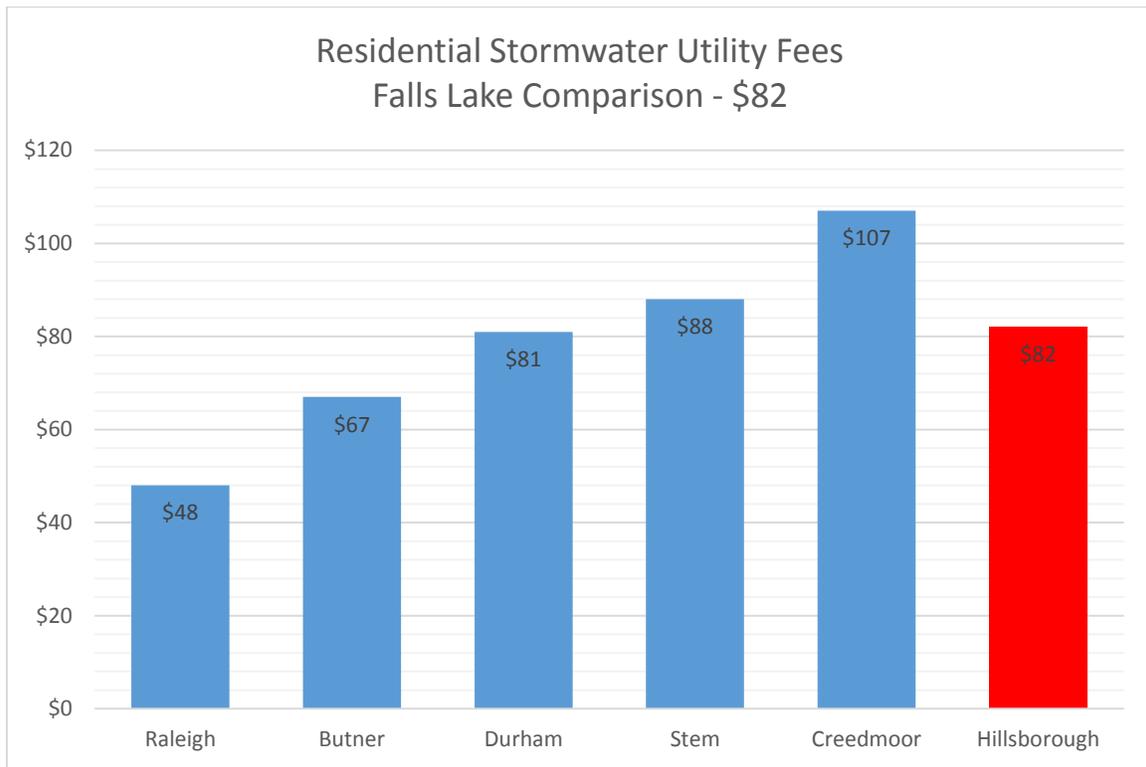
Option 2 – Increase Fees by 64% for FY17

- Residential properties – flat fee of \$82/annually
- Non-residential properties – 5 Tiers with fees based on \$82 ERU
- Advantages:
 - Funds all components of the original stormwater budget
 - Provides full stormwater services to citizens
 - Will not require an increase during the 3 year budget plan
 - Allows assessment and possible early project implementation towards Falls Lake compliance; early project implementation may get extra credit from the state
- Disadvantages:
 - Significantly higher fees than originally proposed
 - May not be well received by the public

Table 8. Proposed Option 2 Fees

OPTION 2 FEES	
Property Type	FY17 Annual Fee
Residential	\$82
Non-Residential, Tier 1	\$164
Non-Residential, Tier 2	\$656
Non-Residential, Tier 3	\$1,968
Non-Residential, Tier 4	\$4,428
Non-Residential, Tier 5	\$14,104

Option 2 (continued)





