MINUTES CHATHAM COUNTY BOARD OF COMMISSIONERS REGULAR MEETING FEBRUARY 04, 2013

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the Agricultural Building Conference Room, 45 South Street, Pittsboro, North Carolina, 11:00 AM on February 04, 2013.

Present: Chairman Walter Petty; Vice Chairman Brian Bock;

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 Petty welcomed those in attendance and called the meeting to order at 11:00 AM.

APPROVAL OF AGENDA and CONSENT AGENDA

Commissioner Kost asked that Item #5, Resolution in Support of North Carolina Association of County Commissioners' Legislative Goals, be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

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

1. **Minutes:** Approval of Board Minutes for the November 20, 2012 Special Meeting, the January 14, 2013 Board of Commissioners' Retreat, the January 22, 2013 Regular Session Meeting, and for the January 23, 2013 Board of Commissioners' Retreat

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

2. **Annual Tax Lien Advertisement:** Vote on a request to approve the advertisement of 2012 tax liens

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

3. **Competitive Bid Exemption:** Vote on a request to approve competitive bid exemption for "sole source" and standardization, and approve vendor IDEXX Distribution, Inc. as the sole vendor for specific water treatment supplies

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

4. **Moncure Fire Department Response Vehicle Purchase:** Vote on a request to assist Moncure Fire Department with a onetime purchase of a response vehicle in the amount of \$25,969

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

5. Resolution in support of North Carolina Association of County Commissioners' Legislative Goals: Vote on a request to adopt Resolution in Support of Legislative Goals Adopted by the Membership of the North Carolina Association of County Commissioners

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

William Sommers, 29 East Madison, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

"My name is Bill Sommers and I live at 29 East Madison, Fearrington Village. I appreciate the opportunity to speak on a very serious issue that is facing our country and its individual parts: states, municipalities, and counties. This of course is the rising menace of illegal use of guns. We have all heard the terror of recent killing of children and adults alike in Connecticut. We realize that the easy procurement of guns and ammunition is a major element that contributes to these shootouts.

And this issue is one that faces our community re: WALMART...known for its sales of guns and ammunition. In Tucson, Arizona where a recent shooting took the lives of six people including a federal judge and a 9-year old girl and where in addition to Gabrielle Gifford, a US Congress woman was seriously wounded. The shooter involved bought his ammunition at a nearby WALMART store.

It turns out that WALMART is one of the biggest sellers of a variety of guns and ammunition and has a big interest in the sales of nearly \$11 billion a year of American purchases.

While there are many possibilities in protecting ourselves from this growing menace, there exists a local initiative that should not be ignored – namely – for our Chatham County officials and citizens – to request that the WALMART now being built at the Chatham-Orange County Line not include guns and ammunition as part of their sales operation. This policy statement should be made a condition of the County's final approval.

I would appreciate your action on this recommendation. Thank you."

BOARD PRIORITIES

Resolution in support of North Carolina Association of County Commissioners' Legislative Goals: Vote on a request to adopt Resolution in Support of Legislative Goals Adopted by the Membership of the North Carolina Association of County Commissioners

Commissioner Kost stated that only the resolution was linked to the agenda item and not the goals. The members of the public were unable to see what the resolution supported. She asked that, since there was no urgency, action on this item be delayed until the February 18, 2013 Board of Commissioners' meeting. She stated that the Board was not required to adopt a resolution, as it was a suggestion. She stated that she would have liked for the Board to have been able to discuss these proposed goals at the time they were proposed, instead it has been done backwards. It is now being discussed after

the NC County Commissioners' Association has taken action, but discussion should have been done prior to that meeting.

Chairman Petty stated that he recognized, after being involved this year, that there are voting delegates that are there, but there were a lot of commissioners and citizens there who were allowed to speak on the issues that were addressed before the votes were taken. Although this is emailed out to all the Commissioners, the Board really didn't discuss them. He stated that he would like to see them discuss this in the future prior to that meeting.

Commissioner Kost stated that she had made the comment several times and it was a goal of the former Board that we have a more comprehensive legislative process as we are not taking a comprehensive approach. She stated that she brought forth a couple of goals that she would have liked to have seen the Board include, but they were dropped without being discussed. One was requesting a study group on homeowners' associations as the transition is made from the developer to the homeowners' associations. Many of the goals have been on the list for several years.

Commissioner Cross stated that the goals had been on the list for a long time; however, they got on there by a lengthy process. All counties in the state were involved with it. He stated that his charge was to leave them on there. Just because something has been on there and not acted on, doesn't mean that it should be pulled off and doesn't mean that the County doesn't still want it.

