

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
JULY 19, 2010

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap Building Classroom, 80 East Street, located in Pittsboro, North Carolina, at 2:00 PM on July 19, 2010.

Present: Sally Kost, Chair; George Lucier, Vice Chair; Commissioners Mike Cross, Carl Thompson, and Tom Vanderbeck

Staff Members 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 Elizabeth Plata, Deputy Clerk to the Board

Work Session

1. **Consideration to Continue Bookmobile Service in Chatham County:** The Board of Commissioners is considering continuing the service while also reviewing options for potentially modifying the service in the future.
2. **Presentation on Human Trafficking:** Presentation by Soroptomist International of Raleigh (SIR) about the impact of human trafficking in the community
3. **Pittsboro/Chapel Hill Bus Express:** Update on the Pittsboro/Chapel Hill Bus Express service and discussion of how best to share funding partnerships.

Chair Kost welcomed those in attendance and called the meeting to order at 2:07 PM.

BOOKMOBILE

The County Manager explained the specifics of continuing the service of the bookmobile while also reviewing options for potentially modifying the service in the future. During the budget process, the bookmobile was part of the consideration for discontinuance upon the opening of the new library. With a lot of feedback from the public, the Board is looking at how to keep the bookmobile going and also look at how it might be modified in the future.

Chair Kost stated that this is a topic of which a lot of people were unaware, and that since so many people are interested, the Board decided to allow some time for public comment.

Commissioner Lucier stated that it was his understanding that the bookmobile wasn't dependent upon the opening of the new library; that it was dependent upon developing a communication strategy; that he brought up the issues regarding daycares and ensuring they would have service; that even after, by some alternative means, the bookmobile was not taken; that he doesn't think the comments accurately reflect the discussion; that they asked

for a communication strategy, continuation until an alternative was in place, and for a few other things; and that it just didn't happen.

The County Manager explained that Commissioner Lucier was correct, and that he was abbreviating the process.

Carolina Thorson, 1450 Manns Chapel Road, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

"I live on Manns Chapel Road, so I use the bookmobile at Cole Park. My family consists of my 72 year old disabled husband, who I cannot leave alone for extended periods of time, me, and my 88 year old sharp-as-a-tack mother who reads 4-6 books a week. She gave up driving years ago for health reasons. I have someone with my husband so I can speak with you today.

The loss of the bookmobile for my family has huge ramifications. In many ways, it is a loss of independence and freedom. The independence and freedom of the mind to go wherever the printed page may take you, is a wonderful escape, and losing the easy availability of books is a huge loss indeed. When one person in a home is disabled, the world becomes much smaller for all. Going to the grocery store requires planning; a 12 mile trip to the library can be insurmountable at times.

I realize that the \$100,000 budget of the bookmobile is very tempting to usurp as you are currently finishing a new library: but I ask you if anyone has actually done a survey to see about the usage. I know you go to preschools and assisted living facilities now, and speaking for the disabled adult, I am saddened by the loss.

Selfishly, the bookmobile is much easier to use than the Pittsboro Library. The books are easy to see and to reach (important for those of us with bad backs or other physical liabilities) and the books are newer and up-to-date. If there is something we want, all we have to do is ask. Miss Edna knows all of her clients by name, and reading preferences. She has this magic stack of returned books on her chair at the front desk and always reaches into the stack for a new, unread book of two for all of her clients. I do not know how she does it. Many of the books in the main library are old and have been read many years ago, but you must look through the stacks to find something you want to read. Sometimes less and up-to-date is better.

You say the bookmobile puts too much pollution on the road, and that you have a little hybrid vehicle to deliver books. I think if you look at the number of people using the bookmobile, the carbon footprint would be much bigger if you take away our much loved bookmobile.

The use of the hybrid to deliver books means that someone must know what they want before it comes. The reason that bookstores have chairs is so that people can browse. We cannot do that with a small hybrid. I also do not think you can serve the numbers of people with a little car. As we age it becomes harder to do the skills that you as healthy active people take for granted. Many patrons of the bookmobile have no interest in using the computer to look up books as they have never used computers, or the ability is slowly slipping away.

I look at the homes on my street with wheel chair ramps, and I know my situation is not unique. We are just part of a silent, sick group who sees the world close in a little more each day. The bookmobile for me is a wonderful way to keep hope alive and to expand the world."

Sally Sargent, 93 Oak Bluffs, Pittsboro, NC, stated that she is a physical therapist and was made aware of the bookmobile through some of her patients from Fearington Village and Carolina Meadows. She stated that a lot of these people are elderly, their ability to navigate, drive, and walk is compromised by various health issues; that to hear their stories about what they are going to do, especially when the new library opens at the community college, is not feasible for them to get there; that she thinks the Board needs to think about the elderly who are not able to get to the library but are able to access the services of the bookmobile; and that she hopes the Board will reconsider their decision.

Chair Kost explained that during the budget discussions, they did talk about the people who were unable to get to the library.

Elizabeth Blick, 1450 Manns Chapel Road, Pittsboro, NC, stated that she is one of the patrons that has been hard-hit by the bookmobile not being there; that she gave up driving five years ago, is an avid reader, and formerly lived for 45 years in an area south of San Francisco, and was very active in the library; that they had a bookmobile and a service called SOS which provided books hand-picked books to individuals; that they also raised thousands of dollars by means of book sales; and that they had the bookmobile to go to a lot of areas that this Board would deem not needed.

Luna Mountainsea, 104 Stonestrow Road, Chapel Hill, NC, thanked the Board for reconsidering this request to put the bookmobile back in service. She stated that she was extremely grateful that the Board is willing to listen to new information, willing to see the amount of people that are touched by the bookmobile, and that the Chair who has been her contact and been incredibly willing to listen and be responsive. She stated that Edna Johnson and before her, John Doyle, are not only librarians and bookmobile drivers, they are Chatham County Ambassadors; that in the northeast part of the County where it is a long trip to go a branch libraries, they are their contacts; and that those people and the bookmobile are their life-lines to a huge amount of people.

Chair Kost stated that the one universal comment that she received, was the high praise for the bookmobile librarian.

