

**MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
JULY 17, 2006**

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap Jr. Building Classroom, located in Pittsboro, North Carolina, at 2:30 PM on July 17, 2006.

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 2:33 PM.

The County Manager explained that there were several items that, with the Board’s approval, would be removed from the Consent Agenda and discussed during the afternoon Work Session. He reviewed the Work Session Agenda as follows:

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Work Session

1. E911 Vendor/Surplus Properties
2. Noise Ordinance Follow-up
3. Chapel Ridge Follow-up
4. G.O. Bond – Request to Delay by the Board of Education
5. Closed Session: Personnel

CONSENT AGENDA ITEMS

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Robin James, Purchasing Agenda reviewed the E911 phone system, purchase of radio equipment for Telecommunications, and Declaring Electronic Property Surplus and Authorizing the Sale or Disposal of Said Property.

Purchase of Radio Equipment for Telecommunications: Consideration of a request to award purchase of Orbacom radio equipment for two console positions in Telecommunications

Chairman Morgan moved, seconded by Commissioner Cross, to remove Item #5, Purchase of Radio Equipment for Telecommunications, from the Consent Agenda. The motion carried five (5) to zero (0).

Commissioner Barnes moved, seconded by Commissioner Cross, to award the purchase of Orbacom radio equipment for two console positions in Telecommunications to Piedmont Communications in the amount of \$56,141.00. The motion carried five (5) to zero (0).

Purchase of E911 Phone System: Consideration of a request to waive County informal

solicitation for the purchase of new E911 Lifeline Viper equipment with the current purchase of the E911 phone system from Positron Public Safety Systems Corp

Chairman Morgan moved, seconded by Commissioner Cross, to remove Item #6, Purchase of E911 Phone System, from the Consent Agenda. The motion carried five (5) to zero (0).

Commissioner Barnes moved, seconded by Commissioner Cross, to waive County informal solicitation and approve the purchase of E911 Lifeline Viper equipment from Positron Public Safety Systems Corp at a cost of \$40,620.00 and a five-year maintenance contract at a cost of \$45,000.00 for a total cost of \$85,620.00. The motion carried five (5) to zero (0).

Declaring Electronic Property Surplus and Authorizing the Sale or Disposal of Said Property: Consideration of a request to adopt **Resolution Declaring Electronic Property Surplus and Authorizing the Sale or Disposal of Said Property**, attached hereto and by reference made a part hereof.

Chairman Morgan moved, seconded by Commissioner Cross, to remove Item #9, Declaring Electronic Property Surplus and Authorizing the Sale of Disposal of Said Property, from the Consent Agenda. The motion carried five (5) to zero (0).

Commissioner Barnes moved, seconded by Commissioner Cross, to adopt **Resolution #2006-36 Declaring Electronic Property Surplus and Authorizing the Sale of Disposal of Said Property**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

BOARD OF EDUCATION

Norman Clark, Chairman of the Chatham County Board of Education, thanked the Board of Commissioners for their help throughout the years in providing the necessary funding for school needs. He stated that it had come to their attention that they do not have adequate time to build sufficient public support to assure the successful completion of the bond referendum; and that they are appearing before the Board of Commissioners to request a postponement of the November referendum until the spring.

Chairman Morgan stated that it was his understanding that the Board of Education wanted to make sure that they have good support and that they wanted to add more funds to the bond. He stated that it has been determined that 133 million is the cap to the amount of funds that can be borrowed.

Dr. Ann Hart stated that the primary issue is that of public support; that the secondary issue is that they recognize that they need additional funds for renovations, building improvements, and other schools; that this would give them an opportunity if the bond was delayed to seek additional funding from the Board of Commissioners.

