

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
LEGISLATIVE DELEGATION
SPECIAL MEETING
MARCH 13, 2008

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Central Carolina Community College Multipurpose Room, 764 West Street, located in Pittsboro, North Carolina, at 8:30 AM on March 13, 2008.

Present: Chairman George Lucier; Vice Chair, Mike Cross; Commissioners Patrick Barnes, Carl Thompson, and Tom Vanderbeck; County Manager, Charlie Horne; Assistant County Manager, Renee Paschal; Acting County Attorney, Jep Rose; and Clerk to the Board, Sandra B. Sublett

Also Present: Senator Bob Atwater and Speaker of the NC House of Representatives Joe Hackney

The meeting was called to order after the breakfast by the Chairman at 8:55 AM.

Work Session

1. **Revenue Options:** Do you anticipate any additional revenue sources becoming available to local governments?
2. **Circuit Breaker Tax:** Loss of revenue and administrative issues: This part of the Homestead Exemption Act could very well become a huge problem for local governments to administer; there will also be a loss in revenue. Any opportunity to modify this in upcoming session?
3. **Mental Health Stabilization:** In spite of mental health reform, mental health services continue to be unstable. In addition, revenue is not coming in to assist with consumer services.
4. **Jordan Lake Allocation:** Discussion regarding Chatham County’s application for increased allocation of water from Jordan Lake
5. **Water System Needs:** Discussion of water system development in Chatham County
6. **Annexation into Chatham County from Municipalities Outside the County:** Request for local bill for a “No Annex” into Chatham County without permission from the County
7. **Western Wake Partners:** Status of discussions with Western Wake Partners in their efforts to secure an easement through Chatham County for their effluent lines to discharge below Buckhorn Dam
8. **CCCC Board of Trustees:** Consideration to increase Chatham County’s representation on the CCCC Board of Trustees
9. **NC DOT Issues:** HB #1513 local government and secondary roads program

10. **NC Department of Transportation Funds for Northwood High School Entrance:** Status of project and financial revisions from NCDOT
11. **Inclusionary Zoning:** Discussion of inclusionary zoning authority in Chatham County
12. **Criminal Justice Program Funding:** Criminal justice funds being shifted from recurring to non-recurring category
13. **TTA Boundary of Service to Chatham County**

PILGRIM'S PRIDE

Chairman Lucier thanked Senator Atwater and Speaker Hackney for attending, noting it was important to work with their Legislature to address the needs of the County. He stated that there were thirteen items on the agenda with a couple being added; the first issue for discussion was the announced closing of Pilgrim's Pride, scheduled to occur in mid-May to early June, and the potential consequences to Chatham County; that it will cause a tremendous ripple effect to the 830 people employed there as well as the producers and chicken farms; that it would impact Siler City in terms of their revenues; and, they needed to think about what could be done to help.

Charlie Horne, County Manager, stated there were 40 growers proper in Chatham County who would be directly affected by the closing; it was now being said that the one million square feet of grower space would be moved to the production facility in Marshville; and, he was not sure at this point what would happen, adding with fuel approaching \$4.00 a gallon that was a long way to truck the chickens over time.

Chairman Lucier stated that was a two-hour trip. The County Manager agreed.

Dan Campeau, Area Cooperative Extension Agent, stated that the plant was planned to be closed in mid-May.

Commissioner Thompson stated he understood the State had offered to help the County deal with the Pilgrim's Pride situation and the associated fallout to its citizens; that he believed it would be good to have the County Manager identify the details of what was planned so that the County could coordinate its services with them; and, that would allow the County Commissioners to know exactly what they were going to do.

Chairman Lucier stated he believed the Board would support that, and asked Speaker Hackney if that was a reasonable request.

Speaker of the North Carolina House of Representatives, Joe Hackney stated that the State was supposed to send their response team in today; that they had been asked to make contact with Siler City and the County to keep them updated; that they would be offering various services to the workers to be laid off; and, that they would be working aggressively to see about getting someone else into the plant.

