

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**SEPTEMBER 17, 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 September 17, 2012.

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

Absent: Commissioner Mike Cross

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

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Commissioner Petty 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**

Chairman Bock explained that there was one item held over from the afternoon Work Session, appointments to the Mental Health Board, to be added to the Agenda as Item #21.

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

1. **Minutes:** Approval of Board Minutes for the August 20, 2012 Regular Meeting and the August 20, 2012 Work Session

The motion carried four (4) to zero (0).

2. **Tax Releases and Refunds:** Vote on a request to approve the tax releases and refunds, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

3. **Charge-Off 2002 Tax Bills:** Vote on a request to charge off 2002 tax bills

The motion carried four (4) to zero (0).

4. **Funds Acceptance for Health Department:** Vote on a request to accept funds for the Chatham County Health Department from the Women’s and Children’s Section Nutrition Services Branch in the amount of \$82.82

The motion carried four (4) to zero (0).

5. **Funds Acceptance for Health Department:** Vote on a request to accept funds from the Chronic Disease and Injury, Diabetes Prevention and Control in the amount of \$2,500

The motion carried four (4) to zero (0).

6. **Henry Siler School Disposition Approval:** Vote on a request to adopt **Resolution #2012-45 Declaring Surplus Property and Authorizing the Sale of Real Property by Competitive Sale Method – Henry Siler School**, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

7. **Request to Rezone Acreage on Pittsboro-Moncure Road:** Vote on a request by Derry and Cathy Smith to rezone approximately 2.003 acres, Parcel #85396, located on the Pittsboro-Moncure Road, Haw River Township, from Residential (R1) to Conditional Use Neighborhood Business (CU-NB)

As per the Planning Board recommendation (by unanimous vote 7-0-0), approval of the request was granted and adoption **An Ordinance Amending the Zoning Map of Chatham County for Rezoning**, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

8. **Request for Conditional Use Permit to Construct Automobile Service:** Vote on a request by Derry and Cathy Smith for a conditional use permit to construct an automobile service specifically for manual washing and detailing of vehicles on approximately 2.003 acres, Parcel #85396, located on the Pittsboro-Moncure Road, Haw River Township

As per the Planning Board recommendation (by unanimous vote 7-0-0), approval of the request was granted and adoption of **Resolution #2012-46 Approving a Conditional Use Permit Request by Derry and Cathy Smith**, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

9. **Secondary Roads Resolution:** Vote on **Resolution #2012-47 for the Addition of Streets or Roads to the North Carolina System of Secondary Roads – Wicker Drive, Barnhardt Court, Droughton Court, Reynolds Court in the Governors Village, Phase 5 Subdivision**, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

10. **Naming of Private Road in Chatham County:** Vote on request from citizens for the naming of a private road in Chatham County – John Deere Lane

The motion carried four (4) to zero (0).

11. **Pyrotechnics Display:** Vote on a request for pyrotechnics display at the Bennett Baptist Church on October 27, 2012

The motion carried four (4) to zero (0).

12. **NC Firefighter's Relief Fund Board of Trustee Appointment:** Vote on a request to appoint Mr. David Cotton to the Moncure volunteer Fire Department Firefighter's Relief Fund Board of Trustees to replace Mr. Michael Brandon Poythress

The motion carried four (4) to zero (0).

13. **Correction of Term to Planning Board Appointment:** Vote to correct term of appointment of Deepa Sanyal to the Planning Board by Commissioner Kost from three years to fill the unexpired term of Tim Kiem to end on December 31, 2012

(The ordinance establishing the County's Planning Board states that any appointments to fill vacancies should be for the remainder of the unexpired term. The recent appointment of Deepa Sanyal to fill the vacancy created by a resignation should have been for the remainder of Tim Kiem's term, which is December 31, 2012.)

The motion carried four (4) to zero (0).

14. **Memorandum of Agreement with OPC:** Vote on Memorandum of Agreement for the Provision of Services to Process Payment of Excluded Liabilities of Orange-Person-Chatham Mental Health, Developmental Disabilities and Substance Abuse Authority Pursuant to that certain Plan of Merger and Addendum Thereto Dated Effective June 30, 2012, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

15. **Housing Authority Appointments:** Vote to appoint Mrs. Gladys Alston and Mr. John Cross to the Chatham County Housing Authority by recommendation of the Housing Authority Board

The motion carried four (4) to zero (0).

16. **Transportation Advisory Committee Appointments:** Vote to appoint Matt Alexander (term expiring 6/30/15) by Commissioner Kost and Tammy Phillips (term expiring 6/30/15) by Chairman Bock to the Transportation Advisory Committee

The motion carried four (4) to zero (0).

**END OF CONSENT AGENDA**

**PUBLIC INPUT SESSION**

**Susan Mish**, 181 Meadow Branch Road, Pittsboro, NC, expressed concern about rental property standards and asked the Board to establish minimum standards which building inspectors can use for evaluating such properties. She also stated she has a neighbor who has been exposing himself and that she has been unable to have the problem addressed by law enforcement.

Commissioner Kost asked if the Sheriff had been contacted with regard to investigating the person who is indecently exposing himself.

