

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
AUGUST 03, 2009

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Building Auditorium, 45 South Street, located in Pittsboro, North Carolina, at 10:25 AM on August 03, 2009.

Present: Chairman George Lucier; Vice Chair Sally Kost; Commissioners Mike Cross and Carl Thompson; County Manager, Charlie Horne; County Attorney, Jep Rose; Assistant County Manager, Renee Paschal; Finance Officer, Vicki McConnell; Clerk to the Board, Sandra B. Sublett; and Deputy Clerk to the Board, Elizabeth Plata

Absent: Commissioner Tom Vanderbeck

The work session was called to order by the Chairman at 10:30 AM.

Work Session

1. **Sustainable Communities Update with follow-up items:**

- A. Lighting Ordinance: Consideration of a motion to set a public hearing, for August 17, 2009 at 6:00 PM in the District Courtroom in Pittsboro, to apply the lighting ordinance countywide.
- B. Sign Ordinance: Board of Commissioners will be discussing options to amend the ordinance to allow certain special events signage of temporary nature. The Board will also be reviewing whether to amend ordinance to permit removal of old signs with new ones if certain conditions exist

2. **Environmental Review Board Recommendation on Wastewater Treatment Plants in Chatham County**

3. **Green Building Task Force (GBTF) Presentation and Recommendations:** GBTF will present to the Board of Commissioners an update of their work and request BOC to seek legislation giving the county authority to implement those options if the County chooses to do so.

4. **Green Energy Task Group Update:** The group will give the Board an update of work they are doing to produce energy saving options for Chatham County projects.

5. **Pittsboro/Chapel Hill Express Transit:** Approval of an agreement to fund Express Pittsboro/Chapel Hill Bus Service in partnership with the Town of Pittsboro and Chapel Hill Transit in an amount not to exceed \$43,000 in Fiscal Year 2010.

6. **Departmental Evaluation Process:** County Staff has completed its first departmental review. Staff wants the Board to see what they are doing and would like the Board’s feedback on what they see. The first review is with the garage.

7. **Budget Critique:** Review and critique of recently completed budget work. County Staff seeks Commissioner feedback regarding what worked well, what needs improvement and any other thoughts the Board of Commissioners may have, which improve the budget process.

8. **Broadband:** Board of Commissioners will be discussing getting broadband into wide areas of Chatham County. There are stimulus funds available but the requirements to qualify are substantial and application requirements for small entities go far beyond their ability to perform on such a short time line.

The Board is considering letters to elected officials on the state and federal level pointing such issues and request that future applications be made more rural friendly.

Board of Commissioners will be considering an agreement with Metawave to research existing broadband coverage in Chatham and develop base line data for future use in assembling resources for Broadband work in Chatham County.

9. **Tour of Performance Building**

SUSTAINABLE COMMUNITIES UPDATE

Lighting Ordinance:

Cynthia Van Der Wiele, Sustainable Communities Development Director, stated that the County Attorney had reviewed the Lighting Ordinance and that it was adequate to go to a public hearing set for August 17, 2009, District Courtroom in Pittsboro.

Sign Ordinance:

Chairman Lucier asked if staff had prepared any text amendments to address sign issues that had come up lately.

Ms. Van Der Wiele addressed the Board stating that staff would look into preparing text amendments for future meetings.

Chairman Lucier stated that he would prefer to have text amendments ready for the September 21, 2009 Board of Commissioners' meeting.

ENVIRONMENT REVIEW BOARD RECOMMENDATION

Wastewater Treatment Plants in Chatham County:

Elaine Chiosso, Environmental Review Board chair, reviewed the recommendations of the Environmental Review Board and asked that the Board of Commissioners consider supporting and pursuing increased federal, state and/or local funding through grants, revolving funds, and other financial instruments of public wastewater treatment plants in Chatham County to improve water quality discharges by reducing nutrient discharges. She stated that such plant improvements should include state-of-the-art engineered designed systems such as constructed wetlands, reuse systems, or other technically feasible and cost-effective means of reducing nutrient loading; and that these designs should prove to be cost-effective and technically feasible as a means of further reducing nutrient discharges from existing conventional wastewater treatment plants in Chatham County.

Commissioner Kost asked that THEREFORE BE IT RESOLVED, Item #3, include wording "and any new systems including County projects and Goldston".

