

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**AUGUST 03, 2009**

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The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Building Auditorium, 45 South Street, located in Pittsboro, North Carolina, at 9:00 AM on August 03, 2009.

Present: Chairman George Lucier; Vice Chair, Sally Kost; Commissioners Mike Cross and Carl Thompson; County Manager, Charlie Horne; County Attorney, Jep Rose; Assistant County Manager, Renee Paschal; Finance Officer, Vicki McConnell; Clerk to the Board, Sandra B. Sublett; and Deputy Clerk to the Board, Elizabeth Plata

Absent: Commissioner Tom Vanderbeck

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Commissioner Thompson delivered the invocation after which Chairman Lucier invited everyone present to stand and recite the Pledge of Allegiance.

**CALL TO ORDER**

The meeting was called to order by the Chairman at 9:05 AM.

**AGENDA AND CONSENT AGENDA**

Commissioner Kost asked that the budget minutes for meetings held June 3, 2009 and June 4, 2009 be removed from the Consent Agenda and deferred for corrections until a later date.

Chairman Lucier asked that the Agriculture Hall of Fame Award discussion be added to the Agenda for discussion under Commissioners’ Reports.

Commissioner Kost moved, seconded by Commissioner Thompson, to approve the Agenda and Consent Agenda with the noted requests as follows:

1. **Minutes:** Approval of Board Minutes for Regular Meeting held July 20, 2009, Work Session held July 20, 2009, ~~and Budget Meetings held June 03, 2009 and June 04, 2009~~

The Budget Meeting Minutes were deferred until the August 17, 2009 Board of Commissioners’ meeting.

The motion carried four (4) to zero (0).

2. **Home and Community Care Block Grant:** Approval of a request to accept \$455,851 for fiscal year 2009-2010 Home and Community Care Block Grant to be used according to the committee budget, County Services Summary attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

3. **Resolution Approving Division of Duties:** Approval of a request to adopt **Resolution #2009-51 Approving the Division of Duties of the Floodplain Administrator and the Watershed Administrator**, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

4. **Tax Collector's Annual Settlement and Order of Collection:** Approval of Tax Collector's Annual Settlement and Order of Collection, Tax Collector's Annual Settlement and Order of Collection attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

5. **Appointments to the Mid-Carolina Workforce Development Board:** Approval of a request to appoint Jeffrey Starkweather by Commissioner Kost, Roland Garcia-Fogarty by Chairman Lucier, Daniel Sundberg by Commissioner Vanderbeck, Dianne Reid by Commissioner Cross, and Faythe Clarke by Commissioner Thompson to the Mid-Carolina Workforce Development Board.

The motion carried four (4) to zero (0).

**END OF CONSENT AGENDA**

**PUBLIC INPUT SESSION**

Lesley Landis, 21 Randolph Court, Pittsboro, NC, representing ChathamArts, The Chatham County Arts Council, stated that she was very pleased to announce that the work of ChathamArts has been recognized by The Independent Weekly newspaper from Durham; that the paper has awarded The Chatham County Arts Council a 2009 Indy Arts Award; that she has already shared links to the article with the Board by e-mail but that she has brought hardcopies of the article today, which she provided for the record and each Commissioner, and have attached to them the calendar of upcoming ChathamArts events for their review. She stated that they would love for the Board to join them at any or all of the events listed.

She stated that the Chatham County Arts Council is a 501-C-3 not for profit organization that supports and presents the arts and artists to the citizens of our Chatham community; that ChathamArts encourages community participation in the arts to enrich the quality of life of the county's residents; and that ChathamArts fosters arts awareness and education, and they encourage the use of arts as a tool for economic development.

Ms. Landis stated that last week, ChathamArts presented the 100 Mile Film Series: Sustainable Cinema "Sizzling Summer Shorts & Song" which drew to the Fearrington Barn over 170 people -- about a third of whom were from Orange and Durham Counties; that preceding the screening of several short subject films by local documentarians, the board of ChathamArts convened their annual public meeting where they voted in new executive board members; that as a result, she is the new president of ChathamArts; that their outgoing president, Gilda McDaniel, gave a "State of Chatham Arts" address highlighting the great variety of programs, events and services that our organization produces; that Ms. McDaniel included a special note of thanks to the local elected officials and county staff who've supported ChathamArts in word and in deed; and that they are so grateful for the Board's work on behalf of all the arts in Chatham County. Gilda's address can be read on our web site at [www.chathamarts.org](http://www.chathamarts.org).

