

TOWN OF HILLSBOROUGH

Minutes

Board of Commissioners

Remote regular meeting

7 p.m. June 14, 2021

Virtual meeting via YouTube Live

[Town of Hillsborough YouTube channel](#)

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

Staff: Interim Human Resources Director Haley Bizzell, Budget Director Emily Bradford, Assistant to the Manager/Deputy Budget Director Jen Della Valle, Interim Town Clerk/Human Resources Technician Sarah Kimrey, Stormwater and Environmental Services Manager Terry Hackett, Police Chief Duane Hampton, Assistant Town Manager/Planning Director Margaret Hauth, Interim Public Works Director Dustin Hill, Town Attorney Bob Hornik, Town Manager Eric Peterson, Utilities Director Marie Strandwitz, Public Space Manager Stephanie Trueblood and Public Information Officer Catherine Wright

Opening of the meeting

Mayor Jenn Weaver called the meeting to order at 7:03 p.m. Interim Town Clerk and Human Resources Technician Sarah Kimrey called the roll and confirmed the presence of a quorum.

1. Public charge

Weaver did not read the public charge.

2. Audience comments not related to the printed agenda

There was none.

3. Agenda changes and approval

The mayor noted a change sent by the budget director by email prior to the meeting regarding the Community Development Block Grant project ordinance and an associated budget amendment. She also noted a change sent by the deputy budget director earlier regarding amending the miscellaneous budget amendments with two additional amendments regarding an aerator blower.

Motion: Commissioner Kathleen Ferguson moved to approve the amended agenda. Commissioner Mark Bell seconded.

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Commissioners Bell, Robb English, Ferguson, Matt Hughes and Evelyn Lloyd. Nays: 0.

4. Public hearings

A. Request to close unopened right of way named Cole Avenue

The mayor opened the public hearing. Assistant Town Manager and Planning Director Margaret Hauth said Cole Avenue is an unopened lane that separates property between two neighbors, serves no purpose, is unimproved and has no utilities. The closure was requested by one of the neighbors. Both neighbors were in

attendance at the meeting. The property owner who made the request, Mark Rhoades, said the closure would allow the two neighbors to have a cleaner property line and would remove questions of maintenance responsibilities along the boundary. Hauth said the other neighbor, Christina Perrella, had noted in an email that she was planning to observe rather than participate in the meeting. The mayor asked for confirmation that both parties are amenable to the request. Hauth said she had not heard otherwise.

Motion: Ferguson moved to close the public hearing. Bell seconded.

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Bell, English, Ferguson, Hughes and Lloyd. Nays: None.

B. FY2022 budget public hearing

Mayor Weaver opened the public hearing. A water and sewer customer, William Johnson, provided a brief presentation against increasing utility rates. His presentation included a comparison of rates with surrounding communities and a look at specific aspects of the town's water and sewer fund. There were no other speakers. The mayor said the board received public comments from three other people via email. She summarized them:

- Will Lane, who attended the town's academy on operations, said he was glad to see funding for future sessions, thanked staff for making the budget document easy to understand, and said he wants to see the property tax rate stay the same.
- Lavone Tucker expressed concerns about out-of-town water and sewer rates. The mayor noted that the town manager had responded to the email.
- Michelle Jenkins was curious about the location for the proposed installation of a bench on Nash Street and had some questions about the installation.

The mayor said the board also received a letter from Fairview Community Watch asking for signage to be changed to rename the community center in the neighborhood after Dorothy Johnson.

Motion: Bell moved to close the public hearing. Ferguson seconded.

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Bell, English, Ferguson, Hughes and Lloyd. Nays: None.

5. Items for decision — consent agenda

A. Minutes

1. Joint Public Hearing April 15, 2021
2. Regular meeting May 10, 2021
3. Work session May 24, 2021

B. Miscellaneous budget amendments and transfers (revised item)

C. Miscellaneous Tourism Board amendments and transfers

D. Hillsborough Tourism Board FY2022 Budget Ordinance

E. Proclamation Commemorating Juneteenth Independence Day

F. Consistency statement and ordinance amending Unified Development Ordinance Sections 7.5 – limiting the requirement to combine nonconforming lots

G. Consistency statement and ordinance amending Unified Development Ordinance Sections 5.1.6 and 5.1.7, Table of permissible uses

H. Reclassification and pay amendment – utilities analyst position to civil engineer

I. Deed restriction for all town parcels surrounding the West Fork Eno Reservoir

- J. Special event permit – road closure and sponsorship request for police service for Juneteenth March
- K. NC 86 Connector Study (Phase II)
- L. Community Development Block Grant (CDBG-CV) project ordinance and associated budget amendment (added item)

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

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Bell, English, Ferguson, Hughes and Lloyd. Nays: None.

6. Items for decision — regular agenda

- A. Consistency statement and ordinance amending Unified Development Ordinance Sections 5.2.9.2 and 6.3.1 – citizen request related to accessory dwelling units and setbacks

Planning Director Margaret Hauth said she placed this request for text amendments on the regular agenda vs. the consent agenda because the Planning Board had a lot of discussion on it at the public hearing. She said the request is from a private property owner who would like to construct an accessory dwelling on the property. The ordinance does not allow accessory dwellings on private roads. The owner also would like to change the setback requirements of the property, which is zoned agricultural residential and has setbacks of 50 feet on all sides. The structures on this property are built closer to the property line already. The owner is asking to conform with setbacks in a nearby neighborhood, with a 40-foot setback in front and 30-foot setbacks on the other sides. Hauth said staff does its best to find options that don't involve changing the ordinance since it is a solution that impacts the entire town. She said the Planning Board's recommendation to allow accessory dwellings on private roads was not unanimous.

She answered questions from the board. She said the property is on Burnside Drive and is one of a few agricultural residential areas serviced by town water and sewer. Most agricultural residential zoning is outside town limits, and the impact of the request would be very limited, especially for the setback issue.

Hughes suggested separating the vote on setbacks and accessory dwelling units.

There was additional discussion. Hauth noted a change in the setback would affect all land zoned agricultural residential. She said that properties with the designation include the mining area and some places in West Hillsborough and that mining is regulated by the state. She said the only other tool that could be used to grant the request is a variance, but there is no hardship in this case to justify a variance. Hauth said reducing the setback gives property owners more ability to use their lot. She said individual houses that would be impacted likely are a dozen or fewer; a lot of the land in areas without water and sewer service are not developed; and the town has almost no way to oversee property used for agricultural purposes in its extraterritorial jurisdiction.

Motion: Hughes moved to approve ordinance change and consistency statement regarding setbacks. Lloyd seconded.

Kimrey called the roll for voting.

Vote: 3-1. Ayes: Bell, Ferguson, and Lloyd. Nays: Hughes. English lost connection and was unable to vote.

The board discussed the request to allow an accessory dwelling unit on a private road. The planning director said the applicant wants to build a garage with an apartment over it for a family member. She said the town greatly expanded the ability to have accessory dwelling units but the requirement to be on a public road has been in place for more than 30 years. Hauth said the Planning Board discussed whether a fixed distance could be set from a private road to allow accessory dwellings. The distance needed to allow the unit at this particular property is 300 feet, which would allow accessory dwellings on any private road in town. One of the Planning Board members was opposed to allowing the unit on a private road.

Hauth answered questions from the board. She confirmed the private road is a gravel road. She said it is one of the oldest private roads in town and probably one of the more well-constructed ones, noting that garbage trucks do travel it. She said most of the new private roads built are to access deeper lots and most private roads in town are very short. Hauth said the Planning Board discussed looking at the standard of a private road and she was very hesitant to accept the option because town staff are not qualified to look at a road and determine whether it's built to a certain standard and because the maintenance and standard for private roads is determined by the private owners. It was determined that a fair standard could not be implemented and the only option before the Planning Board was to allow accessory dwellings on private roads or don't.

In answering what the downside is to allowing accessory dwellings on private roads, Hauth said that not all private roads have been built in the last five years and some may not be well maintained or have a maintenance agreement among all the owners. She said the more people who live on a private road, the more pressure there will be also for the town to accept a road that would be a challenge. Hauth said staff have had conversations that private roads are a problem in the long run and perhaps they should not be allowed in town.

