

**MINUTES  
CHATHAM COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
DECEMBER 03, 2012**



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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 December 03, 2012.

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

Staff Present: Charlie Horne, County Manager; Jep Rose, County Attorney; 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 6:02 PM.

**SWEARING IN CEREMONY**

The Honorable Superior Court Judge, Allen Baddour, administered the oaths of office for Sally Kost and Mike Cross.

Judge Baddour thanked everyone for the opportunity to participate in the service. He congratulated the returning Commissioners and those whom he swore in two years ago. He stated that it was an honor to be a part of the ceremony and thanked the Board for all they are doing on behalf of the court system.

The oaths are attached hereto and by reference made a part hereof.

**ORGANIZATION OF THE BOARD**

**Chairman:**

Jep Rose, County Attorney, presided over the organization of the Board. He opened the floor for nominations for Chairman of the Chatham County Board of Commissioners.

Commissioner Bock nominated Commissioner Walter Petty for Chairman of the Chatham County Board of Commissioners.

Hearing no other nominations for Chairman of the Chatham County Board of Commissioners, the presiding officer closed the floor for nominations. He called for a motion for Commissioner Petty as Chairman of the Chatham County Board of Commissioners.

Commissioner Kost moved, seconded by Commissioner Bock, to vote Chairman Petty as Chairman of the Chatham County Board of Commissioners. The motion carried five (5) to zero (0).

The County Attorney declared Chairman Petty Chairman of the Chatham County Board of Commissioners.

**Vice Chair:**

Chairman Petty opened the floor for nominations for the Vice Chairman of the Chatham County Board of Commissioners.

Commissioner Kost nominated Commissioner Mike Cross for the office of Vice Chair of the Chatham County Board of Commissioners.

Commissioner Stewart nominated Commissioner Brian Bock for the office of Vice Chair of the Chatham County Board of Commissioners.

Hearing no other nominations, Chairman Petty closed the floor for nominations. He called for a motion for Commissioner Cross as the Vice Chair of the Chatham County Board of Commissioners. Commissioners Kost and Cross voted in favor of the motion. Commissioners Bock, Petty, and Stewart opposed the motion.

Chairman Petty called for a motion for Commissioner Bock as the Vice Chair of the Chatham County Board of Commissioners. Commissioners Bock, Petty, and Stewart voted in favor of the motion. Commissioners Cross and Kost opposed the motion.

**AGENDA AND CONSENT AGENDA**

Commissioner Kost asked that Item #2, Resolution Recognizing the Outstanding Work Involved With the 2012 General Election in Chatham County, be moved from the Consent Agenda and placed on the Regular Agenda for discussion in order to personally recognize the work efforts of the Board of Elections.

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

**APPROVAL OF AGENDA and CONSENT AGENDA**

1. **Water Treatment Plant Lagoon:** Vote on a request to approve a bid in the amount of \$254,000.00 from Synagro Central, LLC for the pumping of the lagoon at the Water Treatment Plant and award a contract in the reduced amount of \$200,000 to Synagro Central, LLC and authorizing the Chatham County Manager to sign the contract on behalf of the County

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

2. ~~**Board of Elections Resolution:** Vote on a request to adopt a **Resolution #2012-\_\_\_\_\_ Recognizing the Outstanding Work Involved With the 2012 General Election in Chatham**~~

This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.

**END OF CONSENT AGENDA**

## **PUBLIC INPUT SESSION**

**Cheryl Martin**, 71 Grassy Creek Way, Pittsboro, NC, asked the Board to consider a second entrance to Legend Oaks Subdivision. She stated that the developer will soon begin developing Phase 3 of Legend Oaks. As homeowners, they would greatly appreciate the Board requesting that the developer add a second entrance out of Legend Oaks. There is only one entrance on to Highway 15-501. As the subdivision is building up and out, the increase in traffic is becoming greater which is causing a backup of traffic onto 15-501. In addition, Powell Crossing will also increase traffic in that area. If there was a disaster and Legend Oaks Drive was blocked, there would be no way for first responders to enter and there would be no way for the residents to exit in case of a fire or an emergency. The developer had originally requested a second entrance but they were told that it had been denied; however, they would like for the Commissioners to reconsider a second entrance added to Legend Oaks as it continues to develop.

