

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
DECEMBER 13, 2010

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina met in the Central Carolina Community Library, 197 Highway 87 North, located in Pittsboro, North Carolina at 2:00 PM on December 13, 2010.

Present: Brian Bock, Chairman; Walter Petty, Vice Chair; Commissioners Mike Cross, Sally Kost, and Pam Stewart

Staff Members Present: Charlie Horne, County Manager; Jep Rose, County Attorney; Renee Paschal, Assistant County Manager; Vicki McConnell, Finance Officer; Sandra B. Sublett, Clerk to the Board; and Elizabeth Plata, Deputy Clerk to the Board

Work Session

1. **Guidance on the County’s Nonprofit Allocation Process:** Guidance to staff on the County’s nonprofit process, including overall level of funding, funding for administration, and other changes
2. **Judicial Center ADA Compliant:** The Board of Commissioners will be discussing the new judicial facility in the context of ADA compliance issues. The facility as currently designed will be compliant with ADA requirements. If we exceed the requirements and provide access on a level directed recently by the Board of Commissioners, we anticipate additional costs to be in the range of \$250,000 if automatic push buttons are applied to all doors accessed by the public. Staff is requesting Board direction on the issue
3. **Western Wake Partners:** Consideration of a request by Western Wake Partners to acquire easements in Chatham County for effluent pipeline
4. **Landfill Update:** Staff will give the Board of Commissioners background on the feasibility study and the status of work completed to date
5. **Zoning Board of Adjustment Oaths:** The Board of Commissioners is to be sworn in as the Board of Adjustments
6. **Board Member Liaisons to Boards and Committees of Chatham County:** The Board of Commissioners will be discussing liaisons and member roles to the various boards and committees of Chatham County

CALL TO ORDER

The Chairman called the meeting to order at 2:00 PM and reviewed the change of order to the agenda.

NONPROFIT ALLOCATION PROCESS:

Renee Paschal, Assistant County Manager, reviewed the Chatham County Nonprofit Funding Process PowerPoint as follows:

Chatham County Nonprofit Funding Process

- Chatham County's Nonprofit Funding Process is focused on meeting the needs of Chatham County by providing financial support to eligible nonprofit agencies.
- Chatham County has historically provided financial assistance to area nonprofit organizations.

Residents served – last year, Chatham County-funded nonprofits served more than 34,000 people.

- Siler City & Silk Hope – 63%
- Pittsboro & NE Chatham – 23%
- Bear Creek and Goldston – 10%
- Moncure – 4%

Leveraging Volunteers

- Last year, Chatham County-funded nonprofits leveraged 71,237 volunteer hours, equivalent to 34 full-time employees and \$1.4 million in salaries.

Leveraging Outside Funds

- Last year, Chatham County provided \$392,005 in funds to nonprofits, which leveraged \$1,119,792 in other funds – almost a 3-fold return on our investment!

Background

- Four years ago, Commissioners set aside the equivalent of one-half cent on the property tax rate (did not raise taxes) for non-profit funding; this figure is adjusted annually based on growth in the tax base
- \$10,000 of this amount is reserved for Commissioners to allocate directly after they receive volunteers' and manager's recommendations

Chatham's Support is Relatively Generous

- Chatham County's nonprofit funding is 0.51% of general fund, compared with surrounding counties:
 - o Durham County – 0.26%
 - o Orange County – 0.52%
 - o Wake County – 0.06%
- This does not include funding to the Economic Development Corporation and Council on Aging, which are treated like "county departments."

Overall Process – Commissioner Direction

1. Commissioners give overall direction:
 - o Set funding priorities – current BOC has done away with this and substituted department review (Attachment A and Attachment B)
 - o Approve certification criteria (financial and management requirements)
 - o Approve evaluation criteria and form (tool to be used to rate agencies)
 - o Appoint review panel volunteers
 - o Decide up front on amount of funding available

Overall Process – Certification

2. Certification by county and United Way staff: Certify that non-profits meet county's financial and management requirements, including:
 - o Agency must be a 501c3 nonprofit
 - o Must produce Audit or Financial Review, including Management Letter and Response, if needed
 - o Must produce an agency budget showing previous year actual, current year budget and estimate and next year requested; must be balanced
 - o Must show quarterly financial reporting to the governing body