The mayor noted that the town has already taken steps to make accessory dwelling units more accessible to people and that both parts of this request seem to do that. In this case, the dwelling would make it possible for an aging parent to live on site. For another person, renting out the unit could help produce funds to maintain the road.

There was continued discussion about the assumption people have that private roads are public and subject to the same services as public roads and about the treatment of this private road. Hauth said the long tradition of garbage and recycling service on this road and the possibility of the road becoming public should be discussed separately.

Motion: Bell moved to adopt the ordinance and consistency statement to allow accessory dwelling units on private roads. Lloyd seconded.

Kimrey called the roll for voting.

Vote: 3-2. Ayes: Bell, English and Lloyd. Nays: Ferguson, Hughes.

B. Order closing unopened right of way named Cole Avenue

Motion: Hughes moved to close unopened right of way named Cole Avenue. Ferguson seconded.

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Bell, English, Ferguson, Hughes and Lloyd. Nays: None.

- C. Consistency statement and ordinance amending Unified Development Ordinance to be consistent with North Carolina General Statute 160D and assigned Special Use Permit review to the Board of Adjustment

The planning director noted this item was discussed in April, at which time the board asked staff to check that the Board of Adjustment was comfortable with the new requirements. She said provisions that are more policy-based in the review of special use permits were discussed — affordable housing, green building, water use and cultural resources. The Board of Adjustment members were willing to take those topics on when there are specific policies or plans that they can rely on when making related determinations. She said the draft language in this request does not include those topics but they could be addressed in the update to the Comprehensive Sustainability Plan and then be added to the Unified Development Ordinance. She said much of the changes are language and consistency changes, some clarification of administrative processes, and changes for consistency in formatting. She noted Section 6.20 of draft will be amended due to a typo.

Town Attorney Bob Hornik said the most substantive change is moving special use permit review to the Board of Adjustment to review. All other changes really are to make processes and references match the North Carolina General Statute 160D, which is required by July 1.

The mayor asked for clarification on the four items the Board of Adjustment wanted clarification on and what the impact would be in the interim while the town works on the Comprehensive Sustainability Plan. The planning director said the requirements are to ask an applicant how much water they will use, ask what green building standards will be used, have the applicant check whether any documented cultural resources are on the site, and ask the applicant to talk to the board about affordable housing.

Hauth said to her recollection, there haven't been any meaningful conditions placed on special use permits for any of the topics except affordable housing. She said the town did require Forest Ridge and maybe Collins Ridge to do some green building certificates within 30 days of their certificate of occupancy, but more of those provisions and requirements are becoming part of the state building code. She said the big gap in the interim would be with affordable housing as this board has requested affordable housing measures, such as donation of land or payment in lieu. Those measures only are triggered in projects with more than 20 dwellings. In the interim, there would not be that mechanism to have a conversation with the board about affordable housing.

Hauth said in discussions with the Planning Board it was noted another round of amendments would be coming in October that would create some conditional zoning districts that address certain circumstances. She said conditional zoning would come to the board and the board would have the opportunity to have affordable housing discussions with applicants then. She noted that the town cannot automatically require that a project with X number of dwellings fall under conditional zoning. She said the board could give staff direction to find another mechanism to address affordable housing.

There was discussion about whether special use permits should go to the Board of Adjustment or the town board. The planning director noted that it is not uncommon across the state for special use permits to go to the Board of Adjustment or Planning Board for approval.

Bell reminded the board that Hughes had said in the initial discussion that the change in the special use permit process would make the commissioners pay more attention to how they make appointments to the Board of Adjustment. He suggested trying the proposed process for 6 months and then evaluating. He recalled that Hauth had said all the large tracts in the town's jurisdiction are built out.

Hughes noted there is a benefit in having appointed board members make quasi-judicial decisions at each meeting vs. mixing quasi-judicial and legislative decision-making as there is a possibility of melding the two in their minds.

The planning director urged the board to adopt the proposed ordinance tonight to be compliant with state law. She said she thinks staff can have a solution by the end of the calendar year for ensuring that affordable housing gets discussed at the appropriate level. She said staff will propose some conditional zoning districts that include very large-scale residential developments and mixed-use developments. This will allow for affordable housing conversations as conditional zoning will always come to the town board because it's a legislative decision. She suggested the town also needs to think through the information it needs from applicants to ask for less upfront but still make an informed decision.

Motion: Bell moved to amend consistency statement and ordinance. Hughes seconded.

Ferguson asked for clarification that the change in process could be revisited. The planning director suggested adding a discussion to the board's annual budgetary planning retreat.

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Bell, English, Ferguson, Hughes and Lloyd. Nays: None.

D. Second workshop on the FY22 Budget

Budget Director Emily Bradford opened the work session and noted the abstract in the agenda packet includes the items noted for further discussion following the June 7 budget work session. Discussion started regarding a downtown parking study in which Hughes had suggested the town fund a larger portion of the study. The draft budget proposed \$18,000 as the town's contribution and \$16,000 each from the Tourism Board and Tourism Development Authority. The planning director offered an alternative source of funds. She said the town receives planning funds from the metropolitan planning organization and the parking study would be an eligible expense. The town would have to pay 20% of the cost. She said use of the funds would have no impact on traffic requests. She also said the town has about a \$250,000 balance, so the project's scope could be increased. The \$50,000 cost for the study is a plug figure, she said, adding that a \$75,000 project would require \$15,000 as the town's share, which is less than the amount proposed in the draft budget.

Board members were in agreement to pursue use of Metropolitan Planning Organization funds for the study.

Motion: Hughes moved to change the allocation of the parking study to 50% from the Planning Department, 25% from the Tourism Development Authority and 25% from the Tourism Board. English seconded.

Kimrey called the roll for voting.

Vote: 4-1. Ayes: Bell, English, Hughes and Lloyd. Nays: Ferguson.

The budget director confirmed that the parking study estimate would be changed to \$75,000 and the cost would be split.

The board discussed other items brought forth during the June 7 work session. It directed staff to:

- Increase cleaning of park restrooms to four times a week once daily pandemic cleanings end. Prior to the pandemic, they were cleaned twice a week.

- Add \$3,000 for cellular phone data analysis software for the Police Department.
- Add \$7,500 as an initial contribution from the town for a veterans memorial in Orange County.
- Fund community reinvestment requests from the Exchange Club and Hillsborough Arts Council at the requested levels, \$7,500 and \$14,520 respectively.
- Keep the proposed 3.25% merit raise for employees and add a \$1,000 cost-of-living adjustment for the current fiscal year since no raises were given this fiscal year due to the pandemic.

The board also discussed compensation for police officers to keep the town competitive amid significant increases to starting salaries in some area jurisdictions and a nationwide issue of early retirements, a shortage of candidates and an inability to fill vacancies. Town Manager Eric Peterson suggested increasing market rate adjustment funds to help cover potential adjustments for police officers and give time for staff to determine a proposal. He plans to provide a proposed amount for the increase at the June 28 meeting.

The board also discussed the proposed property rates and fees. There was discussion on the need for funding for sustainability actions to meet the town's clean energy goals, for taking care of employees, and for connectivity needs. The manager said he would bring some property tax rate options to the board's next meeting.

The utilities director said the Water and Sewer Advisory Committee's work on examining rates regarding affordability and the differential charged for out-of-town customers was paused due to the pandemic. The town manager noted additional time also is needed to examine capital utility projects that need to be funded but aren't in the budget because budget adoption must occur this month.

The board directed staff to remove from the fee schedule the higher security deposit for water and sewer customers considered high risk for nonpayment.

E. Hot topics for work session June 28, 2021

The board will further discuss the budget proposal and adopt a budget ordinance at the June 28 meeting.

The planning director said she does not know if she can have a request to rename the community center in the Fairview neighborhood processed in time for the June 28 meeting. She said there is a process specified in the Code of Ordinances regarding naming structures.

7. Updates

A. Board members

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

B. Town manager

There was none.

C. Staff (written reports in agenda packet)

There was none.

8. Adjournment

Motion: Ferguson moved to adjourn at 10:01 p.m. Lloyd seconded.

