



# Minutes

## Board of Commissioners Regular Meeting

7 p.m. April 10, 2023

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

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

**Staff:** Planning and Economic Development Manager Shannan Campbell, Billing and Customer Service Supervisor Linda Daye, Police Chief Duane Hampton, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Finance Director Dave McCole, Town Manager Eric Peterson and Utilities Director Marie Strandwitz

### Opening of the meeting

Mayor Jenn Weaver called the meeting to order at 7:01 p.m.

#### 1. Public charge

Weaver did not read the public charge.

#### 2. Audience comments not related to the printed agenda

Residents addressed the board regarding the requirement of backflow preventers:

- David Ray
- Emily Fisher Ray
- Bill Stecker
- Leslie Brown
- Morgan Moylan
- Stuart Knechtle

Several Hillsborough property owners with private swimming pools addressed the board with concerns and questions over a letter they received from the Town of Hillsborough that informed them of the requirement to equip their water services with a backflow preventer due to the potential for cross-contamination. Their concerns included cost of the equipment and installation, aesthetics of the equipment and the 60-day period to meet the requirement. Utilities Director Marie Strandwitz answered questions and addressed concerns and provided additional information on the requirement.

#### 3. Agenda changes and approval

Item 5D was moved from the consent agenda to item 6B for discussion.

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

**Vote:** 5-0.

#### 4. Appointments

A. Tourism Board – Appointment of Smita Patel with a term ending April 10, 2025

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

**Vote:** 5-0.

**5. Items for decision – consent agenda**

- A. Minutes
  - Regular meeting March 13, 2023
  - Work session March 27, 2023
- B. Miscellaneous budget amendments and transfers
- C. Resolution Authorizing Memorandum of Agreement with North Carolina Emergency Management for Disaster Relief and Mitigation Grant for Valley Forge Road
- ~~D. Amendment to Town Code Sections 14-15 (Bill Adjustments) and 14-19 (Irrigation System Requirements)~~
- E. Modification to Town Code Section Appendix 7B regarding Utility Cut Permits
- F. Classification and pay amendment
- G. Proclamation Recognizing April as Sexual Assault Awareness Month

Motion: Ferguson moved to approve all items on the amended consent agenda. Hughes seconded.  
Vote: 5-0.

**6. Items for decision – regular agenda**

- A. Flush Fest community event and fundraiser for non-profit, After the Rain  
Planning and Economic Development Planner Shannan Campbell introduced a request for street closure for Flush Fest, a community event and fundraiser. Grace Beeler, one of the founders of the festival, provided details for the request. Board members discussed the potential difficulties for emergency services and police to staff the event. There was support to allow the event to continue, but the request for street closure was denied.

Motion: Hughes moved to deny the road closure request. Ferguson seconded.  
Vote: 5-0.

- B. Amendment to Town Code Sections 14-15 (Bill Adjustments) and 14-19 (Irrigation System Requirements)

Commissioner Matt Hughes proposed an amendment to Section 14-15(f) of the Code of Ordinances concerning appeals to denied water bill adjustment requests. The amendment established an appeal period for denied adjustment requests. The customer may submit an appeal to the Water and Sewer Advisory Committee. The amendment was approved, as was the ordinance.

Motion: Hughes moved to amend the proposed amendment. Ferguson seconded.  
Vote: 5-0.

Motion: Hughes moved to approve the ordinance as amended. Ferguson seconded.  
Vote: 5-0.

- C. Hot topics for work session April 24, 2023  
At the work session on April 24, Mayor Weaver will deliver her State of the Town Address.

**7. Updates**

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

**8. Adjournment**

Weaver adjourned the meeting at 9 p.m.