**Joe Glasson**, Chatham County Economic Development Chairman, congratulated the returning Commissioners. He presented the Conceptual Land Use Plan (CLUP) to the Board and provided his talking points for the record as follows:

### **Conceptual Land Use Plan (CLUP)**

#### **Background**

- No present formal or informal land use plan document(s)
- No “snapshot of the future” for attracting potential companies/residents
- Nothing on the drawing board as to moving toward a land use plan (note Cary/Chatham effort)
- EDC asked County Board of Commissioners to jump start a process by putting together a CLUP, EDC offered to lead with the County and towns’ support (had EDC Board approval to request to initiate)

#### **Current State**

- **Not intended to be a Comprehensive Plan**, simply a 5 to 7 year look at the County and towns in an integrated view... the general information is available, but never integrated
- The basis for a CLUP is simply an integrated macro view of the County, not a visioning exercise
- Will use current data and resources, primarily the Capital Improvement Plans (CIP) from the County/towns agencies and commissions, plus projections of key stakeholders (BOE, major developers, utility companies, NCDOT, etc.)
- Will start with gaining agreement on the current state of the County/towns (what we look like today)
- Will then use scenario planning principles to offer a series of “views” of the County as to the future
- Would initially estimate five to six planning scenarios
- Will use all stakeholders and request their input from a macro view also
- The process will be team driven... EDC, County, towns and added resources as needed

#### **Timeline**

- Reasonable due diligence and research coupled with a sense of urgency (dynamic tension always move projects along quicker)
- Anticipate final presentation to County Board of Commissioners by April 30, 2013 and towns thereafter

### **Scenario Planning**

- Is a framework for developing a general vision for the future by analyzing various forces (scenarios) which will affect growth and the County's "state of being"
- Allows for various "testing" of future alternatives and involves key stakeholders
- Creates differences of possible outcomes so as to assess possible end results
- Allows for impact planning as to economics, quality of life, future "state of being"
- Initial effort establishes a baseline for scenarios (establishing a present state or view of today)

### **Examples of Possible Scenarios**

- Population estimates (low, moderate, high) coupled with other "forces" (scenarios), such as housing impact, schools placement, and infrastructure needs (roads, water, sewer, etc.)
- Estimates of commercial development in relation to residential development so as to anticipate tax base growth and asset planning (more commercial development less strain on residential property tax base... less need for school expansion, etc.)
- Can allow for residential/commercial developers to "show their cards" as to generally what and how they intend, on a macro basis, to use owned land
- Can jump start many valuable conversations as to the future of the county/towns in relation to advance asset planning (debt financing, etc.) coupled with municipal revenue/expanse planning
- Allows individuals and developers to understand the guides/intentions of the municipalities and plan more effectively for land use

Mr. Glasson thanked the Board for their time and offered to answer questions.

**Bert Bowe**, 18 E. Madison, Pittsboro, NC, stated that he is impressed with the legacy the Board has the chance to leave whenever a building is built or renovated. Two examples, he stated, are the new Judicial Facility and the Courthouse Annex. The annex is not very functional. He stated that there has been some discussion with regard to renovations which would be a little less expensive than rebuilding it at a different location. He encouraged the Board to think about a downtown park area with a green area, grass and trees. When you look at vibrant, small towns, they have an outdoor place with a gazebo, a place to sit and/or meet, which is attractive, and from a business standpoint, will attract business, investment, and people. An example of a small town who did that was Blowing Rock, NC. It is an extremely successful place, both from aesthetic and business standpoints. He expressed congratulations to reelected Commissioners.

**Randy Dow**, 360 Fairway Drive, Southern Pines, NC, stated that he has agreed to serve as chairman for the Guardians of Angels Organization for Chatham County. He stated that his background is a nonprofit, healthcare attorney. He has served as a legal advisor to several municipalities in North Carolina and Indiana. He stated that Chatham County has a tremendous asset in Terry Dorsey who will get things done. He agreed to help him in providing some organizational skills. He is familiar with the difference between nonprofit regulations and laws and public purpose doctrines with which municipalities and county governments must comply. He stated that he would do his best to work with the County and give Guardians of Angels and the wonderful set of volunteers a chance to work with existing resources within the County, not to compete, but to find a way to join hands and work together. He stated that he would commit to that process until a time someone else will carry on the function in Chatham County.

**Jerry Cole**, 82103 Ehringhaus, Chapel Hill, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

"My name is Jerry Cole. I am Vice-Chairman of the Environmental Review Committee and have been asked to represent the Committee here tonight. Other members of the Committee, including Chairman Vic D'Amato are also here this evening.

Over the last year, we have had several discussions about hydraulic fracturing or “fracking”. While the Committee has not taken a position one way or the other about fracking and its potential environmental impact, we have followed the progress of legislation on fracking and the establishment of the NC Mining and Energy Commission, which will set the regulations for fracking in the State. As we all know, Chatham County, along with Lee and Moore Counties have been identified as potentially viable sites for the fracking of natural gas. As such, Chatham County is clearly a stakeholder in discussion of fracking regulations as it could be impacted by fracking activity in the County.

