

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
SEPTEMBER 04, 2007

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Building Auditorium, 45 South Street, located in Pittsboro, North Carolina, at 9:00 AM on September 04, 2007.

Present: Chairman Carl Thompson; Vice Chair, George Lucier; Commissioners Patrick Barnes, Mike Cross, and Tom Vanderbeck, County Manager, Charlie Horne; Assistant County Manager, Renee Paschal; Finance Officer, Vicki McConnell; County Attorney, Kevin Whiteheart; and Clerk to the Board, Sandra B. Sublett

INVOCATION AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

The meeting was called to order by the Chairman at 9:08 AM.

AGENDA AND CONSENT AGENDA

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

Commissioner Vanderbeck moved, seconded by Commissioner Lucier, to approve the Agenda and Consent Agenda as follows:

1. **Minutes:** Consideration of a request for approval of Board Minutes for regular meeting held August 20, 2007 and work session held August 20, 2007

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

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

A. Joels Way B. Mendenhall Farm Lane

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

3. **FY 2009 Budget Calendar:** Consideration of a request to approve the FY 2009 Budget Calendar, attached hereto and by reference made a part hereof.

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

4. **Charging-Off 1997 Tax Bills:** Consideration of a request to charge-off 1997 tax bills

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

5. **Declaring Personal Property Surplus:** Consideration of a request to adopt **Resolution #2007-34 Declaring Personal Property Surplus and Authorizing Sale of Said Property by Advertising for Sealed Bids**, attached hereto and by reference made a part hereof.

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

6. **Partnership for Children Grant Approval:** Consideration of a request to apply for a Partnership for Children grant in the amount of \$73,290.70. The application is attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Bob Knight, 406 Chimney Rock Road, Sanford, NC, stated that several years prior, he came before the Board asking the County to include in their building code that all new businesses coming into the County be handicapped accessible with automatic door openers. He stated that he is the only one who has been able to get anything done to County buildings with regard to this matter; that it not only helps handicapped people, but also helps delivery people and those working in the buildings; that he never realized how hard it was to get into places until he became disabled; that while trying to get through a door that did not have an opener, he broke both bones in his leg; that he is again asking the Board to put this requirement into the County building code; that he talked with people at Central Carolina Community College who are taking action to upgrade their buildings; and that there is a lot that still needs to be done.

Mr. Knight also stated that he had a signed petition which was circulated several months ago regarding Commissioner pay increases; that he didn't immediately bring the petition to the Board; that he has given the petitions to the Clerk to the Board; that he wants the Board to be mindful of their salaries; that if the Board is looking at their salaries to make a living, then they are in public service for the wrong reason; and that he owed it to the people who signed the petitions to bring it to the Board of Commissioners.

The petitions are filed in the Office of the Clerk to the Board.

Commissioner Lucier asked what the Board had to do to get the door opener requirements into the County building code.

The County Attorney explained that it was his understanding that it was already in the building code; that depending on the number of people and the size of the facility, depends on the nature of the handicapped accessible features that are required; that he believes that Mr. Knight is referring to retrofitting the County's doors with handicapped accessible buttons; that there is nothing in the Americans with Disabilities Act that requires a door to be retrofitted a building if the expense is going to be exorbitant; and that he will look into the cost of doing that.

BOARD OF COMMISSIONERS' MATTERS

Chatham County Volunteer Recognition Awards: Consideration of a request to recognize Chatham County volunteers for outstanding service and adoption of **Resolution Honoring Chatham County's Outstanding Volunteers of 2007**

The Board deferred this item until the September 17, 2007 Board of Commissioners' meeting.