Tamara Schenck, 565 Chatham Drive, Chapel Hill, NC, stated that one way to cut the cost of the bookmobile might be to come every two weeks or charge a small amount per card, \$10-15 per year per family; that it wouldn't be too much per family but would mean a great deal to the library; and that she hopes the Board will reinstate the service as it is a wonderful opportunity for them to enjoy the books that the library has.

Chair Kost stated that those two options should be considered as they look at the long-term solution.

Commissioner Lucier stated that they had asked for three things at the June 14th Work Session: 1) a communication strategy; 2) alternative service to be provided before the bookmobile was cancelled; 3) they dedicated one position to that activity; that these things did not happen; that it has been put back on the agenda; that he thinks they have to return to their original decision, which was the bookmobile will continue, until a suitable alternative has been proposed and approved by the Board of Commissioners; and that he was willing to put it in the form of a motion.

Commissioner Vanderbeck stated that this was done prematurely without good thought in that when they had the librarian with the bookmobile, they did not call the information data that they needed to make a good decision; that they need to survey citizens to find out their geographical locations, how many there are, and the frequency of use so that they can craft something that they can address citizens' needs.

Bob Elliott, 57806 Owen Drive, Chapel Hill, NC, asked if there would be a data base from library cards, including their names and locations. Commissioner Vanderbeck stated that he had not heard that offered during library staff recommendations.

Patrick Inman, 100 Hidden Valley Drive, Chapel Hill, NC, stated that there were a lot of the users of the bookmobile, and there would be more, except that it is not frequent

enough or not what they needed, if the bookmobile times were not changed and the schedules were more firmly set.

Chair Kost stated that it was important for the schedule to remain constant so that people know what to expect.

Barry Tenser, Fearington Village, Pittsboro, NC, stated that one of the problems is that this was done mysteriously; that no one knew about it; that they never got the opportunity to do what the Board is asking them to do; that they found out when Edna Johnson said goodbye; that Friends of the Library raises a lot of money for the library; that he is ready to give their money to the Chapel Hill library, as they are not being befriended by the Board of Commissioners; and that they should have been told about this awhile ago.

Commissioner Vanderbeck stated that he didn't believe that anyone could question that this could have been handled better.

Commissioner Lucier stated that this Board of Commissioners had requested the information as part of the process and didn't receive it and that is why they are discussing it again today.

Commissioner Thompson stated that he is in favor of continuing the service; that they have a service that has been offered by the County for a long time; that to stop it, without explanation, certainly was not intentional; that it sounds like there are a lot of people that have enjoyed and need the service and look forward to it; that he thinks that they need to set a timeframe for getting the information they need to the Board of Commissioners in order for them to make a final decision.

Commissioner Lucier asked what timeframe Commissioner Thompson thought would be appropriate. Commissioner Thompson stated that he felt 90 days would be sufficient.

Chair Kost asked staff if they felt it was doable; that from the budget discussions, there are things that they could do to make the bookmobile more efficient whether it is to adjust the schedule or another delivery of service. She asked if it could be done in 90 days.

Linda Clarke, Library Director, asked to clarify that the data being requested was the number of people on a monthly basis, how many people at each stop regularly, etc. She stated that there is a data base, but sometimes it does not really provide a picture of the activity that is going on.

Chair Kost stated that one of the options is after they reinstate the bookmobile now, is to look at the various options for continuing the bookmobile and looking at alternative service delivery. She stated that the focus from the Board is to deliver library service whether it is the bookmobile or in some other way; that it would be that plan they are looking for from the library director which would include continuing the bookmobile or other options and get some community input on what those options are.

Mr. Elliott stated that he never read anything on why the bookmobile went away nor could he find any data on the County website. He asked if the reason was financial, to fund the new library, or something else.

Chair Kost stated that as part of the budget recommendation that was presented to the Board in May, staff made the recommendation to take the resources that were used for the bookmobile and to use those to help offset some of the costs for the new library. He asked which staff was responsible.

Commissioner Lucier stated that they receive the recommendation from the County Manager, who gets his information from the library staff; that the recommendation came from the County Manager to the Board of Commissioners; that the Board questioned it and he gave comments earlier about what was said regarding things that didn't happen.

Mr. Elliott asked if that would not have been in the original budget for the new library, and how did the one hundred thousand dollar hole happen. Chair Kost stated that as

part of the budget that was presented, the Board added seven and one-half positions to open the new library and approximately \$360,000; that it was discussed publicly and openly; and that she understands that the community did not know about it.

Mr. Elliott stated that it seemed to him that when the library was built, the Board would have had to budget for seven more positions and it doesn't sound like that was done.

Chair Kost stated that they estimate the operating costs when they approve the capital plan; and that as everything is fine-tuned, the budget is developed a little more carefully.

Commissioner Lucier stated that there were no surprises in terms of what was proposed to them in terms of costs for opening the new library; that the only thing the Board questioned was the bookmobile itself; that they questioned the proposal that it be discontinued, and that it was what they discussed; that the seven and one-half positions were what was expected to open a new building; that there were no surprises there; and that they compared costs to other libraries of like size.

Mr. Elliott asked if it was really eliminated for dollars. Commissioner Lucier stated, no. Chair Kost stated that it was dollars, too.

Commissioner Vanderbeck explained that there were a couple of surprises; that staff does give operating costs and what it is going to take to get it off the ground; that he thinks it was approximately 45 days prior that they had a surprise in that the fire pump for fire protection, a booster pump, was needed and was going to cost approximately \$240,000; that when you receive a "surprise" like that, things have to be adjusted; and that it was one of those things to which the Board and staff had to adapt and react to as there are a limited amount of revenues.

Diane Keasler, 505 Chatham Drive, Pittsboro, NC, stated that at this meeting, is the public going to hear exactly what is being requested of the library staff.

Chair Kost stated that they were asking the library staff to provide various options.

Caroline Thorson stated that the elderly and more disabled people were not able to use a computer to order books.

Elaine Haidt, 24203 Cherry, Chapel Hill, NC, stated that she would like to know why the bookmobile has to either have fees imposed or shortness of schedule when there is a big library that can take a few hits; that it seems to her that the people in the northern part of the County are paying for services that should be freely available. She stated that it is her understanding that a consultant was hired to see where the new library should be and he said that northern Chatham County was growing very fast and the new library should be placed there; that instead, it was put in Pittsboro; that she feels that the users of the library resent that they weren't told and that the suggestion that they pay for it and then the schedule is cut; that they are being made to suffer because of the budget; that there should be other places to cut beside the bookmobile patrons.