Respectfully submitted,

Sarah Kimrey  
Town Clerk  
Staff support to the Board of Commissioners

DRAFT



## RESOLUTION

### Authorizing Memorandum of Agreement with North Carolina Emergency Management for Disaster Relief and Mitigation Grant for Valley Forge Road

**WHEREAS**, Valley Forge Road at the crossing of Cates Creek has suffered repetitive losses due to flood damage and insufficient storm drain infrastructure; and

**WHEREAS**, the town has undertaken a project to replace the storm drains, shore up the road bed and repave the road; and

**WHEREAS**, North Carolina Emergency Management (NCEM) has approved funding of up to \$1,000,000 from the Disaster Relief and Mitigation Fund (DRMF) for the Valley Forge Road culvert replacement project; and

**WHEREAS**, a Memorandum of Agreement (MOA) between the town and NCEM must be executed by April 29, 2023 to accept the grant award; and

**WHEREAS**, town staff has reviewed the attached documents and are supportive of approval of the MOA;

**NOW, THEREFORE**, be it resolved the Hillsborough Board of Commissioners hereby authorizes the town manager to execute the Memorandum of Agreement with North Carolina Emergency Management for the Disaster Relief and Mitigation Fund award for the Valley Forge Road culvert repair project.

Approved this 10<sup>th</sup> day of April in the year 2023.



A handwritten signature in black ink, appearing to read "Jenn Weaver".

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Jenn Weaver, Mayor  
Town of Hillsborough



## ORDINANCE

### Amending Town Code Chapter 7, Appendix B, Section 3.I.6

The Hillsborough Board of Commissioners ordains:

#### **Section 1.** Purpose

Hillsborough Town Code Chapter 7, Appendix B sets out standards for outside entities performing work in the town's right of way. Section 3.1.6 requires an outside contractor to obtain a Utility Cut Permit for work that includes cuts to the pavement of town-owned streets. The intent of the requirement, and the actual application by staff, is that any work by an outside entity that requires cuts to the town's right of way, be it paved or unpaved, is subject to the Utility Cut Permit requirement.

#### **Section 2.** The town code is hereby amended as follows:

- (a) 3.1.6. If any portion of the town's right of way will be cut as part of the project, a utility cut permit will also be required, which has additional provisions including an additional notification to the town 48 hours prior to the cut.

#### **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 10th day of April in the year 2023.

Ayes: 5  
Noes: 0  
Absent or excused: 0



A handwritten signature in black ink that reads "Sarah E. Kimrey".

Sarah E. Kimrey, Town Clerk

**Regular (Non-Law Enforcement) Positions**

Salary Grade	Minimum	Midpoint	Maximum	FLSA Status	Class Code	Classification
1	34,205	44,467	54,728			
2	35,915	46,690	57,465	N	201	ADMINISTRATIVE SUPPORT SPECIALIST
2	35,915	46,690	57,465	N	202	METER SERVICES TECHNICIAN
3	37,711	49,024	60,338	N	302	EQUIPMENT OPERATOR I
3	37,711	49,024	60,338	N	303	UTILITY MAINTENANCE TECHNICIAN I
4	39,597	51,476	63,355	N	401	CUSTOMER SERVICE REPRESENTATIVE
4	39,597	51,476	63,355	N	402	UTILITY MAINTENANCE TECHNICIAN II
4	39,597	51,476	63,355	N	403	WASTEWATER PLANT OPERATOR I
4	39,597	51,476	63,355	N	404	WATER PLANT OPERATOR I
5	41,576	54,049	66,522	N	502	EQUIPMENT OPERATOR II
5	41,576	54,049	66,522	N	503	SENIOR ADMINISTRATIVE SUPPORT SPECIALIST
5	41,576	54,049	66,522	N	504	UTILITY MAINTENANCE TECHNICIAN III
5	41,576	54,049	66,522	N	505	WASTEWATER PLANT OPERATOR II
5	41,576	54,049	66,522	N	506	WATER PLANT OPERATOR II
6	43,655	56,752	69,848	N	605	ACCOUNTS PAYABLE TECHNICIAN
6	43,655	56,752	69,848	N	601	PLANNING TECHNICIAN
6	43,655	56,752	69,848	N	602	PLANT MAINTENANCE MECHANIC I
6	43,655	56,752	69,848	N	604	UTILITY SYSTEMS MECHANIC I
	43,655	56,752	69,848	N	605	EQUIPMENT OPERATOR III
7	45,838	59,589	73,341	N	706	ACCOUNTING TECHNICIAN
7	45,838	59,589	73,341	N	701	CREW LEADER/ <del>EQUIPMENT OPERATOR III</del>
7	45,838	59,589	73,341	N	702	PLANT MAINTENANCE MECHANIC II
7	45,838	59,589	73,341	N	703	UTILITY SYSTEMS MECHANIC II
7	45,838	59,589	73,341	N	704	WASTEWATER PLANT OPERATOR III
7	45,838	59,589	73,341	N	705	WATER PLANT OPERATOR III
8	48,130	62,569	77,008	N	801	FLEET MECHANIC
8	48,130	62,569	77,008	N	802	PLANT MAINTENANCE MECHANIC III
8	48,130	62,569	77,008	N	803	UTILITY SYSTEMS MECHANIC III
9	50,536	65,697	80,858	E	901	BILLING & CUSTOMER SERVICE SUPERVISOR
9	50,536	65,697	80,858	N	902	METER SERVICES SUPERVISOR
9	50,536	65,697	80,858	N	903	UTILITIES INSPECTOR
9	50,536	65,697	80,858	E	904	PUBLIC WORKS SUPERVISOR
10	53,063	68,982	84,901	N	1001	BACKFLOW/FOG SPECIALIST
10	53,063	68,982	84,901	N	1002	CHIEF WASTEWATER PLANT OPERATOR
10	53,063	68,982	84,901	N	1003	COMMUNICATIONS SPECIALIST
10	53,063	68,982	84,901	N	1004	FACILITIES COORDINATOR
10	53,063	68,982	84,901	N	1005	OPERATOR IN RESPONSIBLE CHARGE
11	55,716	72,431	89,146	E	1101	PLANNER
12	58,502	76,053	93,604	E	1201	BUDGET & MANAGEMENT ANALYST
12	58,502	76,053	93,604	E	1202	FINANCIAL ANALYST
12	58,502	76,053	93,604	E	1203	FLEET MAINTENANCE SUPERVISOR
12	58,502	76,053	93,604	E	1204	HUMAN RESOURCES ANALYST
12	58,502	76,053	93,604	E	1205	MANAGEMENT ANALYST
12	58,502	76,053	93,604	N	1206	STORMWATER PROGRAM COORDINATOR
12	58,502	76,053	93,604	N	1207	WASTEWATER LABORATORY SUPERVISOR

