

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**WORK SESSION**  
**SEPTEMBER 15, 2003**

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The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap, Jr. Building Classroom, located in Pittsboro, North Carolina, at 3:00 PM on September 15, 2003.

Present: Chairman Tommy Emerson; Vice Chair Carl Outz; Commissioners Margaret Pollard, Bob Atwater, and Bunkey Morgan; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

The meeting was called to order by the Chairman at 3:00 PM.

*Work Session*

1. Set a Joint Planning Board/Board of Commissioners Meeting re: Compact Communities
2. Proposed Revisions to the Chatham County Zoning Ordinance Section 14 – Home Occupations
3. Smart Start Audit
4. Chatham Church Road/Old Sanford Road Follow-up
5. Efficiency Study Follow-up
6. Appearance Commission Presentation (Status Report)

**CHATHAM CHURCH ROAD/OLD SANFORD ROAD FOLLOW-UP**

The Board discussed offering citizens, located in the extraterritorial jurisdictions in the County, the capability of joining water districts if agreeable with the towns of which they were a part.

A discussion ensued with regard to cost estimates, determination if the water line through the 3M area should be delayed, and funding (whether it is to be underwritten by residents or independently financed).

Bill Lowry suggested that the Siler City Town Manager and others affected be allowed to vote on becoming part of a water district. He stated that in fairness to all concerned, they should consult with the Siler City Town Manager to see if anyone in that area was interested in joining the district to determine if in fact that is what they wanted.

The County Attorney was consulted as to how this could be accomplished and answered questions accordingly.

## **EFFICIENCY STUDY FOLLOW-UP**

The efficiency study was discussed. The County Manager advised that the Board would save approximately \$7,300 by not including the Register of Deeds and Sheriff's Department in the proposed study. He asked if the Board wanted to proceed with the study, defer it, or do something different.

Commissioner Morgan stated that this matter had been previously discussed; that although the study would be good, that he did not feel that the Board needed to spend \$40,000-50,000 on it; and that he does not feel that the Board will reap sufficient benefits from having the study done.

Commissioner Outz stated that he feels that the Board should have an entire planning session on suggested ways that the County might reduce expenditures.

Commissioner Atwater stated that he feels strongly that the Board should proceed with the study; that given public perception, there are feelings which are sometimes alleged of mismanagement, etc.; that he feels that if Chatham County is going to address the challenges for the 21st century, it will require sacrifice from everyone just to hold status quo; that the taxpayers/citizens need to have a solid sense that County government is performing properly and efficiently; that there would be no better way to examine County government than to have an independent group to perform the study; that it would carry a lot of weight in Chatham County; that the Board has no idea what it will face; however, it will be an independent assessment; that he feels that the County needs it; and that it affects the Board of Commissioners' capacity to handle legislative functions; and that that will bring a breath of fresh air to it.

Commissioner Morgan stated that he thinks the Board has worked well together and with staff; that he feels that there is room for improvement; that if they have time to review, they can take care of it; that they are biting off quite a bit with the water situation; that he would like to see it put off a year until they have a chance to do what they know that they can and should do.

Commissioner Atwater stated that he respects Commissioner Morgan's point of view; that they have a lot of dedicated people examining, advising, and helping with water; but that considering the size of the investment, he would still like to have this kind of totally independent group examine the data, what others do with it before it gets to the Board, so that they will get what they think they are getting in terms of design and recommendation; and that he doesn't feel that there is anything wrong with having something pointed out to them by an independent auditor; and that whether it is addressed or not, it will be clearly on the table for all to see and respond.

Commissioner Outz asked how far the County was from hiring a public works director.

The County Manager explained that an offer has been made.

Commissioner Atwater stated that without regard to the qualified individual that will be hired for the Public Works Department, he still thinks that there is a real need for an assessment from the outside as to how the Board goes about providing civil infrastructure; that he wants to make certain that they are getting the kind of professional advice and information to accomplish what they think they are accomplishing; that he thinks the Board has seen many examples from years ago where clearly the County does not get the kind of professional job that they think they are getting.

Commissioner Morgan stated that if the Board did hire an outside consultant, that there should be criteria set of what they are looking for and put it out on bids; and that everyone should be told what they are looking for.

Commissioner Outz stated that he feels that the study should be delayed until the Board sees what it can do.

Commissioner Pollard stated that she feels she is able to ask for the information that she needs; that she feels the efficiency study might clear the air for a few people who might question what the Board does, but wonders if it is really worth it; that if people are inclined to not trust, then he asked if a study would make a difference; that if the Board is wide open as a Board, as open as any Board can be, and that staff is open in terms of providing information; that she wonders about the efficacy in doing an efficiency study except to be responding to a few people who may not trust anyway.