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Bell, English, Ferguson, Hughes and Lloyd. Nays: None.

Respectfully submitted,

Sarah Kimrey
Interim Town Clerk
Staff support to the Board of Commissioners

DRAFT

Hillsborough FY2022 Budget Discussion

Water & Sewer Proposed Rate Increase

William Johnoson Presentation

Water & Sewer FY2022 Budget

Jun-21			
5,000 gallons - Water & Sewer Charge Comparison			
	<u>Inside</u>	<u>Outside</u>	
Hillsborough	\$ 114.75	\$ 223.75	
OWASA	\$ 90.41		
Cary	\$ 74.35	\$ 111.55	
Pittsboro	\$ 72.20	\$ 144.40	
Durham County	\$ 64.66	\$ 129.31	
Mebane	\$ 63.35	\$ 126.70	

	<u>FY2015</u>	<u>FY2020</u>	
Net Position	39,289,542	55,151,696	
Cash Un-restricted	6,190,061	11,369,532	
Cash - Developer Fees	<u>2,591,600</u>	<u>5,857,366</u>	
Total Available Cash	<u>\$ 8,781,661</u>	<u>\$ 17,226,898</u>	
		\$ 8,445,237	Increase in cash over 5 fiscal years. Almost a double

*Note: Developer Fees Cash is included as well as it appears this cash was restricted by choice via a Reserve Fund Resolution.
And could this choice be simply reversed and Developer funds be considered not Restricted?*

Water & Sewer Bottom Line Cash Flow numbers				
	<u>Budget</u>	<u>Estimate</u>	<u>Actual</u>	<u>Difference between Budget & Actual</u>
FY2018	\$ (779,749)	\$ (48,797)	\$ 980,860	\$ 1,760,609
FY2019	\$ (665,700)	\$ 1,659,463	\$ 3,222,300	\$ 3,888,000
FY2020	\$ 557,829	\$ 1,181,026	\$ 2,534,876	\$ 1,977,047
FY2021	\$ (54,235)	\$ 1,023,683		
FY2022	\$ 63,649			
NOTE: Excludes all Transfers (in and out) from the various internal funds				
Assumes that capital necessary for the reservoir is being funded by the bond proceeds (and other debt issued) and that cash is in the Restricted part of the balance sheet.				

\$40K just an estimate

Assume that this Capital Lease Refi paid out of \$1,270,205 was added back to debt

W&S Proposed Capital Projects & Funding Sources

		<u>FY2022</u>	<u>FY2023</u>	<u>FY2024</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>
	Wastewater Treatment Plant	190,000					
	Water Distribution	220,000	200,000				
	Water Treatment Plant	185,500	-				
Funding: ARP Fees		\$ 595,500	\$ 200,000				
	Water Treatment Plant					600,000	
Funding: Cap Reserves						\$ 600,000	
	Wastewater Collection			10,000,000		8,000,000	
	Water Distribution		2,000,000			2,600,000	
	Water Treatment Plant	-	-	-	-	-	4,250,000
Funding: Debt		\$ -	\$ 2,000,000	\$ 10,000,000	\$ -	\$ 10,600,000	\$ 4,250,000
	Wastewater Collection	25,000					
	Wastewater Treatment Plant		100,000	10,000	180,000		
	Water Distribution	290,000	80,000	465,000	500,000	100,000	-
	Water Treatment Plant	47,100	219,000	255,500	-	-	-
Funding: Regular Operations		\$ 362,100	\$ 399,000	\$ 730,500	\$ 680,000	\$ 100,000	\$ -
	Wastewater Collection	200,000	-	-	-	-	-
Funding: Perpetual Maint		\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -
	Wastewater Collection	180,000	3,550,000				
	Water Distribution	861,000	150,000	200,000	1,250,000	1,250,000	1,250,000
Funding: System Develop Fees		\$ 1,041,000	\$ 3,700,000	\$ 200,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000
	Wastewater Collection			3,500,000			
Funding: Unknown		\$ -	\$ -	\$ 3,500,000	\$ -	\$ -	\$ -
	Grand Total	\$ 2,198,600	\$ 6,299,000	\$14,430,500	\$ 1,930,000	\$12,550,000	\$ 5,500,000

From: [Town of Hillsborough](#)
To: [Jenn Weaver](#); [Robb English](#); [Evelyn Lloyd](#); [Kathleen Ferguson](#); [Mark Bell](#); [Matt Hughes](#); [Sarah Kimrey](#); [Eric Peterson](#); [Margaret Hauth](#)
Subject: Contact form message: DRaft FY22 budget comments
Date: Monday, June 14, 2021 12:24:43 PM

William Lang sent the message below via the Town of Hillsborough website "Contact Mayor and Commissioners" form. To respond, reply to this email or contact

Wanted to send my comments on the draft FY22 town budget.
Great work by our town staff for making the documents easy to read and understand.
The mantra of "take care of what we have" is more important than ever which makes moving out of the Eno flood plain to higher ground important.
Amazed and pleased that tax rate might be able to remain at current level given the stressors of the past year and last year's concerns regarding holding the status quo.
Fine with the increase in water and sewer as these are such important town services that I know we pay a lot of attention to regarding quality quantity and infrastructure maintenance.
Excited to see included the line item for Hillsborough University the catalyst for me sharing my budget thoughts with you!
Thoughtful and thought provoking town budget that shows us in good stead which I might say is supported by the future year budgeting (estimating) approach.
Meets my test of: Where do we want to go? How will we know when we get there? and What will we measure along the way to make sure we are heading in the right direction?
Thanks!
Will

From: [Eric Peterson](#)
To: [Jenn Weaver](#); [Robb English](#); [Evelyn Lloyd](#); [Kathleen Ferguson](#); [Mark Bell](#); [Matt Hughes](#); [Sarah Kimrey](#); [Margaret Hauth](#)
Cc: [Marie Strandwitz](#); [Catherine Wright](#); [Jen Della Valle](#); [Emily Bradford](#)
Subject: RE: Contact form message: Water/Sewer Rate Increase, 6D on Agenda for June 14
Date: Monday, June 14, 2021 3:40:22 PM

Dear Lavone Tucker,

Thank you for taking the time to share your concerns and frustrations regarding water and sewer rates. You are correct that rates are unquestionably high for water and sewer service. You raise some excellent questions and points. The town has a frequently asked questions (FAQ) page that provides responses to some of the information you requested regarding minimum usage, justifications for higher out-of-town rates, and others: <https://www.hillsboroughnc.gov/faqs/faq-water-and-sewer-rates/>

Minimum Usage

Water & sewer utilities charge either using a base rate or volumetric approach. The base charge approach means customers get charged a flat amount each month for those fixed costs that still must be paid for even if the customer doesn't use any water or sewer. This includes costs for making the water and sewer service available, such as debt payments on the treatment plants or other system improvements. The calculations are complex and beyond my ability to explain. Utility billing consultants are usually brought in to calculate what those numbers should be. Thus, the customer is charged the base rate plus the actual water/sewer they used. This is the approach the City of Durham uses. The volumetric approach is where a unit sets a minimum usage instead of a base rate plus any usage beyond that amount. As you referenced, Hillsborough's minimum is 2,500 gallons per month.

In North Carolina 54% of water systems use the same approach as Hillsborough, the other 46% use Durham's approach, so it's split about evenly. Each approach has its pros and cons. Hillsborough's minimum usage was 3,000 per month. A four year process recommended by the Town's Water & Sewer Advisory Committee to lower it to 2,500 was completed in 2016. The most typical minimum monthly usage amounts by utility systems are 2,000 and 3,000 per month, thus Hillsborough's is in the middle. There's more detail at the town's website at this link: <https://assets.hillsboroughnc.gov/media/documents/public/understanding-the-minimum-usage-charge.pdf> The town will likely re-evaluate this practice again at some point in the future as it comes up for discussion and evaluation periodically. If a change occurred, it could be to either lower the minimum further as you suggested or to change to a base rate approach. Either way, it would require direction from the town board to re-evaluate the billing structure and hiring a consultant to generate these options.

