



Minutes

Board of Commissioners Work Session

7 p.m. March 25, 2024

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

Present: Mayor Mark Bell and commissioners Meaghun Darab, Robb English and Matt Hughes
Absent: Commissioners Kathleen Ferguson (remote) and Evelyn Lloyd
Staff: Assistant Town Manager and Community Services Director Matt Efird, Lead for NC Fellow Marshall Grayson, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Town Manager Eric Peterson and Sustainability Manager Stephanie Trueblood

1. Opening of the work session

Mayor Mark Bell called the meeting to order at 7:02 p.m.

2. Agenda changes and approval

There were none.

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

Vote: 3-0.

3. Items for decision - consent agenda

- A. Miscellaneous budget amendments and transfers
- B. Amendment to Fiscal Year 2024 Fees and Charges Schedule
- C. Proclamation recognizing April 2024 as Native Plant Month
- D. Proclamation recognizing April 2024 as Sexual Assault Awareness Month
- E. Letter of support for the Occaneechi Band of the Saponi Nation for its efforts in rebuilding the Occaneechi Replica Village
- F. Special Event Permit – River Park Concert
- G. Special Event Permit – The Fast and the Furriest 5k for the Animals
- H. Ordinance amending Chapter 2, Section 2-17 of the Code of Ordinances – Audio and Video Recordings

Motion: Darab moved to approve all items on the consent agenda. Commissioner Robb English seconded.

Vote: 3-0. Nays: 0.

3. In-depth discussion and topics

Item 4B was discussed first.

- A. Presentation of draft final U.S. 70 Multimodal Corridor Study
Orange County Transportation Director Nish Trivedi presented an update on the final draft of the Orange County U.S. 70 Multimodal Corridor Study. The study covers U.S. 70 from Mebane to Durham, including U.S. 70 Business through Hillsborough. The study is intended to improve bicycle and pedestrian connections, transit access and intersection safety.

Trivedi provided information on the study's background and public engagement efforts throughout the development process. He also identified key recommendations, which included:

- Extending sidewalk connectivity to anticipated growth areas within Orange County.
- Updating the Efland-Buckhorn-Mebane Access Management Plan to include pedestrian, bicycle and transit connectivity recommendations.
- Reducing speed throughout Hillsborough, preferably to 35 mph.
- Improving intersections throughout town.
- Promoting transit-oriented development.

Trivedi said the recommendations were derived from Hillsborough's comprehensive sustainability plan and Fiscal Year 2024-26 strategic plan, highlighting collaboration between the county and town. He asked the board to approve two specific recommendations:

- Approving the U.S. 70 Multimodal Corridor Study for portions of segments C, D and F within town limits.
- Endorsing the study outside town limits.

The board asked questions on sidewalk requirements and on concerns from other governing bodies that have not yet approved the study. Trivedi said Orange County is working with the Orange County Unified Transportation Board to address concerns. The town board also asked for more public education to be provided once the study is enacted.

Public Space and Sustainability Manager Stephanie Trueblood stated her approval of the study, highlighting that the recommendations are in line with town goals. She also emphasized the importance of establishing an official study now to leverage federal and state funding in the future.

Motion: English moved to approve the U.S. 70 Multimodal Corridor Study for portions of segments C, D and F within Hillsborough town limits and outside of town limits, conditional of approval from the Orange County Unified Transportation Board.

Vote: 3-0.

B. Ordinance amending Section 13-4 of the Code of Ordinances – Disruptive Activity Prohibited

Public Space and Sustainability Manager Stephanie Trueblood presented a text amendment to the town code restricting active recreation, such as sports, on town-owned cemetery grounds. In addition, Trueblood explained that new cemetery rule signage will be installed at all town cemeteries and temporary signs addressing off-leash pets and pet waste will be placed at cemeteries and other prominent public spaces.