The NC Mining and Energy Commission, which has responsibility for fracking regulations, has no designated position for Chatham County. Therefore, at its last meeting, the Environmental Review Committee expressed its concern that, as a stakeholder, Chatham County should at least have official observer status and that a representative of the ERC should be designated to attend meetings of the Mining and Energy Commission and report back to the ERC and the Board of Commissioners. The intent would be that we be given sufficient notice of rules and regulations that might impact Chatham County so that we can be in a position to respond or take action in a timely fashion. It was agreed to bring this matter to the attention of the Board of Commissioners for action, and we are pleased that you have acted so quickly to put this matter on your agenda.”

### **BOARD PRIORITIES**

**Board of Elections Resolution:** Vote on a request to adopt a **Resolution Recognizing the Outstanding Work Involved With the 2012 General Election in Chatham County**

Commissioner Kost stated that there were a couple of members of the Board or Elections present and she asked them to stand to be recognized. She stated that Chatham County’s voter turnout was the highest in the State. As a candidate, she was at the polls quite a bit and saw that it ran smoothly. We read about the problems in other jurisdictions close to us with long wait-lines. She stated that the staff, board, and all volunteers did a phenomenal job.

Commissioner Kost moved, seconded by Commissioner Bock, to adopt **Resolution #2012-\_\_\_ Recognizing the Outstanding Work Involved With the 2012 General Election in Chatham County**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

### **9/11 Memorial Artifact Public Comments:**

**Joseph Daniel Spinoza**, 286 Oakwood Drive, Pittsboro, NC, stated that he can recall as a teenager the World Trade Center being built twenty stories at a time. He stated that he was surprised to learn that Chatham County had acquired a piece of debris from the World Trade Center and is puzzled as to the purpose it would serve in terms of honoring the spirit or people of New York. He stated that there were a lot of things that would be more inspirational than a remnant of a building that was destroyed. He stated if we embrace the spirit of New York, totally committed to diversity and welcoming immigrants, and preserving the environment, he could see that; however, to put a piece of destroyed World Trade Center in front of the Justice Center seems to be morbid and misguided. It seems that there are many other options for honoring first responders if that is the intention. He stated that a more appropriate place to locate the piece would be the Devils Tramping Ground.

**Carl Bryant**, 1817 Gade Bryant Road, Moncure, NC, stated that he didn’t think that placing the 9/11 artifact would give a true representation of justice placed in front of the Chatham County Justice Center. He stated that the artifact should be placed elsewhere.

**Pamela Baldwin**, PO Box 1608, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

Good Evening Commissioners, Citizens of Chatham County and other interested attendees. I am Pamela Baldwin, Native of Pittsboro, NC .

On behalf of the Chatham County Fair Board, we strongly oppose the use of the property purchased from the Chatham County Fair Association as the site for the artifact. And I have to commend you on that beautiful Justice Center.

Inasmuch as this property was previously owned for many years by the Historical Chatham County Fair Association, formerly known as The Negro Farm and Home Organization of Chatham County (which dates back to my Grandfather's time), the Fair association expected some type of historical monument.

I was not in the majority regarding the sale of this property; however, I felt confident the use would be more in line with the historical significance of the property and tied in with the citizens of Chatham County.

I suggest a Veterans Memorial which would represent justice, freedom, peace and the ultimate sacrifice ..... of one's life for freedom. Just as the Justice Center represents justice, freedom, peace, so would the memorial.

That is of course, what the new Justice Center represents justice, peace, freedom. I feel confident that a decision will be made concerning this most historical site.

Thank you in advance for your attention and consideration in this matter."

**Carl Bryant** stated that his father donated the land on which the building was built.

**Larry Ballas**, 139 Indian Creek Lane, Apex, NC, stated that he agreed with Ms. Baldwin as to it not being the proper site. He stated that it did not preclude looking for another site which he feels is important. He stated that one man's trash is another man's treasure and he considers the artifact a treasure because it represents approximately three thousand people who died because of a terrorist attack. He stated that it is important to remember that all memorials that we have in this country have some aspect that we look at. We do not look at the individuals, but we can read their names. The Vietnam Memorial is a long, solid stone, but it has a lot of names on it. This represents an international event that occurred that sacrificed the lives of three thousand people. Among those people are people trying to save lives which were really important to the ones that were trapped there. Those people who were under the rubble had a lot of other people looking for them. There were a lot of people that were saved so they had to move these beams. The beams represent more than a piece of trash that needs to go someplace. It represents a philosophy of what the American people are about. He stated that he feels it can be established some place in Chatham County and he feels is it very important to respect the people who died and not the trash that ended up on the sidewalk. The trash can be moved anyplace in the world, but what we make of the trash is a treasure.