Chairman Lucier asked if it would be helpful if the Commissioners adopted a resolution expressing their support, noting the potential adverse impact on the County and the things the County would potentially be willing to do to address the problems the closing would create. Senator Bob Atwater stated it certainly would not hurt. Chairman Lucier asked the County Manager to draft such a resolution for the Board's consideration at its March 17th meeting. The County Manager agreed to do so.

Senator Atwater asked if the Board was especially thinking about easing the burden on the company in regards to the space that taxes would have to be paid on.

Chairman Lucier responded yes, adding that if there was a way to help facilitate bringing someone else into that space through special incentives or similar methods, then that would be a priority as well.

Commissioner Vanderbeck stated there was another component that should not be forgotten, which was that these people had mortgages on the chicken houses; that in the past tragedies were handled with a disaster fund; that these people would likely need loans at no interest or low interest to help them through this; and, that many of them would likely lose their contracts over time.

Mr. Campeau stated the plant closing in itself would affect 40 farm operations with 830 employees in the County, but the economic affect would be felt by about 250 farms in this general area of the State; that the closing would decrease their gross income by about 30%; that would mean they would likely be able to meet their mortgages and pay their bills, but there would be no net profit left over; that would have a ripple affect on the local economy because that net profit would not be going back into the local economy to buy necessities; that the next 18 months to two years would be difficult; and, that perhaps making available low interest loans to help make interest payments on their mortgages over the next couple of years would make a big difference to those farmers.

Chairman Lucier asked that as events unfolded, that Mr. Campeau let the County know what it could do to help. Mr. Campeau stated he believed this event needed to be looked at as a disaster at the County level, and perhaps at the State and federal level as well. Chairman Lucier stated as he talked with the farmers he may get a better idea about what kinds of help they may need from the County.

Speaker Hackney stated the last time they had a dislocation like this, a lot of the farmers were picked up by another company, and asked what the potential was for that to happen this time. Mr. Campeau responded that with costs rising across the board, companies were dealing with a lot of pressure, adding that the farmers relied on corn to feed the chickens and corn prices were rapidly increasing because of its use as an ethanol product. He stated that rising fuel costs and grain costs both were affecting the economy.

Glenn Woolard, Chatham County Cooperative Extension Director, stated they had contacted the Farm Service Agency yesterday and at the present time there was nothing that the farmers could qualify for as far as disaster service, and suggested that the federal government may need to be contacted to determine what if any help could be provided.

Senator Atwater asked if it was correct that the United States had a surplus of chickens. Mr. Campeau said it was his understanding that that surplus was in storage, with part of the reason for that surplus being the slower export market.

Commissioner Thompson suggested that after adopting the resolution on Monday, that the Board send a letter to Congressman Ethridge to ask if there was some help he could provide with disaster relief.

Commissioner Vanderbeck stated they should also contact Representative Price as well.

Chairman Lucier asked was there anything else that the County could do at this point.

Speaker Hackney stated they would help in any way they could, but they should take it a day at a time and coordinate with the other agencies involved.

Senator Atwater suggested that the Board give some consideration to the kinds of things they wanted to say to their federal delegation and cover all points.

REVENUE OPTIONS

Chairman Lucier stated that they had received permission to put a Land Transfer Tax on the ballot along with about 15 other counties, and all had been defeated by a substantial margin, although Chatham County's portion was higher than others. He asked if there were any potential legislative changes to the Land Transfer Tax or revenue options that might be important to the County.

Speaker Hackney stated he knew of no additional options at this time.

Commissioner Barnes stated he believed Orange County would soon be discussing placing it on the ballot, but nothing had yet been decided.

NC DEPARTMENT OF TRANSPORTATION ISSUES

Chairman Lucier stated that Commissioner Vanderbeck had suggested discussing Item #9 at this time, which was HB #1513 regarding the local government and secondary roads program, which was in part tied to the revenue options issue.