The board asked questions about restrictions for certain recreation, such as picnicking, and rules for animals related to burial procedures, such as the use of horses for military funerals. Commissioner Kathleen Ferguson requested more restrictive rules within the town code for the Old Town Cemetery and Margaret Lane Cemetery given their greater historical significance. The board also discussed allowing leashed pets within cemeteries grounds but not on the graves.

The board expressed a desire to provide more education on town cemeteries and their history. Bell asked Trueblood to add a preamble to the ordinance stating the town's view on cemeteries as important historic and cultural locations.

Bell asked Trueblood to continue updating the amendment by working with Town Attorney Bob Hornik and subject matter experts to clarify rules for each cemetery and to verify that restrictions do not conflict with cultural practices. Darab asked that educational efforts and temporary signage move forward before the

code is finalized. Trueblood said permanent cemetery rule signage will not be installed until the code is updated.

C. Ordinance amending Chapter 2, Section 2-18 of the Code of Ordinances – Remote Participation at Board of Commissioners Meetings

Town Clerk and Human Resources Technician Sarah Kimrey presented a draft ordinance that would allow board members to virtually join meetings when they cannot physically attend.

Kimrey explained that town staff have worked with town attorneys and the University of North Carolina School of Government staff to research state law related to remote board participation. Their research concluded that legal authority is not clear. Therefore, the proposed amendment allows board members to participate in official Board of Commissioners meetings only under specific conditions.

Board members may virtually participate in meetings only when:

- A quorum of the board is physically present at the meeting.
- Notice is given to the mayor, town manager and town clerk at least 24 hours in advance.
- The member has means to engage in clear, direct, and simultaneous communication with the board in a manner that those in attendance can hear that member.

Additionally:

- The member may engage in deliberations but not vote nor be counted for a quorum.
- The minutes must reflect that the remote board member was not physically present.
- The member may participate in a closed session if no other person can hear, see, or participate from the remote location.
- The member may not participate in any quasi-judicial or public hearing proceeding.
- The mayor pro tem or other physically present designee shall preside at the official meeting if the mayor is participating from a remote location.

Motion: Darab moved to approve the amendment as presented. Hughes seconded.

Vote: 3-0.

D. Update on legislative priorities for Hillsborough

The board discussed an updated list of town legislative priorities for 2024, which included:

- Affordable and workforce housing.
- Water and sewer affordability and infrastructure maintenance.
- Transportation and connectivity.
- Environmental sustainability and carbon reduction goals.
- Preemption of local government authority.
- Shortage of qualified finance professionals and auditors.

The board discussed preemption in relation to maintaining control over water systems. Town Manager Eric Peterson said preemption or a forced merger with another water system was unlikely given the town's unique geographic layout and the immense cost to transition control.

Motion: Hughes moved to adopt Hillsborough's legislative priorities. Darab seconded.

Vote: 3-0.

5. Committee updates and reports

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

Peterson provided an update on the budget. He said the town is facing large deficits within both the general and water and sewer funds.

6. Adjournment

Bell adjourned the meeting at 9:07 p.m.