12	58,502	76,053	93,604	N	1208	SENIOR COMMUNICATIONS SPECIALIST
13	61,427	79,856	98,284	E	1301	CIVIL ENGINEERING TECHNICAN
13	61,427	79,856	98,284	E	1302	SENIOR PLANNER
13	61,427	79,856	98,284	E	1303	UTILITY MAINTENANCE SUPERVISOR
13	61,427	79,856	98,284	E	1304	UTILITY SYSTEM SUPERVISOR
14	64,499	83,848	103,198	E	1401	TOWN CLERK/HUMAN RESOURCES TECHNICIAN
15	67,724	88,041	108,358	E	1501	SAFETY & RISK MANAGER
16	71,110	92,443	113,776	E	1601	WATER PLANT SUPERINTENDENT
17	74,665	97,065	119,465	E	1701	PUBLIC WORKS MANAGER
17	74,665	97,065	119,465	E	1702	STORMWATER & ENVIRONMENTAL SERVICES MANAGER
17	74,665	97,065	119,465	E	1703	UTILITY SYSTEM SUPERINTENDENT
18	78,399	101,918	125,438	E	1802	COMMUNICATIONS MANAGER
19	82,319	107,014	131,710	E	1901	INFORMATION TECHNOLOGY MANAGER
20	86,434	112,365	138,295	E	2001	BUDGET DIRECTOR
20	86,434	112,365	138,295	E	2002	ENVIRONMENTAL ENGINEERING SUPERVISOR
20	86,434	112,365	138,295	E	2003	HUMAN RESOURCES MANAGER
20	86,434	112,365	138,295	E	2004	PLANNING & ECONOMIC DEVELOPMENT MANAGER
20	86,434	112,365	138,295	E	2005	PUBLIC SPACE & SUSTAINABILITY MANAGER
20	86,434	112,365	138,295	E	2006	DEPUTY UTILITIES DIRECTOR - WATER TREATMENT
21	90,756	117,983	145,210			
22	95,294	123,882	152,470			
23	100,059	130,076	160,094			
24	105,062	136,580	168,099	E	2401	ADMINISTRATIVE SERVICES DIRECTOR
24	105,062	136,580	168,099	E	2402	ASSISTANT TOWN MANAGER/COMMUNITY SERVICES DIRECTOR
24	105,062	136,580	168,099	E	2403	FINANCE DIRECTOR
25	110,315	143,409	176,504	E	2501	UTILITIES DIRECTOR

