

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JUNE 04, 2012

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Building Auditorium, 45 South Street, Pittsboro, North Carolina, 6:00 PM on June 04, 2012.

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

Staff 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 Lindsay Ray, Deputy Clerk to the Board

INVOCATION AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

Chairman Bock welcomed those in attendance and called the meeting to order at 6:01 PM.

AGENDA AND CONSENT AGENDA

The County Manager asked that a Closed Session be added to the end of the Agenda for the purpose of discussing land acquisition and personnel.

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

1. **Minutes:** Approval of Board Minutes for the Regular Session held on May 21, 2012 and Budget Session held on May 22, 2012

The motion carried five (5) to zero (0).

2. **Renewal Agreement with Logan Systems, Inc.:** Vote on a request to approve a renewal of a 3 year contract with Logan Systems, Inc., attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

3. **Award Bid for the Sanford Interconnect:** Vote on a request to award the bid for the Sanford Interconnect 500,000 Gallon Elevated Storage Tank to Caldwell Tanks, Inc. in the amount of \$1,135,800.00 and authorize the County Manager to sign the contract on behalf of the County

The motion carried five (5) to zero (0).

4. **NNP-Briar Chapel, LLC Conditional Use Permit Revision Request:** Vote on a request to adopt **A Resolution Approving A Revision to A Conditional Use Permit by NNP-Briar Chapel, LLC**

As per Staff recommendation, the Board adopted **Resolution #2012-33 Approving a Revision to a Conditional Use Permit Request by NNP-Briar Chapel, LLC**, with the findings of fact and 29 conditions listed therein, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

5. **Voting Equipment Licensing and Maintenance Contract:** Vote on a request to approve contract with Election Systems Software for voting equipment licensing and maintenance, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

6. **Board of Health Appointments:** Vote on a request to reappoint the following members to the Board of Health for 3-year terms, by the full Board:

- Van Romine - Optometrist
- Linda Ellington - Nurse
- Jim Kurz - Physician
- John Kessler - Pharmacist

The motion carried five (5) to zero (0).

7. **NCDOT Road Maintenance Abandonment:** Vote to adopt **Resolution #2012-34 to Approve Partial Abandonment of Woody Dam Road**, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Diana Hales, 528 Will Be Lane, Siler City, NC, stated that at the budget session the Board just held a few weeks ago, she failed to speak up about the non-profit process stating that this was the first year in which she participated in the process and chaired one of the committees. She stated that it was fabulously run and gave her a good idea of the level of need in the County for various services. It was gratifying to learn of the strong volunteer base in the County. The scoring was difficult as everything was not equal. As a member of the committee, when they were down to the final decision points, they had to weigh the fact that twice as much was requested as was available. A lot of things, other than the scoring, entered into the process. They knew that the Board had the \$10,000 in contingency that could augment several of the grant recommendations. In developing the discussions, a lot of consideration went to an organization's ability to raise funds. It was a very good process of which she was glad to be a part.

She stated that Senate Bill 820 on fracking has zero local control. Unless they adopt some provisions from another House version that is circulating, she stated there will also be no landowner protection. In Chatham County along the Deep River, there are mineral leases that already exist that have been paying taxes since the 1979 NC Legislation. People can enter the properties and perform "thumping" which is seismographic testing in the area and the owner has no recourse. She encouraged the Board to send a strong letter to the Senate to help the citizens of Chatham County and indicate their questions and displeasure with Senate Bill 820.

Tom Glendenning, 160 Eddie Perry Road, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

“Weekly reports of permits granted are published by the county. The number of new housing and commercial units are easily tracked with this report. What became apparent in the report was the inconsistent fee to project cost ratio. Some of these fees are ludicrous.

The standard fee ranges from 1% to 2% of the project cost for new residential construction. Some are higher. What stood out were the fees which cost the owner/applicant or builder 8% to 100% of the project cost. I am confident that there is bureaucratic justification according to rules and regulations. However, the injustice of these fees at the higher rates is undeniable.

One detached building project costing \$3000 had a fee of \$228 or 8%. Another addition to an existing building of 200 square feet cost \$ 131 or 5%. One alteration costing \$500 had a fee of \$ 50 or 10%. In two electrical reconnects, the fee was 100%. Mechanical inspections ran from .8% to 1.7% as did mobile homes, while one modular installation ran 2.1%. A permit for a sign cost .3%

The main issue revolves around state regulations, which govern building codes, and state licenses for builders, contractors, subcontractors, well drillers, sign contractors, etc.. All the main building disciplines are licensed. Thus, if a contractor does not do his/her job, they can lose their license. And the state sets the standards for all construction. Does the county need to be in the inspection business especially for smaller projects?