Commissioner Kost moved, seconded by Commissioner Thompson, to adopt **Resolution #2009-52 in Support of Increased Federal, State and/or Local Funding through Grants, Revolving Funds, and Other Financial Instruments of Public Wastewater Treatment Plants in Chatham County to Improve Water Quality Discharges by Reducing Nutrient Discharges**, with the suggested wording change “and any new systems including County projects and Goldston” be added to Item #3 after “THEREFOR BE IT RESOLVED” section, attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

GREEN BUILDING TASK FORCE (GBTF) PRESENTATION AND RECOMMENDATION

Comments submitted Laura Lauffer, Green Building Task Force Chair, are as follows:

A Proposal to Allow Energy and Water Conservation Measures on Residential Properties in
Chatham County

Presented by Laura Lauffer, Chair Green Building Task Force
to the Chatham County Commissioners

“Background: In February 2008, the Green Building Task Force requested Chatham County Commissioners to enact rules allowing residents to implement energy and water conservation measures on their property. In many cases, neighborhood covenants in Chatham County restrict these options. The GBTF was informed via the county attorney at the time that we did not have legislative authority to implement such a policy. We never pursued that authority through the NC Legislature.

The Alderman of the Town of Carrboro, NC is seeking such authority via the current session of the NC Legislature. The GBTF asked County Commissioners to enjoin Chatham County to the HB Bill 720 and Senate Bill 475. We made our request after the bill had ‘crossed over’ to the Senate. The commissioners asked for added information on the necessity for such legislation.

As Chatham County Commissioners have recognized the need for energy and water conservation to serve the public good and sustainable future of the county, the GBTF recommends the commissioners support such legislation allowing clotheslines, solar collectors (for energy or water heating), rainbarrels, garden fences, and any other energy or water conserving measure that does not harm the public health. See attached bill. This bill will be heard in the Environment Committee on Wednesday July 29.

Although Solar PV and Solar Thermal applications can legally be installed on a home based on SL 2007-279, communities are requiring architectural review board approval for such structures as well as approval for rainbarrels or cisterns. Many of the ARB requirements are prohibitive and costly to the homeowner. We know of at least three communities, The Preserve, Ferrington and Governors Club that do not allow clotheslines and have other energy and water prohibitions.

The GBTF would like to have the commissioner’s support to explore legislative measures, or alternative mechanisms allowing for all energy and water conservation measures in private residential settings.”

The Commissioners asked that the Green Building Task Force return with recommendations to the Board by December.

GREEN ECONOMY TASK GROUP UPDATE

Jeffrey Starkweather gave an update for the Green Economy Task Force and their efforts to leverage energy efficiency stimulus funds for Chatham County as follows:

There are two pools of energy efficiency funding – formula grants and block grants. Within each pool there are multiple categories.

Formula grants

- *Small Business*

- *Industry and Non-profit*
- *Growing NC's Green Workforce*
- *Creating an Energy Investment Revolving Loan Fund*
- *Improving Government Energy Efficiency*
- *Promoting Residential Energy Efficiency and Renewable Energy*
- *Fostering Renewable Energy Technology and Resource Innovation*

Block grants

- *Energy Efficiency and renewable energy for buildings*
- *K-12 school districts*
- *community colleges and other local public authorities*
- *Technical Assistance*
- *Energy Conservation programs in transportation*

The Green Economy Task Force recommends that Chatham County apply for funds within the formula grant pool for “*Promoting Residential Energy Efficiency and Renewable Energy.*” These funds would be used to create a revolving loan fund for residents to conduct energy efficiency upgrades for their homes. Residents would enter into a voluntary loan with the county to pay for the cost of the energy audit and upgrade. This program will require billing and financial services and a program manager.

Chatham County is a non-entitlement community (entitlement is based on population) and must compete with other non-entitlement cities and counties for block grant funds. All block grant funds require entities to create a baseline for internal energy consumption, then develop a 2-year energy efficiency plan. The State Dept. of Energy has stated that cooperative grants will receive greater consideration during the grant-making process. The Green Economy Task Force recommends that the county work with the towns, schools and community college to submit a single energy efficiency grant. Due to performance contract with Johnson Controls, we do not foresee any ongoing administrative needs.

The Green Economy Task Force is also working with the Economic Development Corporation to create a survey of business’ energy needs and to help them apply for stimulus funds. The Task Force has also been in contact with two non-profits – the Arts Incubator and the Fairgrounds. Progress Energy will work with the non-profits to conduct energy audits.