The County Manager stated HB #1513 said that the Department of Transportation (NCDOT) was looking at a 3-tiered process for revenue it had; that the first year would be those road systems that would be theirs to take care of; that the second tier was the regional level and the third tier was the local level. He stated it was their understanding that funds for those secondary road programs were being frozen at 2007 levels and that local governments could volunteer to become involved with the secondary road programs if they wanted more repair and maintenance than the funds would otherwise provide. He stated that potentially posed a greater burden of risk to the local governments, and Chatham County had no funding source to offset that so that was a major concern.

Speaker Hackney stated that he viewed that as a simple relaxation of the previous rules, noting they were all in a year of declining resources for transportation because the cost of raw materials for construction of roads and bridges had soared and revenues had not kept pace, so they were all cutting back out of necessity. He stated a study was ongoing to try to plan for the future, and believed that this was a stopgap measure which said if there was something a local government believed was so important that it wanted to fund it, then they were not barred from doing so. Speaker Hackney stated he did not view it as pushing anything off on the local governments.

Chairman Lucier stated this was of particular concern to the County because of the number of roads and the stress on the secondary road system due to the growth the County was experiencing. He said the potential impact of the roads not being maintained by the State and that responsibility potentially falling to the County was of great concern.

Speaker Hackney stated there was no intent not to maintain State roads.

Commissioner Thompson stated it was his understanding that counties would have the option to allocate funds to improve its own system, but the State would still provide funds for secondary roads.

Speaker Hackney stated the cost of asphalt had risen, so they could not buy as much of it with the same amount of funds.

Commissioner Thompson stated then if you did not have the funds, you could not fund additional maintenance, but if you could find the funds you could. The County Manager stated the stopgap was that once the funds for secondary roads ran out, and you had secondary roads that needed to be paved, the State would not do it unless the local government provided the funds.

Senator Atwater stated there were other counties that had the same issues, and many of those appreciated the opportunity to provide funds to get their secondary roads maintained at a quicker pace. He said it was his hope that the 21st Century Transportation Commission would be able to identify other revenue sources.

Chairman Lucier stated he had received an update on that yesterday at the MPO meeting, and as a part of that some figures had been provided on the cost of road construction and road repaving and there had been about a 40% increase just over the last few years, which had caused a tremendous erosion of available funds.

Speaker Hackney suggested that the County schedule a meeting with Mr. Kinley, the Board member for Chatham County, noting that he had the best interest of his district at heart, and discuss with him how they could work together so that Chatham's priorities stayed in the forefront.

Chairman Lucier stated that was a good suggestion, and asked could that be done at an upcoming work session. The County Manager stated they would actually have an item on repaving of secondary roads coming up in June, and they could be discussed at the same time.

Commissioner Barnes stated he could not think of a bigger disaster than the County going into the business of road maintenance and repaving, and there was no doubt it was not affordable. He asked when the State would stop taking money out of the transportation budget and putting it into the General Fund.

Speaker Hackney stated they had not done that; that what they had done was when the Highway Trust Fund was started, they had taken money out of the General Fund and provided that the General Fund would be held harmless; the General Fund had been held harmless and to do that you took money out of transportation funds to hold it harmless; so, the supposed "raid" on the Highway Trust Fund was no raid at all but was simply a restoration of a raid on the General Fund. Speaker Hackney said that would likely be phased out over time, but not without pressure applied to school funding.

Commissioner Barnes asked for a better explanation of that, because over the last few years they had seen money taken from the Highway Trust Fund. Speaker Hackney stated that it had, but it was to replace funds taken from the General Fund in 1989. He said it was being used by some as a political issue and it had no merit or basis in fact.

Commissioner Barnes stated the general public did not understand the facts, only that they were reading that the Highway Trust Fund was again and again being raided to put money into the General Fund.

Commissioner Barnes stated that all of this left them with few revenue options; that he did not believe they desired more pavement in the County or more roads, but this needed to be coordinated with their planning efforts; that it had to be coordinated with the major road projects already planned with NCDOT; and, his point was that it led them to the need for public transportation as a priority. He said everything, including pollution, prices and sprawl, was pointing to working locally to provide public transportation.