Chair Kost stated that one of the options a citizen said was the fee and has not been proposed by the Board of Commissioners; that as far as a schedule goes, in the discussions that they had during the budget work sessions, they learned that there were stops in Siler City for the bookmobile; that she questions that because there is a branch of the library in Siler City; that although it may be convenient for someone to go to the bookmobile in Siler City, she thinks those of the kinds of questions they have to ask as to efficiency; that they are talking about cutting the hours or schedules which are kinds of things they are going to review.

The County Manager stated that if it is agreeable with the Board, staff can look at the 90-day concept and get back with the Board by August 2nd; and that responding to the question regarding the consultant, he doesn't think there was a consultant that said the library should be in North Chatham; that the site was always to be on the Pittsboro Campus because of the partnership with the Central Carolina Community College for that library; and that

adding to the long-term plan from staff perspective as some of the developments in the northeast develop, they have been talking with Briar Chapel about space for a branch library.

Commissioner Lucier stated that the County Manager was absolutely correct; and that the conditional use permit that was granted to Briar Chapel includes a library there. He thanked everyone in attendance for coming to the meeting and sharing their thoughts about the bookmobile.

Commissioner Lucier moved that the bookmobile be continued and reinstated as in the past until which time staff presents to the Board of Commissioners a plan which would allow them to evaluate various alternatives to continue that service; that this plan should emphasize both daycares and the elderly; that it should also include a survey of users including where they are and how frequent to guide them in helping to improve the service; that the plan should take no longer than six months to develop; that if staff thinks it can be done in a shorter timeframe, they should let the Board know and it will be evaluated in a shorter timeframe, but it should take no longer than six months; that the essence of the proposal is that service will continue essentially as before until the plan is received and approved by the Board of Commissioners; that this will be at a public hearing, the information on the plan will be publicly available, and citizens will have an opportunity to comment on those plans and the various alternatives that the Board is considering so they can see what best or worst meets citizen needs. Commissioner Vanderbeck seconded the motion.

Commissioner Cross stated that he would like to know what areas are being served.

Chair Kost restated the motion and called the question. The motion carried five (5) to zero (0).

Chair Kost asked when the bookmobile service could be reinstated.

Linda Clarke, Library Director, stated that she would recommend a little lead time to say that they are coming back.

Ms. Mountainsea stated that there are still people who do not know that the bookmobile is gone as they do not go every week and that if it is back by Wednesday, there would be a lot of happy people.

BREAK

The Chair called for a short break.

HUMAN TRAFFICKING

Patricia Whitt, introduced Dr. Ruth Relose and Barbara Sawyer, and presented a PowerPoint on Human Trafficking. She reviewed The Federal Trafficking Victims Protection Act (TVPA), scope of the problem, kinds of work trafficked victims perform and where it occurs, the commercial component, raising awareness, and explained the invitation to help.

HUMAN TRAFFICKING



What is Human Trafficking?

Some call it modern day slavery!
Some call it a Human Rights Violation!

Both are true – AND one thing is certain:
IT IS A CRIME!!!



The Federal Trafficking Victims Protection Act (TVPA) – Year 2000


“The recruitment, harboring, transportation, provision or obtaining of a person for labor or services through the use of **force, fraud or coercion** for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery; OR in which the person induced to perform such an act has not attained 18 years of age.




Why the Concern?

- ▶ Human Trafficking is very lucrative – It is the fastest growing criminal activity – involves organized crime – on the International level
- ▶ Second only to the crime of drug trafficking
- ▶ Estimated at ...

\$32,000,000,000 per year



Scope of the Problem

- ▶ Currently, an estimated 27 million people world-wide are being held in human slavery.
80% are female; 50% are minors
 - ▶ Each year estimates of between 100,000–300,000 American minors are at risk for commercial sexual exploitation
30% of shelter-youth
70% of street-youth
- 

What Kinds of Work Do Trafficked Victims Do?

- | | |
|-------------------------------|-------------------------|
| ▶ Agricultural | ▶ Construction |
| ▶ Landscape | ▶ Exotic Dancing |
| ▶ Domestic (Nannies or Maids) | ▶ Stripping |
| ▶ Factory | ▶ Carnival Work |
| ▶ Hotel Housekeepers | ▶ Begging |
| ▶ Janitorial Work | ▶ Street Peddling |
| ▶ Restaurant | ▶ Criminal Activity |
| ▶ Day Labor | ▶ Commercial sex crimes |
- 

Who Are the Victims?

- ▶ Vulnerable people
- ▶ Poor people
- ▶ Uneducated people
- ▶ Adults and children
- ▶ Males and females
- ▶ Immigrants
- ▶ American citizens
- ▶ Orphans
- ▶ Kidnapped victims
- ▶ Runaways
- ▶ Mail-Order Brides
- ▶ Gang Members



Where Does Trafficking Occur?

Myth #1 - Not Here!

FALSE!

- ▶ Trafficking occurs **everywhere** in the world
- ▶ Including the **USA**
- ▶ Including **NC**



North Carolina...

- ▶ One of the **top ten** states for the presence of human trafficking. **Why?**
 - Agricultural base
 - Tourism
 - Large International Population
 - Military Presence
 - Interstate Highways
 - Position Along Atlantic Seaboard



Myth #2 – All prostitutes are willing participants

FALSE!



Myth #3 – Smuggling and Human Trafficking are the same crime!

FALSE!

Trafficking is a crime against a person...
Smuggling is a crime against a country's border!



The Commercial Component

- ▶ A mother trading her daughter for rent or drugs
- ▶ A minor may feel obligated through force, fraud or coercion to stay with trafficker for shelter or food
- ▶ A pimp prostituting an adolescent



Each of us has a role to play to...

STOP HUMAN TRAFFICKING!