Chairman Morgan stated that there is approximately \$45 million in funds for the new high school; that the school can be expanded at a later date; that the main concern is the renovation of Horton and how much funding is needed; that \$133 million may not be the maximum amount the next year; however, a repayment schedule must be shown; that if the Board of Commissioners arranged possible funding in New York for a possible \$133 million, it doesn't mean that there has to be a bond in November; that if the research and study is capped at \$133 million today, the Board will go for the maximum amount, not borrowing it until it is needed and additional funds could be added at a later date. He stated that a four-percent County tax increase the previous year was approved to specifically pay for the capital improvements.

Vicki McConnell, Finance Officer, stated that there would most likely need to be a tax increase to pay operating expenses for the new schools. She stated that it was not necessarily a question of raising taxes, that the County has reached its debt capacity; that even if taxes were raised considerably, there would still be a high debt service per capita which would be considered.

The County Manager asked, given the climate for construction costs and materials at this time,

what a six-month delay would do to high school construction costs.

Commissioner Emerson stated that the regulator is going to analyze total financial capacity before the County goes to market; that the market will then analyze the County's risk; that that will play into the rate; that whatever is done has to be within the "art of the possible"; that if the bond is going to pass, it is extremely important that the Board of Commissioners and Board of Education be united in their efforts; and that he feels that the Board of Education has made the decision due to their request.

Commissioner Cross asked if metal buildings could not be constructed at half the price of the conventionally proposed buildings; and that the County has to buy what it can afford and that it cannot afford to buy everything it needs.

A discussion ensued regarding borrowing funds through COPS as opposed to General Obligation bonds.

Dr. Ann Hart, School Superintendent, stated that the Board of Commissioners has provided additional funds for projects that the Board of Education wants to do; that she feels that they have an opportunity to tell the community about the renovations and additions they are doing across the County; and that that is the reason that they feel a screen bond would give them a greater opportunity to show to all the County the variety of school building projects that are benefiting the entire County.

Dr. Hart stated that her recommendation would go to the Board of Education at their July 24, 2006 Board of Education meeting; that the Board will take official action at that time; and that the Board of Commissioners will be informed of the outcome the following morning.

NOISE ORDINANCE

Captain Roy Allen, Sheriff's Office Operations Commander, reviewed the new, proposed noise ordinance based on input from existing Chatham County Noise Ordinance, the Institute of Government, Wake County Sheriff's Office, Greenville Police Department, Charlotte Police Department, Durham Police Department, Durham Police Attorney (Toni Smith), and Jeffrey Starkweather, attorney.

Capt. Allen stated that the proposed new rules include objective enforcement measures, such as readings from a noise meter which is currently part of the existing Noise Ordinance, new subjective enforcement measures which allow officers to use their discretion when answering noise disturbance calls, and a provision for a permit for live, out-door musical performances. The revised ordinance includes a \$500.00 fine for violations which would go to the County school system.

A discussion ensued. The ordinance is to be refined, reviewed by the County Attorney, and returned to the Board of Commissioners for a public hearing on August 21, 2006.

CHAPEL RIDGE

The County Manager explained that the question had surfaced as to whether the County, other than regulating the hydraulic pressure in the system as a whole, has any influence over setting water line standards, i.e. sizes, types of materials, etc., for aqua utilities.

The County Attorney stated that after considerable research, he can find no authority for the Board to regulate the size of water lines and equipment of a private community water system; that he foresees potential problems if the County is later asked to take over an established system that does not meet County standards; that the County would have the option of accepting, declining, or requiring the system to be brought up to its standards as a prerequisite to the County accepting the system; that he does not think the County would be under an obligation to assume ownership of a system that does not meet County standards; that he finds no authority for the County to regulate private systems; and that the County policy does, however, require connection to its system if it is within a certain distance from a

County water line.

Commissioner Barnes stated that he did not believe in letting private enterprise put in a utility system that is lower than County standards; that he thinks one is just asking for trouble to do so, as they do not know if or when the system might be taken over.

The County Manager reiterated that the County's charge would be subject to review those types of systems only as it regards the impact on hydraulic pressures but nothing else.