- Must have a Financial Reserves Policy
- Must report lawsuits brought against the agency
- Must have a current NC Solicitation License or Letter of Exemption
- Must produce most recent IRS Form 990
- Must show financial viability (assets are equal to or greater than liabilities and the agency has sufficient cash flow to cover regular monthly expenses)
- Must have a written Non-discrimination Policy
- Must produce Articles of Incorporation
- Must have Bylaws which define quorum
- Must produce a copy of Mission Statement
- Must produce a Board roster
- Must have at least 5 board members
- Must meet at least quarterly
- Must produce an Organizational Chart
- Must produce a Sample of Board Minutes

Overall Process – Department Checklist

3. County Departments: Complete department checklist (Attachment B)

Overall Process – Panel Volunteers

4. Review Panel Volunteers:
 - Must not have an affiliation with agencies they are reviewing (disclosed on application)
 - Attend training and receive applications
 - Thoroughly review applications and ask questions prior to agency presentations
 - Visit agencies prior to presentations (optional, but highly encouraged)
 - Hear presentations and ask questions
 - Complete the evaluation form individually (Attachment C)
 - Discuss and agree to the overall panel recommendation (no funding, partial funding, complete funding – this is the form of the recommendation requested by previous BOC)

Overall Process – Volunteer Funding Recommendations

5. Review Panel Chairs:
 - Must not have an affiliation with any agency being reviewed
 - Facilitate agency review sessions
 - Prepare a DRAFT written panel recommendations
 - Commissioners have directed staff to write the final panel recommendations for the sake of consistency (chairs will have opportunity to review)
 - Panel recommendations will be shared with the County Manager and Commissioners)
 - After the panel recommendations, meet as a group and represent the recommendations of their panel
 - Agree on overall recommendation for all non-profits

Overall Process – County Manager Recommendation

6. County Manager:
 - Prepares a recommendation for non-profit funding, based on the recommendation of the review panels and other circumstances
 - The county manager's recommendation may be different from the review panels, but generally he makes only minor revisions
 - Agencies are notified of amount recommended before 2 public hearings are held (e-mail includes dates of public hearing)

Overall Process – Commissioner Decision

7. County Commissioners
 - Receive written recommendations from panels
 - Receive overall funding recommendation from panel chairs
 - Receive county manager's recommendation
 - May hear directly from non-profits during a designated work session

- Make a decision about funding, which can follow or be different from review panels and county manager
- May allocate \$10,000 directly

Overall Process – Follow Up and Review

8. Prior to receiving funding, agencies must sign a contract (Attachment D)
9. Agencies also report on status of measurable outcomes and expenditure of county funds in January (midyear) and July (year end)

Where is United Way in All This?

- All funding decisions are made independently
- The County and United Way have historically had a joint application and certification process (county's certification requirements are slightly different)
- United Way is paid an administrative fee equal to 8% of nonprofit funding

What Does United Way Do?

- Develops the application for approval by the county
- Distributes the application to agencies
- Trains agencies on how to complete the application
- Receives applications and makes copies
- Sets up the certification process
- Notifies agencies of certification outcome
- Sets up review panel volunteer training
- Coordinates review panels (finds meeting times and locations, notifies agencies and volunteers, makes copies of all materials)
- Notifies agencies of recommended funding by county manager
- Notifies agencies of approved funding by County Commissioners
- Sends out county contracts and notification letters
- Ensures contracts are signed and returned
- Distributes payments to agencies based on county-approved schedule
- Ensures agencies complete reporting requirements and notifies county of any problems
- IN OTHER WORDS, saves us much time!

Funding of Administration

Programs – 36%

Agencies Receiving Funding for Administration

Arts Council
Chatham Trades
Literacy Council
Boys and Girls Club
NC Arts Incubator
Chatham Transit
Chatham Cares Community Pharmacy
CORA
Family Violence & Rape Crisis
Deep River Mediation
JOCCA
Childcare Networks

Options for Addressing Reliance on County for Administration

- Previous BOC voted 1) limit startup grants for administration to 2 years, but 2) direct volunteers not to make large cuts in existing agencies
- Other options:
 1. Do nothing
 2. Reconfirm changes made by previous BOC
 3. Revise evaluation form to give priority to program requests – volunteers already attuned to problem (may result in large reductions)
 4. Gradually reduce reliance on administration and work with agencies to develop capacity for writing grants and fund raising