Commissioner Kost stated that it is more than she thinks many things that are missing. She stated that she didn't think the entire Board ever discussed any type of legislative agenda.

Commissioner Cross stated that the Board discussed input in July and he did not receive any.

Commissioner Kost stated that she brought forth two at the meeting.

Commissioner Cross stated that there was a form that is sent out with the paperwork that has to be filled out and returned.

Chairman Petty stated that he was impressed with the process that is being used. All counties are represented with anything that they want to see attention drawn to. It is then deliberated by the entire group. It is narrowed down to a manageable number of goals to set rather than throwing out a lot of goals to the Legislature. They select their items and prioritize them. Whatever the Board of Commissioners suggests, may or may not make it to the prioritized list. After much deliberation and editing of some of the goals from the original proposal, they were voted on and approved by a majority. They then asked that each of the counties, through resolution, show support of the Association of what it is trying to do by getting behind them.

Commissioner Cross stated that was new as they wanted to use those resolutions for the on-going lobbying effort.

Chairman Petty stated that he found it very interesting and a good and effective process.

Commissioner Kost stated that she was not disputing that the County Commissioners' Association has gone through a good process; however, what she is more concerned about is if we are asking our department heads who deal with State regulations on a day-to-day basis. This also extends to the County's advisory committees. She asked if we were soliciting their input so that we are putting in front of the Legislature many things that we would like to see. She reiterated that she would like to see the Board take a more comprehensive approach and hold off on taking action on this matter so that the goals can be posted before the resolution is adopted.

Chairman Petty stated he would like for the Board to have more discussion prior to the meeting next year; however, he stated that he doesn't personally see a need to delay the resolution as they are only supporting what the majority of our representation at State level has proposed as goals. None of that can be changed now, but he stated that he would like to see the Board change their process prior to the meeting next year.

Commissioner Kost stated that the only reason she is asking for a delay is if there are citizens who had questions or concerns, they were not posted. She stated that she realizes that the goals were added to the agenda at the last minute; however, the goals should have been linked for the public to know what is being voted on.

Commissioner Cross stated that he thinks Commissioner Kost is talking about two things: 1) We need to involve people early in the process. 2) The resolution is referring to goals that are now approved. He stated that they would not have known what was going to be approved until after the conference.

Commissioner Kost stated that she understands why they are being asked to do this now. Her main concern is that she would like to know if citizens have any concerns about this as she likes a more open dialogue.

Commissioner Cross stated that the Tax Administrator sits on a "Tax and Finance Committee" with him. She submitted, through that committee, something that was pertinent to all counties. That was really the only input that he received. There was nothing that was filled out on the mandatory form to be sent in.

Chairman Petty stated that there were also items that come up that are presented at the last minute that are handled by the elected officials. There will be things that arise in which there will be no opportunity to present them to the public

Commissioner Kost stated that she understands, but she also thinks that it will be more meaningful if a unanimous vote is taken to the County Commissioners' Association. She stated that she was voting against the resolution on principle if the Board voted today as it was not communicated to the citizens what would be voted on.

Chairman Petty asked Commissioner Kost if she could support the resolution even though, as an elected official, she was elected to represent the citizens when they are not able to.

Commissioner Kost stated that she was representing her constituency with open government.

Chairman Petty stated that the process can be changed for next year. He stated that he doesn't see a need in voting on the resolution today; however, it will be left up to the Board.

Commissioner Cross stated that the Board sent him there as a voting delegate. He voted to approve these goals. They need the resolutions to help them in their lobbying effort which is now on-going. It will be great for next time.

Chairman Petty stated that as a voting delegate, Commissioner Cross was expected to assimilate this information and vote how he feels with regard to the support at home.

Commissioner Cross stated that everyone had copies of the proposed goals and no one had any complaints. Most of what has been done in the past was when the Board was asking for local legislation that applied to Chatham County or surrounding counties.

Chairman Petty stated that the process that Commissioner Cross went through as the Board's representative was no different this year than in the past.

Commissioner Kost stated that the Board had as a goal three years ago, a goal to change the legislative process, and it hasn't happened. It could be more comprehensive and the Board may identify something that needs to change. It could apply to all one hundred counties. You don't know until you go through the process and solicit information from department heads, advisory groups, and from citizens. She said that she was not being critical of Commissioner Cross as he did what he was supposed to. As a Board, she doesn't feel that they have done their due diligence in a legislative process.

Commissioner Cross stated he would agree that the Board can and should do better; however, he feels it should apply next time. He stated that the voting delegates have already voted to approve these. It will look bad if the Board is not in agreement.

Commissioner Kost stated if the agenda had had the goals as part of the agenda item, she could support it. Her point, she said, it that the agenda does not say what the Board is doing.