Ms. Mish stated that she had been at the Sheriff's Office speaking with a detective there and has gotten nowhere. She stated that she felt the County needed a county and city police department.

**Tom Glendinning**, 160 Eddie Perry Road, Pittsboro, NC, spoke regarding the permits to reuse the old Chatham hospital building for psychiatric inpatient, substance abuse, and homeless veteran's services. He stated that they had received ten permits valued at three million dollars which is about twice as many permits as they normally get. He stated that at the end of the report, there is the usual apparent inequity, a mobile home in a modest neighborhood at an estimated cost of \$6,500 with a permit fee of \$3,600. He stated that the fees, although they are a good revenue source for the County, leave the department thinking that they can make a profit which should be absorbed into salaries and departmental costs. There would be a reduction in income, but beyond electrical and plumbing hookup fees. It appears to be too large a disparity in the fees.

He also commented that with regard to board appointments, he feels that the Board should just appoint people that they feel should serve.

## **PUBLIC HEARING**

**Proposed Affordable Housing Payment-in-Lieu Contract:** Public hearing to receive comment on a proposed payment-in-lieu-contract to be entered into between the County and NNP-Briar Chapel, LLC under the terms of which NNP-Briar Chapel, LLC will make a onetime \$900,000 lump sum payment to the County to be used for affordable housing purposes in lieu of conveying lots in the Briar Chapel Subdivision to the County to be used by the County (or its designee) for the construction of affordable housing units in the subdivision.

Chairman opened the floor for public comments.

There was no one present who wished to make comments.

The Chairman closed the floor for public comments.

## **BOARD PRIORITIES**

**FY 2014 Budget Process:** Vote to approve the proposed FY 2014 Budget Calendar

Renee Paschal, Assistant County Manager, explained that planning for Chatham County's FY 2014 budget started with the critique of the budget process by Commissioners on August 20, 2012. In order to ensure adequate information for decision making, it is important to establish deadlines and targets for the process.

Planning for Chatham County's FY 2014 budget started with the critique of the budget process by Commissioners on August 20, 2012. In order to ensure adequate information for decision making, it is important to establish deadlines and targets for the process.

Commissioners identified the following issues to address during the critique:

- Maintain the FY 2013 approach to the budget calendar that includes adoption of the CIP prior to the retreat.
- The budget document should include information about the tax base, such as assumptions, assessed values, percent contributed by various categories such as motor vehicles, property tax, and so on. Much of this information is presented at the board retreat, and it would be helpful to include it in the document.
- The budget document should include more information about nonprofits and fire departments.

## **Calendar**

The practice of holding one commissioner meeting per month could affect the budget calendar. Unless commissioners want to hold special meetings to receive the recommended CIP and recommended operating budget, staff recommends that they be presented to commissioners in person (rather than also at a meeting). Staff will provide notice to the public of the availability of both documents, which will be available in the libraries and on the website. Public hearings will be held at regular meetings.

The board typically "approves" the budget before staff develops the budget ordinance for final adoption. Staff recommends using the final budget work session for approval of the budget and allowing enough time between this work session and the previous one for staff to follow up on issues raised by the board. The board would adopt the budget ordinance at the regularly scheduled June 17 meeting.

With these issues addressed, the FY 2014 proposed budget calendar keeps to roughly the same timeframe as the FY 2013 process. The proposed calendar is as follows:

<b>Deadline</b>	<b>Actions</b>
7 September 2012	<ul style="list-style-type: none"> <li>• Capital Improvements Program (CIP) forms distributed to agencies</li> </ul>
8 October 2012	<ul style="list-style-type: none"> <li>• Forms due from agencies and departments for new/changed CIP projects</li> </ul>
5 November 2012	<ul style="list-style-type: none"> <li>• Manager submits recommended CIP to the Board of Commissioners</li> <li>• Heads Up document due from departments</li> </ul>
19 November 2012	<ul style="list-style-type: none"> <li>• Hold public hearing on the proposed CIP</li> </ul>
20 November 2012	<ul style="list-style-type: none"> <li>• Work session on the proposed CIP</li> </ul>
3 December 2012	<ul style="list-style-type: none"> <li>• Board adopts CIP</li> </ul>
21 December 2012	<ul style="list-style-type: none"> <li>• Budget summit materials (trends, financial indicators, performance team recommendations, and departmental “Heads Up” document) submitted to Board of Commissioners</li> <li>• Work plan and new position forms distributed to departments</li> </ul>
Weeks of January 7 and 14, 2013	<ul style="list-style-type: none"> <li>• Budget Summit: Board of Commissioners sets goals and guidelines for FY 2014 budget</li> </ul>
1 February 2013	<ul style="list-style-type: none"> <li>• Requests for new positions and work plans (with goals, objectives, and performance targets) due from departments</li> <li>• Remaining budget forms distributed to departments/agencies</li> </ul>
8 March 2013	<ul style="list-style-type: none"> <li>• Budgets due from departments and agencies (except schools)</li> </ul>
15 April 2013	<ul style="list-style-type: none"> <li>• Budget due from schools</li> </ul>
6 May 2013	<ul style="list-style-type: none"> <li>• Budget submitted to Board of Commissioners and public</li> </ul>
May 20 and 21, 2013	<ul style="list-style-type: none"> <li>• Official public hearings held in Pittsboro and Siler City</li> </ul>
Late May and early June	<ul style="list-style-type: none"> <li>• Board of Commissioners holds budget work sessions</li> </ul>
By 30 June 2013	<ul style="list-style-type: none"> <li>• Board of Commissioners adopts budget (legal deadline)</li> </ul>

The proposed changes should affect only staff time and should not require expenses that are not budgeted.