Higher Out-of-Town Rates

As with many utility billing practices they can vary widely from jurisdiction to jurisdiction. Charging higher rates to out-of-town customers is a common practice across the country and North Carolina. Although, there are many places that don't charge a different rate amount. Many others charge multipliers that are less or more than the double or 200% rate that's common. For example, the City of Durham charges double or 200%. Some places charge as high as triple or 300%. Hillsborough's multiplier is slightly less than Durham at 195%, but the overall charges are higher due to our rates. In

North Carolina about 62% of water systems charge higher rates for out-of-town customers. The following link goes into more detail about this topic, such as rationales that have been cited in various places for charging higher out-of-town rates:

<https://assets.hillsboroughnc.gov/media/documents/public/understanding-in-town-and-out-of-town-rates.pdf>

One option to address this would be to see if your condominium development is interested in requesting annexation into the town limits. When this happens it's a trade off of having water and sewer costs reduced almost in half compared to the additional costs of paying property taxes for town services like parks, streets, possibly solid waste collection if the streets are public, stormwater, and having the fire tax removed which saves the homeowners additional money. Some neighborhoods find after doing the calculations that it's a savings to be annexed. Others find it's less expensive to continue paying the higher rates and avoid paying taxes. Town staff can assist neighborhoods that are interested in annexation.

Water & Sewer Advisory Committee (WSAC)

The WSAC is a group of volunteer advisory board members that is composed of both out-of-town and in-town members. They provide policy guidance on various aspects of operating the town's system, often making recommendations to the town board on rate, budget, operating, and other aspects of running the system. They meet periodically and welcome inquiries and participation from customers. The following link provides more information about this committee and how to get on one of their agendas: <https://www.hillsboroughnc.gov/government/appointed-boards/water-and-sewer-advisory-committee/> Due to COVID they've been meeting remotely since last March, so hopefully with things appearing to get better they may start meeting in person again later this summer, which may be more convenient than interacting on Zoom. I've copied the Town's Utilities Director Marie Strandwitz in case you want to get on one of their future agendas.

Thank you again for taking the time to share thoughtful questions that touch on important concerns. I'm sure the town board will consider your comments as they regularly re-evaluate the impacts of rate structures and practices on customers.

Sincerely,

Eric

Eric Peterson



Eric Peterson (he,him,his)
Town Manager
Town of Hillsborough
P O Box 429

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Hillsborough, NC 27278

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📠 919-732-3921

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**In accordance with the North Carolina general statutes, chapter 132, this email address is subject to North Carolina public records law. As such, please note that all inbound and outbound messages are subject to requests for review and may be disclosed to third parties.

From: Town of Hillsborough <no-reply@hillsboroughmail.org>

Sent: Sunday, June 13, 2021 10:07 PM

To: Jenn Weaver <Jenn.Weaver@hillsboroughnc.gov>; Robb English <Robb.English@hillsboroughnc.gov>; Evelyn Lloyd <Evelyn.Lloyd@hillsboroughnc.gov>; Kathleen Ferguson <Kathleen.Ferguson@hillsboroughnc.gov>; Mark Bell <Mark.Bell@hillsboroughnc.gov>; Matt Hughes <matt.hughes@hillsboroughnc.gov>; Sarah Kimrey <Sarah.Kimrey@hillsboroughnc.gov>; Eric Peterson <Eric.Peterson@hillsboroughnc.gov>; Margaret Hauth <Margaret.Hauth@hillsboroughnc.gov>

Subject: Contact form message: Water/Sewer Rate Increase, 6D on Agenda for June 14

Lavone Tucker sent the message below via the Town of Hillsborough website "Contact Mayor and Commissioners" form. To respond, reply to this email or contact

I currently live in a condo on Orange Grove Rd, outside the city limits. I moved here in August 2019 and coming from Durham, I was shocked at the rates for water/sewer. What is particularly troublesome to me is how the Town can set a "minimum" water usage which results in some homes paying for gallons of water that are NOT used (and the sewage rate for those unused gallons). I have never heard of a utility charging customers for services that are, in fact, not provided. While some type of "minimum charge" would be acceptable to most, it should be far below 2,500 gal/mo. My usage varies from 1400 - 1800 gal/mo. To be "equitable", my suggestion is to charge per gallon (with a reasonable minimum) so that every household pays only for the gallons they use.

Charging residents outside the City Limits double what residents pay in town is not equitable. I have heard the argument that in-town residents pay higher property taxes than those of us that live outside city limits. Yet, when one looks at the use of funds, no tax dollars are used for Water/Sewer costs, so this argument holds no water (pun intended). I would love a logical explanation for this discrimination.

From: [Emily Bradford](#)
To: [Sarah Kimrey](#)
Cc: [Eric Peterson](#)
Subject: FW: Contact form message: Nash St. bench
Date: Friday, June 11, 2021 11:25:18 AM

From: Town of Hillsborough <no-reply@hillsboroughmail.org>
Sent: Friday, June 11, 2021 10:03 AM
To: Emily Bradford <Emily.Bradford@hillsboroughnc.gov>
Subject: Contact form message: Nash St. bench

Michelle Jenkins sent the message below via the Town of Hillsborough website "Contact Budget Office" form. To respond, reply to this email or contact

Re: Nash St. bench

Hello. Has area/location been narrowed down yet for bench placement? Purpose of bench?

Consider midpoint of Nash or further south.

Addition of the bench can be beneficial certainly.

Expect placement will be useful, and also encourage moving along instead of loitering. From my experience with the bus stop bench installed near my residence, I have witnessed the benefit for bus patrons, but also loitering and litter. For example, individuals who come with blaring music to sit and just disrupt. Also, for idle gatherings. Hopefully, this bench will involve less of the latter.

Please consider placement near midpoint of Nash, @ Alma, Hayes, or closer to S. Nash. Thank you.

FY 2020-2021

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT
DATES: 06/14/2021 TO 06/14/2021

<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>
74-00-3200-3800-350 MISCELLANEOUS						
Adj to actual	20909	06/14/2021	EBRADFORI	0.00	689.00	689.00
74-00-3900-3900-000 FUND BALANCE APPROPRIATED						
To cover potential yr-end overages	20910	06/14/2021	EBRADFORI	49,646.00	5,311.00	60,107.00
74-51-6250-5300-997 6% HOLDBACK						
To cover potential yr-end overages	20911	06/14/2021	EBRADFORI	18,000.00	6,000.00	24,000.00
					<u>12,000.00</u>	

APPROVED: 5/0

DATE: 6/14/21

VERIFIED: Sharon E. Kimrey

DRAFT

FY 2020-2021

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT
DATES: 06/14/2021 TO 06/14/2021