Another issue is whether the county should be charging the fees for low end projects, especially when the fee is a high percentage of the total cost.

There are plenty of checks and balances in the private sector to protect real property owners. In the world of contracting, if one does a poor, shoddy or unfair job, that reputation will spread rapidly. Lawsuits are the result of really bad, high cost jobs. Small claims handle low end job injustices. In so many words, the market, the judicial system and the rumor mill will take care of poor work. If an owner has questions, the architect, hired inspector or owner's representative can perform the inspection work necessary. On a home costing \$ 300,000 or more, there is usually one of these representing the owner.

This fee based strategy is punitive for any citizen, not to mention the ones on low incomes or unemployed.

I suggest that fees are unfair and the costs of a department should be borne by the general fund. The county actually sells nothing. It should be providing necessary, basic services covered by the general fund.”

BOARD PRIORITIES

Board of Health Presentation and update on consolidation legislation and what it would mean for public health in counties

Holly Coleman, Chatham County Health Director, thanked the Board of Commissioners for the opportunity to make their presentation and introduced Bill Browder, Chairman of the Chatham County Health Board. Ms. Coleman and Mr. Browder presented a PowerPoint on “Proposed Consolidation Legislation – A Public Health Perspective” as follows:

Proposed Consolidation Legislation A Public Health Perspective

Bill Browder, Chairman
Chatham County Board of Health
Holly Coleman, Health Director
Chatham County Public Health Department

Human Service Agencies in NC

- 1973-legislation specific to counties with population of 300,000 or greater—allowed boards of county commissioners to assume the powers, duties, and responsibilities of other county boards, including human services boards
 - Board is appointed by the commissioners, or
 - Acts pursuant to the authority of the BOC
 - MECKLENBURG COUNTY

Human Services Agencies in NC

- 1985-population threshold increased to 400,000
- 1987-population threshold increased to 425,000
- 1996-statute amended to allow eligible counties to consolidate social services, public health and mental health services into one human service agency
- WAKE COUNTY

History of S433

- Senate Bill 433 was introduced in 2011
 - Allows counties to consolidate the health department and department of social services into a consolidated human services agency
 - County manager could appoint & supervise a director to oversee human services
 - Create a consolidated human service board that has powers presently assigned to boards of health, boards of social services
 - Establish a consolidated human services agency that has the authority to carry out all of the functions of these departments
 - Employees would no longer be subject to the State Personnel Act, but fall under county personnel policies and ordinances

NCACC

- Advocating for consolidation, now calling it the “human services flexibility” bill
 - House Health & Human Services Committee pulled S433 last week
- YouTube “County Advocacy in Five”
 - Option to adopt Mecklenburg & Wake model
 - Reduce Administrative Costs
 - Shift funds to delivery of services
 - Eliminates/streamlines a layer of government
 - Independent boards to one board
 - Purview of boards of county commissioners and county managers

2012 Short Session

- S433 is still alive
- Confusion exists, with introduction of S1075/H875 on May 24
 - LME Governance Bill-allows for area local management entities with area boards
 - Consolidated human services boards appointed by the county’s BOC
 - Human services director is appointed by, reports to and dismissed by the county manager
- S1075 was pulled from the House’s HHS Committee agenda last week-substitute bill is supposed to be filed
- S433 is now expected to continue to be the “consolidated governance” bill

Consolidated Governance of Local Health Departments (LHD)

- **Current Environment**
 - Counties have authority to physically consolidate local DSS & LHD
 - Location
 - Utilize same registration area for clients
 - **Authority over LHD budget**
 - Set county appropriation of budget
 - Bring financials under county finance system
 - Appoint all Board of Health members
 - **Authority of LHD staff (local health director)**
 - Appoint all Board of Health members
 - BOH appoints health director AFTER consulting with the County Board of Commissioners- GS 130A-40(a)

