



# Minutes

## Board of Commissioners Regular Meeting

7 p.m. Aug. 12, 2024

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

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

**Absent:** Kathleen Ferguson (Remote)

**Staff:** Safety and Risk Manager Phil Cundiff, Environmental Engineering Supervisor Bryant Green, Police Chief Duane Hampton, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Town Manager Eric Peterson, Utilities Director Marie Strandwitz and Public Space and Sustainability Manager Stephanie Trueblood

### Opening of the meeting

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

#### 1. Public charge

Bell did not read the public charge.

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

Orange County resident Pat Barnes asked the board why pride banners are flown in town for Pride Month, but other national celebrations are not recognized with banners.

Commissioner Matt Hughes defended the town's choice to fly pride banners and suggested that other marginalized groups could come before the board to request banners for their groups' celebrations.

#### 3. Agenda changes and approval

There were none.

**Motion:** Hughes moved to approve the agenda as presented. Commissioner Meaghun Darab seconded.

**Vote:** 4-0.

#### 4. Appointments

A. Tree Board – Appointment of Brian Mayell for a term ending Aug. 30, 2027

**Motion:** Commissioner Robb English moved to approve the appointment. Darab seconded.

**Vote:** 4-0.

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

A. Minutes

– Budget work session June 3, 2024

– Regular meeting June 10, 2024

- Work session June 24, 2024
- Work session closed session June 24, 2024
- Special meeting July 15, 2024

- B. Miscellaneous budget amendments and transfers
- C. Proclamation – Women’s Equality Day 2024
- D. Ordinance amending Article VII – Recreation, Section 3-49.a – Skateboard Park Regulations
- E. Collins Ridge Phase 1A partial water and sewer acceptance – Gold Hill Way water main and Orange Grove Road sewer outfall

Motion: Hughes moved to approve all items on the consent agenda. Commissioner Evelyn Lloyd seconded.

Vote: 4-0. Nays: None.

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

- A. Hot topics for work session Aug. 26, 2024  
Hot topics for the upcoming work session include:
  - Water and Sewer Advisory Committee meeting
  - 128 W. Margaret Lane rezoning request
  - Waterstone South annexation and rezoning request
  - An update on the town’s strategic plan

**7. Updates**

- A. Board members  
Board members gave updates on the committees and boards on which they serve.
- B. Town manager  
Town Manager Eric Peterson introduced Safety and Risk Manager Phil Cundiff.
- C. Staff (written reports in agenda packet)  
There were no additional updates.

Motion: Hughes moved to go into closed session. Lloyd seconded.

Vote: 4-0.

**8. Closed session**

- A. Closed session as authorized by North Carolina General Statute Section 143-318.11(a)(9)
- B. Closed session as authorized by North Carolina General Statute Section 143-318.11(a)(3) to consult with the town attorney in order to preserve the attorney-client privilege (potential litigation)

Motion: Hughes moved to return to open session. Lloyd seconded.

Vote: 4-0.

**9. Adjournment**

The mayor adjourned the meeting at 8:34 p.m.

