

APPROVED 12/6/21

**MINUTES
ORANGE COUNTY
BOARD OF COMMISSIONERS
VIRTUAL BUSINESS MEETING
November 4, 2021
7:00 p.m.**

The Orange County Board of Commissioners met for a Virtual Business Meeting on Thursday, November 4, 2021 at 7:00 p.m.

COUNTY COMMISSIONERS PRESENT: Chair Renee Price, Vice Chair Jamezetta Bedford, and Commissioners Amy Fowler, Jean Hamilton, Sally Greene, Earl McKee, and Anna Richards

COUNTY COMMISSIONERS ABSENT: None.

COUNTY ATTORNEYS PRESENT: John Roberts

COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, and Clerk to the Board Laura Jensen. (All other staff members will be identified appropriately below)

Chair Price called the meeting to order at 7:00 p.m.

A roll call was called; all members were present.

Chair Price recognized the beginning of Diwali, a Hindu five-day celebration of lights. She sent peace and blessings to all those celebrating.

Chair Price noted that the local elections are over and she is looking forward to working with new colleagues in collaboration across the county.

Due to current public health concerns, the Board of Commissioners is conducting a Virtual Business Meeting on Thursday, November 4, 2021. Members of the Board of Commissioners participated in the meeting remotely. As in prior meetings, members of the public were able to view and listen to the meeting via live streaming video at <http://www.orangecountync.gov/967/Meeting-Videos> and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

In this new virtual process, there are two methods for public comment.

- Written submittals by email
- Speaking during the virtual meeting

Detailed public comment instructions for each method are provided at the bottom of this agenda. (Pre-registration is required.)

Chair Price dispensed with reading the public charge.

Public Charge: *The Board of Commissioners pledges its respect to all present. The Board asks those attending this meeting to conduct themselves in a respectful, courteous manner toward each other, county staff and the commissioners. At any time should a member of the Board or the public fail to observe this charge, the Chair will take steps to restore order and decorum. Should it become impossible to restore order and continue the meeting, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed.*

The BOCC asks that all electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate. Please be kind to everyone.

1. Additions or Changes to the Agenda

2. Public Comments (Limited to One Hour)

a. Matters not on the Printed Agenda

b. Matters on the Printed Agenda

(These matters will be considered when the Board addresses that item on the agenda below.)

3. Announcements, Petitions and Comments by Board Members

Commissioner Richards said she has attended a couple community events over the past few weeks. She noted the 25th Anniversary of EmPOWERment and said it was a great celebration for a community organization that the Commissioners work closely with and the county supports. She said EmPOWERment does great work. She also shared that she traveled this week and was able to celebrate her mom's 95th birthday yesterday in Pennsylvania. She said she is glad to be back and looking forward to upcoming work, as November is a busy month.

Commissioner Greene congratulated winners in local elections and thanked those who ran for putting themselves out there. She said she appreciates everyone who ran and is looking forward to working with new colleagues.

Commissioner McKee congratulated Commissioner Richards's mother on her birthday. He said Orange County Schools were meeting in public session at schools where other activities were going on, and due to a number of people attending the meetings and chances of interactions between students and other groups, the school board decided to go back to virtual meetings. He said he was contacted about the use of the Whitted meeting room. He said he believed that when the room was built it wasn't intended for sole use by the Board of County Commissioners, but was available for other elected boards and other community events. He said his issue is with the charge for audio/video services, which he said seems high. He petitioned staff to bring the Board the cost on a per meeting basis and notify other elected boards in the county that they are able to use the Whitted meeting room and provide what the audio/video price should be, as they will have to contract independently with vendors.

Commissioner McKee asked Bonnie Hammersley to share the general cost per meeting.

Bonnie Hammersley said she had a conversation with Dr. Felder, superintendent of Orange County Schools, the prior day. She clarified that any entity that uses the meeting room would contract with vendors separately. During their conversation, Dr. Felder shared the school system was quoted \$1200-\$1500 per meeting and felt that was reasonable. Bonnie Hammersley said staff will ask the vendors what they will charge for other entities who use the meeting room, and noted that Laura Jensen would know what the cost is per meeting for the Board of County Commissioners.

Commissioner McKee said the numbers he was given were significantly higher than that so that is why he would like the clarification. He reiterated he would like staff to contact other elected bodies to notify them the Whitted meeting room is available for their use and has always been available for their use.