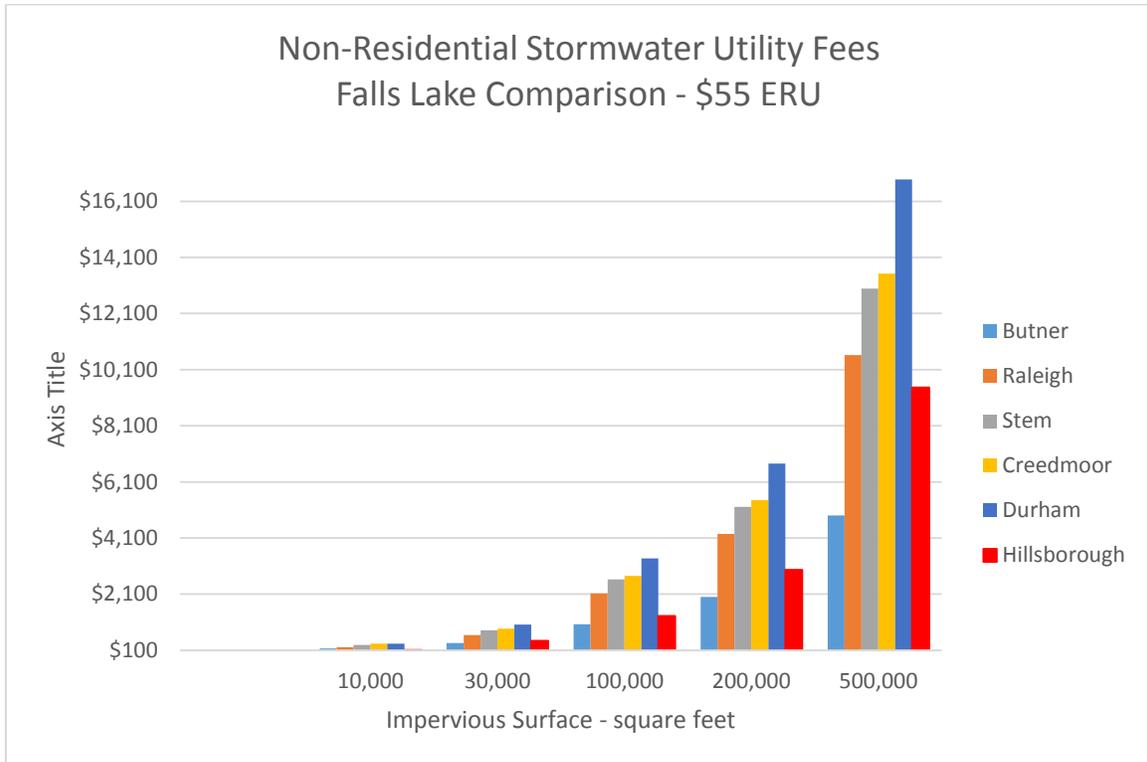
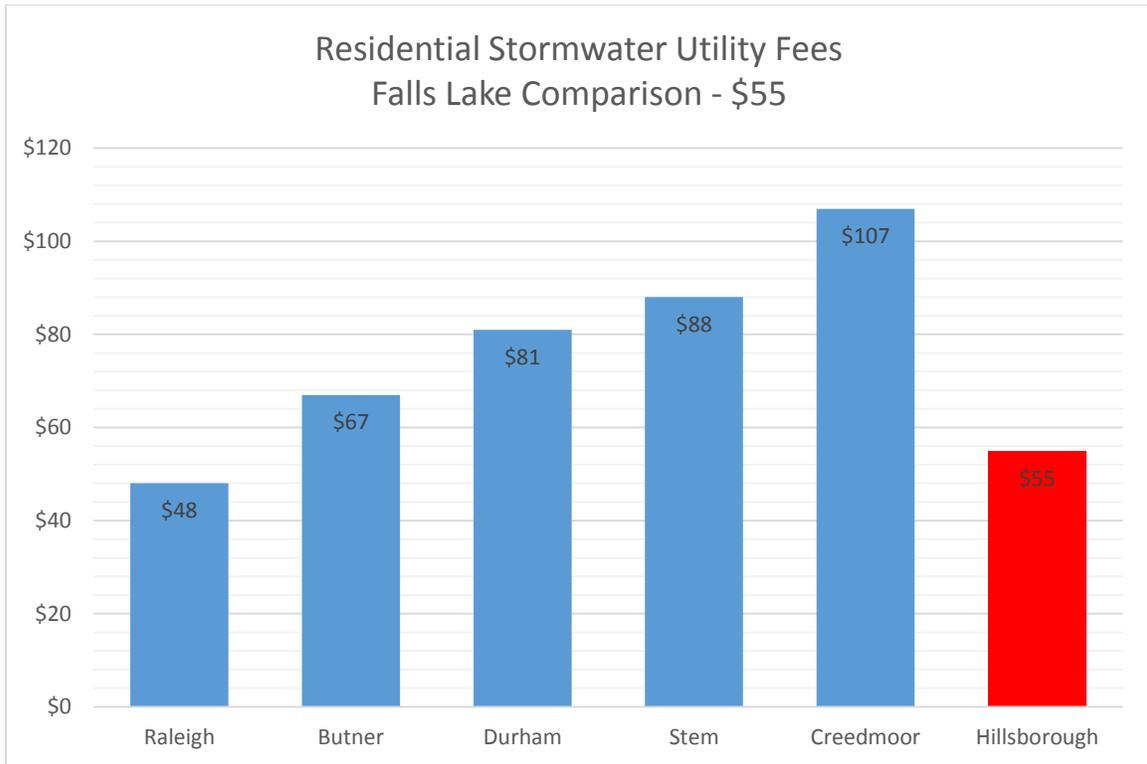
Option 3 – Increase Fees Incrementally 10% for FY17, FY18, FY19