Ms. Landis stated that ChathamArts is very excited about the future; that they have assembled an energetic, passionate, and experienced board and are grateful to 90+ volunteers who help assist their one full-time staff member and one part-time gallery manger in all manner of tasks; that in these very challenging economic times, they are always on the look-out for more help in the way of donations and volunteers; and that if anyone is interested in giving time, skills or funds to ChathamArts, please let her know or again visit our website for more info.

She stated that a representative from ChathamArts will be visiting here from time to time to share more news of their organization's accomplishments, challenges and successes to keep the Board of Commissioners in the loop. She thanked the Board for their time.

**BOARD OF COMMISSIONERS' MATTERS**

**Employees of the Month:** Presentation of Employees of the Months of July and August

Carolyn Miller, Human Relations Director, stated that the Employee of the Month program was instituted in FY 2009 to honor Chatham County employees for exemplary service to citizens and their fellow employees. She explained that the July 2009 Employee of the Month is Carolyn Clark, Tax Department, of the Chatham County Tax Department. An excerpt from her nomination form follows:

*“Carolyn is one who takes extreme pride in her job. Her job is not a very desirable one, especially from a delinquent taxpayer’s perspective. She is the primary person who issues wage garnishments, bank account levies and rent attachments. Many times she will make payment arrangements with taxpayers. She is very thorough with follow-up. She will contact taxpayers when they fail to keep their commitment to her. While offering many opportunities for delinquent taxpayers to pay before issuing an enforcement procedure, she also informs them of the consequences if they fail to honor their agreement with her. She provides excellent customer service which is obvious by the responses that both she and I have received from taxpayers as well as through my observation of her interaction with taxpayers and others.*

*Carolyn is very much a team player. Carolyn is someone that I can always rely upon to carry out the duties of this office in my absence. She is eager to help in training new employees, assists them in balancing their cash drawers when they have problems. Carolyn has a very strong work ethic. She is not one to routinely take breaks nor have I ever heard her say “that’s not in my job description.” She believes in doing what she was hired to do and then some. Her efforts are one of the main reasons our office achieves a high percentage of collection.*

*Carolyn achieved certification by the NC Tax Collectors Association in 2004 as a Certified Deputy Tax Collector. To earn this certification the person must meet the educational requirements by attending designated classes. To maintain certification she attends workshops and conferences annually.*

*Carolyn has also been involved in the Wellness Committee activities and encourages others to participate.”*

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Ms. Miller stated that the August 2009 Employee of the Month is Brad Clewis of the Sheriff’s Office. Brad is a special operations sergeant, and has been employed with Chatham County for six and a half years. An excerpt from his nomination form and comments from a colleague follow:

*“Brad is an exceptional employee. He currently supervises the Civil unit of our agency. In doing so, he and his team have taken upon themselves to serve all civil related papers, maintain a extremely detailed data sheet that provides all command staff members of vital information that comes from his unit. His unit was instrumental in organizing our recently developed criminal process audit system which ensures papers are being tracked properly. Brad stays up to date on all civil related training and law changes and is our ‘go to guy’ in this very complicated area. Brad is also a member of our accident review team and our Special Incident Response Team, which he does on a volunteer basis. He is one of the finest employees of the county and deserves to be recognized for his numerous achievements.*

*He has also been very instrumental in assisting with the collection of delinquent taxes. On many occasions he issued executions to delinquent taxpayers for non-payment of taxes. Brad always followed up with me to confirm if taxpayers took care of their tax debt before he seized property. He didn’t just issue the execution and say “I’ve done my job”; he always followed up. He was very thorough when working with our department.”*

**Bynum Community Garden:** Approval of a request by the Bynum Community Garden Management Committee to establish a community garden on County property

Larry Crum, Bynum resident and Orange County Master Gardener and Maggie Frantz, Bynum resident and plant and nature enthusiast addressed the Board of Commissioners.

Comments submitted by Larry Crum, Bynum resident, Orange County Master Gardener, are as follows:

**Proposal: Bynum Community Garden  
Submitted to Chatham County Commission, July, 2009**

“From the potato patch movement in the late 1800's through the liberty gardens of the 1900's, the relief gardens of the 1930's, and the victory gardens of the 1940's, community gardens have played an important role in the history of this country. During these early eras, the main purpose of community gardens in the U.S. was to grow food. However, beginning in the late 1960's to the present day, community gardens have served many different purposes in addition to food production, such as cultural preservation, community beautification, art display areas, education, exercise, and community pride and cohesion. Hundreds if not thousands of communities across the US have recognized the benefits of community gardens as a creative approach to improving their communities. In line with this trend, we would like to propose a community garden in Bynum to benefit the community and county in these and other ways.