Commissioner Hamilton congratulated all of the candidates who won local elections and thanked those who ran for public office for their public service. She attended the Board of Health meeting in the prior week, and things are going a little better with COVID. She said the health department is still doing testing and the vaccine clinic, and is also working on a customer

satisfaction survey. She said that, in light of the protest that took place at Orange County Schools and concerns about intimidation and violence, she petitioned the Board to have discussions about ordinances that can regulate protests in order to increase the chance that things can stay civil at an upcoming work session, including representation from the Sheriff's Office and schools to discuss what might support civility in the community. She thanked John Roberts for researching this topic.

Commissioner Fowler congratulated those who ran successful campaigns for mayor and town councils, and schools boards. She also thanked those who were willing to serve and put in time and effort with the goal of benefitting the community.

Commissioner Bedford echoed Commissioner Fowler's comments. She reminded commissioners of the Veteran's Day program on Thursday, November 11, 2021 at 11:00 am at the memorial across from Southern Human Services off of Homestead Rd.

Chair Price said there is also a tailgate/drive-thru breakfast at the Passmore Center and anyone interested should sign up by November 9th.

Chair Price said that Chapel Hill Pediatrics was visited by Governor Cooper and Secretary Mandy Cohen to highlight the fact the Pfizer vaccine is available to children 5-11 years old. She noted this is a milestone in the pandemic. She also said the opioid litigation is moving forward. She and the County Attorney received documents by email, and they will be ready for Board probably around the first meeting in December for approval. She thanked Commissioner Greene and her colleagues in the group that helped make all of this possible.

Chair Price said the Orange County Community Remembrance Coalition became aware there is a portrait of John Washington Graham in the old courthouse. She said he was a Confederate major and was the leader of "Leave no Negro alive". She made a petition for the portrait to be removed. She asked John Roberts to advise the Board on who has the authority to remove this portrait.

Commissioner Greene said this should be the same procedure as the removal of the portrait of Judge Ruffin which was in the same room.

John Roberts said he does not remember the specific process that was followed, but it has been done before and he will get back to the Board on the steps.

Chair Price said the Board appealed to then Judge Carl Fox for his approval. She said she is petitioning that this Board at least weigh in if it does not have the final say.

Chair Price reminded the public there will be two meetings about the Greene Tract in the next week in the Rogers Road Neighborhood Center. The next day will be a Zoom meeting for people to ask questions and make comments. She also reminded that the Board should have received an invitation for a meeting the Orange County Schools is holding on November 5th. She said there is also a wet paint sale on November 5th at Eno Arts Mill.

Commissioner Richards said there is a lot of misinformation about the information meetings and has received several emails. She asked how to combat the misinformation. She said it creates a lot of unnecessary fear, and her fear is that meetings intended to be informational will turn into something else because people will come geared up for battle.

Chair Price said Mayor Lavelle, Mayor Hemminger, and herself issued a statement that was posted several places regarding the intent for the Greene Tract in following what was decided 20 years ago. She acknowledged that some adjustments had to be made due to the environmental study. She and two council members signed a statement even more recently to try to combat some of the misinformation, but it is hard to get people to understand. She said all Commissioners can do is try to continue providing facts. She said it is very difficult when people send out false information, and the best thing they can do is continue to provide correct information. She said she's spoken with people from the Rogers Road community and some of them are concerned with comments supposedly being made on their behalf when they never spoke to them. She said the best thing the Board can do is continue the consistent statement

that the plan is in line with what the board has been trying to do for the last 20 years, that the county needs affordable housing, and there will still be green space still available.

4. Proclamations/ Resolutions/ Special Presentations

a. Resolution Supporting Orange County Schools

The Board considered adopting a resolution supporting Orange County Schools.

BACKGROUND: Orange County School's Board of Education meetings and events in September and October were disrupted by protestors displaying hostile and intimidating behavior including racist and homophobic language. In an October 11, 2021 Resolution to Address Harm Caused to Students by Incidents of Hostile and Racist Behavior, Orange County School's staff and students attested to the emotional and psychological harm done by the protestors.

As stated in Section 12-3 of the Orange County Civil Rights Ordinance, the policy of Orange County is to promote the equal treatment of all individuals; to prohibit discrimination in Orange County based on race, color, religion, sex, national origin, age, disability, familial status, and veteran status; to protect residents' lawful interests and their personal dignity so as to make available to the County their full productive and creative capacities, and to prevent public and domestic strife, crime, and unrest within Orange County.

The attached resolution commits to working with Orange County Schools, the Orange County Sheriff's Office, and the broader community to promote peaceful and civil discourse and behavior, and support students and school staff. The resolution also proposes that the Department of Human Rights and Relations and the Human Relations Commission study and recommend measures that will promote civility among all groups in the County.