Respectfully submitted,

Sarah Kimrey  
Town Clerk  
Staff support to the Board of Commissioners

DRAFT

FY 2024-2025

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 08/12/2024 TO 08/12/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
GF	10-00-3900-3900-000 FUND BALANCE APPROPRIATION						
Fund Bal.	Re-budget lapsed phyc care funds from FY24	45466	08/12/2024	EBRADFORD	3,260,960.00	12,000.00	3,272,960.00
GF	10-00-9990-5300-000 CONTINGENCY						
Contingency	To cover animal services and central square rm	45422	08/12/2024	JFernandez	450,000.00	-4,798.00	445,202.00
	To cover increased PW building rental fee	45471	08/12/2024	EBRADFORD	450,000.00	-1,500.00	443,702.00
	To cover RTV purchase price increase.	45482	08/12/2024	JFernandez	450,000.00	-40.00	443,662.00
	To cover increase in vehicle cost.	45487	08/12/2024	JFernandez	450,000.00	-2,050.00	441,612.00
	To cover refrigerator diagnostic and replaceme	45493	08/12/2024	JFernandez	450,000.00	-2,465.00	439,147.00
Gov. Body	10-10-4100-5300-145 MAINTENANCE - BUILDINGS						
	To cover refrigerator diagnostic and replaceme	45492	08/12/2024	JFernandez	250.00	2,465.00	2,715.00
Comms	10-10-4600-5300-113 LICENSE FEES						
	Move website support to correct line.	45479	08/12/2024	JFernandez	13,998.00	-3,000.00	10,998.00
Comms	10-10-4600-5300-570 MISCELLANEOUS						
	Move website support to correct line.	45480	08/12/2024	JFernandez	6,200.00	3,000.00	9,200.00
Police	10-20-5100-5300-458 DATA PROCESSING SERVICES						
	To cover central square rms.	45423	08/12/2024	JFernandez	26,100.00	3,510.00	29,610.00
Police	10-20-5100-5300-463 C.S./O.C. ANIMAL CONTROL						
	To cover animal services.	45424	08/12/2024	JFernandez	83,985.00	1,288.00	85,273.00
Police	10-20-5100-5300-570 MISCELLANEOUS						
	Re-budget lapsed phyc care funds from FY24	45465	08/12/2024	EBRADFORD	4,000.00	12,000.00	16,000.00
Streets	10-30-5600-5300-363 RENTAL - BUILDING						
	To cover increased building rental fee	45470	08/12/2024	EBRADFORD	7,100.00	1,500.00	8,600.00
Streets	10-30-5600-5300-583 MISC-TAX, TAGS, ETC.						
	To cover increase in vehicle cost.	45486	08/12/2024	JFernandez	2,006.00	50.00	2,056.00
Streets	10-30-5600-5700-740 CAPITAL - VEHICLES						
	To cover increase in vehicle cost.	45485	08/12/2024	JFernandez	67,100.00	2,000.00	69,100.00
Solid Waste	10-30-5800-5700-741 CAPITAL - EQUIPMENT						
	To cover RTV purchase price increase.	45481	08/12/2024	JFernandez	23,000.00	40.00	23,040.00
WSF	30-80-3900-3900-000 FUND BALANCE APPROPRIATED						
Fund Bal.	Re-appropriate lapsed funds for Dist/Coll proj	45464	08/12/2024	EBRADFORD	406,244.00	305,900.00	712,144.00
	Hydraulic modeling software/syst pressure mo	45478	08/12/2024	JFernandez	406,244.00	110,000.00	822,144.00
Utilities Admin.	30-80-7220-5300-113 LICENSE FEES						
	To cover hydraulic modeling software.	45475	08/12/2024	JFernandez	12,800.00	50,000.00	62,800.00
Utilities Admin.	30-80-7220-5300-455 C.S./ENGINEERING						
	To cover long-term flow monitoring.	45474	08/12/2024	JFernandez	110,000.00	100,000.00	210,000.00
Billing & Collect.	30-80-7240-5300-145 MAINTENANCE - BUILDINGS						
	To cover B&C building maintenance	45456	08/12/2024	EBRADFORD	0.00	500.00	500.00
WTP	30-80-8120-5300-145 MAINTENANCE - BUILDINGS						
	To cover WTP HVAC maintenance contract.	45488	08/12/2024	JFernandez	6,000.00	-2,410.00	3,590.00
WTP	30-80-8120-5300-473 MAINTENANCE CONTRACTS						
	To cover WTP maintenance contract.	45425	08/12/2024	JFernandez	6,340.00	128.00	6,468.00
	To cover WTP HVAC maintenance contract.	45489	08/12/2024	JFernandez	6,340.00	2,410.00	8,878.00
WTP	30-80-8120-5300-494 C.S./PUMP STA.MONITORING						