Commissioner Emerson stated that he thought they needed to do what the County Attorney suggests and that he would like for the County Attorney to review any clarifying resolutions.

The County Attorney stated that he thought that a better way to handle it would be through a retroactive resolution stating that the County does not regulate the size of those lines when dealing with a private utility rather than amending something done for subdivision approvals.

Chairman Morgan asked that the County Attorney prepare a resolution and have it ready for Board of Commissioners at their August 07, 2006 Board of Commissioners' meeting.

Chairman Morgan stated that there had been an on-going conversation about the County providing water to Old Sanford and Chatham Church Road. He stated that a letter had been received, signed by the Pittsboro Town Manager, acknowledging that the Town of Pittsboro is in agreement the Chatham County provide water service to residents on Old Sanford Road which is located within Pittsboro's ETJ. He asked that Roy Lowder, Utilities Director, review the list, try to enlarge it, and get cost information to present to the Board as to how much it will cost to run additional lines by their August 07, 2006 Board of Commissioners' meeting.

A copy of the letter is attached hereto and by reference made a part hereof.

BREAK

The Chairman called for a short, ten-minute break.

CLOSED SESSION

Commissioner Emerson moved, seconded by Commissioner Outz, to go out of Regular Session and convene in Closed Session for the purpose of discussing personnel. The motion carried five (5) to zero (0).

REGULAR SESSION

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

SOCIAL WORK PROGRAM ADMINISTRATOR

The County Manager explained that the Department of Social Services Director (DSS) has requested hiring a Social Work Program Administrator at a proposed salary \$71,495.00; that the candidate has thirty years experience in social services (Child Protective Services, foster care, and adoptions); that she recently retired from Orange County making \$71,236.00 and she would be discontinuing her retirement pay to take this position; that she will not receive health insurance from Chatham County thus saving \$6,450.00 per year in premiums; that 50% of her salary will be paid by state and federal funds; that this position has been filled the last two years with a temporary employee making the equivalent of \$72,000.00 per year; and that the Social Services Director requests this hire to ensure a strong supervisor with the skills needed to maintain the high level of performance of this unit, as recently reflected in their

100% biennial Child and Family Review.

Commissioner Emerson moved, seconded by Commissioner Barnes to approve the hiring request for a Social Work Program Administrator at a rate of \$71,495.00. The motion carried five (5) to zero (0).

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PROJECT ORDINANCE JOINT COUNTY COMMUNITY COLLEGE LIBRARY

Project Ordinance for Joint County/Community College Library: Consideration of a request to approve the project ordinance for the joint county/community college library

Commissioner Emerson moved, seconded by Commissioner Barnes, to remove this item from the Consent Agenda and approve Project Ordinance for Joint County-Community College Library, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

CAPITAL IMPROVEMENTS PLAN (Water & General Fund)

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Renee Paschal, Assistant County Manager, distributed, reviewed, and answered questions regarding the Chatham County General Fund 2007-2011 Capital Improvements Program and Chatham County Water 2007-2011 Capital Improvements Program. Copies are attached hereto and by reference made a part hereof.

A discussion ensued on water availability from Jordan Lake and Harnett County.

BOARD OF HEALTH APPOINTMENT

Commissioner Outz moved to appoint Linda Ellington, to the Chatham County Board of Health.

After considerable discussion, it was decided to defer action on this item until a later time.

RECREATION DEPARTMENT LEASE

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Recreation Department Lease Agreement: Consideration of a request to approve lease agreement with Edward and Donna Rogers for space located at 90 East Street, Pittsboro for use by the Chatham County Recreation Department, attached hereto and by reference made a part hereof.

Commissioner Emerson moved, seconded by Commissioner Cross, to remove this item from the Consent Agenda and approve the amended Recreation Department Lease Agreement, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Barnes, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 4:52 PM.

Bunkey Morgan, Chairman

ATTEST:

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