Senator Atwater said it was important to remember that the State and/or the federal government had four-laned or were in the process of four-laning every major thoroughfare through Chatham County with a substantial part already completed. He said that represented a large commitment by the State and the federal government.

Chairman Lucier agreed. Speaker Hackney stated those intersections should stimulate economic development. Chairman Lucier stated the County was considering a Major Corridor Ordinance that would stimulate economic growth in those areas.

CIRCUIT BREAKER TAX

Chairman Lucier stated the estimate was that this would cost the County as much as \$800,000 to \$900,000 each year. The County Manager stated that was correct; that it gave seniors the option to use the Homestead Exemption for income as a deferred tax process, which increased the Tax Office's responsibility to keep track of who was deferred and who was not; and that it was an emerging issue in regards to loss of revenue and the additional administrative efforts to keep track of the deferments, and believed that needed to be worked out.

Senator Atwater stated the Revenue Study Commission had been authorized to look into those issues, and he highly encouraged counties to weigh in on that through the Association of County Commissioners.

Chairman Lucier stated that was something the Association of County Commissioners would be looking at, so there would be some recommendation coming.

Speaker Hackney stated the Legislature had estimated the State-wide loss in revenue would be \$7 million, and he believed that Chatham County had estimated that every eligible person would take advantage of the Homestead Exemption and he did not believe anyone thought that would be the case. The County Manager stated they were using the worst case scenario. Speaker Hackney stated the best case scenario might be \$25,000. He suggested

waiting to see how it went, and if the County Commissioners had any ideas on how to prevent low-income persons, usually seniors, from having to sell their homes because of property taxes in a rising market, they would be happy to hear it. Speaker Hackney said it was important to remember these were deferred taxes and not lost taxes, and encouraged the Commissioners to help them find a way to help those people in the least painful way for the County.

Chairman Lucier stated they would be working with the Association of County Commissioners to address those issues.

Commissioner Vanderbeck stated that because Chatham was mainly a rural and agricultural area, then perhaps they had a better chance of trying to get federal dollars for farmland preservation, since those people would likely be impacted more with rising fuel costs. He said their tax dollars were going to a "black hole" and perhaps it should be redirected to local concerns.

Senator Atwater stated it would likely be the long session of the Legislature before this issue would come back up.

Speaker Hackney stated he did not know if the Legislature would be looking at any modification, although if the Association of County Commissioners was strongly pushing one then the Legislature may look at it. He stated that the loss of revenue estimates were critical.

MENTAL HEALTH STABILIZATION

Chairman Lucier stated that Commissioner Vanderbeck had been working with Orange-Person Chatham (OPC) Mental Health on mental health issues.

Commissioner Vanderbeck stated that the impact to OPC of the \$400 million abuse reported by the news media had resulted in only \$45,000; that OPC had a well-run program and was likely one of the top models in the State; that they were trying to work with partnerships to get some shared functions to keep costs low; and, that they wanted some control rather than the State having control. He stated the main issue was that OPC wanted more of that control, and they had had no control in the past; and, they would like to apply for funding without having to wait for the August application date.

Senator Atwater stated he sat on the Legislative Oversight Committee for health issues, and the discussion there did support what Commissioner Vanderbeck had stated they would like to see. He stated it was generally felt that control needed to be at the local level, and that local services were the need.

Speaker Hackney stated that management at the State level was a problem; that many believed that Dempsey Benton was an excellent director who had a track record as an outstanding manager; that he had gotten on top of this issue and would get it solved before the end of the year; and, that there was no basic flaw in the law but it was a management problem. He stated the Governor's suggestion that the State take over the local programs was not appropriate; that it was thought that perhaps for those local programs having management programs that the State should have a little more flexibility to step in; that those programs being well-run like Chatham and Cabarrus County should be used as models of how to run such programs; and, that it was his belief they should not be interfering with the ones that were working correctly and not experiencing management problems.