Raise Awareness and Foster Action

- ▶ Focus is citizen actions and community involvement
- ▶ Soroptimist International of Raleigh (SI)
- ▶ Woman's Club of Raleigh

Fast Facts "Orange Card"

Fast Facts About Human Trafficking

- Growing criminal activity, second largest, \$12 Billion per year exceeded only by drug trafficking¹
- Enslaves hundreds of thousands of victims every year, 80% female, 50% under age eighteen (18); at least 200,000 American children are at risk each year²
- Involves use of force, fraud, and/or coercion³ by traffickers to recruit and control their victims
- Affects all vulnerable people - US citizens, teen runaways, immigrants, children, adults
- Occurs as forced labor and sex trafficking throughout the world AND in our local North Carolina (NC) communities
- Attracted to NC due to conducive factors of tourism, agricultural base, international population, military presence, position along Eastern Seaboard, and multiple interstate highways

Trafficking Indicators In the Neighborhood⁴

- Excessive garbage and trash for the size of house
- Unusual and irregular hours of entry and exit
- Poorly maintained property, uncut grass, appearance of abandonment
- Number of residents exceeds occupancy standards; tents or outbuildings show signs of habitation
- Unrecognized, abandoned or large number of vehicles parked in neighborhood

¹ United States Department of Health and Human Services Research and Rescue Campaign materials (www.acluh.org/trafficking)
² Legal definitions: United States Trafficking Victims Protection Act
³ Facts learned at STOP Human Trafficking Community Forum series, hosted by BIRaleigh in first half of 2010.
⁴ www.stoptrafficking.org is an excellent source of information

Indicators of Potential Victims¹


- Injuries, signs of physical abuse or torture
- Unkept appearance with signs of malnutrition
- Unwillingness to have eye contact
- Paranoid and/or overly vigilant behavior
- No evidence of cell phone, or familiarity with location of common community outlets, such as schools, stores
- Living quarters with peculiar security, such as barred wire, guarded compounds, bars on outside of windows, or opaque or boarded-up windows

YOU Can Help

Learn and Observe the signs of human trafficking².
Tell others about the crime.
Report information to the authorities.

If you have information about a potential human trafficking situation,
call **1-888-373-7888 (24/7)**
National Human Trafficking Resource Center
or
If emergency medical care is needed
Call 911.

Advocate for tough laws, ordinances, and enforcement.
Join a regional coalition of concerned citizens, contact
endingviolence@soroptimistraleigh.org



Challenge

Challenge

- ▶ Human trafficking is increasing in our region
- ▶ Human trafficking operates beneath the surface of daily life
- ▶ Traffickers' operations are highly mobile

Proposed response

- ▶ Law enforcement is prepared to respond
- ▶ Citizen awareness to report potential situations within a timely, seamless referral system
- ▶ Increased cooperation within region to investigate, address needs of victims, and prosecute



What Are We Asking

- ▶ NO Money! Just your help to:
 - Raise citizen awareness and willingness to report suspicious activities
 - Participate in creating a seamless, timely referral system across the region
 - Adapt the most effective policies and enact them throughout the region



Regional Conference Proposed Agenda

General Session

- ▶ Establish clear understanding of human trafficking
- ▶ Anatomy of a Human Trafficking Case

Breakout Sessions

- ▶ Training for law enforcement telecommunicators
- ▶ Role of elected officials in stopping human trafficking



Your Invitation

- ▶ Open to all elected officials, city/county managers, Chiefs of Police and Sheriffs, law enforcement telecommunicators
- ▶ Time: 8:30 am until 12:30 pm
- ▶ Location: Hope Community Church
(off I-440 near Cary Crossroads Shopping Center in Raleigh)
- ▶ Date: Late August or Early September



STOP HUMAN TRAFFICKING



Chair Kost asked Ms. Whitt to let the County Manager know the date of the conference. She also suggested that getting social workers involved as part of the conference would be beneficial. Ms. Whitt responded that they had held several conferences directed specifically toward health care providers and first responders.

Commissioner Vanderbeck stated that the press was present and asked if Ms. Whitt had been in touch with the North Carolina Association of County Commissioners. Ms. Whitt thanked Commissioner Vanderbeck for his suggestion.

Chair Kost also suggested the League of Municipalities. Ms. Whitt stated that they hoped that the Triangle J Region can be a pilot for the program so that they can conduct similar conferences around the state.

Commissioner Thompson asked about the current law was with regard to punishment for perpetrators.

Ms. Whitt stated that it was difficult to get a human trafficking charge; that when they do get a charge, they have heard it was 25 years; that she believes that the law states 25 or more years depending on whether it is a minor; and that there is still a lot of work to do.

Commissioner Lucier asked if she knew the extent of human trafficking in Chatham County. Ms. Whitt replied that it was probably more the labor trafficking in the rural areas but it sometimes crosses back and forth.

Ms. Whitt distributed a “Fast Facts About Human Trafficking” card which she stated that she hopes to be able to put in the Chatham County public libraries. She stated that they feel like the more people who notice this, the better off they will be.

BREAK

The Chair called for a short break.

PITTSBORO/CHAPEL HILL EXPRESS

The County Manager explained that this is an update on the Pittsboro to Chapel Hill bus express. He introduced Steve Spade who is filling in for Brian Litchfield.

Steve Spade thanked the Board for receiving his comments. He gave an overview of the service, the cost of annual ridership, UNC role in funding, and marketing.

Mr. Spade stated that the service began on August 24, 2009 as a partnership between Chapel Hill Transit, Chatham County, and the Town of Pittsboro when they received a Rural Job Access Reverse Commute Grant from the Federal Transit Administration. They were able to use it as a 50% match to start offering bus service out of Chatham County into Chapel Hill. They began operating three trips in the morning and three trips in the afternoon. They established a fare of \$3.00 one-way or \$65 for a monthly pass. They wanted to establish something in their fare that was competitive and in the same ballpark as what Chatham Transit is offering in their regional fares, but also something that encouraged people to make a long-term commitment, hence the high individual fare and the lower price of the monthly pass. The idea was to get people to see the bargain in buying multiple days and get them to commit. As is usual, they have an 18-month grant. The way the grant was structured is that they would be able to receive 50% funding for the service from the feds after the revenues had been collected so the federal government would match whatever the expenses were that Chatham and Pittsboro incurred.