Commissioner Hamilton reviewed the background information for the item. She said she and Commissioner Richards worked on the resolution in response to the events that happened in Orange County Schools. There were protests by parents, but also by members of the Proud Boys, where there was intimidation and hostile and racial comments that caused students and staff to feel unsafe. She said it is important for the Board to recognize what happened and to support the schools to foster a civil environment and a positive school climate. She read a quote by Marian Wright Edleman, founder of Children's Defense Fund: "a nation that does not stand for its children does not stand for anything and will not stand tall in the future". She said the future prosperity of the county and nation depends on children's education and children can't learn in an environment of fear and intimidation. She said adults may disagree about curriculum and public health measures, but must disagree in a civil manner that respects individual differences and upholds a school climate that supports learning and emotional health for all students as well as teachers and staff. She indicated adults must model what a civil society looks like, and that this resolution says how the Board will do their part and support the schools.

Commissioner Richards said she would underscore the fact this resolution is not intended to quell civil discourse of parents and input from the community around schools. She hopes that commissioners, in support of this, can make sure this is communicated. She said there is a role for parents to be involved and engaged and encourage parental involvement and support for schools. She said it is all about how that is done and the respect and modeling of

civil behavior that should be encouraged. She said people may disagree, but need to do it in a way that is respectful and projects values of the county. She said this was her first assignment, and appreciated working with Commissioner Hamilton on this. She thanked the Board for their willingness to read the resolution together to present a united front.

Starting with Commissioner Hamilton, the Board read the following resolution in turn:

ORANGE COUNTY BOARD OF COMMISSIONERS

RESOLUTION IN SUPPORT OF THE STUDENTS, STAFF, AND BOARD OF EDUCATION OF ORANGE COUNTY SCHOOLS WHOSE SCHOOL CLIMATE HAS BEEN ADVERSELY AFFECTED BY PROTESTORS

WHEREAS, Orange County Schools is located in the northern and western part of the county and serves more than 7,400 students and approximately 800 teachers and administrative staff; and

WHEREAS, respect for diversity and emotional and physical safety are central elements in the Safe and Supportive Learning Environments adopted by the US Department of Education in 2015; and

WHEREAS, Orange County Schools Board of Education meetings and events in September and October were disrupted by protestors displaying hostile and intimidating behavior including racist and homophobic language; and

WHEREAS, in the Resolution to Address Harm Caused to Students by Incidents of Hostile and Racist Behavior, passed by the Orange County Schools Board of Education on October 11, 2021, staff and students attested to the emotional and psychological harm done by the protestors; and

WHEREAS, as stated in Section 12-3 of the Orange County Civil Rights Ordinance, the policy of Orange County is to promote the equal treatment of all individuals; to prohibit discrimination in Orange County based on race, color, religion, sex, national origin, age, disability, familial status, and veteran status; to protect residents' lawful interests and their personal dignity so as to make available to the County their full productive and creative capacities, and to prevent public and domestic strife, crime, and unrest within Orange County; and

WHEREAS, the Orange County Human Relations Commission was established by the Orange County Board of Commissioners to make recommendations designed to promote goodwill and harmony among all groups in the County;

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of County Commissioners (BOCC) shall work with Orange County Schools, the Orange County Sheriff's Office, and the broader community to promote peaceful and civil discourse and behavior, and support our students and school staff; and

BE IT FURTHER RESOLVED that the Orange County BOCC calls upon the Orange County Department of Human Rights and Relations and the Human Relations Commission to continue to study and recommend to the Orange County BOCC, within the next six months, measures that will promote civility among all groups in the County; and

BE IT FURTHER RESOLVED that the Board of Commissioners directs the Clerk to the Board to share this resolution with the Orange County Schools, the Chapel Hill-Carrboro City Schools, the Orange County Sheriff's Office, and the towns of Hillsborough, Mebane, Chapel Hill and Carrboro.

This the 4th day of November, 2021.

Renee A. Price, Chair
Orange County Board of
Commissioners

A motion was made by Commissioner Hamilton, seconded by Commissioner Richards, to approve the resolution supporting Orange County Schools.

Commissioner Fowler said she appreciates Commissioner Hamilton and Commissioner Richards working on this resolution and believes the resolution is really important. She said it is well thought out and well crafted. She said she believes the Board's goal is to uphold their mission and the Orange County Civil Rights Ordinance, which promotes civil discourse, and to protect residents' lawful interest and personal dignity. She believes the community benefits when it works together to understand other perspectives.