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
GF- Revenue	10-00-3800-3800-350 MISCELLANEOUS King St. Sidewalk Project	20847	06/14/2021	EBRADFORI	20,000.00	10,000.00	39,219.00
GF- Revenue	10-00-3900-3900-000 FUND BALANCE APPROPRIATION To cover rental generator	20913	06/14/2021	EBRADFORI	551,313.00	6,000.00	1,085,809.89
Admin.	10-10-4200-5300-080 TRAINING/CONF./CONV. To cover translation services	20845	06/14/2021	EBRADFORI	28,645.00	-775.00	26,313.00
Admin.	10-10-4200-5300-320 SUPPLIES - OFFICE To cover yr-end overages	20835	06/14/2021	EBRADFORI	2,200.00	100.00	1,900.00
Admin.	10-10-4200-5300-454 C.S.-CATV/ASCAP-BMI/COD/TRANS/PAY S To cover yr-end overages	20836	06/14/2021	EBRADFORI	61,332.00	-100.00	61,232.00
Admin.	10-10-4200-5300-570 MISCELLANEOUS To cover translation services	20846	06/14/2021	EBRADFORI	9,053.00	775.00	8,622.00
Accounting	10-10-4400-5300-338 SUPPLIES - DATA PROCESSING To cover Debt Book	20915	06/14/2021	EBRADFORI	1,200.00	-100.00	1,100.00
Accounting	10-10-4400-5300-458 DATA PROCESSING SERVICES To cover Debt Book	20914	06/14/2021	EBRADFORI	6,948.00	100.00	18,559.00
Planning	10-10-4900-5300-120 ADVERTISING To cover yr-end overages	0	06/14/2021	EBRADFORI	1,500.00	500.00	6,035.00
	To cover yr-end overages	20843	06/14/2021	EBRADFORI	1,500.00	1,000.00	7,035.00
Planning	10-10-4900-5300-570 MISCELLANEOUS To cover yr-end overages	0	06/14/2021	EBRADFORI	2,500.00	-500.00	41,616.00
	To cover yr-end overages	20844	06/14/2021	EBRADFORI	2,500.00	-1,000.00	40,616.00
Police- Admin	10-20-5100-5300-458 DATA PROCESSING SERVICES To cover simulator maint/support	20832	06/14/2021	EBRADFORI	13,983.00	1,300.00	15,283.00
Police- Patrol	10-20-5110-5300-330 SUPPLIES - DEPARTMENTAL To cover ammunition	20829	06/14/2021	EBRADFORI	15,500.00	3,000.00	42,729.16
Police- Patrol	10-20-5110-5300-350 UNIFORMS To cover ammunition	20830	06/14/2021	EBRADFORI	9,360.00	-3,000.00	14,360.00
Police- Patrol	10-20-5110-5700-741 CAPITAL - EQUIPMENT To cover simulator maint/support	20831	06/14/2021	EBRADFORI	0.00	-1,300.00	68,250.00
Fleet Maint.	10-30-5550-5300-351 RENTAL - EQUIPMENT To cover rental generator	20912	06/14/2021	EBRADFORI	0.00	6,000.00	6,000.00
Streets	10-30-5600-5300-130 UTILITIES To cover garbage truck tax/tags	20825	06/14/2021	EBRADFORI	125,000.00	-9,000.00	128,855.17
Streets	10-30-5600-5300-165 MAINTENANCE - INFRASTRUCTURE King St. Sidewalk Project	20848	06/14/2021	EBRADFORI	0.00	10,000.00	13,500.00
Solid Waste	10-30-5800-5700-740 CAPITAL - VEHICLES To cover garbage truck tax/tags	20826	06/14/2021	EBRADFORI	310,000.00	9,000.00	306,388.00
Admin. of Enterprise	30-80-7200-5300-571 SAFETY AWARDS PROGRAM To cover cost of safety awards program	20850	06/14/2021	JDELLAVALI	0.00	250.00	4,303.00
Admin. of Enterprise	30-80-7200-5300-580 CUSTOMER SERVICE & INNOVATION AWARD To cover cost of safety awards program	20849	06/14/2021	JDELLAVALI	4,000.00	-250.00	3,750.00
Admin. of Enterprise	30-80-7200-5350-610 SERVICE CHARGE - GOVERNING BODY EBRADFORD		06/09/2021	7:29:37PM			

FY 2020-2021

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT
DATES: 06/14/2021 TO 06/14/2021

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
	To cover year-end overages	20851	06/14/2021	JDELLAVALI	138,952.00	-2,000.00	136,952.00
Admin. of Enterprise	30-80-7200-5350-611 SERVICE CHARGE - ADMINISTRATION						
	To cover year-end overages	20855	06/14/2021	JDELLAVALI	794,099.00	-11,000.00	783,099.00
Admin. of Enterprise	30-80-7200-5350-612 SERVICE CHARGE - ACCOUNTING						
	To cover year-end overages	20853	06/14/2021	JDELLAVALI	271,260.00	-4,000.00	267,260.00
Admin. of Enterprise	30-80-7200-5350-613 SERVICE CHARGE - FLEET MAINTENANCE						
	To cover year-end overages	20852	06/14/2021	JDELLAVALI	205,609.00	2,000.00	207,609.00
Admin. of Enterprise	30-80-7200-5350-615 SERVICE CHARGE - SAFETY & RISK MGMT						
	To cover year-end overages	20854	06/14/2021	JDELLAVALI	93,090.00	4,000.00	97,090.00
Admin. of Enterprise	30-80-7200-5350-616 SERVICE CHARGE-INFORMATION SERVICES						
	To cover year-end overages	20856	06/14/2021	JDELLAVALI	271,256.00	11,000.00	282,256.00
Utilities Admin.	30-80-7220-5100-010 OVERTIME						
	To cover year-end overages	20858	06/14/2021	JDELLAVALI	1,500.00	3,000.00	4,500.00
Utilities Admin.	30-80-7220-5100-020 SALARIES						
	To cover year-end overages	20857	06/14/2021	JDELLAVALI	305,578.00	-3,000.00	302,578.00
Utilities Admin.	30-80-7220-5300-455 C.S./ENGINEERING						
	To cover GIS work	20828	06/14/2021	EBRADFORI	127,500.00	-5,000.00	167,500.00
	To cover year-end overages	20859	06/14/2021	JDELLAVALI	127,500.00	-3,371.00	164,129.00
Utilities Admin.	30-80-7220-5300-493 C.S./GIS						
	To cover GIS work	20827	06/14/2021	EBRADFORI	15,000.00	5,000.00	26,858.75
Utilities Admin.	30-80-7220-5300-581 RECOGNITION PAY						
	To cover year-end overages	20860	06/14/2021	JDELLAVALI	0.00	3,371.00	3,371.00
Billing & Collection	30-80-7240-5100-010 OVERTIME COMPENSATION						
	To cover year-end overages	20862	06/14/2021	JDELLAVALI	2,000.00	2,600.00	4,600.00
Billing & Collection	30-80-7240-5125-060 HOSPITALIZATION						
	To cover year-end overages	20861	06/14/2021	JDELLAVALI	63,414.00	-2,600.00	60,814.00
Billing & Collection	30-80-7240-5125-061 LIFE/DISABILITY/VISION						
	To cover year-end overages	20864	06/14/2021	JDELLAVALI	1,396.00	25.00	1,421.00
Billing & Collection	30-80-7240-5127-070 RETIREMENT						
	To cover year-end overages	20863	06/14/2021	JDELLAVALI	21,923.00	-25.00	21,898.00
WTP	30-80-8120-5100-020 SALARIES						
	To cover year-end overages	20881	06/14/2021	JDELLAVALI	398,633.00	22,000.00	420,633.00
WTP	30-80-8120-5120-050 FICA						
	To cover year-end overages	20882	06/14/2021	JDELLAVALI	32,408.00	3,500.00	35,908.00
WTP	30-80-8120-5125-060 HOSPITALIZATION						
	To cover year-end overages	20866	06/14/2021	JDELLAVALI	77,179.00	10.00	77,189.00
WTP	30-80-8120-5127-070 RETIREMENT						
	To cover year-end overages	20865	06/14/2021	JDELLAVALI	43,211.00	-10.00	43,201.00
WTP	30-80-8120-5127-071 401(K) RETIREMENT SUPP.						
	To cover year-end overages	20868	06/14/2021	JDELLAVALI	21,182.00	260.00	21,442.00
WTP	30-80-8120-5300-130 UTILITIES						
	To cover year-end overages	20867	06/14/2021	JDELLAVALI	82,500.00	-260.00	74,433.00
WTP	30-80-8120-5300-570 MISCELLANEOUS						
EBRADFORD		06/09/2021	7:29:37PM				Page 2 of 4
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FY 2020-2021

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT
DATES: 06/14/2021 TO 06/14/2021

