

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
APRIL 19, 2004

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 April 19, 2004.

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

The Chairman called the Work Session to order at 3:04 PM.

Work Session Agenda

1. 2005 Revaluation Schedules of Values
2. Chatham Transit Network Update
3. Compact Communities Ordinance Comments/feedback (if any)
4. Budget Presentation

The County Manager reviewed the proposed Work Session Agenda.

Commissioner Pollard asked to add a discussion on the library staff positions, time permitting.

REVALUATION SCHEDULES OF VALUES

Kim Horton, Chatham County Tax Administrator, explained that General Statute 105-317(b) states “In preparation for each revaluation of real property, it shall be the duty of the assessor to see that uniform schedules of values, standards, and rules to be used in appraising real property at its true value and at its present-use value are prepared and are sufficiently detailed to enable those making appraisals to adhere to them in appraising real property.” She stated that the values, standards, and rules to be used in appraising real property shall be reviewed and approved the Board of County Commissioners before January 1st of the year they are applied; that Chatham County’s next scheduled revaluation will be effective January 1, 2005; that a copy of the schedules will be placed in the Office of the County Manager and in the Office of the Tax Administrator where they will remain available for public inspection; that a notice will be issued in the local paper stating that the proposed schedules to be used in appraising real property have been submitted to the Board and are available for public inspection; and that a public meeting on the schedules will be held on May 3, 2004.

Ms. Horton answered questions from the Board regarding the schedule of values and revaluation

process.

CHATHAM TRANSIT NETWORK UPDATE

Helen Stovall, Chatham Transit Network Director, thanked the Board for the opportunity to share what her organization does for the citizens of Chatham County. She updated the Board on Chatham Transit services and discussed the draft resolution to be presented to the North Carolina Board of Transportation regarding regionalizing transportation statewide.

Ms. Stovall stated that Chatham Transit Network serves over 1,400 individuals and provides an average of 5,978 passenger trips each month; that that breaks down to approximately 260 passenger trips provided each day in Chatham County; that most of the transportation is subscription route service done for other non-profit, human service agencies such as Council on Aging, Chatham Trades and Early Intervention Services; that Rural General Public (RGP) service is the fastest growing part of their service; that basically, anyone can access any of their routes that come within five miles (round trip) of their location if there is a seat available; that in the Towns of Siler City and Pittsboro, the general public service is available more frequently and resembles more of a dial-a-ride service; that they state that a rider should allow two hours for a pick-up if calling for same day service in Pittsboro or Siler City, but that their average response time is around fifteen minutes; that in Siler City, Chatham Transit Network provides an average of 285 passenger trips per month; that their other most popular general public service is their Chapel Hill route; that they travel to Chapel Hill three times per day and do an average of 310 general public passenger trips each month on this route; that this route is run in coordination with Randolph County Area Transportation Service; that the Chapel Hill route takes so much of their general public money and has become so popular that they have asked NCDOT/PTD to make it part of an intercity route through Chatham County; that the initial response has been positive, but they do not yet know if this will be one of the intercity bus projects that the state decides to fund.

She stated that funding for Chatham Transit Network comes from the Federal Transportation Administration (FTA), the NCDOT Public Transportation Division (NCDOT/PTD), Chatham County, United Way and sell of services; that the funding received from FTA and NCDOT/PTD is for administrative purposes only; that the FTA contributes 80%, NCDOT/PTD 5% and 15% is from local sources; that none of this funding actually pays for the movement of a vehicle; that all operational expenses must be paid for through the sale of services; that NCDOT/PTD is moving toward regionalization of transportation systems across the state; that a draft resolution has been prepared and sent out for review before it goes to the NC Board of Transportation at their next meeting; that the draft resolution calls for the regionalization of transportation systems within five years and those systems who do not comply will no longer be considered eligible for funding; that the resolution includes all transportation funding and does not even allow for human service transportation without regionalization; that how this will affect local systems is unclear, but regionalizing of services should not affect the in-county, day-to-day operation of Chatham Transit Network; that areas that will be most directly affected are probably administrative, training, drug testing, fleet management, safety planning, reporting and out-of-county transportation services; that the configuration that this new regional system will take is unknown; that she has been meeting with other rural operators in the area and this action has been discussed at the RPO meetings, but until the adoption of the resolution and final requirements come from NCDOT/PTD all they can do is speculate and lay the groundwork; that her main concern is the fact that in all of the surrounding counties, the transportation system is considered part of the County's infrastructure and a part of County government; that Chatham County's transportation system, Chatham Transit Network, is a private non-profit; that the County has contributed minimal funding to Chatham Transit Network in the past, but with regional transportation the local contribution will probably increase greatly; and that if the draft resolution is adopted the only choices are to join a region or lose federal and state funding for transportation services including human service transportation.