Commissioner Stewart stated that the Judicial Center site was not the first choice. There was a lot of discussion regarding other alternatives. It was never intended to be something that Chatham County would pay. It was always to be privately funded. She stated that since people gave their lives out of kindness and love for other human beings to go into the World Trade Center to rescue others, she felt that the first responders should be remembered and given the reverence that they deserve. The artifact means a lot to many first responders in Chatham County who put their lives on the line every day.

Commissioner Cross stated that he felt it would be helpful to have the preliminary drawings to show to those in attendance.

Chairman Petty stated that the presentation the Board received from the designer was very attractive. It is heart-wrenching to think about what it stands for.

Commissioner Kost asked what other sites were evaluated in the decision-making process and what happened to the offer to place it in a cemetery site.

Don Lein stated that they had interviewed a number of people regarding other sites. The unfortunate part is that there is a lot of work to be done and money raised to prepare a public facility to be made available to the public, including paving, handicapped accessibility, etc. Even though there were a lot of people who came forward and said they had land to donate, when they began to get into the details of what was required, a lot of people never came back. The offer to place it in the cemetery fell through due to the economy, as risk capital is not readily available.

Commissioner Kost asked if there were other County-owned sites evaluated.

Mr. Lein stated that there were no other County-owned sites evaluated.

Commissioner Kost stated that she had earlier asked if the Sheriff's Office site was being evaluated as they have a large expansive lawn. The site that is now being talked about is basically a gully between the Judicial Center and Highway 87. It will require a great deal of fill and will be squeezed into that site. She stated that the site, for many of the reasons spoken, is not appropriate; that it is not a good site from a logistics standpoint; and that it is a challenged site. The Sheriff's Office site would require minimal work to prepare it for the artifact and she wonders why it was not evaluated.

Mr. Lein stated that they looked at sites that were made available to them and did not go out investigate sites on their own.

Commissioner Cross stated that the County bought the property as an investment. By looking at other places, considerations would have to be made with regard to parking, public facilities/restrooms, etc.

Commissioner Stewart stated that parking was one of the reasons that the committee thought that the Judicial Center site was perfect area for the artifact. She also stated that there were people who volunteered to open and lock the gates daily and monitor it for security purposes.

Commissioner Cross stated that Goldston had a piece of property and Commissioners Petty, Bock, Stewart, and he looked at it on Saturday after the Christmas parade. In his opinion, it is not feasible as it is dislocated from the Town and nowhere near the Veteran's Memorial. It is in a rural area of Old Highway #421. There would be extra maintenance, travel involved, possible problems with vandalism, and it is an unsecure area.

Commissioner Cross also said that as one approaches the circle where the memorial is located, there is a stone wall and memorial plaques or one of the historical markers provided by the NCDOT could easily be placed on the stone wall. He stated that there is ample parking, restrooms, eating places available, and people will already be in town, so he feels the current proposed location is a good one. When all of that is taken into consideration and you start talking about places that do not have those amenities, it would take a lot of taxpayer dollars to help the non-County funds be successful.

Commissioner Kost stated that she did not see restrooms as a necessity for this memorial; however, she would have liked to have seen other sites evaluated. She stated that she thinks people have some valid concerns. This memorial/event means different things to different people.

Commissioner Bock stated that it was important to note that some of the comments and emails received, are from people who are not against the site. They are against the 9/11 memorial. Moving it to a different location does not address those issues. He stated that he feels Ms. Baldwin's point regarding the historical importance of the land and the historical ownership was a very valid point and he doesn't know that this precludes them from finding a way to honor that historical ownership and the history that goes into the land. He

encouraged that a NCDOT marker be placed there, at a minimum, and he feels that they can do more. The memorial, he stated, was well-designed. It is not the first location that was chosen, but the location that they have. It will be a nice place for reflection and it is a memorial to honor our first responders. The first responders in our County are the ones responsible for getting the artifact and have worked very hard and feel strongly that a memorial is needed. While there may never be a perfect place, he thinks of the places and options noted, this is as good as any and can be incorporated into something larger over time to give more honor to the historical meaning of the land.

Commissioner Stewart stated that she feels there are a lot of possibilities for this and other things.

Commissioner Cross asked Ms. Baldwin and Mr. Bryant if they thought the Fair Association Board would be more agreeable if they knew there would be a memorial to the Bryant Family.

Mr. Bryant stated that they would like more time.

Commissioner Cross stated that there was certainly historical significance and he would recommend giving the Bryant Family and the Fair Association Board another meeting in order to discuss the issue.

