

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
NOVEMBER 05, 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 November 05, 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 Chairman called the meeting to order at 9:05 AM.

AGENDA AND CONSENT AGENDA

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

The Chairman asked for an explanation of Consent Agenda Item #6, Consideration of a request to authorize the construction of a waterline to the Jordan Lake Visitor Center.

The County Manager explained that in the course of designing the Western Transmission lines, there was a significant part of where the line was laid was in the ownership of the Army Corps of Engineers; that the County agreed that it would provide a line to their office and visitor’s center in Moncure; and that the difference between what the County would have paid for the easement and the line to the visitor’s center would be accounted for in this way.

David Hughes, Chatham County Public Works Director, stated that there was \$41,000.00 for the easement; that the Army Corps of Engineers would pay up to \$100,000.00; that the bid came in a little high; that they took out some work to put the bid cost below \$100,000.00; that they took out a couple of bores at two driveways; that we are doing open cuts rather than bores; and that pushed the price of the contract down to \$91,000.00 which is what the Army Corps of Engineers is paying.

Commissioner Cross 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 October 15, 2007 and Work Session held October 15, 2007

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

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

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

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

Blackhorse Run
Trotters Trail

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

4. **Property Acquisition on Jack Bennett Road:** Consideration of a request to accept the final offer by Robert E. Frickey, Jr. in the amount of \$2,300 and to authorize the County Manager to execute the final sale of the 0.94 acre Jack Bennett Road property

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

5. **Department of Social Service's Furniture Bid Award:** Consideration of a request to award the Department of Social Service's furniture bid to Carolina Office Systems in the amount of \$244,931.00. The bid is attached hereto and by reference made a part hereof.

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

6. **Water Line Construction to Jordan Lake Visitor Center:** Consideration of a request to authorize the construction of a waterline to the Jordan Lake Visitor Center

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

7. **Local Governmental Resolution for North Carolina Governor's Highway Safety Program:** Consideration of a request to adopt **Local Governmental Resolution #2007-____ for North Carolina Governor's Highway Safety Program**, attached hereto and by reference made a part hereof.

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

8. **Resolution of Intent to Permanently Close a Certain Street in Moncure:** Consideration of a request to adopt **Resolution #2007-____ of Intent to Permanently Close a Certain Street in Moncure** and set date of public hearing for December 03, 2007. The resolution 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

Bill Sommers, 1067 Fearington Post, Chapel Hill, NC, stated that Aqua North Carolina, Inc. purchased the North Chatham Water and Sewer Company, LLC on October 1, 2007; that this was done according to the Utility Commission requirements; that the water tank is no longer in use since the newly acquired water company purchases bulk water from the Chatham County Utility Division under pressure sufficient to service customers; that the water tank itself was in use when North Chatham Water and Sewer Company obtained water from wells in the immediate area; that the water tank's current use, so far as he knows, is for the placement of an antenna which, according to North Chatham's 2005 Annual Report, is rented out for about \$2,000 per year; that the water tank's exterior has not been properly maintained; that the paint is peeling and large areas of rust are exposed; that it has become an eyesore to the people working, living and shopping in the general Cole Plaza area; that it also gives a bad impression of the County, having an ill-kept tower that everyone can see; that the tower may also pose a danger if the deterioration is allowed to continue, especially during very windy and gusty periods that are not unusual in this area; that his suggestion is that the Board agrees to dismantle the water tower within the next three years while, in the immediate future, giving the tower a good refurbishing including a thorough repainting; and that he has written a letter to Aqua North Carolina and requested a response regarding this matter.

Commissioner Lucier stated that he remembered there was contamination from leaking underground petroleum storage tanks; that that was one of the reasons they moved to County water; and that he presumed that the local wells are still contaminated.

The Chairman asked the County Manager if he would contact Aqua North Carolina, Inc. regarding this matter and report back to the Board their intentions.

EMERGENCY OPERATIONS

East Chatham Rescue Squad Franchise and Contract: Consideration of a request to cancel East Chatham Rescue Squad franchise and contract

The County Manager explained that a lengthy process had been followed with regard to the East Chatham Rescue Squad. He stated that it is staff's conclusion that, because of a lot of circumstances, it is time to move to a different coverage; that this is part of the process; that the Board asked for charts which are being provided to the Board; and that the Emergency Operations Director is in attendance to answer questions.

The Chairman asked the implications regarding the cancelling of the franchise. He also asked if there was an inventory of equipment.

Tony Tucker, Chatham County Emergency Operations Director, stated that the franchise gives anyone in Chatham County permission to operate. He stated that the FirstHealth EMS Service responds to all calls at the paramedic level; that the Pittsboro Fire Department responds from the medical and first responder side with extrication equipment; that looking at the graph and chart, he feels that there was good intent, but that they were just not able to fulfill the contract requirements; and that his recommendation is to cancel the franchise and contract.

Mr. Tucker answered questions from the Board.

Commissioner Vanderbeck moved to accept the staff recommendation and to terminate the East Chatham Rescue Squad Franchise and Contract. He asked that staff do what they could to work out an arrangement on the equipment and to welcome the rescue squad volunteers to try and make a home for them somewhere in the County.