Commissioner Atwater stated that he did not feel that that was the primary audience the audit would be addressing; that he suspects that there is capability on the Board if they set their minds to conduct a management audit of the entire County, however, to do so would leave no time for other County business; that the Board should be involved with day-to-day policy decisions; that Mr. Allen has routinely done this type of audit, knows the profile of efficient counties, and their management structures which can help the Board; that he doesn't know that the Board has the right structure; that he would like to be more confident about it; that he clearly respects the Commissioners' opinions, and will go along with the majority decision.

Chairman Emerson stated that he was hearing that Commissioner Morgan and Commissioner Outz would like to wait on the study; that Commissioner Pollard could go either way; that Commissioner Atwater would like to proceed; and that he is undecided.

He stated that if the Board could spend \$40,000-50,000 on a credible management review or efficiency study, it would perhaps in and of itself save much more than it would cost; that if they could be sure that it was a qualified firm doing it, have definitive criteria as to what they wanted them to look at, it would probably be money well spent; that it is not easy going through a management review; that it takes a lot of time and work; that he has no problem if the Board wants to wait or address it in a full work session one day and talk about striving for efficiency; that they are asking what they can change or decide if they need to consult an outside professional; and that he can go either way on the matter.

Commissioner Atwater offered a compromise to wait until the December work session when the budget is addressed. He stated that he offered the suggestion so that the Board might have the opportunity to eliminate some discrepancies and then take another solid look at the matter of an independent audit at that time.

By consensus, the Board agreed to discuss the matter in their December Board of Commissioners' retreat.

### **SMART START AUDIT**

Jenny Megginson, Executive Direct of the Chatham County Partnership for Children, explained that Chatham County received the award of the Safe Start grant from the US Department of Justice in April, 2000; that Safe Start is a five-year demonstration initiative aimed at reducing the impact of children's exposure to violence through the development of a comprehensive service system and collaborative changes to existing service systems to better address the needs of children exposed to violence; that the grant was for a total of \$3.3 million over the five years beginning in the year 2000 and ending in October, 2005; that Chatham County Partnership, author of the grant proposal, was designated as sub-recipient of the grant to Chatham County; that as the sub-recipient, the Partnership has full responsibility for the development of the program, management and oversight of the program services, and fiscal management of the funds received through

Chatham County; that the Partnership also manages and oversees the Smart Start grant from the State of North Carolina through a direct contract with the NC Partnership for Children and the NC Department of Human Resources; that Smart Start requires that the Office of the State Auditor conduct an annual audit of all partnerships; that the annual audit for the year that ended June 30, 2002 was conducted in February-March of 2003; and that the audit report was compiled on March 31st and received by the Partnership sometime in late April 2003.

Ms. Megginson stated that during the 2002 audit, the state auditors conducted an OMB Circular A-133 (yellow book) audit of the financial records of the Safe Start project; that this was the first year in which a full-scale audit of the project was included in the Partnership's annual because it was the first fiscal year that over \$300,000 of federal funds had been expended; that this full audit found no instances of misuse or misappropriation of funds; that the audit did not reveal a number of financial management weaknesses associated with the project that resulted in findings in the audit report; that as sub-recipient for this grant, the Partnership must seek resolution of the audit findings from Chatham County, the grant recipient; that in accordance with the responsibility of the County to monitor sub-recipients of federal grants, the Finance Director met with the Partnership staff in early May, 2003 to review the audit findings and corrective action plan; that the corrective actions detailed in the attached plan have been carefully implemented by the Partnership and procedures put in place to correct the financial management weaknesses discovered during the 2002 audit.

She further explained that the Partnership's audit findings resulted from procedural failures regarding documentation and approvals required for compliance with federal grant guidelines; that newly hired Partnership staff for the Safe Start project have attended Department of Justice Financial Management training and will ensure that all federal grant guidelines are followed and documented carefully; that the Partnership has taken corrective actions to alleviate financial management weaknesses; that the County has fulfilled the monitoring responsibilities for receipt of federal funds from the US Department of Justice; and that the County will continue to monitor the financial management practices of the Partnership throughout the fiscal year.

Ms. Megginson asked for a motion to approve acceptance of the corrective action plan submitted by the Partnership and resolution of all audit findings related to the Safe Start grant for the fiscal year ended June 30, 2002.

Chairman Emerson moved to accept the corrective action plan submitted by the Partnership and resolution of all audit findings related to the Safe Start grant for the fiscal year ended June 30, 2002. Commissioner Atwater seconded the motion.