Ms. Baldwin stated that at their next meeting on December 28, 2012, they would further discuss the issue and return to the Board of Commissioners with a recommendation.

Commissioner Cross moved, seconded by Commissioner Kost, to table this issue until the January 22, 2013 Board of Commissioners' meeting. The motion carried five (5) to zero (0).

Commissioner Cross asked the County Manager to make copies of the preliminary memorial for Mr. Baldwin and Mr. Bryant.

**Chatham Representative to the Mining and Energy Commission Appointment:**

Commissioner Bock explained that Mr. Cole had provided further background on the discussion of the Environmental Review Committee in which they would like to have a Chatham County representative that would, at the very least, monitor the goings-on in the committee meetings and be able to report back to the Board of Commissioners what was going on and hopefully take back information to make sure Chatham County is well-represented. He stated that he had contacted Commissioner Womack in Lee County who is the chairman of that board. He told him what our Environmental Review Committee said. He was told that we have two options: 1) We can have a full committee member as a fully participating person representing Chatham County. 2) We can have someone monitor it. He stated that he feels we would want option #1 and have someone on the committee that is fully engaged in the committee. The next meeting of the Mining and Energy Commission is December 18 and 19, 2012.

Commissioner Kost stated that Senate Bill 820 establishes a fifteen member board by legislation. She asked how Mr. Womack decide that there will be sixteen members.

Commissioner Bock stated that it would not be a voting member, it would be an active participant.

Commissioner Bock moved, seconded by Commissioner Stewart, to appoint Jerry Cole as Chatham County's representative to the Mining and Energy Commission. The motion carried five (5) to zero (0).

Commissioner Bock stated that he would send Mr. Womack a note regarding the appointment and recommended Mr. Cole also contact him.



### **Guardians of Angels Adoption Center Discussion:**

Commissioner Kost stated that the County owns a 97-acre site adjacent to the Central Carolina Community College. The Guardians of Angels has requested a land donation on which to develop an adoption center. Given that we have no money in our Capital Improvements Plan to upgrade or improve the existing Animal Control shelter and that we have a purpose with the vet tech program and the need to have places for these technicians to perform internships, it seems to be a good fit with the community college. There is no plan to use the full 97 acres. The site plans for the new Ag Center took up a small amount of the land. It could be located in such a way that it is close to the highway. It would be within the corporate limits of Pittsboro so there would be utilities. There are some issues including leasing the land or how it will be done, but she doesn't think the issues are insurmountable. She thinks it is a good fit and it can be structured in such a way to protect the County and to insure that it is successful. There are a lot of people who are ready to volunteer and get it done. We know that the euthanasia rates are 70% for cats and 50% for dogs. This is chance for the County to reduce those rates and it is a great public-private partnership. She stated that she would like to see the Board move forward with this, get all of the issues on the table, and work through them with the attorneys, community college, and the Board of Commissioners.

Chairman Petty stated that he didn't doubt the need for it; however, it is the location, site and request. He stated that there was a misunderstanding regarding the size and scope of the project and that the email was misleading. Most people do understand the size and scope of the issue and the need for it. He stated that he felt, as a nonprofit agency, it should go through normal nonprofit channels and that the level they were asking for was the extent of the entire nonprofit budget with the exception of transportation.

Commissioner Bock stated that he felt it was a great idea to have this in the County. As an adoptive parent of a care dog, he is all for not euthanizing dogs. He stated that where he has a problem as a Commissioner is the land is being talked about as if it is free land that can be given away. It is roughly \$55-60,000. The request is not to give excess land, the request is to donate \$60,000 to the shelter. This is taxpayer dollars which he has to seriously consider. The plan states that they have to raise \$1.5 million to make it successful. He asked himself why not raise one million five hundred fifty thousand. Why is that \$50,000 so critical when roughly \$15,000 to date has been raised? He stated that having land in place is not going to solve the problem and it would set a bad precedent for donating land to nonprofits. There are many nonprofits in the County who do wonderful work, all of which would love to have a \$60,000 donation from the County. This cannot be done. He stated that he has concerns on the precedent it would set and also has concerns on the amount of money that would need to be raised to make it successful, the operation of it, and what happens if the land is donated, the building is built, and the operational money is not there to make it work. Does the County take it over? If so, it becomes another County function which he sees as a slippery slope that he would love to see happen through private money, but he has trouble supporting from the County level.

Commissioner Kost stated that she sees this as a double standard as a discussion was just held about giving away land in downtown Pittsboro where land is even more valuable for the 9/11 memorial. We didn't talk about that nonprofit buying the land. Animal Control is a function of County government. We are not putting the resources into the shelter to do what we need to be doing. This is a chance for a nonprofit to do it and she thinks they need to be given some help to make it happen.