**Sworn Law Enforcement Officer Positions**

Salary Grade	Minimum	Midpoint	Maximum	FLSA Status	Class Code	Classification
100	45,138	58,679	72,220	N	100	POLICE OFFICER TRAINEE
102	51,912	67,485	83,059	N	102	POLICE OFFICER/POLICE OFFICER FIRST CLASS
201	54,508	70,860	87,212	N	203	SENIOR POLICE OFFICER
202	57,233	74,403	91,573	N	204	POLICE CORPORAL
303	59,619	77,505	95,390	N	304	MASTER POLICE OFFICER
402	65,730	85,449	105,168	N	405	POLICE SERGEANT
502	72,467	94,207	115,947	E	507	POLICE LIEUTENANT
601	83,700	108,809	133,919	E	606	POLICE MAJOR
701	105,062	136,580	168,099	E	707	CHIEF OF POLICE



# PROCLAMATION

## Recognizing April 2023 as Sexual Assault Awareness Month

**WHEREAS**, the nonprofit Orange County Rape Crisis Center assisted over 900 survivors of sexual violence, their loved ones, and community professionals during 2022 and has served this community since 1974; and

**WHEREAS**, the Orange County Rape Crisis Center works with the county's two school systems and other groups to provide students with age-appropriate information about violence prevention, reaching over 15,500 youth and adults each year; and

**WHEREAS**, the Orange County Rape Crisis Center is meeting a community need by opening a second location in Hillsborough in 2023; and

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

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

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

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

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

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

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

**NOW, THEREFORE**, I, Jenn Weaver, mayor of the Town of Hillsborough, do hereby proclaim April 2023 as Sexual Assault Awareness Month in the Town of Hillsborough and encourage all residents to speak out against sexual violence and to support their local community's efforts to prevent and respond to these appalling crimes.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 10<sup>th</sup> day of April in the year 2023.



Jenn Weaver, Mayor  
Town of Hillsborough





## ORDINANCE

### Revisions to Sections I4-I5 and I4-I9 of Town Code of Ordinances

The Hillsborough Board of Commissioners ordains:

**Section 1.** Section 15 of Chapter 14 of the Town Code of Ordinances, "Calculation of bill where equipment fails and leak adjustments," is replaced in its entirety as follows:

#### **Sec. 14-15. - Billing adjustments.**

Wasted clean water results in high utility bills for individual customers and higher rates for all customers. The town strives to promptly notify customers when usage is higher than normal as flagged in its meter reading and billing system. Customers shall promptly address any visible or suspected leakage, including high usage notices from the town. Leakage may include visible standing water in a crawl space or yard, a dripping faucet, or a running toilet due to a failed flapper or valve. When a customer receives a higher-than-normal bill, it is recommended that detailed notes with dates of corrective investigation, repair activity and communication regarding the high usage be preserved by customers in anticipation of supporting an adjustment request. This would include tenant/landlord communications in which a tenant may not have control over the promptness of leak repairs yet is responsible for paying the utility bill.

- (a) **Meter Failure:** If the meter fails to register the use of water by the customer, the customer's bill will be recalculated based on the average of the previous six months of usage, or on the available usage data, if less than six months.
- (b) **Water Leak:** If the customer demonstrates to the reasonable satisfaction of the town that a break in the water line on the customer's side of the meter or other plumbing failure has resulted in extraordinary charges, the town may recalculate the customer's bill upon request using the procedures set forth in this section. Qualifications for an adjustment include:
  - (1) The customer will be allowed one leak adjustment per rolling 12-month period when sufficient documentation has been provided to support the claim for an adjustment. Documentation includes a plumber, customer, or facility maintenance person's invoice and paid receipt along with an explanation of the situation on form(s) prescribed by the town.
  - (2) If the timing of a leak happens to split billing periods and the leak was repaired promptly as supported through narrative and documentation, an adjustment could be made for up to two consecutive billing cycles.
  - (3) A request for a leak adjustment must be made no later than 60 days after receipt of the first bill in which high usage was noted.
- (c) **Special Irrigation Needs:** Irrigation for newly laid sod or landscaping shall only be considered once every five years per residential address and only for a non-commercial entity. The

customer shall adhere to all conditions of Section 14-19. Credit shall only be provided to the sewer portion of a bill for the amount used over the past six months average use or available usage data, if less than six months, and only if the customer is billed for sewer service.