PITTSBORO/CHAPEL HILL EXPRESS TRANSIT

After considerable discussion, Commissioner Thompson moved, seconded by Commissioner Kost, to approve the agreement to fund Express Pittsboro/Chapel Hill Bus Service in partnership with the Town of Pittsboro and Chapel Hill Transit in an amount not to exceed \$43,000 in Fiscal Year 2010, contingent upon refinement by the County Attorney. The motion carried four (4) to zero (0).

DEPARTMENTAL EVALUATION PROCESS

Renee Paschal, Assistant County Manager, explained that County Staff has completed its first departmental review which was with the garage. She reviewed the evaluation process. The Board discussed and asked staff to develop a list of County services that the Board can use to prioritize and decide what should be evaluated.

BUDGET CRITIQUE

The County Manager reviewed the recently completed budget work. He stated that County Staff seeks Commissioner feedback regarding what worked well, what needs improvement and any other thoughts the Board of Commissioners may have, which improve the budget process.

Commissioner Kost presented a list of what worked well and what could be improved as follows:

What worked well:

- Work sessions were organized in a way that worked well.
- Budget document improvements are excellent – revenue descriptions (In summary section) are very good. Organizational charts!!
- Having two public hearings on each side of the County.
- Being flexible with the school budget worked well and the chair presenting at the Board of Education was a very good idea.
- Having department heads come to a work session and talking about their challenges and talking about future needs is good.
- The goal setting process, integrated into the budget.
- Staff follow-up on questions raised were timely.

What could be improved:

- Non-profits need to have a brief description in the document, including those not funded. The descriptions should explain what the agency does, and how the County dollars are spent. Additionally, on page 127, note the number of acronyms – CORA, EVRC, JOCCA.
- Non-departmental expenses should be moved out of the Governing Board's budget and Administration. These are organizational expenses and should be listed separately. They should be listed with a brief description. This would include the Board of Commissioners contingency, organizational dues and subscriptions, salary reserves (based on prior years), etc.
- Non-human services departments don't fit well into the non-profit funding process.
- One-time expenses need to be identified. And there needs to be some description of the budget numbers (both revenue and expenditures) in line with many of the questions asked during the work session. For example, if a budgeted expenditure increases by 15 percent, then the driving line items need to be called out and explained why the budget is increasing. And decreasing for that matter, such as building permit revenue.
- I would rather see less performance measures but with real data. I realize these are a work in process and great improvements have been made. But when there are no data, they really don't have much meaning.
- The budget presentation – when numbers are stated, please round. By giving to the exact dollar amount, you are inferring a precision that does not exist. Additionally, the budget presentation given for the public hearings need to be geared more to the public and could be shortened.
- Summaries are needed for the multi-program departments, such as the Health Department.
- The CIP changes from the adopted CIP during the budget process. I would like to have some document that shows me the approved CIP. Maybe a spreadsheet (and maybe this is planned for the final adopted budget.)
- I would like to see a budget follow-up list after the document is adopted, with issues that the Board of Commissioners raised during budget deliberations that need future work.
- Add to the document a page on how to read the departmental budget pages, which explains what each header means.
- Continue cutting the acronyms.

Commissioner Thompson stated that he would like to see line items for each department.

Commissioner Kost stated that in general, she thought the process worked very well. The Board expressed appreciation for a job well done and stated that the process was much better this year.

BROADBAND

The Board of Commissioners agreed to send a letter to the federal agencies that announced the Recovery Act broadband grants. The letter is to express the Board's disappointment and frustration over not being able to apply for the grants, due to the extensive preparatory requirements of the grant application. The resources required to fulfill the grant requirements are beyond the capacity of small rural counties but the grant did not permit the

hiring of the outside expertise that would enable us to develop a ‘shovel ready’ project. So the broadband grants – which were intended to serve rural communities that are underserved or unserved by broadband carriers – are beyond the ability of rural counties.

The Board also discussed the consulting agreement with MetaWave Media, LLC.

Commissioner Thompson moved, seconded by Commissioner Kost, to approve the consulting Agreement between Chatham County and MetaWave Media LLC, contingent on specific delivery date of tasks. The motion carried four (4) to zero (0).

Senate Bill 831:

Ben Howell, Planner, updated the Board of Commissioners on the status and possible effects of Senate Bill 831, which has passed both houses and is awaiting the Governor’s signature. The Bill provides an automatic extension of development approvals to January 1, 2011 or later.

Performance Building Tour:

Staff provided a guided tour of the Performance Building.

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Kost, to adjourn the Work Session. The motion carried four (4) to zero (0), and the meeting was adjourned at 2:26 PM.

George Lucier, Chairman

ATTEST:

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