



Minutes

Board of Commissioners Regular Meeting

7 p.m. Oct. 13, 2025

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

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

Staff: Assistant Town Manager and Community Services Director Matt Efird, Engineering Services Manager Bryant Green, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Communications Specialist JC Leser-McMinn, Town Manager Eric Peterson and Chief of Police Jason Winn

Opening of the meeting

Mayor Mark Bell called the meeting to order at 7:07 p.m.

1. Public charge

Bell did not read the public charge.

2. Audience comments not related to the printed agenda

Item 2 was addressed after Item 4A. Four community members voiced opposition to automated license plate readers, citing privacy concerns, ineffective protection for marginalized communities, data management issues and previous cybersecurity breaches. They said such surveillance technology encourages over-policing and misuse by authorities and fails to provide evidence of enhancing community safety.

3. Agenda changes and approval

- Move Item 4A – Presentations to before Item 2.
- Add Item 8B – 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 – KEPSC Hillsborough LLC litigation.

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

Vote: 5-0.

4. Presentations

A. Chief of Police Swearing-In Ceremony

The mayor administered the oath of office to Jason Winn as the new Hillsborough police chief. Winn thanked his family, law enforcement colleagues and town officials for their support. He expressed gratitude to his wife for her encouragement and said he considered it an honor to serve the community.

5. Items for decision – consent agenda

A. Minutes

– Regular meeting Sept. 8, 2025

- Work session Sept. 22, 2025
- Work session closed session Sept. 22, 2025

- B. Miscellaneous budget amendments and transfers
- C. Ordinance Amending Chapter 14 Article 3 – Modify Town and Customer Sewer Lateral Responsibilities
- D. Water and Sewer Extension Contract Renewal for Tryon III Project
- E. Special Event Permit – Team PHenomenal Hope 5K Run/Walk
- F. Special Event Permit – Hillsborough Holiday Bazaar
- G. Communities on the Move temporary funding request

Motion: Hughes moved to approve all items on the consent agenda, including the revised memorandum of understanding that was provided to the commissioners. Ferguson seconded.
Vote: 5-0. Nays: None.

6. Items for decision – regular agenda

- A. Orange County Land Use Plan Coordination

Assistant Town Manager Matt Efird presented information regarding Orange County's land use plan update. He said the Board of County Commissioners was holding workshops to address specific questions, and town staff would be presenting to the county board the following day.

The presentation included information previously shared with the town board, with additions emphasizing:

- The impact of county development decisions on town infrastructure, particularly traffic north of U.S. 70.
- Utility capacity constraints and the town's financial limitations regarding expansion.
- The high cost of adding capital projects to the utility system.
- The town's prioritization of infill and redevelopment rather than expansion.
- The Falls Lake Rules as a major constraint on wastewater capacity.
- Opposition to additional point discharges, including wastewater treatment plants, in the upper Neuse River Basin.

Board members expressed support for staff's approach to the upcoming meeting with the county commissioners and stressed the importance of clearly communicating Hillsborough's position on growth, utilities and land use.

- B. Hot topics for work session Oct. 27, 2025

The town manager said the upcoming work session would include a progress report on the Comprehensive Sustainability Plan.

7. Updates

- A. Board members

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

- B. Town manager

The manager had no additional updates.

- C. Staff (written reports in agenda packet)

There were no additional updates.

Motion: Ferguson moved to go into closed session. Hughes seconded.
Vote: 5-0.

8. Closed session

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

Motion: Commissioner Meaghun Darab moved to return to open session. Ferguson seconded.
Vote: 5-0.

9. Adjournment

Motion: Darab moved to adjourn at 9:23 p.m. Ferguson seconded.
Vote: 5-0.