Chairman Petty asked if she was voting against the resolution, not because of what it stands for, but because it wasn't properly advertised.

Commissioner Kost stated that was correct. It is an open government issue. That is why, when there is a last minute addition, the chairman and vice chairman need to make sure that it is complete.

Chairman Petty asked if there was a timeline issue on this matter.

Commissioner Bock stated that they were there now.

Commissioner Kost stated that she didn't think two weeks would hurt.

Commissioner Cross stated that putting it off two weeks in order to get a unanimous vote would be more useful.

Chairman Petty stated that he feels it is bad business to vote against something on principle when you say that you would vote to approve everything about it in two weeks, but would not now because of the principle of it. He asked what is to be gained from voting against it today and then approve it two weeks from now just to prove a point.

Commissioner Kost stated that unless the goals are put out to the citizens and she hears from various constituencies, she had rather wait to vote. She stated that there might be unintended consequences unknown to the Board. She stated that she ran on "open government", she believes very strongly that we need to put the business of the people in front of the people, and it has not been done here.

Commissioner Stewart stated that she agrees we need to do that. At this point, we have identified that there is an issue that needs to be fixed. What's done here is done, and that is not the point. To say now that we are not going to agree to this, it makes them look bad. She stated that she does not agree with Commissioner Kost on voting against the resolution at this point, as it is done.

Commissioner Kost stated if we heard from the citizens about several of the goals that could have consequences that the Board hasn't thought about, then the Board may reconsider it. There has been no public input and at the one chance that there was, the goals were not listed.

Commissioner Bock stated that, in effect, the goals have already been approved. Commissioner Cross was sent to approve them.

Commissioner Cross stated that there are seven steering committees made up of 30-40 commissioners on each committee. They meet at least four times before the conference. It is then presented to the executive committee where it is approved, and

then taken to conferences. It is reviewed, "beaten to death", and public input received. It is not going to change what they are doing now.

Chairman Petty asked Commissioner Cross how long he had represented Chatham County.

Commissioner Cross stated nine years.

Chairman Petty asked Commissioner Cross if, in nine years, he had been faced with what we are now doing.

Commissioner Cross replied, no. He stated that there had been discussions; however, the only thing that was ever submitted was local which were presented to Representatives Joe Hackney and Bob Atwater in separate meetings.

Chairman Petty asked if the difference this year was adopting a resolution stating that the Board supports the goals.

Commissioner Cross stated, yes.

Commissioner Bock stated that what the Board is being asked to do is confirm that they support Commissioner Cross's vote when he was there.

Chairman Petty stated that each of the goals did not get 100% approval. There were people from the same county presenting facts for and against a lot of the goals. There was dissention even within the counties. That is what makes this process work. The majority voted to support the goals. Now, it should be that the Board gets behind those appointed to vote for them, and

Commissioner Cross explained that a voting delegate is not selected because of their party affiliation. He stated that he has been doing this for nine years and that he could identify a few people due to the party affiliation only because he has known them personally, otherwise, party affiliation never comes up. He stated that it is a majority decision on each proposal as to whether it is the best policy for all counties in North Carolina.

Commissioner Bock asked if the Board could take two votes.

Commissioner Bock moved to vote on the resolution today. Commissioner Stewart seconded the motion.

Commissioner Kost stated that it was an odd motion.

Commissioner Bock stated that if that motion doesn't pass, then we do not vote on the resolution. He stated that he did not think there was a guarantee that there would be a unanimous vote if they wait to vote on it.

Commissioner Kost stated that it was very likely that there would be a unanimous vote unless she heard something from her constituencies about them. She reiterated that they were doing the business of the people without telling the people what the business is.

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

Commissioner Bock moved, seconded by Commissioner Cross, to adopt Resolution #2013-04 in Support of Legislative Goals Adopted by the Membership of the North Carolina Association of County Commissioners.

Commissioner Kost stated that she was not going to vote against this because of the goals. She stated that she knows this process is flawed. She is struggling with the incomplete agenda item. The only thing on the agenda was the resolution and had no

goals. It is an issue of open government that she is totally committed to. If there were citizen concerns, they would never know.

Commissioner Bock disagreed saying that it was out in front of the public. He stated that Commissioner Cross has brought it up and asked for input. If there was anyone was concerned or wanted to know about the goals, they would have asked and let the Board know by now. They haven't done so since July.

Commissioner Kost responded by saying that she could not get the Board to discuss her goals, much less the general public.

Chairman Petty stated that they would make a point to discuss the goals in meetings prior to the process so that the voting delegate can properly represent the Board. He stated that he felt like Commissioner Cross had done this already and he appreciated his service.