MANAGER' S REPORTS

“Fieldstone Subdivision” Motion Clarification:

The Planning Director explained that at the last Board of Commissioners' meeting held on August 20, 2007, the Board approved the “Fieldstone Subdivision”; that the minutes reflect two conditions: 1) Language on the preliminary and final plats shall read “50 foot water hazard setback/vegetative stream buffer”.; and 2) The applicant will move the road, if necessary, to accommodate any wetlands designations.; that the area which they thought was going to be designated wetlands ended up not being wetlands; that there was approximately 1/10th of an area which was designated wetlands; that because it is less than 1/10th of an acre, the Corps of Engineers does not require any accommodations of those; that the motion was

that the applicant would move the road if necessary; that it is not necessary for the Corps of Engineers in that designation; that this came before the Board for sketch design, however their road names had already been approved by the Department of Transportation (NCDOT) to submit for preliminary approval; that they did not know how to interpret it since it was not required as far as the Corps was concerned.

Commissioner Lucier stated that he was reluctant to take action on this matter; that he would prefer to review it in more detail with the wetlands designation; that he would prefer to deal with it at the next Board of Commissioners' meeting.

Chairman Thompson agreed, but asked the Planning Director what action was required. The Planning Director stated that no action was required; that the applicant has submitted plans to the Corps of Engineers; that they are ready to start road construction on the grounds according to the plans that are approved; and that if they have to accommodate this .07, then they need to proceed with having road plans approved and resubmitted to DOT

Commissioner Barnes stated that he has no problem with it; that the Board is talking about less than 1/10th of an acre of land; that where the road is shown, he doesn't see a problem; and that he would let it proceed.

Commissioner Vanderbeck stated that he was inclined to go along with taking a couple of weeks to check it out and get some input.

Commissioner Lucier moved, seconded by Commissioner Vanderbeck, to delay this matter until the September 17, 2007 Board of Commissioners' meeting. The motion carried three (3) to two (2) with Commissioners Barnes and Cross opposing.

RESOLUTION TO EXEMPT THE COUNTY

Renee Paschal, Assistant County Manager, stated that the Board approved funds in the budget for a facilities study for the County to look to at all the buildings and space needs for the next twenty years; that they are asking that anyone submitting a proposal give a price on it; that in order to do that, a "resolution to exempt the County" must be approved.

Commissioner Cross moved, seconded by Commissioner Barnes, to adopt **Resolution #2007-35 to Exempt the County From the Provisions of GS 143-64.31 for the Chatham County Facilities Study**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

ELECTRONIC SURVEYLANCE GRANT

The Assistant County Manager explained that the Sheriff's Department had received a grant from the Governor's Crime Commission for monitoring units/bracelets for domestic violence offenders who are released from jail; that this will be a way to keep track of them to make certain that they do not commit an offense while they are on pretrial release; that they would like to charge the people receiving the devices a fee to help cover the cost; that the grant pays \$3.45 of the actual \$9.47 per day cost; that they would like to charge the offender the \$6.12 difference; and that per County policy, the Board of Commissioners must approve any fees that are charged.

Commissioner Barnes moved, seconded by Commissioner Lucier, to approve the \$6.12 fee for the monitoring unit for domestic violence offenders.

Commissioner Vanderbeck asked about the legality of this issue.

The County Attorney stated that they had looked at the contract; that it is a good program; that it uses a dial-up cell phone system to make contact and make certain that the "at-home" inmate leaves a certain area, there is a GPS contactor on it.

Commissioner Cross asked what would happen if there was an inability of the offender to pay. The County Attorney stated that the offender would stay in jail. He stated that this would be a good opportunity for them to get out of jail; that this is part of the

qualifications for them to get out of jail; and that they have to agree to participate with this amount of money.

The Assistant County Manager explained that the offender would have to pay “up front” for the number of days until their trial date.

The County Attorney stated that this would be similar to a court-offered bond; that there are those who can pay and those who cannot; that this is another method for relieving the amount of over-crowded prison space; and that it is limited to domestic violence.

Commissioner Cross questioned the cost-savings to the County for paying for offenders who cannot pay for themselves.

Chairman Thompson stated that he was inclined to let the offender pay the cost.

After further discussion, the Chairman called the question. The motion carried five (5) to zero (0).

COMMISSIONERS' REPORTS

There were no Commissioner reports.

ADJOURNMENT

Commissioner Vanderbeck moved, seconded by Commissioner Lucier, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 9:36 AM.

Carl E. Thompson, Sr., Chairman

ATTEST:

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