Commissioner Morgan stated that he did not feel comfortable voting since he had not had time to review the plan.

After further discussion, Chairman Emerson withdrew his motion.

This matter will return to the Board for consideration at their next regularly scheduled Board of Commissioners' meeting.

Ms. Megginson introduced Vicki Newell, new Chatham County Safe Start Project Director.

## **BOARD OF COMMISSIONERS' MATTERS**

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### **Joint Meeting with Planning Board:**

- The Board decided to offer Monday, October 13, 2003, 7:00 PM as the date and time on which to have a joint meeting between the Board of Commissioners and Chatham County Planning Board.

- **Resolution to Oppose Annexation by Town of Cary:**

- The Chairman read and the Board reviewed a proposed resolution which will come before the Board for adoption at their regularly scheduled night meeting entitled **Resolution to Adamantly Oppose any Further Annexation by the Town of Cary.**

- After considerable discussion, the Board agreed unanimously to support the resolution.

- **Heart of Carolina Festival:**

- Chairman Emerson informed the Board of a request by Tommy Edwards to adopt a resolution supporting the "Heart of Carolina Festival".

- Commissioner Pollard moved, seconded by Commissioner Morgan, to adopt **Resolution #2003-32A Supporting The Heart of Carolina Festival**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

- **Arch Hausley Road:**

- Chairman Emerson asked that a letter be sent to NC Department of Transportation requesting that they look into the possibility of paving the one-half mile stretch of road.

- Commissioner Outz moved, seconded by Commissioner Pollard, to send a letter to the NC Department of Transportation requesting that they pave the one-half mile Arch Hausley Road. The motion carried five (5) to zero (0).

- **Carbonton United Methodist Church Sign:**

- Commissioner Pollard stated that she had received a telephone call regarding the missing sign for the Carbonton United Methodist Church.

- **Revisions to Zoning Board – Home Occupations:**

- Due to time constraints, the Board asked that this issue be deferred until the Board of Commissioners' meeting on October 6, 2003.

- **Public Works Director:**

- The County Manager informed the Board that an offer had been made to the top candidate for the Public Works Director position, and that he was waiting for a response at this time.

- **Assistant County Manager:**

- The County Manager introduced Renee Dickson as the new Chatham County Assistant County Manager formerly Director of Organizational Development.

- **Central Permitting Position:**

The County Manager stated that Central Permitting is being redesigned and by the authority given to him by the Board, he will be announcing a new director Thursday morning.

**Public Input Meetings:**

Bill Lowry asked that the Board consider holding a meeting two–three hours in length to receive public input on any issue about which they wanted to speak, especially with regard to the water system.

**Water Line at Preston Woods:**

Commissioner Atwater expressed an urgency to contact the County's Legislative Delegation to allow the County to install a line and cap it under the road at Preston Woods Road so that it will be ready when needed; that it is approximately \$10,000 to drill under a road; and that presently there is only dirt at that location.

The County Manager is to contact the proper officials regarding this matter.

**BREAK**

The Chairman called for a five-minute break.

**CLOSED SESSION**

Commissioner Morgan moved, seconded by Commissioner Atwater, to go out of Regular Work Session and into Closed Session for the purpose of discussing litigation with regard to Kassie Horton Dorsett VS Joseph Mueller and Chatham County (File #03CVS 715). The motion carried five (5) to zero (0).

**REGULAR SESSION**

Commissioner Morgan moved, seconded by Commissioner Atwater, to adjourn the Closed Session and reconvene in Regular Session. The motion carried five (5) to zero (0).

Commissioner Atwater moved, seconded by Commissioner Outz, to release payment to Wallace Creech & Co., Inc. in the amount of \$18,685.00. The motion carried five (5) to zero (0).

Commissioner Morgan moved, seconded by Commissioner Pollard, to rescind the previous motion to approve the substitution of the new company, Benchmark Inc., for the former company Benchmark LLC, and to permit the company to carry out the 2004 CDBG application approved at the September 02, 2003 Board of Commissioners' meeting. The motion carried five (5) to zero (0).

Commissioner Morgan moved, seconded by Commissioner Pollard, to approve the selection of Hobbs, Upchurch & Associates to carry out the 2004 CDBG Scattered Site Project. The motion carried five (5) to zero (0).

**RECESS**

Commissioner Pollard moved, seconded by Commissioner Morgan, that the meeting be recessed for the regularly scheduled Board of Commissioners' meeting to be held in the Superior Courtroom. The motion carried five (5) to zero (0), and the meeting was recessed at 5:49 PM.

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Thomas J. Emerson, Chairman

ATTEST:

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