

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING
MARCH 31, 2010

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap Building Classroom, 80 East Street, located in Pittsboro, North Carolina, at 9:00 AM on March 31, 2010.

Present: Chair Sally Kost; Vice Chair, George Lucier; Commissioners Mike Cross, Carl Thompson and Tom Vanderbeck

Present via Telephone: Commissioner Tom Vanderbeck

Staff Present: 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

Chair Kost welcomed those in attendance and called the special meeting to order at 9:02 AM. She explained that Commissioner Vanderbeck is in California but is joining the meeting via the telephone.

Chair Kost further explained that the purpose of the meeting is to discuss the aftermath of the fire in the Historic Chatham County Courthouse and for the Board to provide guidance to staff as we move forward. She stated that you learn a lot about a community in a time of crisis and she has never been so proud to be a part of the Chatham County community; that last Thursday night, we all stood in horror as we watched the courthouse burn; that it was an extraordinary effort by all of the people who responded that night, including firefighters, County Staff, law enforcement, the State; that on the night of the fire, both Senator Atwater and Speaker Hackney were here and said that they would help in any way they could; that the next day, the Governor called and offered assistance; that she has already opened up doors to help State Government provide assistance; that both Congressmen Price and Etheridge personally called to offer their help and support; that Senator Hagan’s Office also called; that even more heartwarming is the local community; that the Historical Association was able to get their artifacts and contents of the museum out of the building; that as they were dealing with this matter, they recognized that fifty to one hundred years from this historic event, there will need to be documentation and the effort was begun; that the judges, the district attorney, clerk of court and his staff, has worked and pulled together and it has been wonderful to see the cooperation; that in County government, the Fire Marshall, administration, Public Works Director, County Manager, have worked diligently, very methodically, and very carefully to think things through and she is confident that everything up to this point has been done exactly as it should have been; that we have been trying to get information out to the press and citizens so that they will know what is going on; that we are going to be dealing with this for a very long time; and that she has asked that the heading “Historic Courthouse Update” be added to future agendas so that everyone can keep informed.

Commissioner Lucier thanked Chair Kost for her hard work stating that she represented the Board of Commissioners well; that she kept them informed, talked with them through the different steps, and that they are grateful that in face of this tragic event, no one was hurt and that part of the building seems to be structurally sound.

Commissioner Vanderbeck stated that he agrees with the Chair in thanking everyone and with the Vice Chair with regards to the Chair’s efforts and wonderful leadership.

Commissioner Thompson reiterated that the Chair has done an outstanding job. He stated that she has really shown her leadership abilities in this situation; that he has felt like he has been very well informed; and that this is probably one of the greatest tragedies that Chatham County has every faced; that leadership stepped forward, the staff stepped forward and did an outstanding job in response; that the people of Chatham County are a resilient people and while people have taken it hard, they are optimistic and are willing to step in and move forward.

CHATHAM COUNTY COURTHOUSE

Fire: Cause and Origin

The County Manager reviewed the agenda and turned the meeting over to the Chatham County Fire Marshal.

Tom Bender, Chatham County Fire Marshal provided an overview of the cause and origin of the fire. He reviewed a slide show of photography used for investigative purposes and detailed how a conclusion was reached that the fire started when a construction worker using a soldering torch to repair gutters accidentally started a fire in the soffit area. A collection of the photographs follows:





Mr. Bender stated that he was unaware that the soldering torch with map gas was taking place stating that in the NC Fire Prevention Code there is a requirement for an optional permit for hot work; that had he known they were doing hot work, there would have been an inspection performed, a fire blanket put out, fire extinguishers available, and they would have maintained their fire watch at the proper time after the work was done.

Mr. Bender showed the following photograph taken by court staff showing smoke on the inside of the courthouse coming from the fire's point of origin.



Commissioner Lucier thanked the Fire Marshall for getting the report back to the Board of Commissioners so promptly. Mr. Bender expressed thanks to the citizens in the downtown area for their support in providing food to emergency personnel.

Chair Kost reiterated that it was truly an outpouring of the community to the fire departments.

Commissioner Thompson stated that the work done was outstanding and his question is not reflective of that work. He asked if the fire departments will reflect, at some point, back on this event and look at whether there are needs for special equipment that they didn't have, so that if another event of this nature occurs in the future, the fire departments may be better able to handle it.

Mr. Bender stated that he would be holding debriefings with the fire departments; that they will go through the pictures of the entire scenario; that they will talk about their equipment placement, equipment available, and they will recognize needs for this area.