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

DRAFT

FY 2023-2024

TOWN OF HILLSBOROUGH
 BUDGET CHANGES REPORT

DATES: 03/25/2024 TO 03/25/2024

	REFERENCE	CHANGE NUMBER	DATE	USER	ORIGINAL BUDGET	BUDGET CHANGE	AMENDED BUDGET
GF	10-00-9990-5300-000 CONTINGENCY						
Contingency	Revenue bond admin fees	41725	03/25/2024	EBRADFORI	450,000.00	-5,500.00	5,078.00
Public Space	10-10-6300-5300-155 MAINTENANCE - PARKS						
	To cover park repairs	41713	03/25/2024	EBRADFORI	25,000.00	10,000.00	72,744.38
Public Space	10-10-6300-5300-330 SUPPLIES - DEPARTMENTAL						
	To cover park repairs	41714	03/25/2024	EBRADFORI	25,000.00	-10,000.00	27,494.11
Safety & Risk	10-10-6600-5300-158 MAINTENANCE - EQUIPMENT						
	To cover AED batteries and pads.	41715	03/25/2024	JFernandez	5,600.00	-5,300.00	300.00
Safety & Risk	10-10-6600-5300-332 SUPPLIES - OSHA						
	To cover AED batteries and pads.	41716	03/25/2024	JFernandez	50,775.00	5,300.00	63,994.55
Police	10-20-5100-5300-330 SUPPLIES - DEPARTMENTAL						
	Move to correct account - evidence room	41726	03/25/2024	JFernandez	115,325.00	-32,350.00	89,491.86
Police	10-20-5100-5700-735 CAPITAL - BUILDINGS & IMPROVEMENTS						
	Move to correct account - evidence room	41727	03/25/2024	JFernandez	0.00	32,350.00	77,622.50
Streets	10-30-5600-5300-530 DUES AND SUBSCRIPTIONS						
	To cover APWA dues	41717	03/25/2024	EBRADFORI	400.00	50.00	450.00
Streets	10-30-5600-5300-570 MISCELLANEOUS						
	To cover APWA dues	41718	03/25/2024	EBRADFORI	1,000.00	-50.00	472.00
Solid Waste	10-30-5800-5300-310 GASOLINE						
	Garbage Truck Graphics	41705	03/25/2024	EBRADFORI	58,000.00	-3,600.00	54,400.00
	To cover new SW truck graphics	41728	03/25/2024	EBRADFORI	58,000.00	-200.00	54,200.00
Solid Waste	10-30-5800-5300-330 SUPPLIES - DEPARTMENTAL						
	Garbage Truck Graphics	41706	03/25/2024	EBRADFORI	2,500.00	3,600.00	7,375.00
	To cover new SW truck graphics	41729	03/25/2024	EBRADFORI	2,500.00	200.00	7,575.00
W&S Revenue	30-00-3850-3850-000 INTEREST EARNED						
	Adj to actual	41723	03/25/2024	EBRADFORI	10,000.00	20,000.00	30,000.00
W&S Revenue	30-80-3500-3528-000 ENGINEERING REVIEW FEES						
	Adj to actual	41563	03/25/2024	EBRADFORI	2,000.00	16,000.00	18,000.00
Utilities Admin.	30-80-7220-5300-583 MISC-TAX, TAGS, ETC.						
	Replace Admin Escape	41722	03/25/2024	EBRADFORI	0.00	1,000.00	1,000.00
Utilities Admin.	30-80-7220-5700-740 CAPITAL - VEHICLES						
	Replace Admin Escape	41720	03/25/2024	EBRADFORI	0.00	35,000.00	35,000.00
WFER	30-80-8130-5300-570 MISCELLANOUS						
	Revenue bond admin fees	41724	03/25/2024	EBRADFORI	2,600.00	5,500.00	6,900.00
Water Dist.	30-80-8140-5300-330 SUPPLIES - DEPARTMENTAL						
	For split purchase of lawn mower.	41730	03/25/2024	JFernandez	131,440.00	-610.00	128,969.64
WW Collect.	30-80-8200-5700-741 CAPITAL - EQUIPMENT						
	For split purchase of lawn mower.	41731	03/25/2024	JFernandez	20,000.00	610.00	208,451.79
						<u>72,000.00</u>	

APPROVED: 3/0

DATE: 3/25/24

VERIFIED: _____

Saman E. Kimrey



PROCLAMATION Native Plant Month April 2024

WHEREAS, native plants are indigenous species that have evolved and occur naturally in a particular region, ecosystem, and habitat; and

WHEREAS, native plants are vital for maintaining and restoring the healthy ecosystem needed to sustain our environment, including seed dispersal; pollination of crops and natural vegetation; prevention of flooding, drought, and erosion; regulation of disease-carrying organisms; and moderation of weather extremes; and