**Need for a community garden in Bynum:**

Bynum is a close-knit community of about 100 homes on the Haw River in Northeastern Chatham County. Many of the houses in the Bynum Mill Village are on small lots. While some of the lots have space and sun for a garden, others do not. Wildlife, especially deer, has access to the community from the surrounding woods. Thus, unless a resident has the space, sun, means and willingness to build a deer-proof fence, gardening in Bynum is difficult. Many potential gardeners have given up, saying they cannot afford a large fence and/or their lot does not get enough sun. Similar problems exist for residents living in the wooded areas surrounding Bynum. These wooded areas often do not get enough sun for a garden, and the deer population is even higher in these areas.

**Benefits of a community garden in Bynum:**

The American Community Gardening Association recognizes that community gardening improves people's quality of life by providing a catalyst for neighborhood and community development, stimulating social interaction, encouraging self-reliance, beautifying neighborhoods, producing nutritious food, reducing family food budgets, conserving resources and creating opportunities for recreation, exercise, therapy and education. We believe a garden in Bynum would provide these benefits and more, not only to Bynum residents, but to other county residents who come to see and learn about what has been accomplished and to take part in public programs.

We believe an education component should be an integral part of the garden's mission. In cooperation with the Chatham County office of the NC Cooperative Extension Service, we expect to offer a variety of classes and workshops to gardeners in Bynum and across the county.

**Proposed location:**

The proposed area for the garden is the fenced area next to old Bynum water tower, adjacent to Thompson Recreational Park. This area is centrally located and is within easy walking distance to most Bynum residents. It also has ample parking areas for those who cannot walk to the garden. Other advantages to this location are that it already has a deer fence, a potential water source, full sun, and a small building for storage. Al Cooke, Chatham County Extension Agent, assessed the proposed site and concluded that it would make a suitable garden site should the county allow it to be used for this purpose.

The proposed site is currently being maintained by the Chatham County Water Department. The property is being used mostly by the Water Department to store gravel for use in Water Department projects. In cooperation with Roy Lowder, Director of the Water Department, two areas of the property have been identified for potential gardening areas. Mr. Lowder has no problems with these areas being used for gardening (contingent on County Commission approval).

**Management structure:**

A Garden Management Committee (GMC) has been identified, which will be responsible for all decisions regarding garden management, such as garden design, plot sizes, plot rental fees, garden rules, etc. The GMC will also be responsible for the development of policies and procedures to be followed by garden management. The GMC are all volunteers from Bynum and the surrounding area and have a great knowledge, understanding and sensitivity toward the Bynum community, as well as a love of gardens and gardening. GMC members include:

Maggie Frantz, Bynum resident, plant and nature enthusiast  
Carol Newnam, Bynum area resident, Orange County Master Gardener  
Barclay Spatz, Bynum resident, avid gardener  
Suzanne Robinson, Bynum resident, SAGE Academy Garden, Siler City  
Marchellina Waugh, Bynum resident, Bynum Front Porch Board  
Larry Crum, Bynum resident, Orange County Master Gardener

**Garden design:**

While decisions about garden design will be finalized by the GMC, preliminary discussions point to a garden consisting of raised beds (12-18 inches) of variable size. Small plots of about 4 by 10 feet will be available as well as larger plots. Some smaller plots will be elevated with a sitting bench for the handicapped/elderly. We plan on developing a total of about 10-12 plots by March, 2010. We also have discussed having a community plot where volunteers will grow food to be donated to families in need.

In addition, the building of a rainwater catchment and distribution system to provide the garden with water will be a priority for March, 2010.