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

DRAFT

Budget Adjustment Report

Adjustment Detail

For Date Range: 10/13/2025 - 10/13/2025

Town of Hillsborough, NC

Account Number	Account Name	Packet Number	Post Date	Original Budget	Budget Adjustments Amount	Current Budget
Adjustment Number	Adjustment Description					
Budget Code: 2025-2026 - Budget 2025-2026 Fiscal: 2025-2026						
Fund: 10 - GENERAL						
Department: 3900 - FUND BALANCE APPROPRIATION						
10-00-3900-3900000	FUND BALANCE APPROPRIATION			-207,819.00	-30,000.00	-237,819.00
BA0000192	Chantal Expense	GLPKT01410	10/13/2025		-30,000.00	
Department 3900 Total:				-207,819.00	-30,000.00	-237,819.00
Department: 4000 - DISASTER						
10-10-4000-5300155	MAINT - PARKS			0.00	1,350.00	1,350.00
BA0000193	TS Chantal: Cover Overages	GLPKT01424	10/13/2025		1,350.00	
10-10-4000-5300158	MAINT - EQUIPMENT			0.00	4,000.00	4,000.00
BA0000193	TS Chantal: Cover Overages	GLPKT01424	10/13/2025		4,000.00	
10-10-4000-5300570	MISCELLANEOUS			0.00	24,650.00	24,650.00
BA0000192	Chantal Expense	GLPKT01410	10/13/2025		30,000.00	
BA0000193	TS Chantal: Cover Overages	GLPKT01424	10/13/2025		-5,350.00	
Department 4000 Total:				0.00	30,000.00	30,000.00
Department: 4200 - ADMINISTRATION						
10-10-4200-5300113	LICENSE FEES			30,117.00	1,200.00	31,317.00
BA0000182	Clerk minutes software subscription	GLPKT01241	10/13/2025		1,200.00	
10-10-4200-5300467	CS - MINUTES PREPARER			10,000.00	-1,200.00	8,800.00
BA0000182	Clerk minutes software subscription	GLPKT01241	10/13/2025		-1,200.00	
Department 4200 Total:				40,117.00	0.00	40,117.00
Department: 5100 - POLICE						
10-20-5100-5300158	MAINT - EQUIPMENT			2,000.00	3,700.00	5,700.00
BA0000191	Radio Flashing	GLPKT01387	10/13/2025		3,700.00	
10-20-5100-5300330	SUPPLIES - DEPARTMENTAL			95,477.00	-20,000.00	75,477.00
BA0000190	Body Cameras	GLPKT01386	10/13/2025		-16,300.00	
BA0000191	Radio Flashing	GLPKT01387	10/13/2025		-3,700.00	
10-20-5100-5300458	DATA PROCESSING SERVICES			39,515.00	16,300.00	55,815.00
BA0000190	Body Cameras	GLPKT01386	10/13/2025		16,300.00	
Department 5100 Total:				136,992.00	0.00	136,992.00
Fund 10 Total:				-30,710.00	0.00	-30,710.00
Fund: 30 - WATER/SEWER						
Department: 3900 - FUND BALANCE APPROPRIATION						
30-80-3900-3900000	FUND BALANCE APPROPRIATION			-675,666.00	-2,225.00	-677,891.00
BA0000185	WTP Sludge Removal	GLPKT01275	10/13/2025		-1,375.00	
BA0000186	Concrete repair at Churton Grove	GLPKT01276	10/13/2025		-850.00	
Department 3900 Total:				-675,666.00	-2,225.00	-677,891.00
Department: 4000 - DISASTER						
30-80-4000-5300335	SUPPLIES - DISASTER			0.00	2,348.00	2,348.00
BA0000180	Chantal Expenses	GLPKT01238	10/13/2025		2,348.00	
30-80-4000-5300338	SUPPLIES - DATA PROCESSING			0.00	-2,348.00	-2,348.00
BA0000180	Chantal Expenses	GLPKT01238	10/13/2025		-2,348.00	
30-80-4000-5300570	MISCELLANEOUS			0.00	850.00	850.00
BA0000186	Concrete repair at Churton Grove	GLPKT01276	10/13/2025		850.00	
Department 4000 Total:				0.00	850.00	850.00