Commissioner Cross stated that the Board needed to plan to have discussions as soon as they finish budget discussions as they will be requesting new input in July.

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

Presentation of the Government Finance Officers Association's Distinguished Budget Presentation Award:

Chairman Petty stated that Chatham County has received the **Distinguished Budget Presentation Award** from the Government Finance Officers Association (GFOA) of the United States and Canada for its 2012-13 budget presentation.

The award requires entities to meet extensive nationally recognized requirements for budget presentations. The County also won the award for its budget presentations in 2011 and 1998.

Chairman Petty said that the Commissioners recognize that many long hours and a lot of detail work goes into this effort and that they are so grateful that they have such quality staff willing and able to provide a quality budget presentation that helps the Board make better decisions. Chatham County is one of 1,328 entities throughout the United States and Canada to earn the award. The vast majority are larger jurisdictions with more staff members involved with their budgets. The award guidelines are designed to assess how well the presented budget serves as:

- A policy document
- A financial plan
- An operational guide
- A communications device

Chairman Petty stated that in order to win the GFOA award, the budget documents must be rated "proficient" in all four categories. The GFOA presented the award certificate to the County Manager's Office. Chatham County's Finance Office has won the GFOA's Certificate of Achievement for Excellence in Financial Reporting for the past 23 years for its comprehensive financial reporting, with the goal of promoting transparency and full disclosure.

Schedule Budget Work Sessions:

Ms. Paschal stated that the Board needed to hold budget work sessions which should be held after the public hearings.

By consensus, the Board decided to hold budget work sessions on May 22, 2013 and May 28, 2013, 9:00 AM to 4:00 PM, to be held in the Historic Courthouse.

Board of Commissioners' Software Presentation: Presentation of new software for agendas and minutes

Lindsay Ray, Deputy Clerk, reviewed the Legistar benefits, functionality, and product features in a PowerPoint as follows:



Legistar
Comprehensive, Round-trip Agenda & Minutes

Benefits & Functionality

- Manage items for meeting agendas
- Automate the agenda item approval process
- Assemble complete agendas
- Automatically publish meeting minutes
- Track legislative items and generate historical reports

Product Features

· Agenda Item Management

- Draft files with templates and version control
- Review agenda item history (dates, motions, actions, votes, and notes)
- Cross-reference agenda items

Meeting Agendas

- · Automatically assemble agenda packets
- Print and publish complete agendas to the web
- Format and generate agenda reports & Auto-number agenda items

Meeting Minutes

- Record attendance roll call, motions, actions, votes, and discussions
- Membership and attendance records & Track mover, seconder, votes, tally, pass/fail
- Auto-generate action text & Print and publish complete minutes

Search

- Search using any combination of fields or text & Search results
- · Print searched results
- Track vacancy and on-line applications

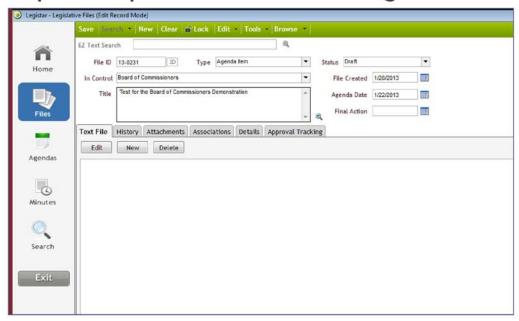
Additional Features

- Unlimited users and records
- · Run generic reports: hearing notices, public notices, calendars, pending items, etc.
- Track elected and appointed office holders (BOC and Committees)

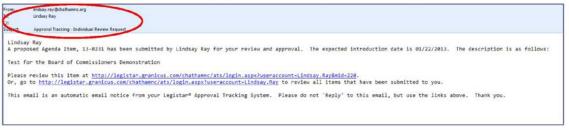
How Does it Work?

- Step 1: Departments Submit Agenda Items
- Step 2: Designated Approvers Approve Agenda Items
- Step 3: Clerk's Office Generates Preliminary Agenda
- Step 4: Chair and Vice-Chair Approve the Agenda
- Step 5: Clerk's Office Generates Final Agenda & Agenda Packet then Publishes Both to InSite (web)
- Step 6: Once integrated with Granicus, Clerk's Office will record all action with the software so that it links with the audio and video when the minutes are generated.