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TOWN OF HILLSBOROUGH  
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	To cover Mission Communications monitoring	45418	08/12/2024	JFernandez	1,650.00	109.00	1,759.00
WFER	30-80-8130-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover Mission Communications monitoring	45421	08/12/2024	JFernandez	2,500.00	-26.00	2,474.00
WFER	30-80-8130-5300-412 C.S./MONITORING MISSION UNIT						
	To cover Mission Communications monitoring	45420	08/12/2024	JFernandez	660.00	26.00	686.00
Water Dist.	30-80-8140-5300-130 UTILITIES						
	To cover propane PO into correct account.	45450	08/12/2024	JFernandez	43,000.00	-1,792.00	41,208.00
Water Dist.	30-80-8140-5300-154 MAINTENANCE - GROUNDS						
	To cover landscaping PO.	45447	08/12/2024	JFernandez	27,000.00	3,000.00	30,000.00
Water Dist.	30-80-8140-5300-310 GASOLINE						
	To cover propane PO into correct account.	45451	08/12/2024	JFernandez	23,730.00	1,792.00	25,522.00
Water Dist.	30-80-8140-5300-330 SUPPLIES - DEPARTMENTAL						
	For rental of bypass pump.	45468	08/12/2024	JFernandez	120,000.00	-8,500.00	111,500.00
Water Dist.	30-80-8140-5300-351 RENTAL - EQUIPMENT						
	For rental of bypass pump.	45469	08/12/2024	JFernandez	2,000.00	8,500.00	10,500.00
Water Dist.	30-80-8140-5700-729 CAPITAL - INFRASTRUCTURE						
	S Tank, Forest Ridge, Blair Dr, New Brady Br	45461	08/12/2024	EBRADFORD	160,000.00	69,300.00	229,300.00
Water Dist.	30-80-8140-5700-741 CAPITAL - EQUIPMENT						
	To cover system pressure monitors.	45476	08/12/2024	JFernandez	0.00	60,000.00	60,000.00
WW Collect.	30-80-8200-5300-130 UTILITIES						
	To cover propane PO into correct account.	45448	08/12/2024	JFernandez	56,000.00	-532.00	55,468.00
WW Collect.	30-80-8200-5300-154 MAINTENANCE - GROUNDS						
	To cover landscaping PO.	45446	08/12/2024	JFernandez	35,000.00	-3,000.00	32,000.00
WW Collect.	30-80-8200-5300-165 MAINTENANCE - INFRASTRUCTURE						
	Timbers, Coachwood, Dixie & Woodsedge PS	45462	08/12/2024	EBRADFORD	137,000.00	43,100.00	180,100.00
WW Collect.	30-80-8200-5300-310 GASOLINE						
	To cover propane PO into correct account.	45449	08/12/2024	JFernandez	24,990.00	532.00	25,522.00
WW Collect.	30-80-8200-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover collection system annual permit fee.	45483	08/12/2024	JFernandez	70,000.00	-300.00	69,700.00
WW Collect.	30-80-8200-5300-530 DUES & SUBSCRIPTIONS						
	To cover collection system annual permit fee.	45484	08/12/2024	JFernandez	2,200.00	300.00	2,500.00
WW Collect.	30-80-8200-5700-741 CAPITAL - EQUIPMENT						
	Cemetery, Gov Burke, TIny Tots, Shelton PS F	45463	08/12/2024	EBRADFORD	0.00	193,500.00	193,500.00
WWTP	30-80-8220-5300-145 MAINTENANCE - BUILDINGS						
	To cover WWTP HVAC maintenance contract.	45490	08/12/2024	JFernandez	4,140.00	-3,972.00	168.00
WWTP	30-80-8220-5300-413 C.S./DI WATER SYSTEM SERVICE						
	Dionize water system increase	42164	08/12/2024	EBRADFORD	4,300.00	233.00	4,533.00
	To cover DI Wtr Sys Service increased cost	42166	08/12/2024	EBRADFORD	4,300.00	20.00	4,553.00
WWTP	30-80-8220-5300-473 MAINTENANCE CONTRACTS						
	To cover WWTP HVAC maintenance contract.	45491	08/12/2024	JFernandez	30,250.00	3,972.00	34,222.00
WWTP	30-80-8220-5300-550 SLUDGE REMOVAL						
	To cover increased sludge removal costs	42163	08/12/2024	EBRADFORD	100,000.00	13,500.00	113,500.00
WSF Contingency	30-80-9990-5300-000 CONTINGENCY						
	JFernandez		08/05/2024	5:06:53PM			

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Cost increase-dionize wtr sys & slude removal	42165	08/12/2024	EBRADFORD	400,000.00	-13,733.00	386,267.00
To cover DI Wtr Sys Service increased cost	42167	08/12/2024	EBRADFORD	400,000.00	-20.00	386,247.00
To cover Mission Communications monitoring	45419	08/12/2024	JFernandez	400,000.00	-109.00	386,138.00
To cover WTP maintenance contract.	45426	08/12/2024	JFernandez	400,000.00	-128.00	386,010.00
To cover B&C building maintenance	45457	08/12/2024	EBRADFORD	400,000.00	-500.00	385,510.00
To cover long term flow monitoring.	45477	08/12/2024	JFernandez	400,000.00	-100,000.00	285,510.00
<b>Special Revenue 72-00-5100-3301-052 RESTRICTED REV-ABC BOARD GRANT</b>						
Allocate FY25 Q1 ABC Board payment.	45473	08/12/2024	JFernandez	27,157.85	3,500.00	30,657.85
<b>Special Revenue 72-20-5100-5300-052 ABC BOARD EXPENDITURES</b>						
Allocate FY25 Q1 ABC Board payment.	45472	08/12/2024	JFernandez	27,157.85	3,500.00	30,657.85
					<u>862,800.00</u>	

APPROVED: 4/0

DATE: 8/12/24

VERIFIED: \_\_\_\_\_

*Janet E. Kimrey*

DRAFT



## PROCLAMATION

### Women's Equality Day 2024

**WHEREAS**, Women's Equality Day is celebrated annually on August 26 to commemorate the adoption of the 19th Amendment to the United States Constitution in 1920, which prohibited states from depriving citizens of the right to vote based on gender; and

**WHEREAS**, women of color fought for the right to vote for another four decades until the passage of the Voting Rights Act in 1965; and