Commissioner Kost stated that she would support holding a special meeting.

Commissioner Kost moved, seconded by Commissioner Petty, to adopt the proposed FY 2014 Budget Calendar as amended to include special meetings on November 5, 2012 and May 6, 2013. The motion carried four (4) to zero (0).

## **MENTAL HEALTH ADVISORY BOARD APPOINTMENTS**

The Board discussed the applicants for the Mental Health Advisory Board. The restructuring of the Mental Health Advisory Board will now include fifteen counties instead of the previous three, Orange, Person, and Chatham Counties.

After considerable discussion, Commissioner Kost moved, seconded by Commissioner Petty, to appoint Katherine A. Zinn, LCSW, and Thomas Cornwall, MD, to the Mental Health Advisory Board. The motion carried four (4) to zero (0).

Chairman Bock moved, seconded by Commissioner Stewart, to appoint Heather Johnson to the Mental Health Advisory Board.

After further discussion, Chairman Bock called for a vote.

The motion carried three (3) to one (1) with Commissioner Kost opposing.

Commissioner Kost stated that she opposed the appointment of Heather Johnson due to the applicant's attendance record at prior meetings.

Commissioner Stewart moved, seconded by Commissioner Petty, to appoint Catherine Bollinger as an alternate or third member if one of the three appointees cannot accept their appointment. The motion carried four (4) to zero (0).

## **MANAGER'S REPORTS**

The County Manager reported on the following:

### **Business Signage:**

Signage is being pursued for the Siler City Business Campus. We have not heard back from the property owner for site approval. Both Dianne Reid and the County Manager have tried contacting him but have not heard anything to date.

### **Haw River Waterline:**

The Haw River waterline is being worked on. There is one more bid needed before a decision is made on the contractor.

### **Richard Fox Business Park:**

Richard Fox is selling his business park in Siler City. He asked that it be communicated to the Board of Commissioners. The park includes the Western Senior Center and either a nursing home or assisted living center.

## **COMMISSIONERS' REPORTS**

### **Funding for Rental Housing:**

Commissioner Petty stated that there was an article in the *Chatham News and Record* regarding funds for rental housing. He asked if funds might be available for affordable housing through rental housing. He suggested that the Board/Staff look into this.

### **County Zoning:**

Commissioner Kost stated in the unzoned area of the County, we allow up to three directional signs to businesses and churches; however, in the zoned area, we do not allow any directional signage. She asked if that was correct.

Angela Birchett, Land Use Administrator II, explained that was correct. She stated that is correct as the Zoning Ordinance then trumps the other regulations.

Commissioner Kost asked if the Board was interested in making that change stating that there are so many businesses and small churches that are located down rural roads and off of main roads that she feels directional signs would help their business or church attendance. This would require an amendment to the County's Zoning Ordinance. She asked if the Board was interested in pursuing this and having Staff look at it.

By consensus, the Board agreed.

The Planning Director explained that the Off-Premise Sign Ordinance, Off-Premise Directional's are 32 sq. feet and 8 feet in height, up to 3. He asked if that was a good gauge. If so, he explained that it would be a fairly easy modification that could be incorporated.

Chairman Bock asked if it would be relatively easy to adopt the same sign regulations in both areas.

Mr. Sullivan explained that Staff needs to look into it and how it relates to existing property signs and how the square footage allocation would work.

**Building of Public Facilities by Private Investors:**

Commissioner Kost stated that several years ago, the law was changed and the Board of Commissioners had a presentation on the private building of public facilities. Governments could then lease back the buildings. At the time, this had not been done. The Board decided that they didn't want to be the first to try it. It has now been done. She distributed an article regarding a Hoke County school that was built privately and leased by the school system, and stated there are tax advantages in doing this.

She stated that when she attended the Margaret Pollard LEED Gold Award, she talked with the architect and he said that all indications now are that building costs are starting to escalate. She stated that she was concerned about when and if they will ever get the new high school built in the northeast section of Chatham County. With the school population projections, there is reason for concern as to whether the school is needed; however Northwood High School came in above their projections for this school year. She asked the Board if they would be willing to have Staff, at a future Work Session, have a presentation on this approach to building schools and let the Board learn about it and see if it would be something the Board might want to consider for building a new school.

By consensus, the Board agreed.

**ADJOURNMENT**

Commissioner Stewart moved, seconded by Commissioner Petty, to adjourn the meeting. The motion carried four (4) to zero (0), and the meeting adjourned at 6:51 PM.

---

Brian Bock, Chairman

ATTEST:

---

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