In interest of public's health

- **Preserve Boards of Health**
 - Bring a level of expertise based on particular profession
 - By statute responsible for protecting & promoting the public's health
 - Has authority to adopt rules, including all municipalities
 - Provides a buffer between decisions made and the BOC
 - Serves to advise elected officials on policies & programs
 - Sets policies, goals, priorities to guide the health department
 - Hires/fires the agency head
- **Chatham County's Board of Health**
 - Well Construction Rules for private wells-1982-over 25 years before the state adopted rules to protect the health of NC residents using well water
 - Adult health clinical services
 - Childhood Lead Poisoning Prevention Rules-2010-in advance of new CDC guidelines to protect our children
 - Continued advocacy for services to screen women for breast and cervical cancer

In the interest of the public's health

- Local Human Services Director
 - Should meet the same education and experience requirements as found in GS 130A-40(a)
 - Value of having regulated education & experience requirements for the position
 - Have legal authority to act when people's health is in question
 - Responsible to serve every person equally & fairly in the enforcement of laws, rules or policies related to health
 - Provides a buffer between the health department and county when controversial decisions affecting the public's health are made

Will a human service agency save money?

- UNC's SOG study found a relationship between population size and both expenditures on public health and FTEs per 1,000 population.
 - Public Health agencies that serve larger populations have lower total per capita expenditures and fewer FTEs per 1,000 population.
 - Wake/Mecklenburg counties fall into the larger population categories

Differing Missions

- DSS-”...protect vulnerable children and adults; strengthen and preserve families; provide access to health care and better nutrition, and promote economic stability while encouraging personal responsibility.”
- Public Health: “...protect and promote the health of Chatham County residents in partnership with the community.”

Will it result in better service to residents?

- The goal of a single portal of entry is controlled by the state providing for a data system that connects the agencies, it is not something that can be accomplished by individual counties
- Public health services focus on improving the health of the population, or community, with less emphasis on the individual’s health.

Future

- Final outcome is unknown.
- If option/flexibility is granted by the legislature, the boards should work together to make the best decision for the individual county.
- Thank you.

Chairman Bock asked if this was to be done during the Short Session. Ms. Coleman stated that there seemed to be a push to move it forward.

Chairman Bock asked if it was supported by the County Commissioners' Association. Ms. Coleman replied, yes.

Commissioner Kost asked if applicants filled out a State or County application stating that it seems to her, local control over personnel and hiring would be better than having that level of State control.

Ms. Coleman stated that they have staff that determines qualifications for the job and/or classifications. Occasionally, they have to send one forward to have it reviewed because it is questionable. The Office of State Personnel performs that review. They also have more recourse through their disciplinary process.

Carolyn Miller, Chatham County Human Resources Director, stated that the State has certain areas of control over the employees of Health and Social Services by State Statute in classifications, applications, and disciplinary actions. She stated that the County can be substantially equivalent in maintaining our own system. The State system for qualifying applications against the job description is a more exact science than it is with the County as they are very specific about educational requirements, etc. Where we have the flexibility to determine the best qualified applicant regardless of their experience, etc., if they don't qualify in the State system, they are ineligible for the job. It is a good check and balance for that system to have them review the job classifications and applications. To this point, we have someone on Staff that can qualify them, and it is a tremendous help. Otherwise, all of our applications would go to the State to qualify. It is also a way for them to double-check to make sure that the Public Health Educator in Chatham County has the same base qualifications as the Public Health Educator in other counties of the State.

Commissioner Kost stated that she still sees it as an advantage if the County had local control over the State.

Ms. Coleman distributed copies of the Annual State of the County's Health Reports stating that they would be available in a variety of locations across the County.

Mr. Browder expressed appreciation of Commissioner Petty's service on the Chatham County Board of Health.

Finalization of Budget: Budget work session to finalize budget direction so that staff can prepare the budget ordinance for adoption on June 18, 2012

Renee Paschal, Assistant County Manager, explained that at the budget work session held on May 30, 2012, the Board discussed adjustments to the FY-2013 Recommended Budget and asked for additional information on some items. The Board also discussed other items that do not impact the FY-2013 budget but may impact FY-2014.