Recommended Changes – Administration

- Reduce administrative funding by each year for those agencies whose % of county funds to total budget is less than 5%
- For agencies whose county funds are a larger share, reduce at a slower rate
- Note that reduced amount is not a guarantee of funding; it represents a maximum available for that agency's administration and could be reduced more or eliminated (especially if paired with rating form change)
- Use half of reduced funds to work with those agencies to provide training for fundraising, grants writing, a grants database, etc.
 - o NC Center for Nonprofits yearly conference
 - o Executive Service corps consultations
 - o Foundation Directory Online grants database
- Redirect the rest of the savings to programs or reduce the overall allocation – staff recommends redirecting the funding to programs

Recommended Changes – Chatham Trades

- Chatham Trades
 - o Licensed by the NC Division of Health Service Regulation
 - o State funding has been drastically cut or frozen (e.g. mental health ADVP funds)
 - o County funds represent 12.27% of total agency budget
 - o The agency provides a unique and irreplaceable service to the community
 - o Large amount of county funding makes this agency a target in the allocations process
 - o Substantial cuts could jeopardize the agency's viability
- Recommend removing Chatham Trades from the nonprofit grant process
 - o Reduce the total nonprofit allocation by the amount provided to Chatham Trades and fund that agency separately
 - o Work with Chatham Trades to reduce dependence on county funds
 - o Fund like a "county agency" – similar to how the Council on Aging and Economic Development Corporation are currently funded

Recommended Changes – Other

- Require that the conflict of interest policy contain a provision that the agency cannot pay board members for work performed
- Already approved by previous BOC – limit new agencies to a 2-year startup grant for administration
- Allow agencies with \$50,000 or less in revenue to substitute Untied Way in-house financial analysis for formal financial review (Attachment E)
- FUTURE: when agencies are weaned from administration, consider an RFP process where county would solicit proposals based on county priorities

Strategic Public Leadership – Setting Priorities and Getting Results (graph)

Other Possible Actions

- Continue with department checklist?
- Adopt BOC priorities?
- Continue current allocation amount?
- Approve or modify evaluation form?

Evaluation/Rating Form

Attachment C: Draft Evaluation form – Points shown are maximum amounts

- Department Checklist (15 points) – is the agency's work a high priority for funding?
- Leverage other financial resources (10 points) – does the proposed program "leverage" resources (i.e. bring in other revenues, such as grants) so that the county isn't the only funding source.
- Long-term plan for sustaining the program (10 points) – does the proposed program have a plan for funding beyond county support?
- Effectiveness in achieving goals (10 points) – if an existing program, has the agency met its goals from the previous year? If a new program, do the goals seem reasonable, measurable, and achievable?

- No duplication (5 points) – do the programs operated by the agency duplicate services of another agency? If so, has the agency explained why its program provides unique services?
- Collaboration (5 points) – does the agency collaborate with other agencies that offer related services so that the needs are addressed more comprehensively and more efficiently?
- Measurable outcomes (10 points) – are the outcomes listed specific, measurable, and attainable? Does the measure include outcome or impact? i.e., is the measure “SMART?”
- Critical need (10 points) – has the agency demonstrated that it is providing a program that serves a critical need?
- Availability of the program geographically (10 points) – is the program available and serving clients throughout the county (more points) or is it limited to a narrow segment (fewer points)?
- Ensure more clients will be served (5 points) – will funding from the county ensure more people will get service?
- Reasonable cost (10 points) – is the cost, particularly to the county, reasonable for the number of clients and impact of the service?
- BOC gets form with average scores of panelists, plus:
 - o Strengths
 - o Weaknesses
 - o Overall recommendation – previous board requested in the format of “no funding,” “partial funding,” or “full funding”

Guidance Needed

- Is amount of current funding reasonable? Continue indexing with growth in tax base?
- Should arts organizations be funded from amount reserved?
- Should arts organizations continue to be funded through EDC? (note: EDC does not receive an administrative fee)
- Approval evaluation form
- Amend certification requirements:
 - o Prohibit payment of board members
 - o Allow agencies with \$50,000 or less in revenue to substitute Untied Way in-house financial analysis for formal financial review

Guidance Needed

- Does BOC want to make changes to reduce administrative funding? Options:
 1. Do nothing
 2. Reconfirm changes made by previous BOC (limit funding of administrative startup up 2 years)
 3. Revise evaluation form to give priority to program requests – volunteers already attuned to problem (may result in large reductions)
 4. Gradually reduce reliance on administration and work with agencies to develop capacity for writing grants and fund raising using savings
- Does the BOC want to adopt priorities?