Chair Kost questioned Mr. Spade stating that it was not the \$176 that the federal grant is, it's the net cost, they net out the revenue. Mr. Spade responded, yes, that what happens is when they complete the operating costs for a month, subtract off the revenue, they have a net deficit and then they will split the funding 50-50 and what has happened is that while they have \$179,000 in the grants, they are able to save money on the operating costs. The grant can be used to fund the service for additional months, that while the total number of the grants is still there, they are still able to expend the whole grant amount.

Commissioner Lucier asked if the grant could potentially go longer than 18 months. Mr. Spade responded, yes, that the projection was that there is enough money in this grant to support the service for another year. He stated that they also submitted another grant to the State asking for another 18-months worth of funding, and the last he heard, it was being favorably received as part of their review.

Chair Kost asked what the timeframe was. Mr. Spade said that the grants were submitted this spring and his understanding was that they were supposed to have gone to the Board of Transportation in June but they postponed it and said they were going to take them in July; that he hasn't heard when the Board of Transportation meets in July; but that he thinks that part of what is going with their recommendation is that they are waiting to hear that they have a commitment to run the service through the existing grant before they fund another one.

Mr. Spade presented a chart showing the ridership for each month on the PX and the average daily ridership by trip as follows:

PX Ridership

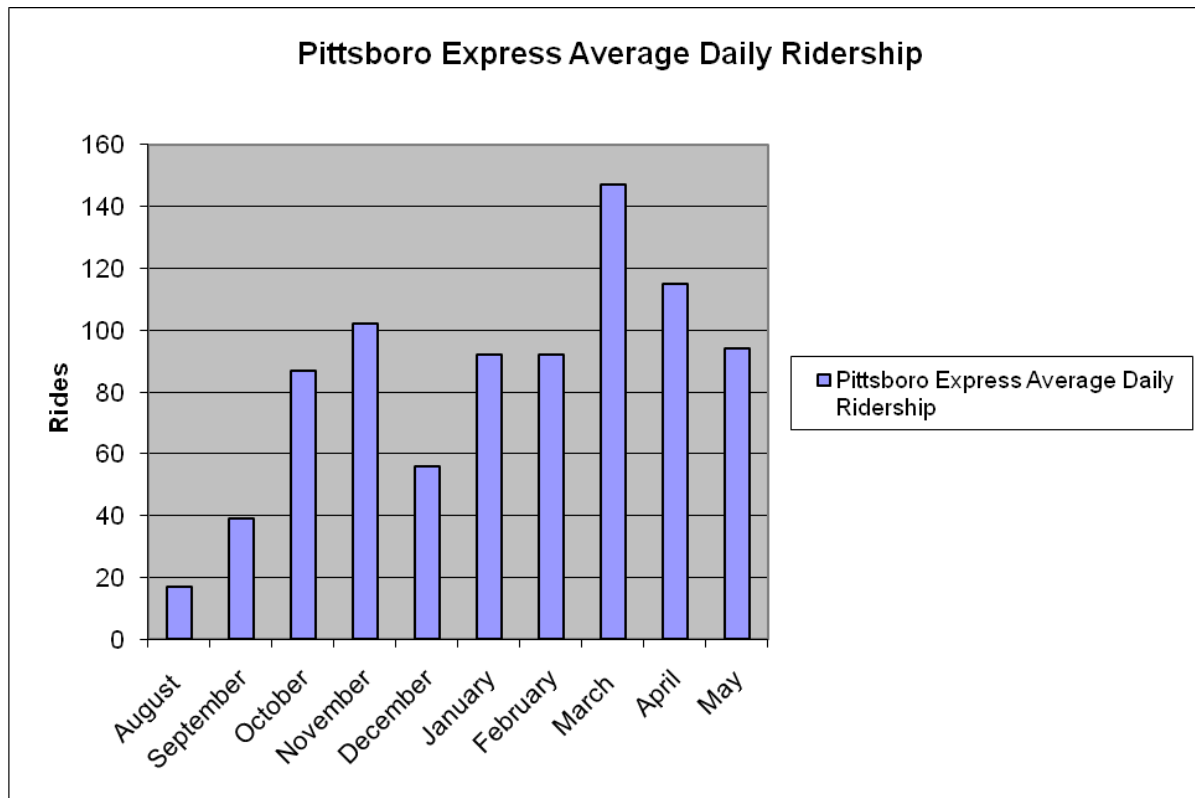
Month	Days of Service	Ridership	Avg. Daily Ridership
August	6	102	17
September	22	861	39

October	22	1,914	87
November	19	1,940	102
December	20	1,120	56
January	20	1,830	92
February	20	1,840	92
March	23	3,381	147
April	22	2,529	115
May	21	1,968	94

Average Daily Ridership by Trip

	Time	Ridership
Chatham to UNC	6:08	7.5
Chatham to UNC	7:04	16.33
Chatham to UNC	7:39	11.9
UNC to Chatham	3:45	15.9
UNC to Chatham	4:40	13.2
UNC to Chatham	5:31	9.5





Commissioner Lucier asked if the average ridership per trip was for the last month or all months averaged together. Mr. Spade stated that it was combining all of the different months; that there has been a lot of fluctuation; and that this becomes an average of what has happened over the year.

Commissioner Lucier asked if he had seen a shift in that as we have moved on with times in the last three months. Mr. Spade said, yes, that he can send it to the County Manager who can then forward it to the Board. The trips per August and then followed through to Spring fluctuate on the ridership from trip to trip.

Mr. Spade continued by stating that the trip that leaves Pittsboro at 7:04 AM has been the heaviest trip. In the afternoon, the trip leaving at 3:45 PM from the University has been heaviest. Beginning in January, the trip at 4:40 PM started to grow rapidly. The later trip at night and in the morning tend to have lower ridership, which is normal.

Mr. Spade stated that their conclusion is that the ridership grew dramatically once they got the service started and introduced three pairs of UNC participation. The trend shows that the ridership has started and continued to grow. It usually takes between 12-18 months for a route to test-out where one feels comfortable with the service levels. The growth, on this route, when compared with TTA's Hillsborough route that they are now operating and the Wake Forest route to Raleigh route which all provide similar services, the rate of growth and average daily ridership on this route is higher than those two at the same point in their development. They are pleased with the way the ridership has grown.

Commissioner Lucier asked if the drop in May was because of school letting out. Mr. Spade stated that ridership traditionally falls off 20% in May, June, July, and August. It is like that regardless of the student population.