CHATHAM TRANSIT NETWORK AND THE COUNCIL ON AGING

Commissioner Vanderbeck stated the cost of transportation increased with the cost of labor and fuel, and they needed to keep pace with the true cost of providing transportation services; that the formulas for allocations from the Rural Operators Assistance Program, the Rural General Public Program, the Work First Transitional/Employment Program and the Elderly and Disabled Transportation Assistance Program had not been reviewed in over a decade; and, that the allocation formulas needed to be reviewed and revised. Commissioner Vanderbeck stated that the elderly population was growing as was fuel costs, and they needed a stable system that would allow for a good reserve.

Jenny Megginson, Director of the Chatham Transit Network (CTN) Board, stated that since its inception twelve years ago, CTN had sustained the provision of coordinated transportation services, expanded transportation to human service programs, and initiated public transportation for Chatham County; that CTN needed \$192,000 to sustain coordinated human services and general public transportation for Chatham County; that their operations were funded 100% by rates and fees set at the beginning of each year so that participating agencies could plan their budgets; that when costs increased, the agency had no margin for recovery; that their participating agencies were constrained by their funding streams and were unable to support mid-year rate increases; that the funding request included funds to make salary restructuring possible so that wages did not drop below the minimum wage requirement; that their situation was compounded by continued growth of population along with the subsequent demand for transportation, as well as a general public perception that transportation services were an entitlement; that lacking additional governmental subsidy their service would not be sustainable; that general best practice recommendations from the NC Department of Transportation Public Transportation Division and the United Way of Chatham County was that human service agencies have at least a three-month reserve to support operations; and, that they had included only a two-month reserve in their request.

Ms. Megginson stated that at present, they were not solvent and were operating at a deficit, but at the generosity of the County they had received help with their fuel bills and with wages. She stated that without the capital, they were doomed to failure.

Chairman Lucier asked what she believed the State Legislature could do. Ms. Megginson stated the funding streams needed to be recalculated, but they also needed the \$192,000 to sustain general public transportation and not lose what had been put in place.

Speaker Hackney stated he believed those were federal pass-through monies and not State monies. Angel Dennison, Council on Aging Director and a member of the Chatham Transit Network Board, stated the federal revenue streams had been combined into one allocation.

Speaker Hackney stated this needed to be brought to the attention of their Congressman, since it was a federal responsibility to increase funding in accordance with gas prices, although that would not provide any immediate help. He stated there may be something the State could do about the allocation formulas.

Chairman Lucier stated there were two things they needed to do, and that was to talk with their Congressman and ask the State to look at the allocation formulas.

Commissioner Thompson asked what percentage of their revenues came from user fees. Ms. Megginson stated that their operations were funded 100% by their rates and fees.

Ms. Dennison stated the actual amount of fare-paying riders was significantly smaller than the overall revenue stream.

The County Manager stated it was also important to be aware that if the County were to be paid back for its help, the amount needed by CTN would be significantly higher.

Ms. Dennison stated one issue to note was that they employed many elderly people, so it was beneficial to that group in helping to maintain their homes.

Chairman Lucier stated he believed this would be an issue that would be placed on a work session agenda at some point in the future.

JORDAN LAKE ALLOCATION AND WATER SYSTEM NEEDS

Chairman Lucier stated that they were in the process of upgrading their plant on the east side of Jordan Lake, noting they shared an intake with Cary; that the stated capacity of the plant was 3 million gallons per day; that their peak use was about 2.7 millions gallons per day; that they were practicing year-round water conservation measures to reduce that peak; that they did not have current capacity to provide water to the thousands of homes approved but not yet built in the County nor an appropriate distribution center or distribution lines to bring that water to the northeast; that that would cause the County to incur a substantial capital improvement program

to deal with that water situation; that to upgrade their own plant to a maximum capacity of 7 million gallons per day would cost \$12 to \$15 million; that they were also thinking about how to get across the lake to distribute that water to the northeast; that if they had to bore under the lake it would cost them \$21 million; that if they could go across the lake it would likely cost around \$5 million; and, that meant the County was looking at a total of \$20 and \$36 million.