Commissioner Cross stated that he is good with the property, but wants to hear more from the Central Carolina Community College regarding the vet tech program and whether it can happen. He stated that the bigger picture the Board needs to look at is a plat map of how much actual room the facility would take. First, he said, the Board needs to decide what direction Animal Control is going in the County. Now we euthanize. This group does not euthanize. Are we going to have two facilities? Are we going to take an animal that is not adoptable, possibly born blind and pay someone to care for it for twenty years? We also have other nonprofits in the County that do the same work. Can this be a joint operation with

the County? With all the nonprofits who are into adopting dogs gives more people to raise money and more people to volunteer and serve in the facility. He stated that he feels they need to work out the bigger problems before they worry about the details of the property. He stated that he feels that there is adequate space between the community college and the ag building, on the connector road to the college in the wetlands, which could be used to build dog runs and dog walks. He stated that the County is going to be asked for money from the nonprofits regardless of what they do with this issue; however, he doesn't feel that they can pick one nonprofit over another that does the same job in the County, and that he would like to see a partnership between those who do this if they are going to go this route. He stated that he would like to see the Board decide if the County is going to become a no-kill County.

Chairman Petty stated that the Health Department has not been involved in this at all. There are multiple agencies or groups doing the same thing. Where you put your focus and energy have to be narrowed down. Those are all questions that can be worked through; however, the matter at hand is the request for acreage on the college campus. The extent of the night's discussion was whether we were to provide that or not. He stated that he feels there is still room for additional discussions on how we address this, bring the agencies together, and involve the community college with their tech program.

Commissioner Cross stated that he feels the best we could say is that the Board is listening and willing to look at it. He stated that they also need to consider is what the facility is going to look like as it has to match up with the agricultural building architecture.

Rev. Terry Dorsey explained that the cost of building an SPCA is somewhere in the range of \$200 per square foot. After visiting SPCA in Carteret County and Paws Forever in Orange County, they have seen that there is never enough room. This is one small part of the solution. He encouraged everyone to visit the County's animal shelter. It is an old rough, metal building and is in pretty bad shape. It has very few runs. No one in the shelter wants to euthanize animals. It is hard to euthanize them as continually as they do. It is hard when the animals don't have any place to play. It makes them much less adoptable. CARE does great work and they applaud their efforts. They can start solving this problem by doubling the spay and neuter allocation that was given the shelter last year. The adoption center, no matter how large it is built, will always fill up with animals. You have to eventually have a conversation about licensing, increasing spay/neuter resources (especially to the economically challenged). There are other things that can be done like tethering ordinances where dogs can only be tied up for so long. There are a lot of things that can be done. With regard to the question about the price, it is approximately \$1.2 million. What they are gearing into that is start-up funding which includes the first two years of operation. They are not going into this blindly. They have been doing a lot of homework and research. They are talking to a lot of organizations who have already done this. They very much want to be in partnership with the County. At the SPCA in Raleigh and all the others they have visited, the County pays the Humane Society to take adoptable animals out of the shelter. They are an adoption center, not a shelter, as the shelter has laws they need to enforce, and strays they need to pick up. They deal with whole different level of animal issues, which in this County, are not good. They are talking about the next level of caring for animals, as well as building the relationship they have already discussed, in terms of internships for the vet tech program, volunteer opportunities for senior citizens, etc. You can always get subjective about who you help and who you don't. This, he stated, personally comes from his faith and these are lives.

Commissioner Cross stated that the Board has a responsibility to the all citizens. He stated that he is not saying that they shouldn't help the Guardians of Angels; however, he is saying that if they are going to do a "save the dogs and cats nonprofits", we should include everyone in the County who does that.

Mr. Dorsey said he hopes that we do. He stated that he hoped it would include a partnership with everyone who would benefit from it.

Commissioner Cross stated that he feels the community college, Guardians of Angels, CARE, and County Manager or appointee have a meeting and sketch out what they are talking about.

Commissioner Stewart stated that she would like to see what they are proposing and some of the details. She stated that she agrees with Commissioner Cross in setting precedence about giving away the land. She thinks there would have to be a discussion among the Commissioners about the best way to approach it. She said she would be more in favor of a lease of the land.