Commissioner Lucier asked how much money was left in the grant after one year. Mr. Spade stated that there must be close to half of it left, but he cannot be specific.

Mr. Spade stated that the University is paying them \$155.00 annually per employee. Their employees are then able to ride.

Chair Kost stated that when they ran the bus for only a partial year during the last fiscal year, it was \$155.00 for a partial year; that Mr. Litchfield led the Board to believe that amount would increase based on 12 months versus 9 months. Mr. Spade stated that he thought the numbers would increase, but their price of \$155.00 probably would not. They

based the price of no-pay-pass on what they are paying regionally for all of their employees. They negotiated the same contribution for the Chatham service as they provide for the rides on TTA and their other subsidies. Their approach has been "We have to be consistent with all of our employees regardless of the actual cost to provide the service." When they purchase rides from them, they are looking at that in the same way as they are on their purchase rides from TTA.

Chair Kost stated that she understands the consistency, but they thought that it was going to be more. Mr. Spade said that he could get an answer to that for the Board, as it was his understanding that they paid and did not prorate the \$155.00 even though it was for ten months. This year they anticipate that their ridership is going to go up. They have actually talked with them regarding the number of passes they need to make available to their employees. They have actually budgeted that they paid fifteen this year and they are estimating that they will bring in \$30,000 in revenue from the University in anticipation of past sales and they are budgeting the University at almost double.

Commissioner Lucier asked if that was 180 passes. Mr. Spade replied that was correct.

Chair Kost asked how many there were this year. Mr. Spade replied, about 90 max.

Mr. Spade continued by stating that when he worked for the University, the way they approach here and the Hillsborough services, the way they increased revenues for the University is that they increased ridership. They have been on board with the understanding that they are going to support them and anticipate close to 200 riders.

Chair Kost asked, given the University at \$30,000, what other revenue was projected.

Mr. Spade stated that it was about \$2,500 in cash revenue. Chair Kost asked if the total revenue was \$32,500.

Mr. Spade stated that there were two ways of marketing the service. One of those is to market their services generally throughout the County. That is something that needs to be done this year and try and make sure everyone in Chatham County is aware of the existence of the service. Usually the way you start out a service, is to focus on a market that is going to give a greater percent of return. For them, their major market is the University. When they started promoting this service, their goal was to get in front of as many University employees that live in North Chatham and Pittsboro as they could because they could be more effective with those efforts in getting those folks than they would if they just bought billboard or newspaper ads throughout Chatham County. The early part of their emphasis was to work with the University to make sure that they could identify everybody that worked for the University and/or UNC Hospital that lived in this area and get information in their hands. That is the way they get the ridership up as quickly as possible. Then they would start to branch out and share information throughout the County. The difficulty in coming from the residential end for advertising transit is that they hit every household but not everybody in every household is headed to Chapel Hill, so they start to eliminate their effectiveness. When they hit a household where everybody works in RTP, they have no interest in their efforts and therefore they have not been as effective in their efforts nor with the dollars they have spent. As they look at this year, they will continue. They know that about 38% of their riders per year are new and this year's efforts will focus on trying to drive the University number up because that is where they are going to get their most riders and that's where they are going to get the guaranteed revenue.

Commissioner Lucier asked if the projected revenues turn out to be accurate, what is the context of a formula of the grant and how much money Chatham County and Pittsboro have to come up with to make it go.

Mr. Spade stated that the way it works, they identify a total operating cost. Last year their total operating cost was \$460 per today, this year \$387 per day. You calculate the annual operating cost, subtract it off the revenues, and the projection of \$32,400 and the remainder of that gets split 50/50 between federal and local.

Commissioner Board questioned the revenue per year and total operating costs. Mr. Spade stated that he would have to get that information for the Board, reiterating that the Board would like to see the numbers of the grant that started the whole budget discussion. The Board concurred. Mr. Spade also stated that he would put together a simple spreadsheet.

Chair Kost asked what happened if the \$32,500 in revenue is not recognized. Mr. Spade explained that the last contract, it was an amount not to exceed for Chatham and Pittsboro and he thinks that the way the next contract will be so if they “miss” on their revenues, they will have to absorb it in Chapel Hill.

Chair Kost stated that if they don't make the revenues, the structure of the contract would be similar to the contract that we had this past year which is that our maximum out-of-pocket will be X and the maximum out-of-pocket for Pittsboro will be X.

Commissioner Lucier asked if Pittsboro had offered a 75/25 split for this year. The County Manager stated that they maxed out at 18. Mr. Spade stated that he remembered, during his discussion with Mr. Litchfield, that Pittsboro budgeted \$18,000 but at a 75/25 split, it works out that that would be adequate to cover 25.

Commissioner Lucier stated that for \$64,000, a 75 split would be \$48,000 for Chatham County and \$16,000 for Pittsboro.

Mr. Spade continued by saying that what they will probably do is that if they get part way through the year and the revenues are not materializing, that they would come back and ask to modify services to get a handle on controlling costs.

Chair Kost asked what happened to the grant from Triangle J for marketing. Mr. Spade stated that it was still there; that they have an individualized marketing project they wanted to get started but understanding the tenuous condition of the service, they decided to wait until it's determined that it is going to be running for another year before they got started. He stated that UNC is also on hold as well to get ready to start promoting this until they figure out if they are going to have a contract for next year.

Commissioner Lucier moved, seconded by Commissioner Vanderbeck, that the \$64,000 be split between Pittsboro at \$18,000 and Chatham County at \$46,000 for Chatham County which equates to a 72/28 split. The motion carried five (5) to zero (0).

Chair Kost asked that the County Manager to work with drawing up the proposed contract which will be returned at the August 2nd Board of Commissioners' meeting.

Commissioner Lucier stated that based on what Pittsboro has been allocated, chances are they are going to approve it as they did allocate up to \$18,000. He asked when something was going to be done about the letter that went out from the Department of Public Safety warning people that the bus may be cancelled.

Mr. Spade stated that they sent out two emails: 1) When they were doing their cap registration saying they weren't going to register people because the future of the services were uncertain; and 2) Another email was sent the end of last week saying that the University fully intends to fully support the service if it is running and that they expected that sometime in the next couple of weeks that Chatham County and Pittsboro would be deliberating.