- (d) Situations that generally do not qualify and will be at the Financial Services Department Director's discretion for billing adjustments include:
  - (1) Vandalism or theft, unless documented through a police report.
  - (2) Avoidable circumstances such as leaving a faucet running or failure to repair a known leak in a timely manner.
- (e) The following will not be considered for billing adjustments:
  - (1) Pool filling.
  - (2) Pressure washing.
  - (3) Vehicle washing.
  - (4) Meter tampering.
  - (5) Situations that are reimbursable by others such as insurance or through restitution.
- (f) Customers requesting an adjustment shall complete the form prescribed by the town in detail and provide all requested documentation in support of their request. The town retains the right to reject all adjustment requests for incomplete or missing information, and for unallowable or careless situations. The Financial Services Department Director can use discretion in evaluating any unique circumstances presented.
  - (1) Customers requesting an adjustment shall have accounts in good standing and no instances of meter tampering by that customer.
  - (2) Notice of an appeal from a denied adjustment request may be presented by the customer to the Water and Sewer Advisory Committee, a volunteer committee appointed by the town board to make recommendations regarding the town's Water and Sewer (Enterprise) Fund, at a regularly scheduled meeting with advance request within 60 days of such denial. The Committee shall review the adjustment request, hear any additional information from the customer, and make a recommendation back to the Financial Services Department Director to stay or reconsider the adjustment. The Water and Sewer Advisory Committee does not have the authority to make the determination. The Financial Services Department Director has the final decision-making authority.
- (g) Customers shall continue paying all monthly bills in full while the adjustment is being reviewed. Standard billing practices will continue to apply regarding penalties, fees, and disconnections.
- (h) The Financial Services Department will only discuss billing accounts with the account holder unless the account holder provides written permission for others with which to discuss their account details.

- (i) All adjustments will be applied to the active water and sewer account and will only be refunded by check if the account is closed.
- (j) No adjustment shall result in the bill being lower than the minimum base charges for that account.

**Section 2.** Modify the first sentence of Section 19(a) of Chapter 14 of the Town Code of Ordinances, "Irrigation system requirements," to read, "Spray irrigation, including temporary systems installed for the establishment of sod and landscaping, shall not occur more than three days per week."

**Section 3.** Replace Section 19(d)(2) of Chapter 14 of the Town Code of Ordinances, "Irrigation system requirements," in its entirety with the following language:

"Supplemental irrigation permits may be purchased by customers who need to be released from the above regulations to protect new plantings. The permit price is in the town's annual adopted fee schedule. The duration of the permit is 90 days from the issue date. To be eligible to receive a permit, a property must have an active building permit, or have received a certificate of completeness (occupancy) permit issued within the previous 90 days, or once every five years per address. Permits shall not be issued during water restrictions of Stage 2 or higher as defined in Section 14-40.3. Adjustments to the sewer portion of a bill may be available to noncommercial entities pursuant to Section 14-15(c) during the period of the permit."

**Section 4.** Add Section 19(e) to Chapter 14 of the Town Code of Ordinances, "Irrigation system requirements" as follows:

(e) Penalties.

(1) The following penalties shall be incurred for violations of this section:

Violation				
1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>
Warning	Warning	\$250	\$500	\$1000

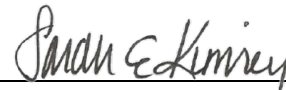
(2) Should the violations reach beyond the 5th, the town may shut off the irrigation meter until compliance is demonstrated. Continued noncompliance may result in a civil suit.

**Section 5.** This ordinance shall become effective upon adoption.

[signature adoption page follows]

The foregoing ordinance having been submitted to a vote, received the following vote, and was duly adopted this 10<sup>th</sup> day of April in the year 2023.

Ayes: 5  
Noes: 0  
Absent or excused: 0



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Sarah E. Kimrey, Town Clerk

DRAFT