**Timeline:**

Summer, 2009: Finalize legal agreements  
Summer, 2009: Finalize garden design  
Fall, 2009: Begin building garden structures (bed frames)  
Winter, 2010: Fill beds with garden soil; install watering system  
Winter, 2010: Enroll gardeners  
Opening Spring, 2010

**Available resources for garden management and gardeners:**

Since the idea of a community garden in Bynum was brought up a few months ago, many individuals and some organizations have expressed support. Below is a list of organizations that have expressed support along with the type of support the organization has committed to provide:

**Organization:**

**Type of Support:**

Chatham County Extension Service\*  
Bynum Front Porch\*

Technical assistance, training, planning  
Financial, volunteer coordination,  
planning

Orange County Master Gardeners  
Northside Community Garden (Chapel Hill)

Work supervision, planning, training  
Advice based on experience

**Funding the garden:**

Funds to build the garden structures (raised bed frames, rainwater collection system, etc.) will come from Bynum Front Porch and from solicitations for funds and materials from

Lowe's Home Improvement and other businesses as well as from individuals. Once the garden structures are in place, funding of the garden will come from garden plot rental fees and Bynum Front Porch if necessary. Other fund-raising events will also be considered.

**County commitment:**

In order for the Bynum Community Garden to become a reality, we need support from county government. First and foremost, we need a commitment from the county to allow the use of the proposed site for a minimum period of 5 years, during which the county would be released of any liability should an accident occur. We ask that there be no charge for the use of the space. Maintenance of the designated areas for the garden will be the responsibility of the GMC.

Although we plan to build a rainwater collection and distribution system, we need a water tap at the site for back-up during dry spells. We ask that a tap be installed and that the tap fee be waived. In addition, we ask that the per-gallon fee for water usage be reduced, since none of the water from the tap will be channeled to the wastewater treatment plant. In addition, we would like to be able to capture water used for flushing the local water system for use in the garden, if possible.

Finally, we would like to receive permission from the county to remove shrubs, prune, till, and do other modifications to the property as necessary for the garden.”

**Garden Management Committee:**

Maggie Frantz, Bynum resident, plant and nature enthusiast  
Carol Newnam, Bynum area resident, Orange County Master Gardener  
Barclay Spatz, Bynum resident, avid gardener  
Suzanne Robinson, Bynum resident, SAGE Academy Garden, Siler City  
Marchellina Waugh, Bynum resident, Bynum Front Porch Board  
Larry Crum, Bynum resident, Orange County Master Gardener

Questions about this proposal can be directed to:  
Larry Crum [LDCRUM@EMBARQMAIL.COM](mailto:LDCRUM@EMBARQMAIL.COM)

(919) 542-7577

Mr. Crum asked if he could use the water that was being flushed from the lines to water the garden. The Board asked him to meet with Roy Lowder, Chatham County Utilities Director, to see if this could be done. The Board also asked Mr. Crum to provide a sample liability contract for the County Attorney to review. Mr. Crum asked if the Board would waive the administrative water fee and the fee for sewage. Commissioner Kost stated that they would be unable to waive the sewage fee and asked that staff look at possibly waiving the administrative fee.

**MANAGER'S REPORTS**

The County Manager had no reports.

**COMMISSIONERS' REPORTS**

**Chatham County Agriculture Hall of Fame Award:**

Charlie Bolton explained that the Chatham County Agriculture Hall of Fame Award was established to honor those persons who have made a significant contribution to agriculture economy in Chatham County during the past 60 years. It is sponsored by the Chatham County Agriculture Advisory Committee, to which nominations should be submitted. Both the living and the dead are eligible for the award. The Chatham County Agriculture Advisory Committee will have sole responsibility for selecting the recipients of the award. Groups of persons who have worked together on a particular initiative can be nominated.

The award will consist of public recognition at an annual awards dinner with the recipients and their family members or guests. A picture of the recipients and their achievements will be put on permanent display at an appropriate location in the County Agricultural Building.

Individuals or groups may make nominations for the awards. The nomination should address fully the accomplishments and contributions made by the nominee to the Chatham County agricultural economy. Nominees must be citizens or former citizens of Chatham County. The Chatham County Agricultural Advisory Committee will have the sole responsibility for selecting the recipients, and nominations should be submitted to this committee. In order to have a chance to recognize people who have made significant contributions and who are somewhat elderly, we will recognize up to 5 people or groups in the first two years that the award is presented. After that, up to 3 people may be recognized each year.

The Chatham County Agricultural Advisory Committee may amend the guidelines from time to time and sponsors will be sought to cover the cost of the program to avoid the use of public funds.

The Board endorsed the Ag Hall of Fame process.

### **ADJOURNMENT**

Commissioner Kost moved, seconded by Commissioner Cross, to adjourn the meeting. The motion carried four (4) to zero (0), and the meeting adjourned at 10:00 AM.

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George Lucier, Chairman

ATTEST:

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Sandra B. Sublett, CMC, Clerk to the Board  
Chatham County Board of Commissioners