In response to an inquiry from Commissioner Pollard regarding Chatham County's non-attainment status, Chatham Transit Network is exploring the use of bio-diesel fuels and has instructed its employees to fuel in the mornings and not to leave engines running when the vehicle is not in motion.

COMPACT COMMUNITIES ORDINANCE

George Lucier, Planning Board Chairman, stated that the Planning Board met to review comments that were received by the Board of Commissioners at their March 23, 2004 Board of Commissioners' meeting; that the Planning Board did not wish to reconsider any of their recommendations based on the public hearing comments; that the Planning Board was solid in their opinions that their views would not change because of the public hearing comments, not that the information wasn't important, but that a lot of it had been heard previously and the new information wasn't sufficient to change anyone's mind; and that the overwhelming opinion of the Planning Board was to send back to the Board of Commissioners the public hearing draft with one exception; that the exception was that the Planning Board voted to remove the waiver by a six to four vote; that there was very little interest by the Planning Board in considering the "reduced location"; and that it was unanimous among the Planning Board to send back to the Board of Commissioners the public hearing draft without any recommendations except for the waiver issue.

The County Manager explained that they (Keith Megginson, Bob Gunn, Paul Messick and he) had met with the Planning Board Chairman regarding the parameters for addressing this issue as follows: 1) Is there a way without making substantive changes to the ordinance that would require another public hearing to minimize the likelihood that another compact community could be in the designated area; 2) To refine the waiver wording to include the process of the waiver.

Keith Megginson, Planning Department Director, presented a map of the initial area to be considered for compact communities that still exists on the County's web site. He presented a separate map with a reduction in the area by reducing land on the east side of Highway #15-501 and the south side of Andrews Store Road. He stated that the Planning Department recommended adding language to the text with the words in section 6.1D "generally described as follows" and the sentence "for a more particular description, see the map attached hereto and incorporated herein by reference".

Also present at the meeting were Bob Eby, Jeffrey Starkweather, and Mary Bastin.

Mr. Eby made comments about possible revisions to the map. He stated that the original Compact Communities Ordinance applied over the County; that at the first meeting, the Board decided to have it apply only to a specific area; that it appeared the area was set because the Board had full knowledge of what a specific developer intended to propose; that there was no other rationale for it including land south of Andrews Store Road and east of Highway #15-501; that no discussions of these boundaries has been raised in all the intervening months; that now at the last minute, someone discovered the Board didn't set the boundaries quite right for the first time; that again, with what can only seem to be prior knowledge of what a developer intends to do after the Compact Communities Ordinance is passed, the Board proposes to add area to the location designated for a compact community; that it appears this is being done under guise of responding to citizens' concerns about separation between compact communities; that while he has no objection to the proposed removal of land south of Andrews Store Road and east of Highway #15-501, adding new area is consequential and significant; that it requires a public hearing if it is adopted; that these new areas, if adopted, smack of spot zoning; and that it would put the County in jeopardy of being sued if it is adopted.

Commissioner Pollard moved, seconded by Commissioner Outz, to clarify the discrepancy

between the map and the text description.

Jeffrey Starkweather stated that if an ordinance refers to property, it makes sense to refer to the map and have the language both, but in fact, what was advertised for the public hearing was the text, not the map; that if he owned the piece of land there and he had a lawyer, he thinks he would have a pretty good case that they did not follow procedure/due process because it was never advertised that they were going to include him; and that he just went by what the language said.

Commissioner Atwater expressed concern with regard to voting on the matter before he had a chance to fully study the information from the last work session.

After further discussion, Commissioner Pollard withdrew her motion.