Chairman Lucier stated they had been talking for the last several months with OWASA, Chapel Hill, Carrboro, Hillsborough, Durham and Cary about a regional intake on the west side of the lake; that it would be a great benefit to Chatham County and the cost would be shared; that it was something that they had been encouraged to pursue by the Division of Water Quality (DWQ) as part of a regional approach to overall drought management issues; that they owned some property at Bell's Landing just south of US 64 and OWASA had some property there as well; and, that it had been suggested that the State build the water treatment plant and the counties that used it would buy into it.

Chairman Lucier stated if the treatment plant got 25 million gallons per day then Chatham County would get 10 million of that and they would pay 40% of the cost back to the State. He stated they did not know if such a program was possible. The County Manager stated the different jurisdictions that had allocations from Jordan Lake had different timing needs for having that allocation increased. He stated at this point Durham may not need it for three years, and OWASA may not need it for five to ten years, so the idea would be that at the time you got your allocation, that jurisdiction would pay back the State for their portion of the investment in the plant.

Chairman Lucier stated they were at the edge of upgrading their own plant now with that \$20 to \$36 million, so if there was a way to get additional water they could then use that money to invest in the western intake and a western plant.

Speaker Hackney stated that was a lot of foresight to know you needed an intake on the west side of the lake, noting OWASA had acquired its property years ago for that very reason. He stated the legislation was already in place for water authorities, and if Chatham, Durham, and OWASA wanted to get together and form one then no additional authority would be needed since the legislation was there. Speaker Hackney stated he was not aware of the State going into the water business, so to do what was suggested would be a first.

Chairman Lucier stated that with the current drought Governor Easley and the State had been rethinking how to develop a more responsive water system, and this could be a time to suggest such a process. He stated the Governor had even talked about possibly more State control over water systems during drought conditions.

Speaker Hackney stated that did not apply to normal conditions.

Commissioner Barnes stated they were going to have to run a water line across the lake, and across US Highway #64 would be the ideal place if DOT would allow them to go down the median. He said the problem was whether or not they could attach a water line to the bridge, noting they had just gone through that with US Highway #64 in Siler City.

Speaker Hackney asked had that been resolved. Chairman Lucier said yes, they had been forced to bore under the river at an extra cost of \$200,000, but it was their only option.

Commissioner Barnes stated the difference between \$5 million and \$21 million was what they were talking about now with going down the US Highway #64 median, but the real problem would be when they reached the bridge. He said if they had to bore under the lake at that point, the cost would be incredible.

Speaker Hackney stated then even in the future if this new western water line was to come on line that in order to satisfy needs prior to that time they would still need the line across the lake. Chairman Lucier stated that basically because of their distribution system, that they could not now supply water to the homes that had been approved but not yet built.

Commissioner Vanderbeck stated that the existing lines were too small to carry the volume necessary.

Commissioner Barnes stated they would need everything connected in order to have the proper water flow and no stagnant lines; they had water lines down US Highway #64 to Siler City, but they would have to cross the lake.

Speaker Hackney stated now it goes through Moncure. Chairman Lucier stated that was correct, but the system was not designed to carry the amount of water needed for the northeast. He stated that Briar Chapel alone would require about one million gallons per day.

Speaker Hackney asked was there a possibility for changing conditions in Siler City with a new reservoir. Commissioner Barnes stated they would have only enough water for their needs, with none to share.

Chairman Lucier stated that under drought conditions there really was not enough water to pull water from Siler City, even with a new reservoir, noting it was not a big watershed. He stated that it would be a difference of \$15 million if they had to go under the lake rather than down the median of US Highway #64.

Commissioner Barnes stated those funds could be used instead for the western plant, noting it would take about four years to get the environmental permits from the Corp of Engineers and the State.