Chair Kost asked if this issue would be on Pittsboro's agenda at their next meeting on July 26th. Mr. Spade stated that it would be finalized at that time. Chair Kost stated that looking at the numbers and ridership, it appears that this next year is the critical year so the marketing plan is extremely important.

Mr. Spade stated that unfortunately, they missed an earlier opportunity with the CAP folks, but that they may be able to turn this into an advantage because they have a lot of people watching it and once they've got it ironed out, he is hopeful it will happen and then they will be able to focus all of their attention on making sure the information is provided.

Commissioner Lucier stated that he was encouraged by the ridership numbers. Mr. Spade stated that the numbers are great and he is excited to think that they may be able to get another 18 months of funding out of the state as it would allow them to spend a lot of time working on something to get a really good sense of the value of it before the extra subsidies are secured.

Commissioner Lucier stated that the way the ridership is going, they were obviously able to extend it six months into this year for the grant for the full year; that perhaps, if ridership continues to increase, it may be extended beyond that.

Commissioner Vanderbeck suggested that it might be “leaked” the way this is looking to go to UNC so that they can start battling the emails.

Chair Kost stated that when the universal emails go out to the ridership, that the Commissioners and staff are copied so that they will know what the citizens are hearing.

Commissioner Lucier stated that the first he heard of it was when a reporter contacted him on a Tuesday from *The Chatham News* in order to be able to put an article in the Wednesday newspaper.

Chair Kost thanked Mr. Spade for taking the time to be at the meeting.

Mr. Spade thanked the Board for their interest and support stating that they appreciate it and look forward to more years of service.

HOME OCCUPATION BUSINESS

Chair Kost explained that there is an issue that needs to be addressed dealing with a home occupation business and its requirements.

The County Manager explained that there has been a question regarding a home occupation workshop and what needs to be done to apply not only as a zoning matter but also with the building code which are two different issues.

Angela Birchett, Land Use Administrator II, explained that she received Ms. Welch’s application for a home occupation a few months ago. In the past, when someone filed for a home occupation permit, if it met the guidelines and Zoning Ordinance, the County collected the \$100.00 fee and sent them on their way. The Fire Marshal and Building Inspections were finding out about them and were asking Central Permitting why they didn’t know about the new businesses; that issues were surfacing regarding liability and/or safety issues; that they needed to be “on the same page” and able to communicate with each other; that they agreed that when someone applied for a home occupation permit, they would issue it before they spoke with Building Inspections, the Fire Marshal’s Office, and Environmental Health to see if there were any regulations that they were going to require that could or would meet in order to fulfill their request for their home occupation; that they didn’t think it was fair to keep taking their money and them be turned down by some other regulation and have a worthless permit; that Ms. Welch met zoning regulations which was never a problem; that they were never the holdup for this application; that trying to communicate with other divisions within the department caused the delay and the confusion happened; and that she doesn’t know if Ms. Welch can or will meet the regulations that will be required of her.

Chair Kost stated that after having read the Zoning Ordinance, she understands that she meets the requirements for home occupations. She asked if the issue becomes something that she is doing that triggers the building code.

Danny Paschal, Code Enforcement Director, reviewed pages of the North Carolina Accessibility Code and the Americans with Disabilities (ADA) requirements. He stated that when he received a complaint, he called Ms. Welch, she came down, and they discussed the requirements; that the questions posed at that time were: 1) What is the business; 2) What are your plans for it? 3) What exactly do you do? He stated that they based the code requirements upon the answers that were given. He stated that Ms. Welch informed him that she was teaching metal work to some students, that she made the metal work, and that she

was advertising at the time. At that point, he stated that they looked at accessibility since it is, by definition, a business.

The County Manager clarified a statement by asking if, when she was advertising, if she was promoting the students and sale of products that she was making. Mr. Paschal stated that he did not have any way of knowing as he did not see the advertisement and that he was told that it was there.

The County Manager asked Ms. Birchett what the application said about it. Ms. Birchett responded that the application says that the type of occupation to be operated from the residence is jewelry instruction-hand tools; that her ad advertised jewelry classes, weekly taught on Wednesday and Thursday mornings and evenings, learn the construction techniques of cutting, forming, connecting, and finishing of bronze, copper, and silver...no experience necessary...all tools furnished...classes start every month...4 classes for \$75, 9:30 to 12:00 noon and 6:30 to 9:00 PM.

Chair Kost asked if that included any selling and the web site says that selling is done as part of the arts tour. She stated that she knows that people tutor in their homes; that 2-3 students come to their homes; and that there are piano teachers who bring students into their homes. She asked what makes what Ms. Welch is doing any different than a piano teacher or tutor.

Mr. Paschal explained that under certain circumstances, no different. He stated that he has to use leeway in dealing with it; that he is not there to put someone out of business; that wants to work from their home; that if it's a small business and there were no customers coming in, there are certain things that would not be required; that if it's a teacher that is teaching and it is an occasional thing and there is not a piano class out front and they are not advertising, he would not go anywhere with that either.

Chair Kost stated that that was still doesn't answer her question, "How is this different? Why would you teach a piano teacher who has two students who are practicing a duet versus bringing two students in to teach some jewelry?" She stated that she is having a hard time understanding the distinction.

Mr. Paschal stated that the piano teacher is in her home and that is how they define home occupations.

Chair Kost asked if this was not in Ms. Welch's home. Mr. Paschal replied that he was told it was in a detached building, storage within a garage room area and that he has never seen the building.

Chair Kost stated that she was struggling with this and asked how other jurisdictions handled piano teachers, tutors, and people who come to your house for instruction, whether it is in the garage or in the music room, shed, etc. Mr. Paschal replied that they handle it the same way Chatham does on a case-by-case basis, depending on what someone is doing. He stated that when it is advertised as a business, when you're bringing in customers, if you reach a point that you hire staff...those different things can make the requirement for this.

Commissioner Lucier asked how many students Ms. Welch had. Ms. Welch replied, generally not more than 2-3 per session, and there are four sessions per week.

Chair Kost asked if there was anything that the County Attorney could add.

Commissioner Thompson stated that he thinks the problem is that when there are clear lines delineated where decisions are made from one level to the next.