Commissioner Kost made reference to Chatham Trades and asked if there was a similar concern with Chatham Transit about possibly going out of business if the County took away funding and Ms. Paschal said yes and that they could do the same thing for Chatham Transit.

Chairman Bock said that the difference between the two is the absolute dollar amount.

Ms. Paschal said that the County provides a little over 5% of Chatham Transit’s budget, but it provides more than double that for Chatham Trades.

Commissioner Cross asked how many new non-profits were coming for funding this year. Ms. Paschal said none because the applications have not been sent out yet.

Chairman Bock asked if everyone agreed that the \$400,000 level was a good place to start and everyone agreed.

Chairman Bock asked about some of the funding that was done outside of the process.

Ms. Paschal said that two years ago, the arts organizations (Chatham Arts and the Arts Incubator) and the Boys and Girls Club missed the deadline for submitting an application. The County Commissioners decided to fund the arts organizations through the Economic Development Corporation because they saw arts as an economic development issue. The County Commissioners also decided to fund the Boys and Girls Club out of fund balance. The next question is whether the arts should be funded from the amount reserved. At this point, the County is funding \$397,000 for all other non-profits and an additional \$35,000 from EDC is going to arts organizations. She asked if the County Commissioners wanted to continue with this structure.

Commissioner Cross asked for a recommendation on this.

Ms. Paschal said that the pros of keeping this same structure are that the arts organizations do not compete well against human service agencies. This makes it difficult for the arts organizations to compete with that funding. EDC has been working more closely with the arts organizations. Fundamentally, she thinks that it is unfair because the arts organizations are outside of the process. Her recommendation is that the arts should be part of the process. If arts is a priority, then it can be in the priority list.

Chairman Bock said that the whole reason to fund non-profits is to leverage services that the County would normally be doing, but the non-profits are saving the County money. The question is whether the arts is something that the County would be funding if it were not for non-profits.

The County Commissioners asked several clarifying questions about this issue, which were answered by Renee Paschal.

The Board agreed to leave the arts funding in the EDC process.

Ms. Paschal asked if the Board wanted to adopt the priorities. The agencies need to respond to the priorities in their applications.

Commissioner Kost said that the County Commissioners would need more information before adopting these priorities, such as community assessment information, information from the United Way about the status of things, etc.

A discussion ensued about the process of choosing non-profits and the department checklist.

Lisa West volunteered for a local non-profit that is an animal rescue group, Chatham Animal Rescue. She said that in answering the first question, the answer would be no and it would not be a priority. But coming down to number eight, it would be yes, because they provide spay/neuter for low-income residents.

Commissioner Kost said that number one is ranked too high. She thinks that it should only be 35 points at the most.

Commissioner Stewart said that it should not be any less than 35 points. She asked how many non-profits would be outside of that range.

Ms. Paschal said that it would not be many.

The Board agreed to set the first value at 35 points.

Ms. Paschal asked for guidance on the following:

- Amend certification requirements:
 - o Prohibit payment of board members
 - o Allow agencies with \$50,000 or less in revenue to substitute Untied Way in-house financial analysis for formal financial review

By consensus, the Board agreed to this.

Ms. Paschal asked for guidance on the following:

- Does BOC want to make changes to reduce administrative funding? Options:
 1. Do nothing
 2. Reconfirm changes made by previous BOC (limit funding of administrative startup up 2 years)
 3. Revise evaluation form to give priority to program requests – volunteers already attuned to problem (may result in large reductions)
 4. Gradually reduce reliance on administration and work with agencies to develop capacity for writing grants and fund raising using savings
- Does the BOC want to adopt priorities?

Commissioner Kost said that she does not have the same concern about administration on all of these agencies. In some cases she is concerned, but not all of them.

Ms. Paschal said that her concern with funding administration is that there seems to be no end.

By consensus, the Board agreed to go with number four.

Ms. Paschal asked about setting priorities and if the Board would be ready to do this by January 3rd. If not, then the agencies would have to skip responding to that question on the application.

Commissioner Cross suggested that each Commissioner go through the list and check six or eight that are the top priorities so that there is some kind of conglomerate.

Chairman Bock said that if this was done, it might supersede the department checklist.

Ms. Paschal recommended postponing the priorities until next year and go through the process.

By consensus, the Board agreed to do this.

Regarding Chatham Trades, Ms. Paschal asked about separating it out, or Chatham Transit, or both.

Commissioner Cross said that these are very necessary needs for the County and there will probably be more cuts from the State for mental health.

Commissioner Kost said that she does not see how these can be treated differently because there are others that are similar.