Senator Atwater stated he wanted to offer one issue to think about in terms of timelines, and that was that in order to avoid bringing a pipe under or across the lake, that they take the regional approach. He stated that Durham had a 10 million gallon per day allocation and they used only 3 to 4, and OWASA had 5 million it could not use; that that unused capacity could be negotiated for Chatham County's use; and, the regional nature of that would help facilitate approvals by the State.

Chairman Lucier stated that was helpful, noting they needed to have some relief by 2010, and building the western plant was eight to nine years away and they would need a reliable water source from either Durham or Cary until that plant was built.

Speaker Hackney asked would they want to buy water from OWASA. Chairman Lucier said they would buy it from whoever would sell it to them.

Commissioner Cross stated that would all be worked out between their partners.

Chairman Lucier agreed that the only thing that State would likely approve was a regional approach.

Speaker Hackney stated there should be some way to avoid the water line across the lake.

Commissioner Vanderbeck stated regardless of where the water came from or when, the lines were too small to pump the volume of water necessary so they would have to be upgraded.

Chairman Lucier stated if they had the western intake, they would not have to go across the lake. Speaker Hackney added you also would not have to spend \$15 million extra capital for something that would not be needed after a few years.

Senator Atwater asked was there something about OWASA's geographic position that was of better quality than where Chatham would put it. Commissioner Cross responded no, adding they had all indications that OWASA would allow them to put an intake there. He stated both parties had an interest in doing that.

Chairman Lucier stated that previous discussion had been very positive, and there was a lot of good will between OWASA, Durham, and the other partners, and that was a real plus as they moved forward.

Speaker Hackney stated if OWASA wanted to be a partner on the west side of the lake, then that would take care of the water line.

Senator Atwater asked if the County had legal representation at those meetings. Commissioner Cross responded that he and Chairman Lucier were attending those meetings, and so far no legal issues had come up.

Chairman Lucier stated that at the present time, they were focusing on engineering issues and making sure all the elected officials were on board, and as they moved forward they had to make sure that whatever was decided was sustainable.

Commissioner Cross stated they would like to get a Chatham County representative on the NC Environmental Management Commission (EMC), who had some control over Jordan Lake.

Commissioner Barnes stated he had attended those meetings but Chatham County was not represented, and he had found the last meeting to be surprising.

Chairman Lucier stated there were positions on the EMC Board for elected officials. Speaker Hackney stated those were the Governor's appointments. He stated that he had two appointments who were both excellent people, and he could arrange for them to talk with the County regarding issues of concern.

ANNEXATION INTO CHATHAM COUNTY FROM MUNICIPALITIES OUTSIDE THE COUNTY and WESTERN WAKE PARTNERS

Speaker Hackney asked how the discussion had gone with their surrounding neighbors.

Commissioner Barnes stated the discussions were with the Western Wake Regional Partners, and they had learned that Cary was now sympathetic to the three things that Chatham County was asking for in order to give them permission to cross Chatham County: part of the sewer allocation at 19 million gallons; no further annexation into Chatham County, although Apex had made a statement that they planned to annex within Chatham County in the next 15 years, and Apex was out of sewer which the new plant would take care of; and, no opposition to increased water allocation from Jordan Lake.

Senator Atwater asked what they were going to do with 19 million gallons a day of sewer. Commissioner Barnes stated it was for future use.

Chairman Lucier stated they would have a summit in April with the different municipal governments, and that was an important first step.

Commissioner Barnes stated that Siler City needed additional sewer capacity and so did Pittsboro, so that was a consideration.

Speaker Hackney stated the very moment they got Apex on board please let them know, because with Apex opposed to it, it would be a huge fight. But, he said, it would be a "cake walk" if Apex and Cary were in favor of it.

Chairman Lucier stated they would work towards that end.

Speaker Hackney stated they should remember that Durham would have something to say about the annexation issue as well. He stated that Durham had tried to condemn land in Chatham County a year or so ago, but the current language in the statutes had prevented it.

Chairman Lucier stated they should also talk with Chapel Hill, who he believed would be in full support of such a bill.

Speaker Hackney stated the way to get a bill passed was to remove all opposition to it. Chairman Lucier stated that would be their goal.

