

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JANUARY 03, 2005

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Auditorium Building, 45 South Street, located in Pittsboro, North Carolina, at 9:00 AM on January 03, 2005.

Present: Chairman Bunkey Morgan; Vice Chair, Tommy Emerson; Commissioners Patrick Barnes, Mike Cross, and Carl Outz, County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager, Renee Dickson; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

The meeting was called to order by the Chairman at 9:00 AM.

PLEDGE OF ALLEGIANCE AND INVOCATION

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

AGENDA AND CONSENT AGENDA

The Chairman asked if there were additions, deletions, or corrections to the Agenda and Consent Agenda.

Chairman Morgan asked that a discussion of the privatization of RFP waste proposals and a Closed Session to discuss potential litigation be added to the end of the Agenda.

Commissioner Emerson moved, seconded by Commissioner Cross, to approve the Agenda and Consent Agenda with the noted requests. The motion carried five (5) to zero (0).

CONSENT AGENDA

1. **Minutes:** Consideration of a request for approval of Board minutes for regular meeting held December 06, 2004 and special meeting held December 13, 2004

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

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

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

3. **Property Tax Exemption:** Consideration of a request to approve a late application for property tax exemption for Chatham Habitat for Humanity, attached hereto and by

reference made a part hereof.

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

4. **Resolution for Abandonment of Portion of Road:** Consideration of a request to approve **Resolution #2005-01 for the Abandonment of a Portion of SR #1946 (Johnny Burke Road)**, attached hereto and by reference made a part hereof.

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

5. **Road Names:** Consideration of a request from citizens to approve the naming of private roads in Chatham County as follows:

- | | | |
|----|-------------------------------|-------------------------|
| A. | Mourning Dove Trail C. | Josa Farm Road |
| B. | Elbert Hardee Lane | D. R Family Road |

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

6. **Resolution in Support of the Naming of Bridge:** Consideration of a request to adopt **Resolution #2005-02 in Support of Naming the United States Highway #64 Bypass Bridge at North Carolina Highway #87 the "Lin Wiggins, P.E. Memorial Bridge"**, attached hereto and by reference made a part hereof.

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

7. **Grant to Encourage the Arrest Policies and Enforcement of Protection Orders Program:** Consideration of a request to authorize Family Violence and Rape Crisis to apply for a grant from the US Department of Justice Office on Violence Against Women (OVW)

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

There was no one present who wished to make public comments.

FINANCE OFFICE

Fiscal Year 2004-2005 Budget Amendments: Consideration of a request to approve Fiscal Year 2004-2005 budget amendments

Commissioner Cross moved, seconded by Commissioner Barnes, to approve the fiscal year 2004-2005 budget amendments, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

RECREATION DEPARTMENT

Southwest Park Ball Field Lighting: Consideration of a request to enter into a lease/purchase with Musco Lighting for the Southwest Park multipurpose field

Commissioner Barnes moved, seconded by Commissioner Emerson, to enter into a light purchase with Musco Lighting for the Southwest Park multipurpose field subject to review and approval by the County Attorney. The motion carried five (5) to zero (0). The contract is attached hereto and by reference made a part hereof.

APPOINTMENTS

Home and Community Block Grant Committee Appointments: Consideration of a request to appoint a Commissioner to the Home and Community Block Grant Committee and one appointment/reappointment by Commissioner Cross

Commissioner Cross moved, seconded by Commissioner Barnes to reappoint Frank Minter, 456 Forest Lake, Moncure Estates, Moncure, NC, to the Home and Community Block Grant Committee. The motion carried five (5) to zero (0).

Chairman Morgan moved, seconded by Commissioner Emerson, to appoint Commissioner Mike Cross to the Home and Community Block Grant Committee. The motion carried five (5) to zero (0).

Water Advisory Committee Appointments: Consideration of a request to appoint members to the Water Advisory Committee by Commissioner Outz and Commissioner Barnes and one appointment/reappointment by Commissioner Cross

Commissioner Outz deferred his appointment to the Water Advisory Committee until a later date.

Commissioner Barnes deferred his appointment to the Water Advisory Committee until a later date.

Commissioner Cross moved, seconded by Commissioner Outz, to reappoint Russell Underwood, 2369 Everett Dowdy Road, Sanford, NC, to the Water Advisory Committee. The motion carried five (5) to zero (0).

JOCCA Appointments: Consideration of a request to appoint a Commissioner and a member by the full Board to the Joint Orange Chatham Community Action Board

This appointment was deferred until a later date.

BOARD OF COMMISSIONERS

Congestion Mitigation and Air Quality (CMAQ) Grant Proposal: Consideration of a request to authorize County staff to apply for the CMAQ grant

Commissioner Emerson moved, seconded by Commissioner Barnes, to authorize County staff to apply for the Congestion Mitigation and Air Quality (CMAQ) Grant, with acceptance of the grant funds subject to final review by the Board of Commissioners. The motion carried four (4) to one (1) with Commissioner Cross opposing.