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
	To cover translation of water quality report	20916	06/14/2021	JDELLAVALI	1,200.00	-400.00	1,800.00
WTP	30-80-8120-5300-572 CONSUMER CONFIDENCE REPORT						
	To cover translation of water quality report	20917	06/14/2021	JDELLAVALI	600.00	400.00	1,000.00
Water Distribution	30-80-8140-5100-020 SALARIES						
	To cover year-end overages	20883	06/14/2021	JDELLAVALI	314,813.00	53,000.00	367,813.00
Water Distribution	30-80-8140-5120-050 FICA						
	To cover year-end overages	20884	06/14/2021	JDELLAVALI	25,039.00	3,000.00	28,039.00
Water Distribution	30-80-8140-5125-060 HOSPITALIZATION						
	To cover year-end overages	20885	06/14/2021	JDELLAVALI	67,963.00	12,000.00	79,963.00
Water Distribution	30-80-8140-5125-061 LIFE/DISABILITY/VISION						
	To cover year-end overages	20886	06/14/2021	JDELLAVALI	2,162.00	500.00	2,662.00
Water Distribution	30-80-8140-5125-062 DENTAL INSURANCE						
	To cover year-end overages	20887	06/14/2021	JDELLAVALI	2,244.00	550.00	2,794.00
Water Distribution	30-80-8140-5127-070 RETIREMENT						
	To cover year-end overages	20888	06/14/2021	JDELLAVALI	33,386.00	4,500.00	37,886.00
Water Distribution	30-80-8140-5127-071 401(K) RETIREMENT SUPP.						
	To cover year-end overages	20870	06/14/2021	JDELLAVALI	16,366.00	3,500.00	19,866.00
Water Distribution	30-80-8140-5300-130 UTILITIES						
	To cover year-end overages	20871	06/14/2021	JDELLAVALI	42,268.00	1,800.00	44,068.00
Water Distribution	30-80-8140-5300-310 GASOLINE						
	To cover year-end overages	20869	06/14/2021	JDELLAVALI	23,345.00	-5,300.00	15,045.00
Water Distribution	30-80-8140-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover year-end overages	20872	06/14/2021	JDELLAVALI	100,000.00	-2,400.00	95,173.00
Water Distribution	30-80-8140-5300-336 NON-CAPITAL OUTLAY						
	To cover year-end overages	20873	06/14/2021	JDELLAVALI	0.00	2,400.00	2,400.00
WW Collection	30-80-8200-5100-020 SALARIES						
	To cover year-end overages	20889	06/14/2021	JDELLAVALI	314,813.00	25,000.00	339,813.00
WW Collection	30-80-8200-5120-050 FICA						
	To cover year-end overages	20890	06/14/2021	JDELLAVALI	25,039.00	1,400.00	26,439.00
WW Collection	30-80-8200-5125-060 HOSPITALIZATION						
	To cover year-end overages	20891	06/14/2021	JDELLAVALI	67,963.00	8,500.00	76,463.00
WW Collection	30-80-8200-5125-061 LIFE/DISABILITY/VISION						
	To cover year-end overages	20892	06/14/2021	JDELLAVALI	2,162.00	200.00	2,362.00
WW Collection	30-80-8200-5125-062 DENTAL INSURANCE						
	To cover year-end overages	20893	06/14/2021	JDELLAVALI	2,244.00	300.00	2,544.00
WW Collection	30-80-8200-5127-070 RETIREMENT						
	To cover year-end overages	20894	06/14/2021	JDELLAVALI	33,386.00	1,800.00	35,186.00
WW Collection	30-80-8200-5127-071 401(K) RETIREMENT SUPP.						
	To cover year-end overages	20875	06/14/2021	JDELLAVALI	16,366.00	2,300.00	18,666.00
WW Collection	30-80-8200-5300-110 TELEPHONE/INTERNET						
	To cover year-end overages	20877	06/14/2021	JDELLAVALI	5,904.00	500.00	6,557.00
WW Collection	30-80-8200-5300-130 UTILITIES						
	To cover year-end overages	20874	06/14/2021	JDELLAVALI	53,573.00	-2,300.00	51,273.00

FY 2020-2021

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT
DATES: 06/14/2021 TO 06/14/2021

	<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>
WW Collection	30-80-8200-5300-310 GASOLINE To cover year-end overages	20876	06/14/2021	JDELLAVALI	16,723.00	-500.00	19,223.00
WWTP	30-80-8220-5127-071 401(K) RETIREMENT SUPP. To cover year-end overages	20879	06/14/2021	JDELLAVALI	18,186.00	600.00	18,786.00
WWTP	30-80-8220-5300-130 UTILITIES To cover year-end overages	20878	06/14/2021	JDELLAVALI	159,370.00	-600.00	158,770.00
WWTP	30-80-8220-5300-331 SUPPLIES - SAFETY To cover fall protection device replaceme	20833	06/14/2021	EBRADFORI	1,950.00	2,820.00	4,770.00
WWTP	30-80-8220-5300-473 MAINTENANCE CONTRACTS To cover fall protection device replaceme	20834	06/14/2021	EBRADFORI	77,710.00	-2,820.00	74,890.00
WSF- Contingency	30-80-9990-5300-000 CONTINGENCY To cover year-end overages	20880	06/14/2021	JDELLAVALI	300,000.00	-136,250.00	44,688.00
						<u>32,000.00</u>	

APPROVED: 5/0

DATE: 6/14/21

VERIFIED: *Sam E. Kimrey*

DRAFT

FY 2020-2021

TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT
DATES: 06/15/2021 TO 06/15/2021

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
GF - Revenue	10-00-3900-3900-000 FUND BALANCE APPROPRIATION						
	To cover generator repair & rental	20920	06/15/2021	EBRADFORI	551,313.00	5,700.00	1,091,509.89
Fleet Maint.	10-30-5550-5300-158 MAINTENANCE - EQUIPMENT						
	To cover generator repair	20919	06/15/2021	EBRADFORI	2,500.00	5,000.00	7,500.00
Fleet Maint.	10-30-5550-5300-351 RENTAL - EQUIPMENT						
	To cover generator rental	20918	06/15/2021	EBRADFORI	0.00	700.00	6,700.00
WWTP	30-80-8220-5300-158 MAINTENANCE - EQUIPMENT						
	To cover aeration blower replacement	20931	06/15/2021	JDELLAVALI	65,710.00	10,500.00	129,528.00
WWTP	30-80-8220-5300-473 MAINTENANCE CONTRACTS						
	To cover aeration blower replacement	20930	06/15/2021	JDELLAVALI	77,710.00	-10,500.00	64,390.00
						<u>11,400.00</u>	

APPROVED: 5/0

DATE: 6/14/21

VERIFIED: Sam E Kimrey

DRAFT

BUDGET ORDINANCE

Ordinance #20210614-5.D

FISCAL YEAR 2021-22 BUDGET ORDINANCE
TOURISM BOARD

Be it ordained by the Board of the Hillsborough Tourism Board, Hillsborough, North Carolina:

SECTION I. GENERAL FUND:

It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

Food & Beverage Tax	\$ 325,000
Fund Balance Appropriation	\$ 42,364
	<u>\$ 367,364</u>

The following amounts are hereby appropriated in the General Fund for the operation of the Tourism Board and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022 in accordance with the Chart of Accounts heretofore established for the Tourism Board:

Tourism Board	<u>\$ 367,364</u>
	\$ 367,364

SECTION II. FOOD & BEVERAGE TAX:

The Town of Hillsborough will collect a Food & Beverage Tax and distribute the funds to the Tourism Board to fund its operations. These funds are listed as "Food & Beverage Tax" revenues in the General Fund in Section I of the ordinance.

SECTION III. BUDGET ORDINANCE:

Copies of this Budget Ordinance shall be filed with the finance officer, budget officer and the clerk of the governing board of this town.

Adopted this 14th day of June, 2021.

NORTH CAROLINA
ORANGE COUNTY

I, Sarah Kimrey, Interim Town Clerk, hereby certify that the foregoing is a true and accurate copy of the 2021-22 Budget Ordinance which will be recorded in the Town of Hillsborough Minute Book.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the official corporate seal of said Town to be affixed, this the 14th day of June, 2021.