**WHEREAS**, recognizing Women's Equality Day as a day of celebration emphasizes the importance of women's work for democracy and calls attention to women's continuing efforts toward full equality; and

**WHEREAS**, Hillsborough benefits from the leadership and representation of women who embody gender equality, including the Honorable Jennifer Weaver, the first woman Mayor of Hillsborough from 2019 to 2023; Commissioner Evelyn Lloyd, the longest-serving woman on the Hillsborough Town Board of Commissioners at 33+ years; Commissioner Phyllis Portie-Ascott, Orange County Board of Commissioners, District 2; Congresswoman Valerie Foushee of North Carolina Congressional District 4; and Representative Renee Price of North Carolina General Assembly District 50; and

**WHEREAS**, Hillsborough is home to the Northern Orange Branch of the NAACP, an organization devoted to ending racial discrimination and which joins in a statewide effort to honor and acknowledge women annually, and as an organization has been led by numerous women leaders from our community; and

**WHEREAS**, Hillsborough honors organizations like the League of Women Voters, serving the people of Orange, Durham and Chatham Counties, that work to protect and expand voting rights and defend democracy through advocacy, education, and litigation, at the local, state and national levels; and

**WHEREAS**, Hillsborough is committed to advancing gender equity and protecting women's rights and to making equity and inclusion a reality in the town's policies and procedures and throughout the community;

**NOW, THEREFORE**, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim Aug. 26, 2024, as Women's Equality Day in the Town of Hillsborough.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 12<sup>th</sup> day of August in the year 2024.



*Mark Bell*

Mark Bell, Mayor  
Town of Hillsborough



## ORDINANCE

### Amending Article VII – Recreation, Section 3-49.a Skateboard Park Regulations

The Hillsborough Board of Commissioners ordains:

**Section 1.** The Code of Ordinances shall be amended by adding the following Section 3-49.a, Skateboard Park Regulations.

#### **Section 3-49.a. Skateboard Park Regulations**

##### **1. Definitions.**

The following definitions apply to this section:

- (a) *Hazardous recreational activity*: Skateboarding, inline skating, or freestyle bicycling.
- (b) *Inherent risk*: Dangers or conditions that are characteristic or intrinsic to, or an integral part of skateboarding, inline skating, and freestyle bicycling.
- (c) *Skateboard Park*: A facility established on town-owned property which is designed for the purpose of engaging in hazardous recreational activities, and which is specifically designed by the town for such use.

##### **2. Responsibilities of the User.**

- (a) All users of the skateboard park shall wear a helmet, elbow pads, and knee pads at all times while engaging in hazardous recreational activities.
- (b) Any person who observes, participates in or assists in hazardous recreational activities assumes the known and unknown inherent risks in these activities, irrespective of age, and is legally responsible for all damages, injury or death to himself or herself or other persons or property that results from these activities.
- (c) While engaged in hazardous recreational activities, irrespective of where such activities occur, a participant is responsible for doing all of the following:
  - (i) Acting within the limits of his or her ability and the purpose and design of the equipment used.
  - (ii) Maintaining control of his or her person and equipment used.
  - (iii) Refrain from acting in any manner that may cause or contribute to death or injury of himself or herself or other persons or property.
  - (v) Failure to comply with the requirements of this section shall constitute negligence as provided in North Carolina General Statute 99E-24 c.

##### **3. Notice.**

The town shall post signage at its skateboard park, affording reasonable notice to all users, as follows:

- (a) Any person engaged in hazardous recreational activity at the skateboard park must wear a helmet, elbow pads, and kneepads at all times.
- (b) The town does not provide regular supervision of the skateboard park.
- (c) Users of the skateboard park assume all risks associated with the use of the skateboard park, and
- (d) Failure to comply with these requirements for use may subject the violator to sanctions as provided in this ordinance.



**4. Sanctions.**

In addition to any other penalties stated in the Town Code of Ordinances, any person who violates the provisions of this section may be subject to sanctions imposed by the town, including, but not limited to, suspension or permanent revocation of the privilege to use the skateboard park and assessment for the full cost of any damage to the skateboard park caused by the person.

**5. Town immune from liability.**

The Town of Hillsborough, including its officials, employees, and agents, shall not be liable to any person who voluntarily participates in hazardous recreational activities for any damage or injury to property or persons that arises out the person's participation in the activity and that takes place at a skateboard park.

**6. Hours of Operation.**

It shall be unlawful for any person to be present on the premises of the town's skateboard park and recreation facility outside the posted normal hours of operation, except for town employees or contractors conducting town business thereon and for emergency and law enforcement personnel on official business.

**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 12<sup>th</sup> day of August in the year 2024.

Ayes: 4

Noes: 0

Absent or excused: 1



*Sarah E. Kimrey*

Sarah E. Kimrey, Town Clerk