WHEREAS, North Carolina is home to more than 3,900 native plant species, including trees, shrubs, vines, grasses, and wildflowers, making it one of the most diverse states for native plants in the Southeast; and

WHEREAS, native plants provide shelter as well as nectar, pollen, and seeds that serve as food for native butterflies, insects, birds, amphibians and other wildlife in ways that non-native plants cannot; and

WHEREAS, 969 of the native plant species in North Carolina have been designated as significantly rare and/or in decline and may be in danger of extinction; and

WHEREAS, 94 of those 969 imperiled plants have been found in Orange County;

NOW, THEREFORE, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim April 2024 as **Native Plant Month** to recognize the many benefits of native plants to the environment and economy of 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 25th day of March in the year 2024.



Mark Bell

Mark Bell, Mayor
Town of Hillsborough



PROCLAMATION

Recognizing April 2024 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 2023 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 10,000 youth and adults each year; 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, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim April 2024 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 25th day of March in the year 2024.



Mark Bell

Mark Bell, Mayor
Town of Hillsborough



March 25, 2024

From: Mayor Mark Bell
Hillsborough Board of Commissioners
Re: Minnette C. Duffy Award Nomination

To: Preservation North Carolina

I am writing to express my wholehearted support for the Occaneechi Band of the Saponi Nation and their remarkable efforts in rebuilding the Occaneechi Replica Village for this year's Minnette C. Duffy Landscape Preservation Award. The significance of this project to the community of Hillsborough cannot be overstated.

Along with other members of the Hillsborough community, I have personally worked many hours on building and maintaining the Occaneechi Replica Village under the direction of tribal leaders and can attest that it stands not only as a testament to the rich cultural heritage of the Occaneechi people but also as a beacon of unity and understanding within our community. Through their meticulous reconstruction efforts, the Occaneechi Band of the Saponi Nation has brought to life a piece of history that serves as a valuable educational resource and a source of pride for all who call Hillsborough home.

Beyond its historical and cultural importance, the Occaneechi Replica Village serves as a gathering place for community members of all backgrounds. It fosters a sense of belonging and connection, offering a space where individuals can come together to celebrate diversity and learn from one another.

Moreover, the dedication and passion demonstrated by the Occaneechi Band of the Saponi Nation in preserving and sharing their heritage are truly commendable. Their commitment to honoring the traditions of their ancestors while embracing the evolving needs of the community inspires us all.

In conclusion, I wholeheartedly endorse the Occaneechi Band of the Saponi Nation's nomination for their work on rebuilding the Occaneechi Replica Village. Their efforts have not only enriched the cultural fabric of Hillsborough but have also strengthened the bonds of friendship and understanding among its residents. Thank you for the opportunity to offer my support for this important initiative.

Sincerely,

Mark Bell

Mayor Mark Bell

Cc:

Mayor Pro Tem Robb English
Commissioner Meaghun Darab
Commissioner Kathleen Ferguson
Commissioner Matt Hughes
Commissioner Evelyn Lloyd



ORDINANCE

Amending Chapter 2, Section 2-17 of the Code of Ordinances – Audio and Video Recordings of Board of Commissioners Meetings

The Hillsborough Board of Commissioners ordains:

Section 1. Chapter 2, Article II, of the Hillsborough Code of Ordinance is amended to add Section 2-17, titled "Audio and video recordings of Board of Commissioners meetings," as follows:

- (a) Audio and video recordings of Board of Commissioners meetings shall be retained permanently.
- (b) Audio recordings of Board of Commissioners closed session meetings shall be destroyed in office after approval of the official written minutes.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 25th day of March in the year 2024.