Matt Hughes, Chair


Jenn Weaver, Mayor


Sarah Kimrey, Interim Town Clerk





Proclamation #20210614-5.E

PROCLAMATION

Commemorating Juneteenth Independence Day

WHEREAS, news of the end of slavery did not reach frontier areas of the United States, in particular the State of Texas and other Southwestern states, until months after the conclusion of the Civil War and more than 2½ years after President Abraham Lincoln issued the Emancipation Proclamation on Jan. 1, 1863; and

WHEREAS, isolated from both Union and Confederate forces during the Civil War, Texas had become a refuge for those who wished to continue the practice of holding human beings as property; and

WHEREAS, although the Emancipation Proclamation was issued on Jan. 1, 1863, 250,000 people still were held as human chattel in Texas when U.S. Army Maj. Gen. Gordon Granger arrived in Galveston, Texas, and announced the Civil War had ended and enslaved people were free; and

WHEREAS, the following is the text of the official recorded version of the order:
“The people of Texas are informed that, in accordance with a proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of personal rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and hired labor. The freedmen are advised to remain quietly at their present homes and work for wages. They are informed that they will not be allowed to collect at military posts and that they will not be supported in idleness either there or elsewhere”; and

WHEREAS, African Americans who had been slaves in the Southwest celebrated June 19, commonly known as “Juneteenth Independence Day,” as inspiration and encouragement for future generations; and

WHEREAS, Texas became the first state to make Juneteenth a state holiday and, by June 2020, 47 states and the District of Columbia have established full or partial recognition of the holiday; and

WHEREAS, Juneteenth is the oldest nationally celebrated commemoration of the ending of slavery in the United States and celebrations have been held to honor African American freedom; and

WHEREAS, the U.S. Census discloses that the population of North Carolina in 1860 was 992,622, of which 331,059 were enslaved, including 5,108 slaves living in Orange County on plantations such as the Cameron Plantation in Hillsborough; and

Proclamation #20210614-5.E

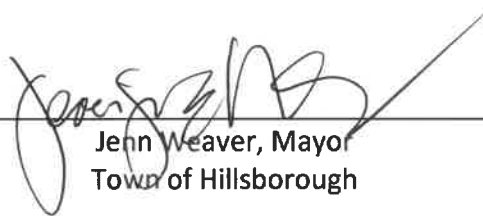
WHEREAS, Juneteenth has been declared a paid holiday by the governing bodies of Orange County, the Town of Chapel Hill, the Town of Carrboro, the Town of Hillsborough, the Orange County School District and the Chapel Hill-Carrboro City School District; and

WHEREAS, slavery was not officially abolished until ratification of the Thirteenth Amendment to the United States Constitution by the required 27 of the then 36 states on Dec. 6, 1865, and the abolishment of slavery and involuntary servitude, except as punishment for a crime, was proclaimed on Dec. 18, 1865; and

WHEREAS, the Town of Hillsborough recognizes that while the Emancipation Proclamation and the Thirteenth Amendment may have officially ended the legal practice of enslaving human beings in the United States of America, 156 years later, there is still progress which must be made to dismantle the insidious systems and practices of white supremacy and systemic racism, the foundations of which were laid by the enslavement of Black people;

NOW, THEREFORE, I, Jenn Weaver, mayor of the Town of Hillsborough, do hereby proclaim that Hillsborough honors the perseverance and hope that inspired African Americans to celebrate freedom, to look for lost relatives, and to thrive in a hostile and white supremacist environment and that Hillsborough recognizes Juneteenth as an important date in American history.

IN WITNESS WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 14th day of June in the year 2021.


Jenn Weaver, Mayor
Town of Hillsborough

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

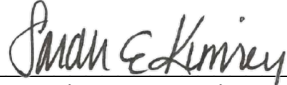
The Town of Hillsborough Town Board has received and reviewed the application of planning staff to amend the Town of Hillsborough Unified Development Ordinance as follows (insert general description of proposed amendment):

Sections 7.5 – limiting the requirement to combine nonconforming lots

The Hillsborough Town Board has determined that the proposed action is consistent 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 supports the town's on-going smart growth principles of encouraging more development with the urban core and available to existing infrastructure, as well as supporting affordable housing efforts.

Adopted by the Town of Hillsborough Board of Commissioners this 14th day of June, 2021.



Sarah E. Kimrey, Interim 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 Unified Development Ordinance Section 7.5, *Nonconforming Lots*, is hereby amended to replace section 7.5.1 and 7.5.2 as follows:

7.5.1 COMBINATION OF CONTIGUOUS NONCONFORMING LOTS IN SINGLE OWNERSHIP

Undeveloped nonconforming lots shall be combined to create less nonconforming lots when all of the following apply:

- a) the lots are held in single ownership at the time of permit application
- b) the lots have continuous street frontage
- c) one or more of the lots is less than 40 feet wide, when measured at the front setback line
- d) the lots are lots of record as defined by this ordinance, were created by a public taking action, or were created as a result of a court order.

If the resultant lot is still nonconforming, it may be developed subject to Section 7.5.3, *Nonconforming Lot Setback Requirements*, as if the lot was created prior to February 17, 1986.

7.5.2 USE OF NONCONFORMING LOTS

7.5.2.1 Any single nonconforming lot of record may be developed, used, and occupied for the purposes defined by its zoning classification if combination with adjoining lots is not required under 7.5.1, *Combination of Contiguous Nonconforming Lots in Single Ownership*.

7.5.2.2 The setbacks for these lots shall be defined in Section 7.5.3, *Nonconforming Lot Setback Requirements*, as if the lot was created prior to February 17, 1986.

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

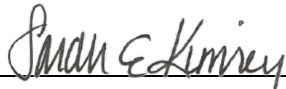
Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 14th day of June, 2021.

Ayes: 5

Noes: 0

Absent: 0



Sarah E. Kimrey, Interim Town Clerk

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

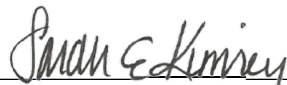
The Town of Hillsborough Town Board has received and reviewed the application of planning staff to amend the Town of Hillsborough Unified Development Ordinance as follows (insert general description of proposed amendment):

Sections 5.1.6 and 5.1.7 – permitted use tables

The Hillsborough Town Board has determined that the proposed action is consistent 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 brings the ordinance into compliance with NCGS 160D requirements to no longer have conditional use permits. Other modernization amendments to processes and where uses are allowed were also included.

Adopted by the Town of Hillsborough Board of Commissioners this 14th day of June, 2021.



Sarah E. Kimrey, Interim 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 Unified Development Ordinance Section 5.1.6, *Use Table for Residential districts* and 5.1.7., *Use Table for Non-residential districts* are hereby replaced with the attached tables.

Section 2. Amend Section 9.2, definitions, to modify the definition for Building/Trade Contractor's Office to read as follows:

An establishment that serves as the base of operations for building contractors, plumbers, electricians, mechanical systems technicians, and the like. This use also includes other service type businesses dispatching to a work site including but not limited to exterminators, carpet cleaners, or mobile vehicle service with no on-site garage. This use may include office, on-site and off-site repair, and sale of related supplies and equipment. Outside storage of supplies, equipment, or vehicles that meet the definition of storage rather than parking is only permitted if the outdoor storage meets the requirements in Section 5.2 45.

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

Section 4. This ordinance shall become effective upon adoption.

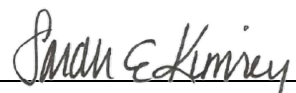
The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 14th day of June, 2021.

Ayes: 5

Noes: 0

Absent or Excused: 0

5



Sarah E. Kimrey, Interim Town Clerk

TOWN OF HILLSBOROUGH

TOWN OF HILLSBOROUGH
GRANT PROJECT ORDINANCE
CDBG-CV (GRANT #: 20-V-3528)

BE IT ORDAINED by the Board of Commissioners of the Town of Hillsborough, North Carolina, that, pursuant to N.C.G.S. 159-13.2, the following grant project ordinance is hereby adopted:

Section 1: The project authorized by this ordinance is to provide emergency housing assistance.

Section 2: The officers of this governmental unit are hereby directed to proceed with this grant project within the guidelines set by the budget contained herein.

Section 3: The following revenues are anticipated to be available to complete this project:

Community Development Block Grant	<u>\$600,000</u>
TOTAL	\$600,000

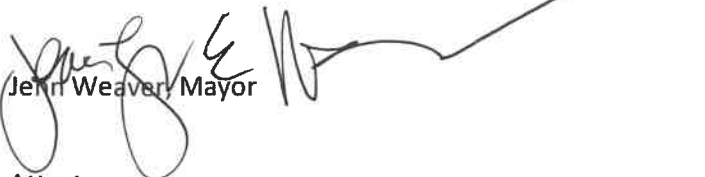
Section 4: The following amounts are available for expenditure for the project:

Administration	\$ 60,000
Public Services	<u>\$540,000</u>
TOTAL	\$600,000

Section 5: This ordinance may be amended in any manner so long as it continues to fulfill the requirements of G.S. 159-13.2 and other applicable laws.