Rev. Dorsey stated that they have talked about that and it was very acceptable and is done in a lot of places. There have been discussions with the Health Department and they have had several discussions with Animal Control. They are not a rescue group. CARE does great work, but they are on a different track and are something from which CARE would benefit. This would also be good for business in the County. On the day they visited the Raleigh SPCA, they were busy all day long. It brings people to the County which is another issue. The town will have to be developed in order to grow economically. We have to have things that bring people to this town. This has been an on-going discussion for five years. He stated he would be very happy to set up a meeting with their president who is experienced in detailing this from a legal standpoint, Dr. Allen who has spoken with the head of the vet tech program, and others. He stated that on their website, there are pictures and cost estimates, letters of support, etc. It is done all over the country whether as a lease or donation and is not an issue. They are bringing value to the town and County in the form of a very usable building which could, if for some reason they did not make it, could still be used by the community college. Somewhere you have to subjectively say it is good for people and good for animals and saves lives. In this case, on the college campus, it would be good for the community college program. It could blend with the ag program. The centers they visited had adoptive cows and horses, as those situations sometimes arise.

Commissioner Cross stated he agrees with what is being said. He stated that Commissioner Bock has a “care dog” and his family has four dogs and three cats; however, this has not been thought out and discussed with all the right people yet. In order to get him on board, he stated that they would have to get the group together and come back to the Board and show a sketch of what they are planning to do.

Rev. Dorsey stated that they had had the discussions with the Health Department, community college, and the County Manager of which they have approved. He asked for a specific list of questions or issues the Board would like addressed stating that he would address them. He stated this had been an on-going conversation in the County for five years.

Commissioner Bock stated that he felt, in all fairness, anyone would be in favor of the idea. He is in favor of a “no-kill” adoption center. No one would publicly be against it. The Board just bought the land and doesn’t yet know what it wants to do with it long term. Based on some of the things just said, he asked why not locate it closer to the current animal shelter rather than be right on Highway 64? He said that the amount of money raised to date bothers him as well.

Rev. Dorsey said that they have not hired a capital campaign firm yet because all of the campaign people they have spoken with say the best bet is to get the County involved in a partnership, allowing people to know it’s rooted. He stated that he was a mission developer. It is the same with churches. As soon as you buy land, you skyrocket. Before then, you are not tangible. He stated that his philosophy of government is that they can work together and that they do make decisions together based on their priorities. Part of the problem with Pittsboro is that the government is buying all the land. There is not a lot available. He stated that he thought the land purchase next to the community college was a great purchase. It was a great price, and it was the kind of forethought that is expected out of government. This is all doable from a legal and community college standpoint. If specific answers are desired, Rev. Dorsey stated that he would go “fetch” them. Everyone they have talked to including citizens in the County, are for this. Other counties around Chatham have done this with great success. We are talking about the lives of living beings which he feels takes priority.

Commissioner Bock stated that this is a discussion that he feels we should have; however, he thinks when “partnership” is mentioned, it almost sounds like they are asking for the Board to do it the way they want, where they want it or the County is not cooperating.

He stated that he feels that the County is willing to cooperate and work with Guardians of Angels. They might not get support from all Commissioners that want to give the five acres. The County has land in Siler City.

Rev. Dorsey stated that their goal is to do it. It was at Commissioner Cross' request that they checked into a relationship with the community college.

Commissioner Bock stated that if they are not fixed on a particular piece of land, there is more likelihood that they can come to an agreement at some point.

Rev. Dorsey said that they would be happy to talk with the Board about it. The original discussion they had with the "new" Board was the Business Park which is quite empty. He stated that he lives in Siler City, and it needs all the help it can get.

Commissioner Kost stated that she feels it needs to be located in the center of the County. For the eastern part of the County, Siler City is a forty-five minute drive. She said that she thinks it needs to be strategically located in the County seat, in the center of the County, which is Pittsboro.

Rev. Dorsey stated that was the recommendation of Animal Control who came up with this idea. They are very interested in a partnership. What normally happens is that the Human Society takes the adoptable animals out for a period of time and does their best to match them with life-long homes.

The County Manager stated a lot of things have been mentioned and they are all good. He stated that from staff perspective, if they go through a nonprofit budget process, ninety-five percent of the questions about finance, on-going relationships, etc. will be part of the discussion. The recommendation will come to the Board from the committee as do other nonprofits. Is the best site those five acres? It might or might not be.

Chairman Petty stated that he felt it should follow the nonprofit channels as to funding. He stated that he doesn't think there is a question regarding support for it. He thinks the questions are about where and to what level. He thinks it could be setting a bad precedence and the gates would be opened for other people to walk in and ask for equal value for their association, group, or agency. The Board would like to see the involvement that has taken place with the community college, Health Department, etc.

Rev. Dorsey stated that they would work with the Board on that as it is a fair criticism. He stated that they were happy to do the legwork; however, that is the burden of government. They have to discern what is important. He stated that he could not take that burden away from the Commissioners as the Board has his kind thoughts and prayers. They will be happy to talk, work, discuss, go through channels, or whatever they need to do. They have gotten the idea that there is no land available. So now that land is available, it becomes a matter of if they are a worthy, nonprofit. He stated that he feels they are and he thinks some land is available. He stated he would be very happy to talk about what they can do in Siler City including the facility at the Business Park.