Ayes: 3
Noes: 0
Absent or excused: 2





Sarah E. Kimrey, Town Clerk



ORDINANCE

Amending Chapter 2, Section 2-18 of the Code of Ordinances – Remote Participation at Board of Commissioners Meetings

WHEREAS, to promote full participation of board members while ensuring access and transparency for the public as required by the Open Meetings Law, G.S. § 143-318.9, the board desires to amend its rules of procedures in Chapter 2 of the town code to allow members to participate through electronic means when member(s) are unable to be physically present at an official meeting.

NOW, THEREFORE, the Hillsborough Board of Commissioners ordains:

Section 1. Chapter 2, Article II, of the Hillsborough Code of Ordinances is amended to add Section 2-18, titled "Remote participation by board members," as follows:

Board members may participate remotely in any duly called Board of Commissioners meeting or workshop under the following conditions:

- (a) A quorum of the board is physically present at the meeting; and
- (b) Notice is given to the mayor, town manager and town clerk at least 24 hours in advance; and
- (c) The member may engage in deliberations but not vote nor be counted for a quorum; and
- (d) The member has means to engage in clear, direct, and simultaneous communication with the board in a manner that those in attendance can hear the member attending remotely; and
- (e) The minutes must reflect that the remote board member was not physically present; and
- (f) A member entitled to participate in open session deliberations may participate in a closed session if no other person can hear, see, or participate from the remote location; and
- (g) A remote member may not participate in any quasi-judicial or public hearing proceeding; and
- (h) If the mayor is participating from a remote location, the mayor pro tem or other physically present designee shall preside at the official meeting.

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 25th day of March in the year 2024.

Ayes: 3
Noes: 0
Absent or excused: 2



Sarah E. Kimrey, Town Clerk



TOWN OF HILLSBOROUGH

2024 Legislative, Strategic, & Capital Priorities

- ✓ Affordable and workforce housing. The town is doing what it can within our resource limitations (moving towards a two cents equivalent of property tax yield) to assist with homeless prevention and affordability but need assistance from the state to incentivize increasing the supply of affordable housing. To help meet the workforce demands of a growing regional economy, Hillsborough seeks assistance such as tax incentives, grants, subsidies, and housing trust funds to help offset the costs and make projects financially feasible to increase the supply of workforce housing.
- ✓ Water & sewer affordability and system maintenance needs. Assistance for water and sewer infrastructure upgrades and repairs, capital needs is a top priority, especially since this is a major equity issue.
 - The town has \$40 million in just wastewater collection system needs, much of which needs to be installed in the next few years.
 - As rates increase to address aging infrastructure and system reliability, these actions have a disproportionate impact on those in our community struggling the most to pay for life's essentials, such as those on fixed, and low to moderate incomes.
 - Many parts of Hillsborough's water and sewer system are over 50 years old with some closer to 100 years old. For example, the Hassell Street water tank is over 90 years old and still in service. Replacing this one tank alone will cost approximately \$3.5 million.
- ✓ Transportation and connectivity. Funding assistance with bike, pedestrian, public transportation, roadways, and integrating them to build a coordinated multi-modal system. The train station, future projects, such as Ridgewalk (north to south bike/ped connector), EV stations, and other projects in the planning stages have the opportunity to be transformative for our community.
- ✓ Environmental sustainability and meeting carbon reduction goals. In addition to meeting the town's aggressive carbon reduction goals, sustainability covers encouraging development that protects limited water and sewer availability, water quality through the stormwater management program, and guiding development through plans that help address these and other environment priorities.
- ✓ Local government pre-emption. Please keep an eye on potential legislation that would give local government authority in all areas (e.g., planning and development related). This is particularly important to Hillsborough as a local government that has our own water and sewer utility with very limited capacity.
- ✓ Statewide shortage of qualified individuals to serve as finance directors, technical accounting and finance staff, and auditing firms. The shortage of local government staff and accounting firms with resources to perform annual audits has become a crisis. Approximately 25% of local governments have found themselves on the State Treasurer's and Local Government Commission Unit Assistance List. This is often due to staff shortage and inability to get the annual audit and other key reports completed in a timely manner.