- Residential properties – increase flat fee 10% to \$55/annually in FY17 and raise 10% each following year until target is reached; that would be \$55/\$60/\$66 the first 3 years
- Non-residential properties – 5 Tiers with fees based on \$55/\$60/\$66 ERU the first 3 years
- Analyze revenue and budget expenditures each year to determine adjustments
- Advantages:
 - Keeps fees well below average compared to other Falls Lake municipalities for the first 3 years
 - Provides retained earnings in FY17 of \$44,337
 - Reduces shortfall in FY19 to \$135,000
 - Will allow stormwater infrastructure services to be increased incrementally
 - Will allow some funding for private drainage cost share
 - Will allow some funding for Falls Lake compliance
 - Allows time for additional analysis and refinement of data
- Disadvantages:
 - Still requires significant budget cuts outlined earlier for FY17 and some cuts in FY18
 - Does not fully fund expected expenditures in FY19
 - Will take 5 to 6 years with a 10% increase in fees each year to fully fund the stormwater budget

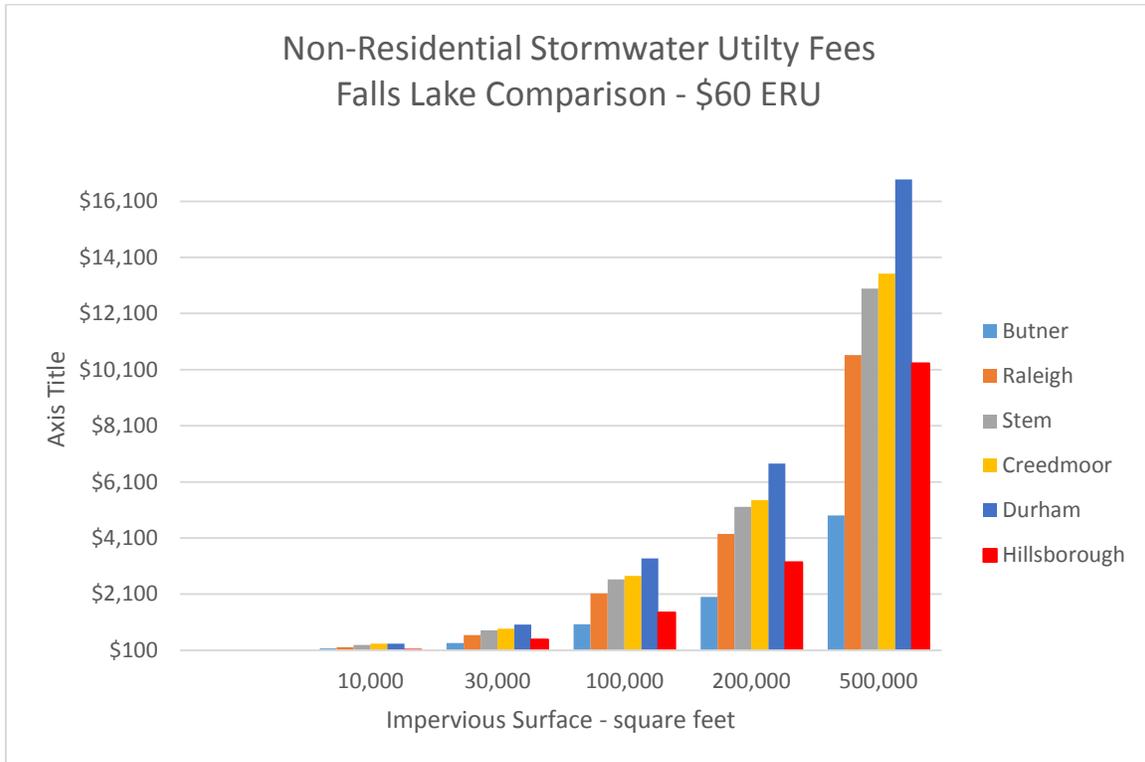
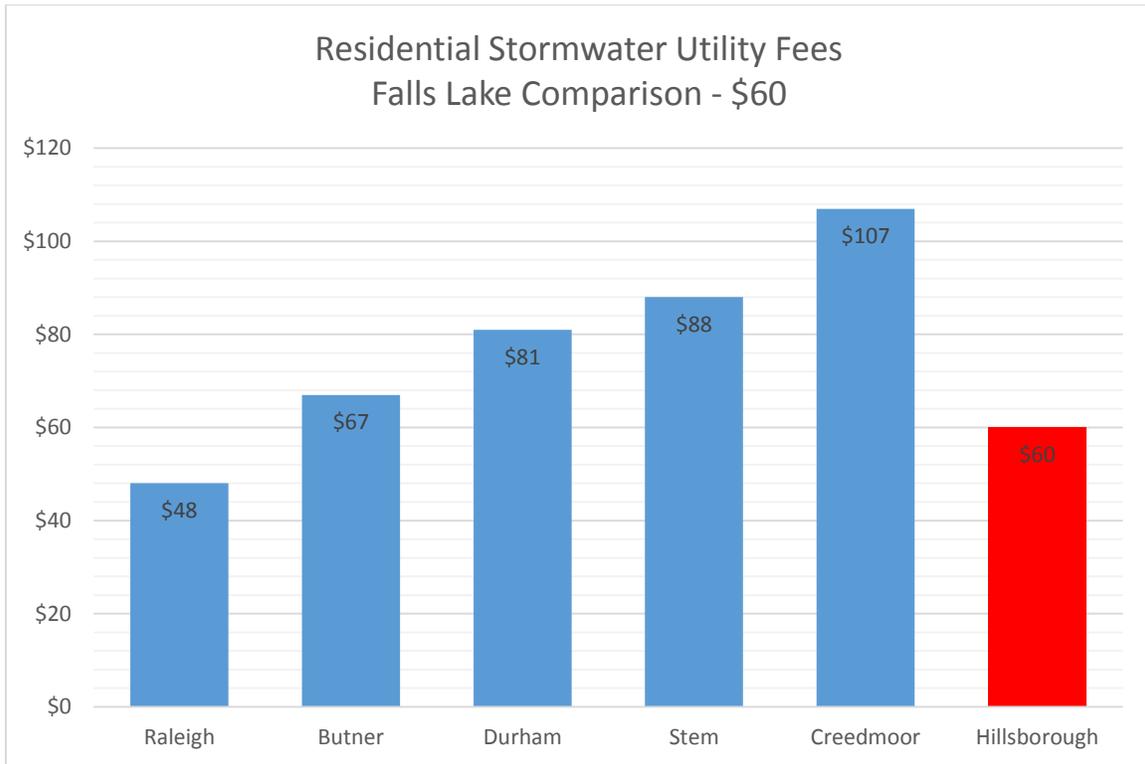
Table 9. Proposed Option 3 Fees

