

**MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING WITH LEGISLATIVE DELEGATION
MAY 11, 1994**

The Board of Commissioners (the "Board") of the County of Chatham, North Carolina, met in special session for the purpose of meeting with the County's Legislative delegation to discuss the County's request for consideration by the General Assembly, in the private meeting room of Carolina Meadows, Chapel Hill, North Carolina, at 6:00 p.m., on May 11, 1994.

ATTENDANCE

Present: Commissioners Holland, Holmes, Hanner and Pollard; County Manager Ben Shivar; County Attorney Robert L. Gunn; and Clerk to the Board Sandra B. Cape

State Senator Howard Lee; State Representatives Ann Barnes, Arlie Culp and Joe Hackney

Absent: Chairman Dunlap and State Senator Russell Walker

Vice Chair Holland called the meeting to order at 6:15 p.m.

County Manager Ben Shivar welcomed the Legislative delegation and thanked them for taking time from their busy schedules to attend this dinner meeting.

LOCAL BILLS

County Attorney Robert L. Gunn outlined the following local bills which the County is requesting be enacted during the upcoming Short Session of the General Assembly:

1. Prohibition of Fishing from Bridges;
2. Authority to Increase the Size of the Goldston-Gulf Water District Board;
3. Hotel/Motel Tax Authority; and
4. Council on Aging - Authorization to Enter Long-Term Service Contract.

The County Attorney stated that he would forward drafts of these proposed local bills to each of the delegates prior to the May 31, 1994, deadline date.

PREFERRED SITE LOCAL ADVISORY COMMITTEE

The County Manager stated that the Board appreciates the efforts of the Legislative delegation in assisting the County with respect to funds allocated to the "host" county of the low level radioactive waste facility which is proposed for an area in Wake County only feet from the Chatham County boundary. He asked that the delegation continue to push for funding for Chatham County due to the impacts on the County in its efforts to monitor the licensing procedure and future impacts of traffic and monitoring should the facility be approved for this location.

Representative Hackney stated that there is a bill being drafted which addresses Chatham County's request for funds and includes any county immediately adjacent to the host county. He noted that a strategy should be worked out for dealing with Wake County.

INTANGIBLES TAX

The County Manager asked about the status of intangibles tax.

Senator Lee stated that the matter of intangibles tax would not be considered during this session. Representative Barnes noted that the intangibles tax issue was not warmly received in the House because there was no suggestion on how to replace it. Representative Hackney stated that the County could help on this issue by holding a public hearing and publicizing the fact that if the intangibles tax laws are repealed, homeowners and farmers would probably have to pay increased real property tax. Representative Barnes suggested that citizens should be made aware of how much property tax rates would have to be increased to cover the loss if intangibles tax is withdrawn.

SMART START

The County Manager stated Chatham County is extremely interested in being selected as one of the additional twelve counties to be named for the Smart Start Program. He noted that Commissioner Holland is very involved in this effort.

Commissioner Holland stated that the Chatham County Smart Start Committee has remained active and is in the process of incorporating the required partnership.

Representative Barnes stated that it was very likely that the additional twelve counties would be chosen for the Smart Start Program.

The County Manager reiterated the County's interest in being chosen as a Smart Start recipient.

FOSTER CARE

The County Manager stated that the Director of Social Services had recently brought the difficulty and expense of foster care for emotionally disturbed children to the attention of the Board. He noted that this is a state-wide problem. The Manager stated that funding for children housed in normal foster care setting is minimal and does not cover the cost; however, the funding for emotionally disturbed children who must be institutionalized is extremely low, and it is difficult for the County to find the resources needed for such care.

Representative Barnes recommended that the Board, the Director of Social Services, and any other agency faced with this problem write to the Legislative delegation and to the Governor outlining this problem in detail.

CARY ANNEXATION

The County Manager stated that a Planned Unit Development ("PUD") was being proposed on property situated partially in Wake and partially in Chatham Counties. He stated that the Town of Cary has advised the Board that the developer has requested that the development be annexed into the corporate limits of the Town of Cary. He noted that the Board is concerned that, once the Town of Cary has extended itself into Chatham County, the County has little or no control over further annexation. He noted that water and sewer would be supplied by the Town of Cary; however, Chatham County would be impacted by school needs.

Representative Culp questioned Cary's right to claim extra territorial jurisdiction ("ETJ") surrounding this proposed annexation. The County Attorney stated that they would not have an ETJ because the County has subdivision regulations, building codes and zoning ordinance in place. He noted that if a County is regulating those three things, then there is no ETJ for an annexed area.

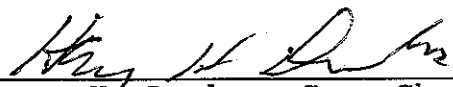
Senator Lee recommended that the County asked the Institute of Government to study the annexation laws and advise the County of its rights in that regard. Representative Barnes noted that there has not been support from the Legislature to block jurisdictions from coming across county lines in the past. Representative Hackney noted that one of the few ways to legally block annexation by one jurisdiction is by annexation by another jurisdiction or the establishment of a new town or city.

The County Manager noted that the Board is setting up a meeting with Town of Cary officials to discuss this matter and the possibility of reaching an annexation agreement.

REDISTRICTING

Commissioner Holmes stated that the Democratic Party has requested that the County districts be redefined. She asked if this matter could be handled in the short session. Representative Hackney noted that only "non-controversial" matters could be handled during the short session. Representative Barnes stated that she would advise her staff to assist the County in obtaining and assembling the required information.

There being no further business to be discussed, the Board thanked the Legislative delegation for its support, and the meeting was adjourned at 8:10 p.m.


Henry H. Dunlap, Jr., Chairman

ATTEST:


Clerk to the Board