Ms. Paschal said that the concern is the reduction in administration and the effect that it will have on Chatham Trades when she does not see many viable sources of revenue for the agency.

By consensus, the Board agreed to pull Chatham Trades and Chatham Transit out of the normal process.

LANDFILL UPDATE

Chairman Bock said that this is just to bring the Board up to speed on the process. There will be no decisions made on this issue.

Commissioner Kost said that she was looking for a timeline because the timeline the Board was given earlier has been blown out of the water. She is getting a lot of calls and emails and she does not know what to tell people.

David Hughes, Public Works Director, said that this is a decision point that needs to be addressed. He said that the County has discussed siting a landfill for a long time in a couple of different places. In 2008, the Solid Waste Advisory Committee recommended funding a feasibility study looking at how the County is handling waste and the costs. In 2008, Pieter Scheer started developing the feasibility and it was finalized and presented to the Board in March/April 2009. He introduced Pieter Scheer from Richard Smith Gardner and Associates, who made a PowerPoint presentation.

CHATHAM COUNTY SOLID WASTE DISPOSAL FEASIBILITY STUDY

Outline

- Evaluation of Landfill Alternatives
- Economic Evaluation of Disposal Options
 - o Continued transfer of waste (WM Facility)
 - o County Landfill Options
- Conclusions

Landfill Alternatives

- What are the Alternatives to Landfilling?
- Do any of these Alternatives make More Sense for Chatham County?

Landfill Alternatives Evaluated

- Waste Incineration Technologies
 - o Incineration
 - o Thermal Depolymerization
 - o Pyrolysis (Polymer to Energy)
 - o Waste Gasification
 - o Plasma Arc Technology
- Waste Handling Technologies
 - o Refuse Derived Fuel (RDF)
 - o Mixed Waste Processing
- Waste Conversion Technologies
 - o Waste to Diesel
 - o MSW to Ethanol
 - o Anaerobic Digestion
 - o Composting
 - o WastAway

Economic Evaluation of Disposal Options

- Solid Waste Management Costs are Related to Control:
 - o In-County Landfill -> most control of costs
 - o Use of Private Transfer Station -> limited control of costs
- Sufficient Waste Stream is Necessary for Economic Viability
 1. Continued Transfer of Waste (WM Facility) (Baseline for Comparison)
 2. County Landfill Options
 - a. All-County Waste (180 TPD Start) (50,400 TPY)
 - b. 500 TPD Start (140,000 TPY)

Landfill Options - Net Present Worth vs. Time (4% Interest) – graph

Landfill Options – Total Expenses Per Ton vs. Time (graph)

Summary of Selected Options – table

Economic Evaluation of Disposal Options

Total Cost of Waste Disposal

- For each option, what is the total cost of disposal for All-County Waste over the study period?
- This is the cost that is passed along to County citizens and businesses.

Cumulative Cost of Disposal vs. Time (graph)

Conclusions

Evaluation of Landfill Alternatives:

- Alternatives to landfilling are not a viable option for Chatham County at this time
- All require a landfill for disposal of ash, unsuitable materials, or byproducts
- All have high capital and operational costs

Economic Evaluation of Disposal Options:

- A landfill or transfer station handling only County-Controlled waste is NOT desirable
- A landfill (Option 2B) handling All-County waste appears significantly more favorable economically than the continued transfer of waste. A landfill at this tonnage could also support additional/complimentary services while still being more favorable than the continued transfer of waste.
- The addition of out-of-County waste would improve the economy of scale and would provide additional revenue for the County.
- A County landfill up to around 500 TPD could be feasible but would require a partnership with one or more neighboring Counties/Munis and/or private hauler(s).
- A County landfill handling more than 500 TPD is likely unrealistic except by partnering with a Private Company.

Overall:

- Numerous sites could support a long-term landfill
- A County landfill handling All-County waste (or greater tonnage) has a number of tangible and intangible benefits including:
 - o Better control of future solid waste management costs;
 - o Better control of recycling and waste reduction;
 - o Lowered cost of solid waste management for all citizens and businesses
 - o Benefit to businesses looking to locate within the County;
 - o Reduced emissions of waste hauling vehicles; and
 - o The potential for additional and/or expanded solid waste management programs

Commissioner Stewart asked about the life expectancy of a landfill. Mr. Scheer said that the one they chose in the model is 40 years. Sometimes they can be as low as 20 years, but that is a short duration.