Commissioner Lucier seconded the motion and amended it to formally thank all the many volunteers of the East Chatham Rescue Squad for all they have done over the years.

The Chairman called the question. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

The County Manager had no reports.

COMMISSIONERS' REPORTS

OWASA Meeting:

Commissioner Vanderbeck stated that he attended the Orange-Chatham County-Pittsboro-Chapel Hill, Carrboro-OWASA-UNC meeting on October 30, 2007; that there was a discussion regarding value added/agricultural processing center update; that currently, the Smithson Mills is conducting a survey and received returns on it; that they expect to hear from them in late November; that Caswell and Person Counties had declined to participate; that he believes it is currently Chatham-Alamance-Orange Counties; that he was appointed to the commissioner committee along with Barry Jacobs (Orange) and Dan Ingle (Alamance); that there was a discussion on the regional water and watershed protection issues; that Ed Holland (OWASA Planner) said that they had been working on a small study which he thinks included Durham, Cary, and OWASA; that the group had met with David Hughes a couple of times; and that while Chatham County is not yet a formal partner, it is still in there with them and they are still considering the option of a western intake; that Cain Creek had little gain with the last rain; that Durham gained about 2%; and Jordan Lake continues to be close to full; that in transportation planning, there was some discussion regarding a fixed road versus community service pick-up; that he thinks they have to stay focused on the fixed route aligning themselves with transportation from Orange County and Chapel Hill specifically into Chatham County and Pittsboro in the future; that Chairman Thompson had suggested that Chatham County do a little more homework on identifying the densities, commercial

locations, employee areas in the County; that UNC said that they can easily identify the users that are from the university; that that is an on-going plan for discussion; that with regard to joint planning, everyone is concerned about what happens in Orange County near the Chatham County line and vice versa; and that everyone can keep apprised of the developments that could be of regional interest.

Hotel Tax:

Commissioner Lucier stated that a couple of months ago, they began work on trying to implement changes in the hotel tax and what it would mean to tourism budget. He asked what they were waiting on and what they needed in order to move forward at this point.

Kevin Whiteheart, County Attorney, explained that he had sent out a draft copy of the Articles of Incorporation and an ordinance that would cover it; that it would require adopting both of them, filing to incorporate the entity; and that it would be something that the Board needed to approve.

The County Manager explained that there is a typo in the authorizing legislation; that the General Assembly, in its work of getting it done, mistyped a Statute and section number; that generally, the Attorney General's Office can make minor corrections and forward it; that in this case, it will have to be done in the short session of the General Assembly coming up; that it is on hold until they have made the typographical correction; and that the Board will have to wait until the General Assembly corrects the typo.

The County Attorney stated that in the interim, the nonprofit corporation could be set up as it takes some time to get through the Secretary of State's Office.

The County Manager stated that everything could be put in place subject to when the General Assembly makes the correction.

Jeffrey Starkweather stated that when this issues was previously discussed, they referred it to the Economic Development Corporation for feedback; that they discussed it at their last executive board meeting; and that they have been trying to get up with the County Attorney to make a presentation at their December meeting.

Commissioner Lucier asked if moving ahead with the incorporating, as the County Attorney suggested, if the Economic Development Corporation would weigh-in on it. He asked it they could start the process for things that they know they are going to have to do anyway.

The County Attorney stated that he would meet with members of the Economic Development Commission.

Cell Towers:

Commissioner Cross asked if there was a map for the exact location for the proposed cell tower in Moncure.

The Planning Director stated that there was a draft available.

Land Transfer Tax:

Commissioner Cross stated that someone from the anti-tax group will debate him on UNC-TV at 7:30 PM that evening.

Economic Development Summit:

Commissioner Vanderbeck reminded everyone of the first Economic Development summit meeting on the consultant's work with the community to be held on Thursday, November 8, 2007 from 6:00-9:00 PM at the Western Senior Center, in Siler City to be continued on Friday, November 9, 2007 in the Agricultural Building, Pittsboro at 8:00-12:00 PM.

Northeast Park:

Commissioner Lucier stated that he met with the Army Corps of Engineers, Wildlife Commission, Tracy Burnett (Recreation Department), Don Lein (President of the Parks Foundation in Chatham County) and they talked about the property that had been purchased for the Northeast Park located north of Jordan Lake; that they met to look at the preliminary site plan about where things could go, etc.; that at that time, they said they would like to limit the hunting immediately adjacent to the park; that they have sent a draft to the Wildlife Commission and the Corps of Engineers; that they will get back with them; and that at the next meeting, the Board of Commissioners may be able to make a formal resolution to send it to them.

Forum Meeting:

Chairman Thompson stated that on Thursday, November 8, 2007 at noon, there will be a meeting at the Flamingo Restaurant with a forum of the chairs and vice chairs, mayors of the municipalities of the County to discuss pertinent issues to the County and the towns.

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.

George Lucier, Vice Chairman

ATTEST:

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