OPTION 3 FEES Property Type	Annual Fee		
	FY17	FY18	FY19
Residential	\$55	\$60	\$66
Non-Residential, Tier 1	\$110	\$120	\$132
Non-Residential, Tier 2	\$440	\$480	\$528
Non-Residential, Tier 3	\$1,320	\$1,440	\$1,584
Non-Residential, Tier 4	\$2,970	\$3,240	\$3,564
Non-Residential, Tier 5	\$9,460	\$10,320	\$11,352

Option 3 (continued)



Option 3 (continued)



Option 3 (continued)

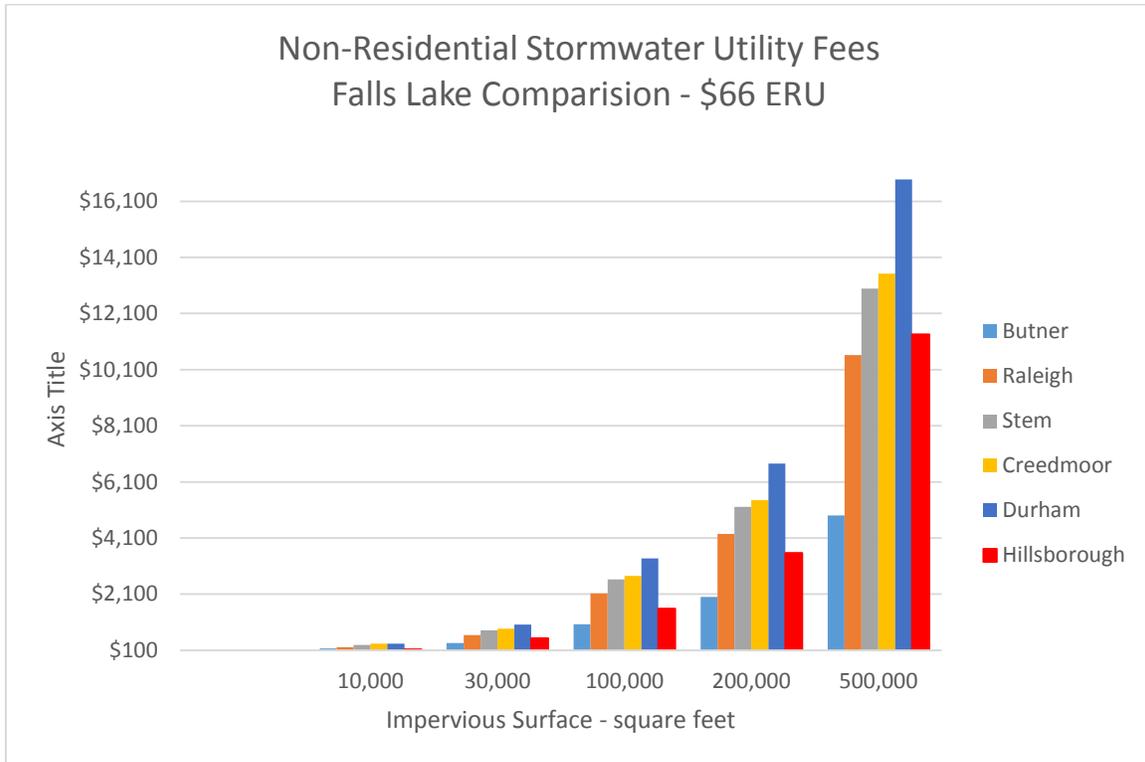
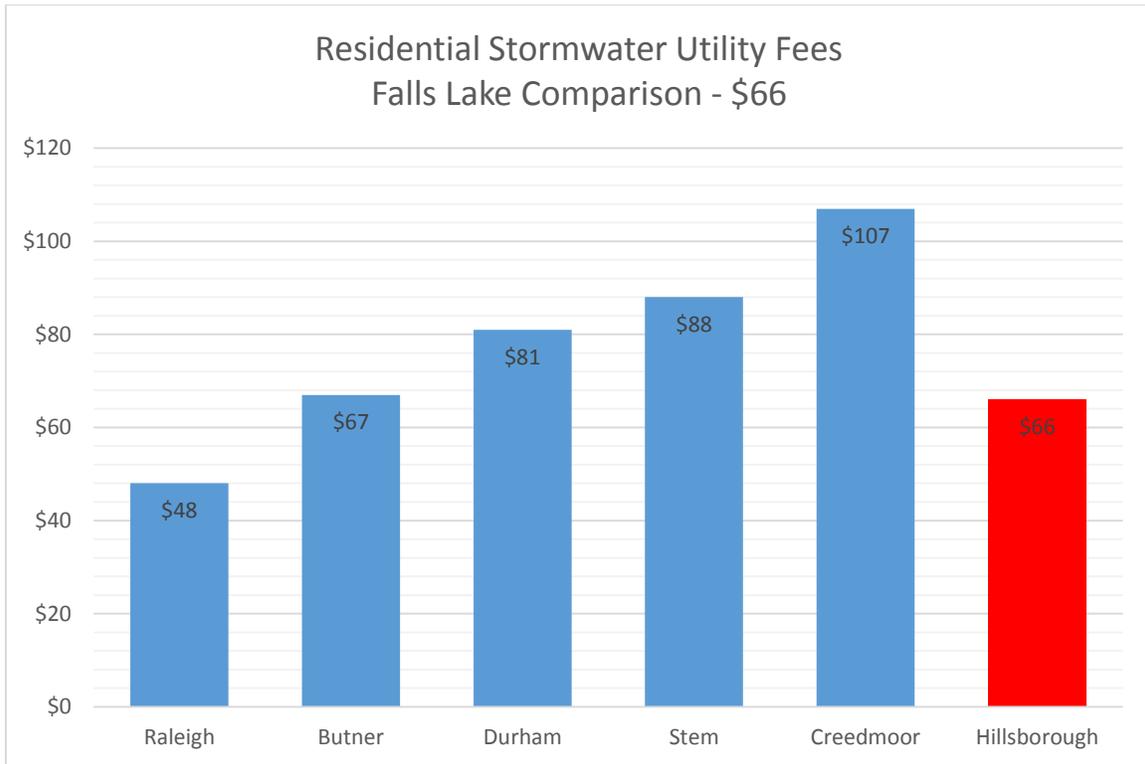


Table 10. Comparison of Projected Revenue for Various Fee Structures

		FY17	FY18	FY19
Proposed Expenses		\$391,853	\$450,891	\$725,361
Based on \$50 fee	Projected Revenue	\$396,536	\$434,269	\$446,734
	<i>Surplus/Deficit</i>	\$4,683	(\$16,622)	(\$278,628)
Based on \$55 fee	Projected Revenue	\$436,190	\$477,696	\$491,407
	<i>Surplus/Deficit</i>	\$44,337	\$26,805	(\$233,954)
Based on \$60 fee	Projected Revenue	\$475,843	\$521,123	\$536,080
	<i>Surplus/Deficit</i>	\$83,990	\$70,232	(\$189,281)
Based on \$66 fee	Projected Revenue	\$523,428	\$573,235	\$589,688
	<i>Surplus/Deficit</i>	\$131,575	\$122,344	(\$135,673)
Based on \$82 fee	Projected Revenue	\$650,319	\$712,201	\$732,643
	<i>Surplus/Deficit</i>	\$258,466	\$261,310	\$7,282