The recommended adjustments to the FY-2013 Recommended Budget are as follows:

Expenditures:

Increase supplement by 2% for teachers and TAs	66,433.00
Increase technology allowance for governing board	9,000.00
Restore EDC cut (\$10K for marketing is one-time)	28,500.00
4H assistant position	35,100.00
Take out % time increase for community development position; reduce salary to hiring rate, eliminate operating budget	(30,724.00)
Chatham Transit driver salary increase	25,547.00
Total	133,856.00

Revenues:

General Fund Balance Appropriated	4,964,392.00
Amount we could appropriate (+\$10K for EDC marketing)	5,098,673.00
Difference	134,281.00
Additional fund balance appropriation needed	133,856.00

The requested clarification and recommendations concerning FY 2013 Recommended Budget items include:

- Allowing Chatham Arts Council to rent office space in the Performance Building from the county, with the stipulation that if the space is needed by the county then Chatham Arts Council will agree to vacate. Staff will work to develop a lease that will stipulate conditions under which the space will be returned to the county and security considerations.
- Clarification of ABC revenue budgeting: The Finance Officer is attempting to get an explanation from the ABC Board and will provide if successful.

The Finance Officer explained that she looked at the ABC Board's budget stating that they have \$100,000 programmed for this year and \$50,000 for next year but that they are planning to move across the street into the video store at Cole Park Plaza. They will have a lot of capital expenditures next year as they have to redesign the space. They think that they will have to go into fund balance in order to do the renovation.

Commissioner Kost asked if out of the budgeted \$100,000 for this year, they will only give the County \$50,000. The Finance Officer stated that they would give the County \$100,000 in FY 2011-12 and are budgeting for \$50,000 in FY 2012-13.

Chairman Bock asked about the 4-H position. Ms. Paschal stated that we are adding a position to 4-H so that the program can be expanded.

Commissioner Kost asked if funding for the 4H program was for twelve months. Ms. Paschal stated that it was. She stated that it could be prorated.

Ms. Paschal continued by reviewing the following:

- Revisions to the subdivision ordinance to modify timeframes as a result of holding one commissioner meeting per month.
- Alternatives to renovation of the Annex: The board decided to keep funds for the renovations in the FY 2013 budget, but directed staff to work with the architect to develop alternatives, including constructing another building on a different site.

Ms. Paschal stated that follow-up items for the future include:

- Recommending a permanent solution for the availability of a North Chatham voting site
- Locating a site for a library materials collection box in North Chatham

Ms. Paschal further explained the following:

1. The Chatham County Non-Profit Grant Allocation Process reserves \$10,000 to be awarded by the Board of Commissioners at their discretion in addition to the allocations recommended by the panels and the Manager. The Commissioners agreed to award an additional \$2,000 to Chatham Outreach Alliance (CORA) and \$8,000 to Family Violence and Rape Crisis Services (FVRC), Commissioners discussed that FVRC could use the funding for either program.
2. Ms. Paschal asked if the Commissioners want to do the same for CORA or if they want to designate the \$2,000 for either SNACK or Backpack?

By consensus, the Board agreed to give them the option to use the \$2,000 where it is needed.

3. Restore \$28,500 to the Economic Development Corporation (EDC) to restore a position and marketing funds. The EDC proposed the elimination of arts funding (\$16,500) and reduction of operating expenses (\$28,500), which included the elimination of a position in January of 2013 (\$18,500) and reduction of marketing expenses (\$10,000). The Commissioners requested restoration of the \$28,500 previously recommended as a cut and allowed for the possibility that a portion could come from one-time funding.

Ms. Paschal stated that Staff recommends taking \$10,000 as a one-time increase from fund balance with the remainder restored in the operating budget. The President of the EDC has okayed this approach.

By consensus, the Board agreed. They asked that the Economic Development Director and everyone understand that this is a one-time occurrence.

4. Chatham Transit driver pay: The Board asked staff to work with CTN staff on options and report back with a recommendation. Staff reviewed two scenarios proposed by the agency to increase driver salaries and recommends an approach that provides an increase of \$25,547 to implement the first of a two-phased increase for drivers. The average salary will be \$9.77 per hour, up from \$8.92 currently.

By consensus, the Board agreed.

4. Community Development Position: Staff recommends removal of the previously submitted increase in time from part to full time, elimination of the operating budget, and reduction of the position to the hiring rate.

By consensus, the Board agreed.

Commissioner Kost stated that she talked with the School Superintendent. There is a concern with regard to the teacher's supplement and that if it is only given to the teachers and teacher assistants, it will cause a personnel issue for him. She stated that Ms. Paschal stated that the cost would be a little less than \$9,000 but that she felt that the school system could probably do it within their budget. She stated that she wanted to alert the Board of Commissioners that that is something the school system will probably do within their allocation.