LANDFILL REQUEST FOR PROPOSALS (RFPs)

Chairman Morgan stated that he would like to see the Solid Waste Advisory Committee address only the operations portion of solid waste; that he does not feel that anything else should now be

entertained; and that because of time, the operational element should receive first priority.

Chairman Morgan moved, seconded by Commissioner Outz, to proceed and have the Solid Waste Advisory Committee give a report on the operations segment of the RFPs; that it be addressed as soon as possible; and that the Board look into the second section of that on the landfill as soon as possible; and that hopefully in the Spring it will be addressed. The motion carried four (4) to one (1) with Commissioner Cross opposing.

MANAGER' S REPORTS

Board Retreat:

The Commissioners' Board Retreat will be held on January 5-6, 2005 from 8:30 AM to 4:00 PM in the Dunlap Classroom.

COMMISSIONERS' REPORTS

Challenge:

Chairman Morgan challenged the Board to spend as much time to make things happen as they do maintaining status quo. He stated that he would like for members to be thinking of one or two things that they would like to accomplish this year which could be discussed at the upcoming Board of Commissioners' retreat.

Board Invocations:

Chairman Morgan discussed inviting ministers of various denominations to have the invocation at the Board of Commissioners' night meetings. He asked for suggestions in this matter.

The County Attorney advised the Board to make certain that this was left open to all denominations so that there would be no favoritism shown.

Land Use Fees:

Commissioner Barnes stated that in the school for new commissioners, he learned of a land use fee which solved a lot of money problems in Cumberland County; and that he found it very interesting. He submitted various materials for Board review regarding this matter.

Board of Education:

He also stated that they had learned that Cumberland County had no problems with their Board of Education's budget and that he personally thought that was miraculous. He provided members with a copy of the contract between the two Cumberland County entities.

Commissioner Cross stated that Commissioner Barnes and he found the land use fee interesting and exciting was because Cumberland County went to a 1% land transfer fee as opposed to an impact fee; that this would provide more protection for the lower income citizens; that it puts the responsibility on the developers who want an industry standard; that in some cases it would be no less than double what the County is now receiving; that it would be a recurring fee; and that he looks forward to discussing this further at the retreat.

Commissioner Cross also stated that in the distributed packet, there was a request for a citizens committee appointment to study development and review process and that it might warrant further review.

Can-Do Attitude:

Commissioner Emerson stated that he was pleased with the positive “can do” attitude of all Board members, especially with the new Board members, stating that he thought there were a lot of possibilities to move forward.

Booth Mountain:

Keith Megginson, Planning Director, distributed agenda notes and maps (reflecting the Planning Board and Planning Department recommendations) on Boothe Mountain Development and stated that this matter is scheduled to come before the Board at their January 18, 2005 Board of Commissioners’ meeting.

Road Closings:

The Planning Director asked if the Board wanted the Planning Board to review road closing requests, as previously discussed, prior to Board consideration. He asked if the Board would consider authorizing a fee for associated costs. The Board requested that the issue be taken to the Planning board for their consideration.

Honeywell Law Suit:

Commissioner Outz asked about the Honeywell tax lawsuit.

Attorney Gunn stated that this matter is before the state board, and that it would come back before the Board before a settlement is reached.

Industrial Park:

Commissioner Outz stated that Mr. Howard Horny had asked for a thirty-day advanced notice prior to the road being cut into the industrial park so that he can move his cattle.

Public Works Director:

Commissioner Outz asked the status of the new public works director.

The County Manager stated that they are currently interviewing for a Utilities Director.

Bond Issue:

Commissioner Outz stated that he thought a date should be set with the Board of Education to discuss the school bond issue.

Tax Reevaluations:

Commissioner Outz stated that several people had called him stating that the Tax Department had requested a copy of their federal tax return for their tax revaluation, and that he felt that this was an invasion of privacy.

Animal Control:

Commissioner Outz asked about the disturbance in Animal Control department.

Rescue Squad/Fire Departments Tax Rates:

Commissioner Outz recommended that the tax rates of the rescue squad and fire departments be reviewed during the budget session.

CLOSED SESSION

Commissioner Outz moved, seconded by Commissioner Cross, to go out of Regular Session and convene in Closed Session for the purpose of discussing possible litigation after a ten-minute break. The motion carried five (5) to zero (0).

REGULAR SESSION

Commissioner Barnes moved, seconded by Commissioner Emerson, to adjourn from Closed Session and reconvene in Regular Session. The motion carried five (5) to zero (0).

ADJOURNMENT

Commissioner Emerson moved, seconded by Commissioner Outz, to adjourn for the scheduled Work Session. The motion carried five (5) to zero, and the meeting was adjourned at 11:16 AM.

Bunkey Morgan, Chairman

ATTEST:

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