Chairman Petty stated that he thinks they may need direction as to the Board of Commissioners' level of participation.

Commissioner Bock suggested that they go through the nonprofit process. In the meantime, we need to decide which direction the Board needs to go long-term.

Mr. Dow stated that he had known Rev. Terry Dorsey for a while and he is an advocate for the animals. Everyone has to be pointed in the right direction. What makes this a little different from a nonprofit standpoint is that Animal Control is a governmental function. What Rev. Dorsey is trying to do is merge onto that. The symbiotic relationship needs to be explored. He stated that he would commit his time and resources to work with the County Attorney and do whatever it takes to get this project going for Chatham County. He stated that he would like to see the Commissioners say that it is worthwhile, that they are

willing to participate, and they are committed to find out what the level of participation might be.

By consensus, the Board agreed.

Chairman Petty reiterated that the Health Department needs to be involved.

Rev. Dorsey stated that government has gotten so thick in so many places, that it is hard for them to step out of the bounds of their duties, rules, and regulations. He stated that he had met with the Health Director on several occasions. Everyone in government with which he has spoken is for the proposal. Very often, however, the ordinary citizen does not understand how it works. He stated that he respects the Board very much, but he often does not get a response when he emails the Commissioners or phone calls are not returned which makes it hard. He asked for more interaction and stated that he would get the Board the answers to their questions.

Commissioner Bock volunteered to be a liaison between the Board and the Guardians of Angels.

Commissioner Kost stated that this was an issue about which she cared deeply. She asked that the rest of the Board be copied on all correspondence.

Rev. Dorsey stated that he was grateful for the discussion.

Commissioner Kost asked if this item was going to be placed on a future work session.

By consensus, the Board agreed to bring it back at their January 22, 2013 Board of Commissioners' meeting.

**Financing for County Jail: Vote on a request to adopt a Resolution Securing Financing for the Construction of a County Jail**

The Finance Officer explained that the County has previously determined that it is in the best interest of the County to finance the construction of a new County jail. In order to borrow the money, the County must approve a resolution concerning that borrowing.

Commissioner Kost moved, seconded by Commissioner Bock, to adopt **Resolution #2012-\_\_\_\_\_ Approving a Contract and A Deed of Trust and the Delivery Thereof and Providing for Certain Other Related Matters**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**MANAGER' S REPORTS**

**Legislative Goals:**

The Legislative Goals meeting for the NC Association of County Commissioners (NCACC) will be held on January 24 and 25, 2013, if there are items for consideration by the General Assembly.

**COMMISSIONERS' REPORTS**

**CORA Food Bank:**

Commissioner Bock explained that the CORA Food Bank was able to work with the WalMart Foundation and have received a check in the amount of \$30,000 for their Backpack Program. This is in addition to the \$7,500 received earlier in the year.

**Appreciation:**

Commissioner Kost expressed appreciation to Chatham County voters for their support in her reelection. Her statement in its entirety for the record is as follows:

“I would like to first thank the voters for their continued support by voting me in for my second term. Clearly when a candidate for office is re-elected, it sends a stamp of approval by the voting majority, that they like what is being done and support the platform.

I am honored to represent the people of this community, a diverse and wonderful place and pledge to continue to work hard, always with an eye for more community people-orientated government and decision-making.

Although campaigns can be exhausting, they can also be re-invigorating and a wonderful way to hear more from citizens in this community. The one issue as I campaigned that I heard the most about is hydraulic fracturing for natural gas. What I heard is we don't want this industry to wreck our environment or our quality of life and that whether it happens here in Chatham should be a local land use decision. I hope that this board will listen to the people and take a stand against this potentially devastating industry.

I would be remiss if I failed to mention that the elimination of the bookmobile and cutting the Human Relations Commission were extremely unpopular decisions.

In 2010, the political campaigns then talked about the need for diversity of opinions and positions on the board. And I believe that this goes for advisory boards as well. With the solid margin of victory in this election, over a qualified and serious candidate, the voters showed their support for my position on the issues. I hope that as we move forward that this board will thus, recognize this support and will further respect the need for diversity and affirm my appointments to various committees that provide advice to the Board of Commissioners.

Again, I thank the citizens for their confidence, and I will recognize each and every day, that it is a privilege to represent you.”

**ADJOURNMENT**

Commissioner Bock moved, seconded by Commissioner Stewart, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 7:33 PM.

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Walter Petty, Chairman

ATTEST:

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

*Reception immediately following the meeting.*