Section 6: Copies of this ordinance should be furnished to the Clerk, Budget Officer and Finance Officer to be kept on file by them for their direction in carrying out this project.

Adopted this 14th day of June, 2021.


Jeff Weaver, Mayor

Attest:


Sarah Kimrey, Interim Town Clerk

BUDGET TRANSFERS

Meeting Date: 6/14/2021

Account #	Account Name	Current Budget Amount	Transfer Amount	New Budget Amount	Notes
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General Restricted Revenue

Revenue

72-00-3000-3301-053 Grant - CDBG-CV \$ - \$ 600,000.00 \$ 600,000.00 To establish budget

Expenditure

72-10-3000-5300-800 CDBG-CV Administration \$ - \$ 60,000.00 \$ 60,000.00 To establish budget

72-10-3000-5300-801 CDBG-CV Public Services \$ - \$ 540,000.00 \$ 540,000.00 To establish budget

Approved On: June 14, 2021

Signature of Mayor:

Jenn Weaver, Mayor

Verified By:

Sarah Kimrey, Interim Town Clerk

DRAFT

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

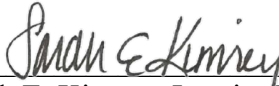
The Town of Hillsborough Town Board has received and reviewed the application of Samantha Johnson to amend the Town of Hillsborough Unified Development Ordinance as follows (insert general description of proposed amendment):

Section 6.3.1 – to reduce setbacks in the Agricultural residential district

The Hillsborough Town Board has determined that the proposed action is consistent 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 requested amendments do not conflict with town goals and allow more dense development within the area served with public water and sewer.

Adopted by the Town of Hillsborough Board of Commissioners this 14th day of June, 2021.



Sarah E. Kimrey, Interim Town Clerk

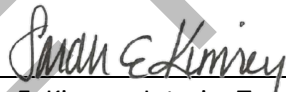
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF HILLSBOROUGH

THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH ORDAINS:

- Section 1. The Unified Development Ordinance Section 6.3.1, *Dimensional Requirements – Residential*, is amended to establish side setbacks of thirty feet, rear setback of thirty feet, and front setback of forty feet for the Agricultural Residential District.
- Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 14th day of June, 2021.

Ayes: 3
Noes: 1
Absent or Excused: 0



Sarah E. Kimrey, Interim Town Clerk

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

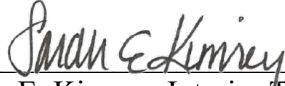
The Town of Hillsborough Town Board has received and reviewed the application of Samantha Johnson to amend the Town of Hillsborough Unified Development Ordinance as follows (insert general description of proposed amendment):

Section 5.2.9.2 – allow accessory dwellings on private roads

The Hillsborough Town Board has determined that the proposed action is consistent 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 requested amendments do not conflict with town goals and allow more dense development within the area served with public water and sewer.

Adopted by the Town of Hillsborough Board of Commissioners this 14th day of June, 2021.



Sarah E. Kimrey, Interim Town Clerk

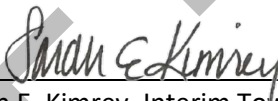
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF HILLSBOROUGH

THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH ORDAINS:

- Section 1. The Unified Development Ordinance Section 5.2.9.2, *Accessory dwelling within a principal single-family dwelling*, is hereby amended to deleted provision "b" which requires the lot to have direct access to a public road. The section is renumbered to accommodate this deletion.
- Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 14th day of June, 2021.

Ayes: 3
Noes: 2
Absent or Excused: 0



Sarah E. Kimrey, Interim Town Clerk

ORDER

Return to: Town of Hillsborough - Planning
P.O.Box 429
Hillsborough, NC 27278

**TOWN OF HILLSBOROUGH BOARD OF COMMISSIONERS
ORDER CLOSING UNOPENED Rights of Way
ON THE SOUTH SIDE OF WEST MARGARET LANE PURSUANT TO
NORTH CAROLINA GENERAL STATUTE § 160A-299**

WHEREAS, a request was made to the town of Hillsborough Board of Commissioners to permanently close an unopened right of way on the south side of West Margaret Lane shown on recorded maps;

WHEREAS, on June 14, 2021, the Hillsborough Town Board conducted a public hearing after giving due notice thereof as required by North Carolina General Statutes Section 160A-299(a), at which all those wishing to be heard on the issue were given an opportunity to speak.

NOW, THEREFORE, the Hillsborough Board of Commissioners find as follows:

1. It appears to the satisfaction of the Town Board that closing the unopened right of way known as Cole Avenue is not contrary to the public interest; and
2. No individual owning property in the vicinity of the portion of the rights of way to be closed will be deprived of a reasonable means of ingress and egress to their property.

Based on the foregoing findings, it is ORDERED that the unopened right of way known as Cole Avenue on the south side of West Margaret Lane shall be closed in accordance with North Carolina General Statutes § 160A-299(a) effective upon the recording of an instrument in the Orange County Register of Deeds Office, as shown in plat book _____ page _____.

BE IT FURTHER ORDERED, that this Order and the related map shall not be finalized and available for recording in the Orange County Register of Deeds until 24 hours after the approval of this Order AND that if any written public comments are received during that time, the Hillsborough Board of Commissioners shall reconvene to consider the comments and adopt a new Order, consistent with S.L. 2020-3, SB 704.

WHEREFORE, the foregoing Order was put to a vote of the members of the Town of Hillsborough Board of Commissioners on the 14th day of June, 2021, the result of which vote were as follows:

Ayes: 5

Noes: 0

Absent or Excused: 0

Dated: June 17, 2021



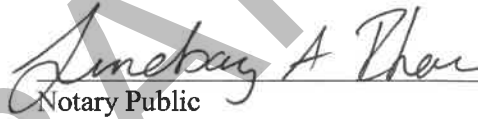
Sarah E. Kimrey, Interim Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

I, Lindsay A. Rhew, a Notary Public of the County and State aforesaid, certify that Sarah E. Kimrey personally appeared before me this day and acknowledged that she is the interim Town Clerk for the Town of Hillsborough, a North Carolina municipal corporation, and that she, as interim Town Clerk, being duly authorized to do so, executed the foregoing instrument to acknowledge that it is a right of way closure order duly adopted by the Town of Hillsborough Board of Commissioners on the date indicated.

Witness my hand and official seal, this the 17th day of June, 2021.

(Official Seal)



Notary Public

My commission expires: 4-25-2025

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

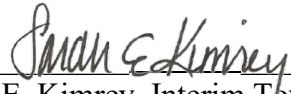
The Town of Hillsborough Town Board has received and reviewed the application of planning staff to amend the Town of Hillsborough Unified Development Ordinance as follows (insert general description of proposed amendment):

Entire ordinance rewrite to comply with North Carolina General Statutes 160D

The Hillsborough Town Board has determined that the proposed action is consistent 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 brings the ordinance into compliance with NCGS 160D requirements

Adopted by the Town of Hillsborough Board of Commissioners this 14th day of June, 2021.



Sarah E. Kimrey, Interim Town Clerk

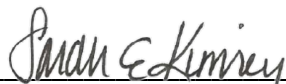
**AN ORDINANCE REPEALING THE TOWN OF HILLSBOROUGH 2011 UNIFIED DEVELOPMENT
ORDINANCE (as amended) AND ADOPTING A UNIFIED DEVELOPMENT ORDINANCE
CONSISTENT WITH NCGS 106-D.**

THE BOARD OF COMMISSIONERS OF THE TOWN OF HILLSBOROUGH ORDAINS:

- Section 1. The Unified Development Ordinance, originally adopted February 28, 2011 and subsequently amended, is hereby repealed.
- Section 2. The attached Unified Development Ordinance consisting of 9 sections, is hereby adopted to be consistent with new planning legislation in North Carolina General Statutes 160D.
- 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 June, 2021.

Ayes: 5
Noes: 0
Absent or Excused: 0



Sarah E. Kimrey, Interim Town Clerk