Condition of the Building:

The County Manager reviewed the parts of the building in which they had been able to get an inside view.

David Hughes, Public Works Director, reviewed the structural integrity of the building. He stated that they believe that the exterior walls are sound; that they found that the western half of the building sustained less damage; that the gable ends were the most unstable part of the building and they were removed on Friday and Saturday; that the Historical Association and Probation Office were able to receive many artifacts and documents; and that the eastern half of the building was severely damaged and it is still not safe at this point to enter and perform a full assessment.

Chair Kost asked if the large amounts of water would have any impacts on the actual foundation or the structure underneath.

Mr. Hughes stated that they would have to investigate more, that initially, the foundation looked pretty stable, but that if the building is left exposed for months, it could have some degradation to the foundation.

Chair Kost stated emphatically that the building is not teetering as was stated in one of the newspapers. Mr. Hughes confirmed the statement.

Mr. Hughes stated that he was very optimistic about saving the walls of the building. He reviewed inside photos of the building as follows:





Mr. Hughes stated that they were now at a standstill waiting for the various insurance investigators to view the building; that they are scheduled to come Monday, April 05, 2010; that once the building is released by the investigators, they will continue removing the debris, access the structure, shore it up, and then determine a strategy of drying-in the building.

The County Manager explained that the question of asbestos in the building had been determined to be negative.

Chair Kost clarified that the building had been abated in the late 1980's; that they did not think that the building had asbestos, but they had to produce documents from a company (that is now out-of-business) to prove that there was no asbestos; that they brought in another inspector to re-inspect the building who determined that there was indeed no asbestos.

Mr. Hughes explained that the results of the test were expedited and not processed through regular channels.

Status of Debris Removal:

Chair Kost explained that they had received questions from the community about what was being saved and what they're not, whether there is any opportunities to take the copper, etc. and salvage it in such a way that local artists can make things. She stated that the community wants to be a part of the rebuilding and they are asking if they can take some of the materials to produce items which could be sold to raise money for restoration of the building.

Mr. Hughes stated that they were stockpiling the copper and significant timbers which would be moved to a warehouse south of town within the next few days. He stated that they would not be able to save every bit of wood, but that they would save the ones which are salvageable.

Chair Kost stated that the number one question she has been fielding is if the County is going to rebuild the courthouse. She stated that it sounds as though there are four very solid walls with a two-foot deep base and at the top sixteen inches.

Commissioner Lucier stated that he agrees; that a lot has been accomplished in the last four to five days; that they have the cause nailed down; that they understand the structural integrity of the building; that is an opportunity to restore it based on that structural integrity; that the building is of immense historical significance to the citizens of Pittsboro and Chatham County; that he believes that the building should be restored; that he thinks that in fifty years, when people drive around the courthouse circle, that the fire of 2010 was part of the history of the building and not the end of its history; that the precise nature of the restoration cannot be determined at this point; that in any event, this is something in which the public needs to be involved; that they need to form a task force to help them including the judges and District Attorney to make sure their needs are met in terms of how the building is used in the future; and that we need to work with the Historical Association in terms of a museum opportunity that documents the history of Chatham County in a way that is not now available.

Commissioner Vanderbeck stated that he agrees with Commissioner Lucier's points; and that if that is a motion, he will be happy to second it.

Commissioner Thompson stated that this is a "no-brainer" for him; that the courthouse is a symbol of Chatham County; that there is so much history there; that he agrees that they need to rebuild; that he thinks that the citizens of the County now are wondering what steps will be taken; that he would agree that the citizens need to be involved in the process; and that they need to move forward and definitively say today what they are going to do so that the people of Chatham County will know and will get behind them in this endeavor.

Commissioner Cross having heard the report on the condition of the building, he thinks there would be no other logical choice but to rebuild the courthouse; that he would like to make sure that someone is checking with the State and National Historical Society to maintain the registry accreditation of that building; that they have requirements when a national registered landmark is rebuilt; that he thinks one of those is that at least three walls are still standing; and that there might be some financial assistance available through the State Historical or National Historical Associations.

Chair Kost stated that that dialogue has taken place through the architect.

Commissioner Lucier moved to commit to restoring the courthouse, the exact nature of the restoration will await citizen input in the formation of a task force including advice from judges, District Attorney, and Historical Association and that their pledge is to restore the courthouse. Commissioner Vanderbeck seconded the motion.

Chair Kost asked for clarification from the County Attorney of Commissioner Vanderbeck's second to the motion since he is not physically present at the meeting.