Commissioner Petty made reference to the statement that the other technologies were not viable for Chatham County and asked if there were areas where they were viable, and if so, why are they not viable in Chatham County.

Mr. Scheer said that they all have high capital and operating costs. There are not very many places in the country performing any alternatives other than landfilling.

Mr. Martin Sanford and Mr. Mike Brinck made a PowerPoint presentation from CDM.

LANDFILL ALTERNATIVE SITE EVALUATION

- Project History
- Project Progress
- Next Steps

2009 Feasibility Study

- Study Conclusions
 - o Landfill more economical than transferring MSW Out-Of-County
 - o Landfill is more cost effective than alternative disposal technologies

Project Vision

Chatham County has undertaken a landfill site evaluation to provide the citizens long-term solid waste management that is economically, environmentally, and socially sound and sustainable.

Project Goals

- Recommend a site most suitable for landfill development
- Provide a minimum 40-year operating life
- Identify and evaluate potential sites through a transparent process

How Do We Pick a Suitable Site

Landfill – 500-foot Buffer – Additional Borrow and Support Facilities

INITIAL SCREENING	Second Screening	Initial Site Evaluation
State Restricted Watersheds	Protected Watersheds	Engineering Criteria
Airports	Major Roadways	Environmental Criteria
Protected Lands	County Boundaries	Institutional Criteria
Streams	Parcel Segmentation by Streams and Utilities	Socio-Economic Criteria
100-year Floodplain	Parcels with Improvements Greater than \$100,000	
Municipal Boundaries	Multiple Adjacent Residential Developments	

Engineering Criteria

- Proximity to Primary Roadway
- Proximity to Wastewater Treatment
- Site Topography

Environmental Criteria

- Endangered and Threatened Species
- Significant Cultural Resources
- Significant Natural Heritage Sites
- Streams, Rivers, and Wetlands

Institutional Criteria

- Farmland Preservation Plan
- Proximity to Centers of Waste Generation
- Site Ownership

Socio-Economic Criteria

- Industrial Development
- Historically Burdened Populations
- Proximity to Sensitive Receptors
- Residential Population

Next Steps

Rank Remaining Sites

- Perform ranking
- Present to SWAC
 - o Determine the sites with the most potential for landfill development

Evaluation of Most Suitable Sites

- Site reconnaissance
- Develop facility layout
- Conduct financial feasibility
- Present to SWAC and BOC
 - o Determine best site

Commissioner Kost said that she got a phone call from someone last night that asked if landfills are so safe, why they could not be close to people. Mr. Brinchek said that they are not saying that landfills cannot be near people, but the preference is for the landfill to not be near residential areas.

Chairman Bock said that this is a hot topic with citizens and several people have pointed out to him that the EPA site says that all landfills, regardless of the lining, eventually leak.

Mr. Sanford said that this issue often gets raised regarding the synthetic liners. He said that EPA is saying that there has not been a lined landfill in place for 100 years to verify how the synthetic portion will hold up. There are groundwater wells put in place around landfills for the purpose of monitoring groundwater conditions. No one can say with 100% certainty that in 100 years from now the liner will not leak. So far, within the State of North Carolina, since lined landfills have been in place, that has not been an issue.

Commissioner Stewart made reference to the Farmland Preservation Plan and asked if any of the potential sites were in use by farmland.

Mr. Brinchek said that the nine identified sites were not registered within the Farmland Preservation Plan, but some of them may be used for farming.

Commissioner Petty asked how the site that has not been used since 1993 would rank now. Mr. Brinchek said that this site is still in the evaluation stage. It is close to the waste generation center for the County.

The County Manager said that there was some leeching into the neighboring private wells and new wells were dug up-slope from the leaks.

Commissioner Kost asked if there was any well monitoring of those new wells. The County Manager said that the State monitors those wells. Commissioner Kost said that she talked to a property owner last night who said that the State was not monitoring the wells. She asked for someone to follow up on this.

Dan LaMontagne said that groundwater monitoring is done routinely around the landfill and that is reported to the State. The drinking water wells outside the distance are not tested.

Two citizens asked questions from the audience.

Mr. Hughes said that staff needs direction on moving forward with the site plan. It has been on hold for over a month.

Chairman Bock said that he can see the need for a landfill, in particular the economic development side of that. He said that it is clear that they are trying to maintain the rural character of Chatham, yet one of the criteria is to put landfills as close to 64 as possible. He would hate to see the first development on 64 be a landfill. He also has issues with projections that go out more than 10-15 years.