Step 1: Departments Submit Agenda Items



Step 2: Designated Approvers Approve Agenda Items



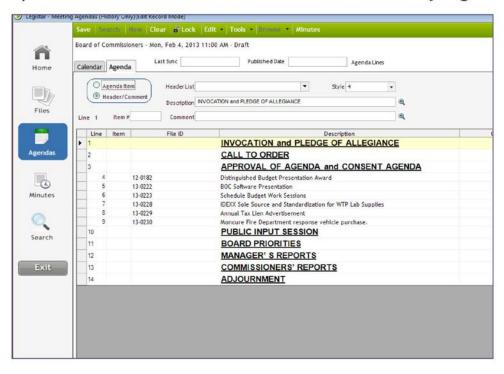


Step 2 (cont'd): Departments are then notified their items have been approved or changed.

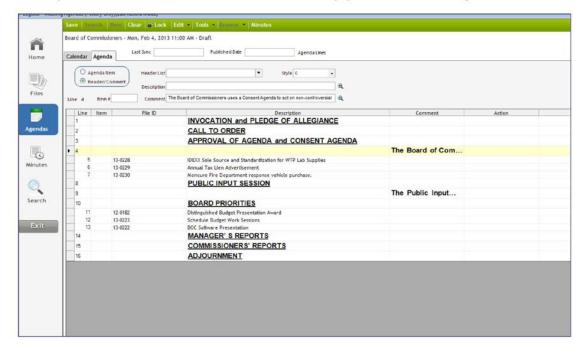




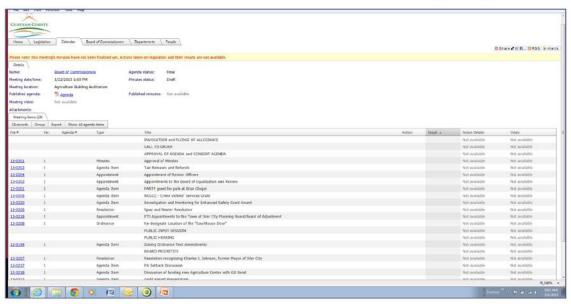
Step 3: Clerk's Office Generates Preliminary Agenda



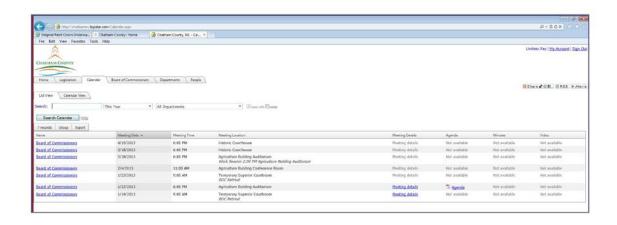
Step 4: Chair and Vice-Chair Approve the Agenda



Step 5: Clerk's Office Generates Final Agenda & Agenda Packet & Publishes Both to InSite (web)



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- Town of Chapel Hill, North Carolina
 - http://www.townofchapelhill.org/index.aspx?page=958
- · Town of McKinney, Texas
 - http://mckinney.granicus.com/MediaPlayer.php?view id=5&clip id=1859
- City of Milwaukee, Wisconsin
 - $\label{lem:milwaukee.legistar.com/MeetingDetail.aspx?ID=211055&GUID=8D7BB69E-2C60-44E9-8758-472AC75A256C&Options=&Search=\\$

Ms. Ray and Debra Henzey, Director of Community Relations, answered questions from the Board.

Chairman Petty asked that the links be emailed to the Board of Commissioners so that they could see how everyone else was using it.

Board of Equalization and Review Appointment:

Commissioner Cross moved, seconded by Commissioner Bock, to appoint Tom Glendinning as an alternate to Board of Equalization and Review. The motion carried five (5) to zero (0).

MANAGER'S REPORTS

The County Manager had no reports.

COMMISSIONERS' REPORTS

Private Companies to Build Public Schools:

Commissioner Kost stated that she had requested a presentation on how a private company can build a public school and lease it back to the County. She stated that she thought it might be a possibility for Chatham County.

Vicki McConnell, Finance Officer, stated that one of the problems is that each deal is very specific to that place. She stated that we can talk in generalities, but not in specific terms.

Chairman Petty asked if someone could make a presentation on that.

Commissioner Kost stated that when the Board talked about this several years ago, it was not considered because no one else had done it. Now, it has been done in Hoke County. She stated it would be nice to hear their experience, the pros and cons, as it could be a possibility for Chatham County.

The Finance Office stated that she was not sure that they had completed it. They are now in the process of doing it, and she doesn't think there is a history of how it works.

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Stewart, to adjourn the meeting for a luncheon with the North Carolina Cooperative Extension Service and for consideration of their Annual Report. The motion carried five (5) to zero (0), and the meeting adjourned at 11:58 PM.

| | Walter Petty, Chairman |
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| ATTEST: | |
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