Budget Adjustment Report**For Date Range: 10/13/2025 - 10/13/2025**

Account Number	Account Name	Packet Number	Post Date	Original Budget	Budget Adjustments Amount	Current Budget
Adjustment Number	Adjustment Description					
Department: 8120 - WATER TREATMENT PLANT						
30-80-8120-5300485	CS - INSTRUMENT MAINT			6,000.00	-14.00	5,986.00
BA0000183	Pump Station Monitoring	GLPKT01263	10/13/2025		-14.00	
30-80-8120-5300550	SLUDGE REMOVAL			90,900.00	1,375.00	92,275.00
BA0000185	WTP Sludge Removal	GLPKT01275	10/13/2025		1,375.00	
Department 8120 Total:				96,900.00	1,361.00	98,261.00
Department: 8140 - WATER DISTRIBUTION						
30-80-8140-5300478	CS - PUMP STA MONITORING			5,000.00	14.00	5,014.00
BA0000183	Pump Station Monitoring	GLPKT01263	10/13/2025		14.00	
Department 8140 Total:				5,000.00	14.00	5,014.00
Department: 8200 - WASTEWATER COLLECTION						
30-80-8200-5300330	SUPPLIES - DEPARTMENTAL			70,000.00	-11,527.00	58,473.00
BA0000184	Adjust overages	GLPKT01266	10/13/2025		-11,527.00	
30-80-8200-5300458	DATA PROCESSING SERVICES			0.00	9,867.00	9,867.00
BA0000184	Adjust overages	GLPKT01266	10/13/2025		9,867.00	
30-80-8200-5300530	DUES & SUBSCRIPTIONS			2,500.00	1,660.00	4,160.00
BA0000184	Adjust overages	GLPKT01266	10/13/2025		1,660.00	
Department 8200 Total:				72,500.00	0.00	72,500.00
Department: 8220 - WASTEWATER TREATMENT PLANT						
30-80-8220-5100010	OVERTIME COMPENSATION			5,000.00	3,000.00	8,000.00
BA0000184	Adjust overages	GLPKT01266	10/13/2025		3,000.00	
30-80-8220-5300158	MAINT - EQUIPMENT			130,380.00	-3,000.00	127,380.00
BA0000184	Adjust overages	GLPKT01266	10/13/2025		-3,000.00	
Department 8220 Total:				135,380.00	0.00	135,380.00
Fund 30 Total:				-365,886.00	0.00	-365,886.00
Fund: 78 - COMMITTED FUNDS - GENERAL FUND						
Department: 5100 - POLICE						
78-71-5100-5970010	TRANSFER TO FUND 60 - POLICE STATION			50,000.00	-50,000.00	0.00
BA0000188	Adj per actual	GLPKT01282	10/13/2025		-50,000.00	
78-71-5100-5970919	TRANSFER TO GF - POLICE STATION			0.00	50,000.00	50,000.00
BA0000188	Adj per actual	GLPKT01282	10/13/2025		50,000.00	
Department 5100 Total:				50,000.00	0.00	50,000.00
Fund 78 Total:				50,000.00	0.00	50,000.00
Budget Code 2025-2026 Total:				-346,596.00	0.00	-346,596.00

Budget Adjustment Report

Description

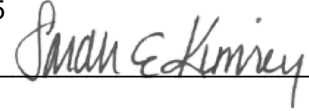
Fund Summary

Description	Fund	Original Budget	Budget Adjustments	Current Budget
Budget Code: 2025-2026 - Budget 2025-2026 Fiscal: 2025-2026				
	10	-30,710.00	0.00	-30,710.00
	30	-365,886.00	0.00	-365,886.00
	78	50,000.00	0.00	50,000.00
Budget Code 2025-2026 Total:		-346,596.00	0.00	-346,596.00

APPROVED: 5/0

DATE: 10/13/25

VERIFIED: _____



DRAFT



ORDINANCE

Chapter 14 - Article III Town and Customer Responsibilities

Modifications to Sewer Lateral Ownership and Other Clarifications

WHEREAS, the following modifications to the code language seek to clarify town and customer responsibilities related to the water and wastewater system owned by the town; and

WHEREAS, the most significant modification is to change sewer lateral ownership responsibility of a sewer lateral serving a customer between the sewer main and right-of-way or easement regardless of presence of a sewer clean out to the town where formerly the customer would own to the sewer main where no sewer clean out was present.

NOW, THEREFORE, the Hillsborough Board of Commissioners ordains:

Section 1. Section 14-21. Town's responsibility and liability is modified as follows:

The town shall:

- (1) Own and maintain the town's water mains, including water service connections, within the public right-of-way or easement, to the water meter;
- (2) Own and maintain the town's sewer mains and sewer laterals existing within the public right-of-way or easement;
- (3) Refuse or terminate service if there is a cross connection to a private water supply, no backflow protection, or no sewer cleanout if one has been required under section 14-22(7) or other town policies or specifications;
- (4) Assume liability for damage only if such damage results directly from the town's negligence;
- (5) Assume no liability for damage done by or resulting from any defects in the piping, fixtures, or appliances on the customer's premises or improper use of the system by the customer, guest or tenant;
- (6) Assume no liability for the negligence of third persons;
- (7) Be responsible for water services from the water main to the public right-of-way or easement, unless the water meter is located beyond the property line. In such cases, the town will be responsible for the water service to the meter, yet will reserve the right to relocate, or require relocation by the owner in the case of redevelopment, said water meter to the right-of-way or easement in accordance with the town specifications and standard details;
- (8) Be responsible for sewer laterals from the public sewer main to the public right-of-way or easement. If an existing sewer cleanout is not present at the public right-of-way or easement for ownership delineation, the town reserves the right to require installation of one by the owner in accordance with town specifications and standard detail. The town may agree to perform this work if resources allow but may require reimbursement and grant of property access from the customer.

Section 2. Section 14-22. Customer's responsibilities is modified as follows:

The customer shall:

- (1) Maintain the private water and sewer system at the customer's expense in a safe and efficient manner in accordance with the applicable state and local regulations.
 - a. The town shall not undertake to repair the town's water or sewer mains until it has been determined that the disrepair, stoppage, or other impediment to the proper functioning of such main exists within the town's system or that the town is otherwise responsible for having caused, created, or aggravated the disrepair, stoppage or other impediment.
 - b. If the customer claims that the cause of a disturbance or stoppage exists within the town's system and an investigation discloses that such disturbance was caused by or exists in the private system for which the customer is responsible, the customer shall pay to the town the actual cost of making such investigation.
 - c. If the investigation discloses that the cause of such disturbance or stoppage is in a part of the system for which the town is responsible and due to a defect in or failure of the piping for which the customer was not responsible, the town shall make such repair without charging the property owner for the repair or investigation.
- (2) Guarantee protection of town facilities or equipment located on the customer's property;
- (3) Pay the cost of relocating town owned facilities and equipment if performed at the customer's request;
- (4) Not make or cause to be made any cross connection with a private water supply;
- (5) Install proper and adequate backflow prevention devices where required by town code;
- (6) Install a pressure-reducing valve if deemed necessary by the town;
- (7) Install a sewer cleanout to town specifications and standard detail at the public right-of-way or easement when deemed required by the town for proper delineation and functioning of the system;
- (8) Be responsible to the town for damage to town property that is the fault of the customer, their guest or tenant. The cost of repairing or replacing such property will be added to the customer's monthly water bill or invoiced separately;
- (9) Secure and record any easements required to extend the public system or provide service to customer property, providing proof of recordation, if allowable by the town and in accordance with established town requirements;
- (10) Convey to the town, at no cost to the town, a perpetual easement or right-of-way across any property owned by the customer that is necessary to allow town access and maintenance of the public system as requested by such customer or developer with such easement or right-of-way satisfying established town requirements;
- (11) Be responsible for the water service and plumbing from the discharge end of the water meter to the served structure(s) and plumbing termination. If the existing water meter is not at the property line, the customer shall allow the town to access the property to relocate said water meter to the right-of-way or edge of easement.
- (12) Be responsible for the sewer lateral and plumbing from the boundary of the public right-of-way or easement to the served structure(s) and plumbing termination.

- (13) Be responsible for evaluation and full renewal or relocation of an existing water service or sewer lateral as deemed necessary in the case of redevelopment, or installation of any new water service and sewer lateral in the case of new development. Both scenarios require adherence to established town requirements.
- (14) Maintain sufficient clearances around town water and sewer apparatus located near or on customer's property to enable access, operation, and maintenance of said apparatus. No plants, objects, or structures shall be located within the required clearances. If any grading (raising or lowering of the existing ground level) is desired within this clearance, the customer shall coordinate with the town utilities department to ensure that the utility devices remain accessible, and customer shall be responsible for any costs of related modifications. Clearance requirements shall include the area completely surrounding each apparatus, as measured from the center point of the device (radius), as follows:
- a. Fire hydrants: Three feet;
 - b. Manholes and concrete vaults: Six feet;
 - c. Water meters, valve boxes, sewer cleanouts, and other utilities apparatus not listed: Two feet.

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 13th day of October in the year 2025.

Ayes: 5

Noes: 0

Absent or excused: 0



A handwritten signature in cursive script, reading 'Sarah E. Kimrey', is written over a horizontal line.

Sarah E. Kimrey, Town Clerk