A SWAC member said that they are not trying to convince the County Commissioners to do a landfill, but something has to be done with the waste and it is going to Sampson County and a landfill in someone's county 90 miles away. In the foreseeable future, there will have to be a landfill.

Chairman Bock said that some of these alternatives may be feasible 5-10 years down the road.

Commissioner Cross said that his understanding of going forward with the plan is that they would be looking at a property size that would carry the 500 tons, but primarily it will be much smaller. This will be a moving target either way. He would like to finish this process and find out the top three sites.

Chairman Bock asked about the timeframe for presenting the top three sites. David Hughes said that it could be done in the next couple of months.

John McSween, Chair of the SWAC, asked Mr. Hughes to tell everyone how much it would cost to open a landfill.

Mr. Hughes said that it would cost about \$6 million.

Mr. McSween asked how much it would cost to open a plasma or gasification site and it was answered \$100 million. There has to be a substantial stream of waste for these types of sites.

Ms. Lissler asked a question from the audience.

Peter Naylor said that his farm borders site 12. He said that the longer the county takes to make this decision, there longer there is a cloud hanging over the county. He would like to build a new house, but he cannot until the county decides when and where to put the landfill. He asked the County Commissioners to put them out of their misery and tell them where the landfill is going.

Chairman Bock said that this is a good point and the Board should move forward and narrow this down to the three sites and then decide whether or not to continue.

By consensus, the Board agreed to proceed with the next step in narrowing the landfill down to the three sites and from there they will decide whether or not to continue.

Commissioner Kost said that in the original timeline, the next step is to see a revised timeline because there were supposed to be community meetings in October. She would like to know when the community meetings will be held and get them scheduled. She agreed that there is a cloud of uncertainty.

Mr. Hughes said that there will be meetings to screen the criteria as soon as possible. They have been ready to go and have been waiting for the County Commissioners. These meetings could be held in January and that is the plan.

By consensus, the Board agreed.

Staff will get a new timeline to the Board.

ZONING BOARD OF ADJUSTMENT

Commissioner Petty moved, seconded by Commissioner Cross, to appoint the Chatham County Board of Commissioners as the Chatham County Board of Adjustment. The motion carried five (5) to zero (0).

The Clerk to the Board administered the Oaths as the Zoning Board of Adjustment to Commissioners Bock, Petty, and Stewart.

JUDICIAL CENTER ADA COMPLIANCE

The County Manager said that staff has looked at the Judicial Facility in context of the recent BOC request that they apply push button doors for the library and this has been extended for the Judicial Facility. If this is done on the same level as the library, it will add about \$250,000 to the budget. Staff needs guidance on whether the County Commissioners want this level of coverage. There are some options that are cheaper.

Mr. Hughes showed pictures of the doors on the library that currently have push button access. He said that he would recommend adding some push buttons on some of the public waiting areas. The building is deemed ADA compliant as it is and this would be above and beyond.

A discussion ensued on the number of push button doors.

David Taylor, Project Architect for Corley Redfoot Zack Architects, said that this vestibule was designed through the Sheriff's Department. The two doors are entrance only. There could be signage for the push button doors, thus eliminating two of the five proposed doors.

Commissioner Cross said that this was a good idea. He asked about the cost of putting in the push button doors just in the public waiting areas and it was answered \$20,000.

By consensus, the Board agreed to only use the push button doors in the public waiting area.

BOARDS AND COMMITTEES OF CHATHAM COUNTY

Commissioner Cross said that he was receiving all of the calls from committees with various problems that they wanted to bring to the Board. He then recommended having each Commissioner take a liaison position in case a board or committee had such concerns. When everyone was assigned, several or most Commissioners took those boards on as a board assignment. He received complaints afterwards that there was perceived interference with the boards by the elected officials. Since the boards make recommendations to the County Commissioners and there are staff assigned to each board, things were bypassing the staff and the Manager and coming straight to the Board. This creates administrative problems. He suggested going back to what was intended or dropping it totally.

Chairman Bock said that the original intent sounds right.

Commissioner Kost said that she supports continuing the liaison program because it is important that the Chair of any board that is appointed by the Board of County Commissioners has a contact person. If it is not a liaison, then it will all go to the Chair of the Board of County Commissioners. This helps spread the workload.

Commissioner Cross said that the key is to be on a response status and if the board requests input, then the County Commissioners help them. It should not be set up where the County Commissioners attend as members and get involved in their discussions.