SOLID WASTE UPDATE

Nadine Perry, Waste Reduction Coordinator, asked the Board for permission to apply for a recycling grant. She stated that the grant amount is for \$5,000; that it would require a ten percent amounting to \$500; that they have that amount in their budget; and that the grant would be used to purchase recycling containers.

Commissioner Pollard moved, seconded by Commissioner Morgan, to grant permission to apply for a recycling grant in the amount of \$5,000. The motion carried five (5) to zero (0).

WATER SYSTEM UPDATE

The County Manager explained that staff had received EPA approval for projects; that this is the last step before funding; and that the Board needs to respond by approving a resolution of commitment to protecting its important natural resources while developing sections of the County into assets that further the economic integrity of the region as set forth by the NC Wildlife Resources Commission.

Commissioner Atwater moved, seconded by Commissioner Pollard, to adopt **Resolution #2004-20 Approving Commitment to the Implementation of Mitigation Measures**. The motion carried five (5) to zero (0). The resolution is attached hereto and by reference made a part hereof.

CLOSED SESSION

Commissioner Morgan moved, seconded by Commissioner Pollard, to go out of Regular Session and convene in Closed Session for the purpose of discussing possible land acquisition. The motion carried five (5) to zero (0).

REGULAR SESSION

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

DECLARATION OF OFFICIAL INTENT TO REIMBURSE

The Finance Officer explained that because the County intends to borrow money to pay for water projects and is currently using its own funds, it needs to reimburse itself; that federal regulations assert that the Board has to approve a "Declaration of Intent to Reimburse" in order to reimburse itself before funds are borrowed from the bank.

Commissioner Morgan moved, seconded by Commissioner Outz, to approve **Declaration #2004-21 of Official Intent to Reimburse**. The motion carried five (5) to zero (0). The resolution is attached hereto and by reference made a part hereof.

BUDGET PRESENTATION

The County Manager stated that he will present the 2004-2005 Recommended Budget at the night's meeting.

COMMISSIONER CONCERNS

Library:

Chairman Emerson explained that the Siler City Library would like to have the handicapped parking space moved from the back parking lot to the door; and that they know they cannot make a handicapped bathroom, but would like to have a handicapped rail installed. He asked that staff look into this matter.

Hampton Village:

Chairman Emerson stated that he had been contacted by the people in Hampton Village, a mobile home park located outside of Siler City, requesting that the State Highway Department look into posting reduced speed limit signs stating that children are in danger due to the posted 35 MPH speed limit in the area.

Chatham Central Railroad Crossing:

Chairman Emerson stated that the Chatham Central railroad crossing had not yet been repaired.

The County Manager explained that staff was looking into getting this matter taken care of.

Veteran's Memorial:

Chairman Emerson asked that the installation of a Veteran's memorial be discussed by the Board at a later date.

After discussion and by consensus, the Board gave the Chairman authority to appoint an ad hoc committee to study placing some type of memorial on the courthouse lawn and report back to the Board.

Friends of the Library Request:

Commissioner Pollard stated that the Friends of the Library made a request for a full-time position to be shared by all libraries in the County as a children's specialist which she thinks is critical.

Commissioner Pollard moved to appropriate \$34,000 from Fund Balance \$34,000 for the Chatham County Libraries.

Commissioner Outz stated that he would like for this to be discussed during budget deliberations.

After considerable discussion, the motion died for lack of a second. This issue is to be discussed at a later date on May 3, 2004.

Town of Chapel Hill Joint Meeting:

Chairman Emerson reminded the Board of the joint meeting between the Chapel Hill Town Council and the Chatham County Board of Commissioners to be held at the Council on Aging building, April 20, 2004, at 7:00 PM.

Budget:

Renee Dickson explained the large things that are creating a three million dollar increase in the General Fund from FY04 and FY05. She stated that the schools are receiving \$500,000; that the Capital Reserve is increased by \$500,000; that an additional \$800,000 is being appropriated for Capital Outlay; that salaries added to the budget and added together combine to just over two million dollars; and that there is not a drastic increase in the bottom-line budget.

RECESS

Commissioner Morgan moved, seconded by Commissioner Atwater, that the meeting be recessed to the regularly scheduled Board of Commissioners' meeting in the District Courtroom. The motion carried five (5) to zero (0), and the meeting was adjourned at 5:01 PM.

Thomas J. Emerson, Chairman

ATTEST:

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