The County Attorney stated that it was alright.

Chair Kost called the question. The motion carried five (5) to zero (0).

Sergeant McCullough of the Pittsboro Police Department stated that due to the detoured traffic, the vehicles on Chatham Street need to be moved.

Judge Allan Baddour stated that he just has a minute in that Superior Court will be starting in a few minutes but that he wanted to say that on behalf of the court system, he wanted express his appreciation to the Board and County Staff for all of the work that the

staff has done to get them in a position to hold court so soon after this tragedy; that everyone has a lot of work ahead of them; that they are there to help and/or to answer questions as needed.

BREAK

The Chair called for a short break so that vehicles could be moved.

The County Manager explained that all of the offices located in the courthouse have been relocated and that all sites are located within walking distance of the courthouse. He stated that the District Attorney's Office is now in the jury room but will be moved to the Jennifer Andrew's Law Office building shortly. Chair Kost asked if any type of temporary signage was going to be installed. The County Manager replied in the affirmative.

Commissioner Thompson asked how the relocations were being publicized. The County Manager stated that press releases would be issued.

The County Manager explained that the Superior Court is going to take pleas in the short term in the District Courtroom; that with the new judicial system building construction plans, the original plan called for a second-story to be open until a later date; that he has asked the architects to proceed and give feedback on what completing that floor will take in terms of completing the facility; that in his estimation, the new judicial facility will be ahead of the reconstruction efforts.

Chair Kost asked if the Board was agreeable to that approach. By consensus, the Board agreed.

Insurance Work:

The County Manager explained that they had been meeting with insurance agents and investigators/adjusters over the last few days.

Renee Paschal, Assistant County Manager, explained that there is a lot left to be determined including the value of the building and the damage that has been done; that the investigators from the insurance company of the company that was working on the building have to do their work; that they are all meeting on site on Monday morning to do a joint investigative session; that there is still a lot to be sorted out with the insurance before they know what they are dealing with.

Chair Kost asked if the County Attorney needed to be present. The Public Works Director stated that this would primarily be a fire/forensic analysis investigation. It was agreed that the County Attorney would not need to be present.

The County Manager explained that they are looking at bringing in third-party insurance adjusters/investigators to make an independent call on what they see. He stated that he would inform the Board of the results.

Investigation Work and Release of Site:

The County Manager stated that they hope that this work will be completed on Monday morning with a release obtained shortly thereafter.

Commissioner Thompson asked, with regard to process, would the insurance do their independent investigations, return with their decisions in terms of liability based on the investigation, and if the County would wait to hear their results and interpretation, or if there was some action that the Board would take in the meantime.

The County Attorney explained that he thought that the County would need to obtain its own adjuster and that it would be a matter of engaging experts in this area.

Traffic:

The County Manager distributed an NC Department of Transportation (NCDOT) Proposed Partial Roundabout Temporary Closure for Pittsboro Courthouse Circle. He explained the flow of traffic to allow for debris removal.

Commissioner Cross asked if the Public Works Director would ask the contractor to reposition the fence along the "Beggars and Choosers" sidewalk to allow foot traffic access. Mr. Hughes stated that the fence could be readjusted.

Chair Kost stated that she felt this was good news and was grateful to NCDOT for working closely with the County.

Sergeant McCullough stated that the Pittsboro Police Chief had not seen the proposed changes, but she thinks it will be very workable.

Chair Kost stated that the traffic circle is the life-line of our community; that we are all concerned about the flow of traffic; that it would help the merchants in the area by getting people through the area; and that she feels it is a good solution.

The Public Works Director stated that one of the reasons this is becoming more critical is that the traffic circle at the library entrance on Highway #87 will begin construction and that traffic will be impacted there in the next week or so.

Sergeant McCullough stated that she had been informed prior to the meeting that the work on the Highway 87 traffic circle had been delayed one week from a start date of April 12th to April 19th.

Next Steps:

The County Manager stated that this concludes where we are at the moment; that we will continue working with the insurance, debris removal and demolition, and when that is released, he will inform the Board immediately.

Chair Kost stated that the regularly scheduled meeting will be held Monday, April 5, 2010 at 9:00 AM and another update will be given at that meeting.

Commissioner Vanderbeck thanked Staff for making it possible for him to join the meeting via telephone.

ADJOURNMENT

Commissioner Lucier moved, seconded by Commissioner Thompson, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 10:23 AM.

Sally Kost, Chair

ATTEST:

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