Chairman Bock stated that he would support Commissioner Cross in returning to the original intent and agreeing as to what a liaison is.

By consensus, the Board agreed.

Chairman Bock said that there are some boards and commissions where a County Commissioner is a voting member and these need to be assigned now. He listed these:

- Joint Cary-Chatham Land Use Planning Subcommittee
- Metropolitan Planning Organization
- Orange/Chatham Work Group
- Triangle J Council of Governments
- Appearance Committee
- Smart Growth Committee
- Board of Health
- Orange-Person-Chatham Mental Health Committee
- Enhanced 911 Committee

Vicki McConnell, Finance Officer, said that the Enhanced 911 Committee is not as active as it used to be. It was started so that Chatham County could get 911 and now it is up and running.

Commissioner Kost agreed to be on the Enhanced 911 Committee.

Chairman Bock made reference to the Joint Cary-Chatham Land Use Plan Subcommittee and recommended that this be a Chair and Vice-Chair position.

The Board agreed.

Chairman Bock asked about the Metropolitan Planning Organization and Commissioner Kost said that the County is required to participate in this because of federal legislation. It is a regional planning organization that meets monthly – the second Wednesday of every month at 9:00 in downtown Durham. He said that the fact that the County was not at the table as often as it should have been in the past cost the County millions of dollars because it was cut out of the Long-Range Transportation Plan. This is a decision making body about road improvements.

Commissioner Kost said that she would not like to continue on the MPO because she believes that there are philosophical differences between the Board majority and her opinions about mass transit and she does not feel that she can reflect the majority opinion of this Board.

Chairman Bock said to come back to the MPO.

Regarding Orange-Chatham Work Group, Commissioner Kost said that the question is whether the Board wants to continue this work group because a lot of what was discussed was regional transportation issues and updating about what is going on along the Highway #15-501 corridor at the Orange-Chatham border.

The Board agreed by consensus to cancel the Orange-Chatham Work Group.

Commissioner Kost said to make sure and notify the Chair of the Orange County Commissioner as well as the mayors of each of the participating municipalities, including Pittsboro, that this will not be continued.

Chairman Bock volunteered to be the liaison for the Planning Board.

Commissioner Kost will keep Triangle J Council of Governments Appearance Committee and Smart Growth Committee.

Commissioner Petty volunteered to be on the Board of Health.

Commissioner Kost volunteered to be on the Chatham County Board of Education.

From this point, the Board went through each board and commission quickly, and if an assignment was not made right away, they decided to put it off.

Boards and Commissions assignments are as follows:

Chair Bock:

- Planning Board
- Chatham Partnership for Children
- Economic Development Board
- Alcohol Beverage Control Board
- Chatham Transit Network
- Orange-Person-Chatham Mental Health Committee
- Transportation Advisory Board
- Joint Orange-Chatham Community Action
- Work First Planning Committee

Vice-Chair Petty:

- Joint Cary-Chatham Land Use Plan Subcommittee
- Board of Health
- Economic Development Board
- Board of Social Services
- Local Emergency Planning Committee
- Chatham Trades Board

Commissioner Cross:

- Research Triangle Regional Partnership
- Court Operations & Security Judicial District 15B
- NC Association of County Commissioners, Legislative Goals Committee, Board of Directors, and Tax & Finance Committee
- NC Joint Legislative Commission on Municipal Incorporations
- Triangle J Council of Governments Legislative Committee and Board of Delegates
- Solid Waste Advisory Committee
- Home & Community Care Block Grant

Commissioner Kost:

- Appearance Commission
- Board of Equalization & Review
- Child Fatality Prevention
- Enhanced 911 Committee
- Grand Trees of Chatham
- Triangle J Council of Governments Appearance Committee and Smart Growth Committee
- Chatham County Board of Education
- Environmental Review Board
- Board of Elections
- Triangle Area Regional Planning Organization
- Human Relations Commission

Commissioner Stewart:

- Agricultural Advisory Committee
- Recreation Advisory Board
- Child Protective Services Review Board
- Affordable Housing Advisory Board
- Broadband Committee
- Green Building Advisory Board
- Green Economy Task Force
- Pittsboro-Siler City Convention & Visitors Bureau Advisory Committee
- Chatham Council on Aging & Regional Aging Council

RECESS

The Chairman recessed the meeting at 5:01 PM to be reconvened at 6:00 PM.

Brian Bock, Chairman

ATTEST:

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