CENTRAL CAROLINA COMMUNITY COLLEGE BOARD OF TRUSTEES

Chairman Lucier stated as he understood the issue, there were 14 Board of Trustees members, with only two from Chatham County and Harnett County and the remainder from Lee County. He asked that Chatham County have more than two seats on that board, noting the

CCCC was located in Chatham and was being expanded with a new business campus in Siler City.

Speaker Hackney asked how many additional representatives Chatham County wanted on that board. Chairman Lucier responded three altogether.

Speaker Hackney stated that would mean three Chatham, three Harnett, and the remaining eight would be Lee. He asked had the Board of Trustees been approached about that.

Commissioner Barnes stated this had been initiated by Tim O'Neal in Harnett County; and that Harnett and Chatham Counties were simply seeking more equal representation on the Board. He stated that at the time Chatham was added to the Board, Lee County was the primary player, but he believed that Harnett and Chatham were now equal players with Lee County.

Senator Atwater stated he believed this was a worthwhile issue to look into and that what they were asking for was not unreasonable.

Commissioner Cross stated he would not be adverse to the Board having a five/five/five membership to make it entirely equitable.

NC DEPARTMENT OF TRANSPORTATION FUNDS FOR NORTHWOOD HIGH SCHOOL ENTRANCE

The County Manager stated this issue had been resolved, noting the NC Department of Transportation (NCDOT) had earmarked funds for that project, and was working to get the road project done with the \$155,000 matching funds from the schools.

Speaker Hackney stated there were funds intended for small, spot safety improvements that came to their attention; that generally when those were recommended they could get them approved; and, when such small safety projects were identified, please let them know about them.

Francie Henville-Sherman, citizen, stated another such safety issue was the North Chatham Elementary School, noting the children were let off near the road and the speed limit was 55 mph. She stated if there was ever an accident it was possible it would endanger children and the classroom trailers.

Chairman Lucier stated there were guardrails installed there, but that obviously would not stop a speeding vehicle. He stated that the MPO had as its highest priority for Chatham County the upgrading Jack Bennett Road and Lystra Church Road, because the new high school would be built there.

CRIMINAL JUSTICE PROGRAM FUNDING

Renee Paschal, Assistant County Manager, stated the Board had approved two resolutions regarding this.

Speaker Hackney stated they were aware of that and did not need to discuss it. He said some Senators at the top of the Appropriations Committee had decided the best way to get a good, strong review of such programs was to put a one-year limit on funding and make them show that they were indeed worthy of continued funding. He stated that was not working out very well, so believed the funding would remain secure.

TTA BOUNDARY OF SERVICE TO CHATHAM COUNTY

Keith Megginson stated that the TTA boundaries of operation were set by the Legislature, and TTA was exploring expanding into Chatham County. He stated that may be coming to the Legislature from TTA's Board of Trustees.

Chairman Lucier stated they were interested in two things: transit capacity from Pittsboro to Chapel Hill, and to RTP down US 64 from Pittsboro.

Speaker Hackney stated that would mean an increased cost to Chatham taxpayers, since TTA counties paid extra auto registration to help offset the cost.

INCLUSIONARY ZONING

Commissioner Vanderbeck stated that according the UNC School of Law, the law was silent on the issue of inclusionary zoning; that there was nothing that prevented local governments from enacting inclusionary zoning; and, there was nothing that said it could or could not be enacted. He stated that Davidson County had just enacted such an ordinance without seeking a local bill, and he did not see why Chatham could not do the same although they had no plans to do so.

Commissioner Vanderbeck stated a summit would be held in April that would include panelists from around the State to discuss possible solutions to affordable or workforce housing.

Chairman Lucier reiterated that at this point they were not requesting a local bill. Speaker Hackney stated today's discussion was enormously helpful to them. Senator Atwater agreed.

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Vanderbeck, to adjourn the Legislative Delegation Meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 10:30 AM.

George Lucier, Chairman

ATTEST:

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