Chairman Bock asked if they were County employees. Ms. Paschal stated that they were State employees.

Chairman Bock stated that he was surprised to learn that the "teacher's supplement" goes to employees other than teachers and he did not want to use the teacher's supplement for non-teachers.

Commissioner Petty stated that he was concerned about the money teachers are taking out-of-pocket to help pay for classroom supplies.

Chairman Bock stated that if they had \$8,000 he had rather put it into the teacher's supplement for teachers.

Commissioner Kost stated that would be compared to giving one County office a raise and not giving another County office a raise. Everyone pulls together as a team.

Chairman Bock stated that the Board is talking about everybody else that gets a raise, except for the 2% for the teachers, are County employees. He stated that we are not supplementing other people that are not County employees.

Commissioner Kost stated that organizationally, you cause a problem when you only give a raise to some of the employees and not to all. For less than \$9,000, they could take care of that organizational issue.

Chairman Bock stated that he understands that, but the whole idea was to help the teachers that are spending personal money on paper/supplies and he would rather see any extra money put toward the teacher's supplements and classroom employees.

Commissioner Kost reiterated that the Board is talking about such a small amount of money; however, the schools are at the mercy of the State and County for funding. We are giving employees an average of 6% raise, but saying that we cannot slightly increase the supplement for a maintenance worker. She stated that she feels this is a little unfair.

Commissioner Petty stated that his concern all along has been the teachers. When he talked with teachers, it kept coming up about how much money they are spending out-of-pocket to take care of things in the classroom. He stated that it bothers him that teachers have to use their own money for supplies.

Commissioner Kost stated that the Board of Commissioners could give them more money for supplies.

Ms. Paschal stated that the supplement cannot be restricted; however, they can be asked to earmark it only for teachers and teacher assistants.

Chairman Bock said that he felt they would honor what the Board asks.

Commissioner Stewart stated that she felt that was the original intent to provide the extra for the teachers or the employees who will be directly impacting the children, and that is the best place to put it.

Commissioner Cross asked Ms. Paschal if she said that the School Superintendent could take this out of his budget. Ms. Paschal stated that she did not say that; however, she stated that it was \$8,200.00; that so far the State budget looks very favorable to education; and that House budget restores two-thirds of the discretionary cut which will be very helpful for them. She stated that she could talk with the Superintendent and see if he is agreeable to it.

Chairman Bock asked from where the money would be taken. Ms. Paschal stated that it could be taken from contingency.

Chairman Bock asked if that would be another increase from what the County has already given the school system stating that it would be another \$8,000.00 with the original \$400,000.00 with the assumption that they were not going to get all of the money from the State. Now, most of it is being restored. He stated that surely they have money from somewhere that the County has already given them. Ms. Paschal stated that she felt they could absorb the \$8,200.00. The discretionary cut has not been finalized so they do not really know what their budget is going to be until they get the State numbers.

Chairman Bock stated that he felt they were maxed out as to what they want to give to the school system at this time.

The County Manager advised that even if they take the money out of some place in their budget and make the supplement available, it is built-in next year's budget.

Chairman Bock stated that they would remember that. Ms. Paschal agreed.

Ms. Paschal asked for direction on the \$8,234.00, stating that it was up to the Board of Education as to whom they give the supplement

Chairman Bock said no; Commissioner Petty said no; Commissioner Kost said yes; Commissioner Stewart said no; and Commissioner Cross said yes.

Commissioner Kost stated that Richard Church reached out to the Board of Commissioners to talk about the Arts Incubator funding. She asked if anyone had received any new information in which they would like to reconsider their voting. Hearing none, she stated that she felt as though she must ask.

Commissioner Petty moved, seconded by Commissioner Stewart, to approve the FY-2013 Recommended Budget with the Staff changes outlined above.

Commissioner Kost stated that she is going to vote for the motion so that the ordinance can be prepared; however, she stated that she may vote against the Budget Ordinance as there are some things in the budget with which she is concerned. She stated that there are some things that she does not support including the Arts Incubator cut.

Chairman Bock asked Commissioner Kost if she shouldn't just say "no" now. Commissioner Kost stated that the final vote on the budget is the ordinance.

Chairman Bock called the question. The motion carried four (4) to one (1) with Commissioner Kost opposing.