Commissioner McKee said he appreciates Commissioner Richards's comment that it does not speak to parents who have concerns over education, curriculum, sports, wearing or not wearing a mask, virtual school, or in person school. He said those people have a right to express their concerns civilly and strongly if they so desire. He said it is his understanding that there were people at the school board meeting from outside of Orange County and even North Carolina with intent to disrupt. He said he will support civil discourse until his last breath, but will not support a disruption of meetings or a hostile protest.

Chair Price said this is so important because this is about children and young people. She said that when she first got the email from school board chair Hilary McKenzie, she read the statements from students, and felt the Board must stand behind them and lift them up and protect them. She said people can disagree civilly, but the most important thing is children being able to learn in a safe environment.

Roll call ensued

VOTE: UNANMIOUS

Chair Price noted that school board member, Brenda Stephens, wanted to attend the meeting tonight, but Spectrum is working on her internet right now.

5. Public Hearings

NONE

6. Regular Agenda

NONE

7. Reports

NONE

8. Consent Agenda

A motion was made by Commissioner Bedford, seconded by Commissioner McKee, to approve the consent agenda, noting there was a change in minutes for September 23, 2021 to remove Joal Broun as an attendee at the joint meeting with the schools.

Roll call ensued

VOTE: UNANIMIOUS

- Removal of Any Items from Consent Agenda
- Approval of Remaining Consent Agenda
- Discussion and Approval of the Items Removed from the Consent Agenda

a. Minutes

The Board considered approving minutes from the September 23, 2021 Virtual Joint Meeting with Schools.

b. Motor Vehicle Property Tax Releases/Refunds

The Board considered adoption of a resolution to release motor vehicle property tax values for two taxpayers with a total of three bills that will result in a reduction of revenue.

c. Property Tax Releases/Refunds

The Board considered adoption of a resolution to release property tax values for five taxpayers with a total of five bills that will result in a reduction of revenue.

d. Applications for Property Tax Exemptions/Exclusion

The Board considered ten untimely applications for exemption/exclusion from ad valorem taxation for ten bills for the 2021 tax year.

e. Quarterly Report (2021 Q3) for Orange County's CDBG-CV Grant

The Board received the third quarterly update on Orange County's Community Development Block Grant – Coronavirus (CDBG-CV) grant from the NC Department of Commerce, and authorized the Chair to sign the report for submission to the NC Department of Commerce.

f. Fiscal Year 2021-2022 Budget Amendment #3

The Board considered approving a budget amendment for fiscal year 2021-22.

9. County Manager's Report

Bonnie Hammersley noted the Board will have an in-person work session on November 11th. She said the agenda will include discussion of the local food economy and boards and commissions appointments. She said this will be a pilot for future in-person meetings. She noted the information items including the financial report for the first quarter of 2021-2022, and asked the Board to contact her or the Chief Financial Officer with any questions.

Commissioner Richards said she read the data available for the financial report, and asked if it would be discussed tonight.

Bonnie Hammersley said the item was submitted to the Board for their information and if there are questions, they should be sent to staff and staff will send out the question and answer to all commissioners.

10. County Attorney's Report

John Roberts said the legislature completed map redistricting for federal and state representatives and senators. He anticipates a lot of bills being passed in the next week or two, but if not, it means they will be revisited in the short session that is coming up. He said any bills left now have survived crossover from both houses so can be considered in the short session.

Commissioner Richards said there are already lawsuits on the maps. She asked if the maps stand until the judicial process is complete.

John Roberts said unless a court enters an injunction ordering those districts to not be used, those districts will be used going forward. He said the last districts, at least on a federal level, in 2010 were determined to be unlawful, but they stayed in place and no court required them to be repealed or replaced.

11. *Appointments

NONE

12. Information Items

- October 19, 2021 BOCC Meeting Follow-up Actions List
- Tax Collector's Report – Numerical Analysis
- Tax Collector's Report – Measure of Enforced Collections
- Tax Assessor's Report – Releases/Refunds under \$100
- Financial Report - First Quarter FY 2021-22

13. Closed Session

NONE

14. Adjournment

A motion was made by Commissioner McKee and seconded by Commissioner Fowler to adjourn the meeting at 7:38 p.m.

Roll call ensued

VOTE: UNANMIOUS

Renee Price, Chair

Tara May
Deputy Clerk to the Board

Submitted for approval by Laura Jensen, Clerk to the Board.