Jenny Williams, Central Permitting Director, stated that a difference between piano teachers and tutors is that typically student children are dropped off by their parents; that Ms. Welch provides parking; and that is an issue with regard to ADA.

Chair Kost stated that she didn't know if that kind of generalization could be made when they are trying to apply a standard.

Commissioner Lucier asked if Ms. Welch had talked with the Fire Marshal. Ms. Welch replied, yes; that the Fire Marshal is about three steps back from getting through this; that she has talked with him and that everything he has said sounded reasonable; and that he told her when she was ready that he would be more than happy to come out.

Commissioner Lucier stated that it sounded like having a safe environment was a legitimate request that it be inspected for safety issues especially if there is metal work involved. He stated that he, too, was having trouble discerning this from other home occupations other than the Fire Marshal issues.

Ms. Williams stated that the Fire Marshal does inspections only on businesses, not residential.

Considerable discussion ensued.

Jeffrey Starkweather stated that the big factor here is the change of occupancy; that this is not so much driven by state building code but by the federal law.

Commissioner Thompson and Chair Kost stated that they would like to know what the options are for Ms. Welch and the options for the Board of Commissioners.

Ms. Welch stated that the issue was not whether she could make her building accessible to someone who needs it; that she is perfectly willing to do that; however, when she called ADA, Southeast Region, Atlanta, and explained the circumstance that she would have to build a bathroom and she was told that how the ADA works in this instance, that if she has a bathroom in the studio, it needs to be accessible which she finds to be a reasonable request; that she supports people being able to take her classes; that she is a veteran and has been trying to get veterans to take her classes; that she is not a commercial establishment; that she made \$4,000 last year at this venture; that she teaches her craft to people because she loves what she does; that her students love what she does; that she advertised on the ChatList for students; that the Zoning Officer came to her residence with the printed ad and closed down her business; that somehow it didn't strike her as being fair; that she read what it said that if you do three things, you have to have a permit: 1) Have employees, 2) If you're a retail establishment, 3) If you have a sign; that she doesn't have any of those; that she thought she was alright; that she had been told that she had to do this no matter what it says, then she might have considered it and said that she would look to see what she had to do; that was not the case; that she did look at it and deem her business suitable; that she is agreeable to the Fire Marshal's inspection; that she doesn't want to be considered as a commercial establishment; that she is in a residential zone; that she has plenty of places to park; and that she doesn't want to be zoned commercial.

Commissioner Lucier said that several years ago, the Board reviewed the home occupation issue and made some changes in the ordinance to make home occupation.

Chair Kost stated that under the Zoning Ordinance, they are ok.

Further discussion ensued regarding "change of use".

Jep Rose, County Attorney, recommended referring the issue to Mr. Starkweather on a voluntary basis. Mr. Starkweather declined.

Mr. Rose stated that this is a specialized area and that the County has people who are trained in it and that there may be some middle ground on which to resolve the issue. He asked what specifically Ms. Welch was objecting to or if she knew all the requirements.

Ms. Welch replied that it was the bathroom issue.

Chair Kost asked if there was some way they could allow Ms. Welch to continue her business while they study and look at the options.

Mr. Starkweather reviewed the rules applying to the toilet room. Ms. Williams stated that that applied to “unisex toilets/facilities”.

Mr. Paschal stated that as far as the building code is concerned, they commonly give more time for people to comply with parts of it; that it isn’t something that they necessarily have to do immediately for them; that in most cases, they are not going to be able to do so anyway due to the price.

Mr. Rose asked how far the garage is located from the house where there is a bathroom. Ms. Welch replied, 50 feet, but that the bathrooms in the house are not handicapped assessable.

Commissioner Lucier asked if he was hearing that Ms. Welch could continue to have her students come in. Mr. Paschal stated that as far as they were concerned, they were not shutting her down.

The County Manager reiterated that the only outstanding issue is the bathroom and ADA compliance. Mr. Pascal replied, yes.

Ms. Birchett stated that to her knowledge, it has not been approved by Environmental Health.

The County Manager stated that according to Andy Siegner, Ms. Welch had not spoken with him regarding the issue.

Commissioner Lucier asked the purpose of talking with Environmental Health. Ms. Birchett replied that it was the septic tank capacity has a lot to do with it as it has a residential septic system and is only approved for a certain size.

Chair Kost stated that she understands that one can have a home occupation with more than four employees.

Commissioner Vanderbeck stated that it would be good to have an application sheet for home occupations showing requirements.

Chair Kost stated that on a temporary basis, Ms. Welch can continue doing what she has been doing and that the Board will find out what she has to do to meet the code. She stated that it was federal and state regulations, not the County, that was triggering this.

Ms. Birchett asked that the Board define “temporary”. Chair Kost stated that it was until a solution is reached.

Commissioner Cross stated that he thought she was referring to a staff solution.

Commissioner Lucier stated that he felt it could be resolved within three months.

Chair Kost stated that as part of trying to find a solution, if there is anything the Board can do locally with the County’s ordinances to allow this to happen and that she would like to know how other jurisdictions how this as it can’t be unique to Chatham County.

Ms. Birchett said that one thing they did in the last revision of the Zoning Ordinance was to review the neighborhood occupations and the rural home occupations; that because they were such a problem and there were so many violations, they added four things that you have to meet in order to not have to have a home occupation permit: 1) No non-resident employees; 2) No signs; 3) No on-site retail sales; 4) No visits from the general public; and that these came about because they were having issues with the fire code and Environmental Health.

Commissioner Cross asked if the scheduled student was the same thing as the general public, stating that it seems as though it is not.

Commissioner Lucier stated that he felt Commissioner Cross's point was a good one as the general public refers to those that are just driving by and want to come in because they think something is going on there and that they probably want to clarify that.

Ms. Birchett stated that if Ms. Welch would bring them \$100.00, that her department would issue her a permit.

Commissioner Lucier asked if the Board could give directive to the Fire Marshal to look at home occupations, too, if asked.

The County Manager stated that the Fire Marshal is always willing to go out and he also gives classes on fire prevention.

By consensus, the Board agreed.

RECESS

The Chair recessed the meeting to the County Manager's Conference Room for dinner at 4:47 PM.

The Board discussed items of interest in the County.

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Lucier, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 5:45 PM.

Sally Kost, Chair

ATTEST:

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