MANAGER' S REPORTS

The County Manager had no reports.

COMMISSIONERS' REPORTS

Commissioner Meeting Room:

Commissioner Petty stated that he had asked several times about a meeting space/room/office that the Commissioners could use jointly when they are in town to meet with citizens.

After considerable discussion, the County Manager stated that there is available space in the Performance Building. The Board could also use it for housing the Chatham Arts Council. The Economic Development Corporation and Public Works also have conference rooms that are available.

The County Attorney stated that there was also a conference room available in his office.

Commissioner Petty and Commissioner Stewart stated that they would like to have a designated place where they could go, sit down, know it's available at any time with internet connection, and they do not have to worry about lining it up ahead of time or have to meet in a different place each time.

Commissioner Kost stated that she felt the space would be better utilized for the Arts Council. She asked if there was any other office space available for them stating that the reason they were looking at the Arts Council locating in the Performance Building was so that they could be in close proximity to the Economic Development Corporation. She asked if there was any other space that would meet the Commissioners' needs.

Chairman Bock expressed concern that they would run into issues if the Arts Council was ever asked to leave.

The Board decided to use the space previously designated for the Arts Council in the Performance Building as an office for Commissioners to meet with citizens as needed.

Draft Letter on Hydraulic Fracturing for Natural Gas in Chatham County:

Commissioner Kost stated that when the hydraulic fracking resolutions were pulled, Commissioner Bock and she met and agreed to draft a letter outlining some specific concerns on which they agreed. She reviewed the sections of the letter as follows:

1. For the appointments to the Oil and Gas Board, the (1) private land owner; (2) County Board of Commissioner; and (3) Representative from municipal government should not be limited to the Sanford sub-basin of the Triassic Basin of North Carolina, but should include representation from the **entire** Triassic Basin. (SB 820 §113-432)
2. Included in the draft legislation is an impact fee of up to \$30,000 (SB 820 §113-388A) per well to help local governments meet the demands and impact on local governments that this industry will bring. We ask that this amount not be determined at this time, but instead, a cost analysis study, including the impacts on local fire departments, be included. Local fire departments will not only need additional staff, but they will need additional equipment and training.
3. We ask that the process take the necessary time to carefully write the rules and the regulations.
4. As further study is done, we ask that a thorough analysis on the impacts of hydraulic fracturing on local governments be included. The time schedule in the draft legislation seems too ambitious.

There was a fifth concern, the issue of local control, on which there was not complete agreement.

5. In North Carolina, land use decisions have traditionally been considered a local decision. The impact mining may have on existing uses, such as farming, needs to be carefully considered. We ask that local governments maintain control over zoning and use regulations.

Commissioner Cross stated that from what he hears through the Associations' lobbyists, local government control over hydraulic fracking zoning and use regulations is very unlikely to happen.

Chairman Bock stated that is why he and Commissioner Kost didn't agree. If you read the bill, it basically says that they are not going to allow counties to override State legislation. He stated that it does include that the setbacks, buffers, and stormwater requirements so they have not lost control over those issues. It can be included, but he does not see them saying they can override legislation at the State level.

Commissioner Kost stated that she feels that if more local governments ask for it, it puts more pressure on them. We may not get it; however, she feels that it is important to ask for it.

Commissioner Stewart asked about predatory practices for obtaining mineral rights and protecting citizens against them.

Commissioner Kost stated that she didn't remember seeing anything with regard to that.

Diana Hales stated that there is nothing in it about protections for the landowners. On the House side, there is a pending bill that extensively goes into protections for the landowners. The question is grandfathering over 9,000 acres already under lease. She stated that protection for access onto property is quite extensive under the House bill. Out of the Senate, there will be a bill that will go to the House, but as to the protections, they are uncertain.

By consensus, the Board agreed to sections one through five.

Commissioner Kost stated that she would email the letter to the Clerk so that she could immediately send it to the members of the Senate Commerce Committee as it will be addressed by the Committee tomorrow.

CLOSED SESSION

Commissioner Cross, seconded by Commissioner Stewart, to go out of the Regular Session and convene in Closed Session for the purpose of discussing property acquisition and personnel. The motion carried five (5) to zero (0).

REGULAR SESSION

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

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Stewart, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 7:23 PM.

Brian Bock, Chairman

ATTEST:

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