

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**WORK SESSION**  
**AUGUST 01, 2011**

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The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina met in the Agricultural Building Auditorium, 45 South Street, Pittsboro, North Carolina at 2:30 PM on August 01, 2011.

Present: Brian Bock, Chairman; Walter Petty, Vice Chair;  
Commissioners Mike Cross, Sally Kost, and Pamela Stewart

Staff Present: Charlie Horne, County Manager; Tim Sullivan,  
Acting County Attorney; Renee Paschal, Assistant  
County Manager; Vicki McConnell, Finance  
Officer; and Sandra B. Sublett, Clerk to the Board

*Work Session*

1. **Public Input Session**
2. **August Employee of the Month**
3. **Soil & Water Conservation District Board:** Presentation and feedback on one-cent per 100 gallons for water quality protection. At their June 16, 2011 meeting, the Board of Commissioners began exploring the idea of implementing a one-cent per one hundred gallon surcharge (writers term) on water consumed by customers using the Chatham County utility system water. Staff estimates that this would generate about \$70,000 annually for such activities. During that discussion, the Board also asked staff to explore projects that might fit water protection guidelines. Representatives from the Soil and Water Conservation District will be present to talk about their ideas.
4. **Jail Site Selection:** Presentation and approval of staff recommendation to site the jail on property owned by the County near the closed landfill
5. **Chatham Water System Development**
6. **Parker Springs Presentation regarding water utility in the subdivision**

**CALL TO ORDER**

The Chairman welcomed those in attendance and called the meeting to order at 2:33 PM.

He asked to move Item #6 on the Agenda, Parker Springs Presentation regarding water utility in the subdivision to after the Employee of the Month. By consensus, the Board agreed.

**PUBLIC INPUT SESSION**

There was no one present who wished to make public comments.

**EMPLOYEE OF THE MONTH**

**Employee of the Month:**

Carolyn Miller, Human Resources Director, stated that the Employee of the Month program was instituted in FY 2009 to honor Chatham County employees for exemplary service to citizens and their fellow employees. She explained that the August 2011 Employee of the Month is Renita Foxx, Project Turnaround Coordinator, and has been with Chatham County for four and a half years. An excerpt from her nomination form follows:

**Reason for Nomination:**

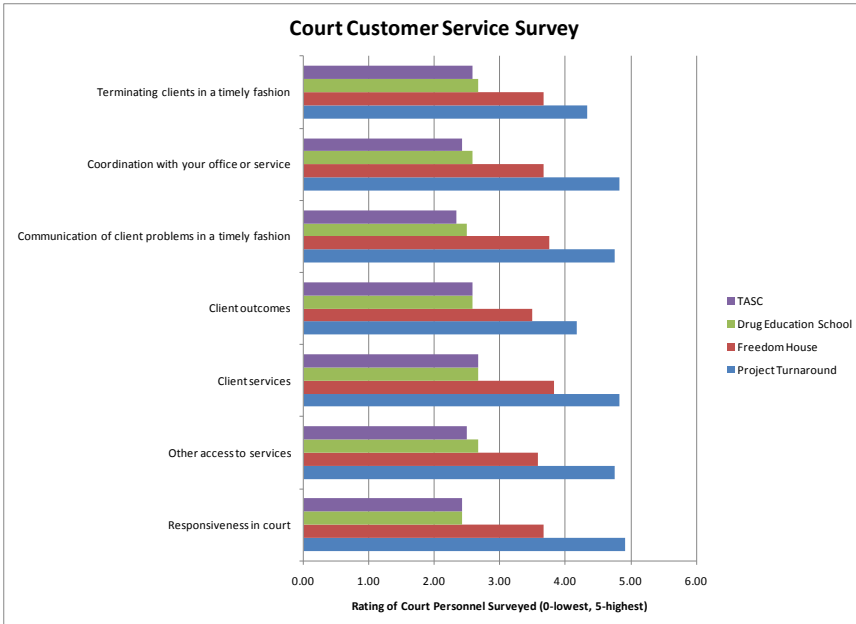
As the Project Turnaround Coordinator, Renita works tirelessly to provide substance abuse services to first-time drug offenders. As a result, the outcomes of Project Turnaround in Chatham are significantly better than those in Orange County/Chapel Hill. With the changes in the mental health system, it is essential that Chatham County offenders have access to high quality substance abuse treatment programs. Renita has worked to improve her skills by obtaining additional certifications and licenses that expand her ability to serve her clients and other offenders. At the request of the County Manager's Office, Renita has conducted all of the research needed to prepare the county to take on the Criminal Justice Partnership Program, which was formerly run by Freedom House in Orange County and did not adequately serve Chatham County. Because Renita has the necessary certifications, Chatham County will be able to bid on providing the service and, if successful, ensure Chatham offenders have the services they need. The managing Assistant District Attorney often relies on Renita's advice in court in determining what services offenders should receive, a duty that is outside her current job description but that she is able to provide because of her credentials. In short, Renita is a tremendous asset to the court system and the county in ensuring substance abuse treatment for offenders.

**In what way does this employee demonstrate Employee of the Month criteria?**

An evaluation of Project Turnaround in FY 2010 found that:

- Renita single-handedly served almost as many clients as Orange County, which has 2 employees performing the same function.
- At 81.5%, Renita's successful completion rate is very high for drug-treatment programs and much higher than Orange County's rate of 66.9%.
- The per-client cost of Project Turnaround in Chatham costs almost one-half of what Orange County's program costs.

<b>Statistic</b>	<b>Chatham – FY10</b>	<b>Orange –FY10</b>
<b>Number of clients served</b>	114	127
<b>Average length of time served</b>	8-9 months	10-12 months
<b>Successful Completion rate</b>	81.5%	66.9%
<b>Recidivism rate</b>	Requested access to AOC database	Unavailable
<b>Client fees</b>	\$275- misdemeanor; \$475 – felony	\$275- misdemeanor; \$475 - felony
<b>Total program cost</b>	\$63,244	\$121,000
<b>Funding from County</b>	\$43,763 (from Chatham)	\$96,000 (from Orange)
<b>Cost per client (Chatham costs)</b>	\$384	\$756



Court personnel surveyed consistently ranked Project Turnaround ahead of other substance abuse treatment programs in the county in terms of terminating clients in a timely fashion, coordinating well with court system personnel, communicating client problems in a timely manner, client outcomes, client services, other access to services, and responsiveness in court. Since her employment

with Chatham County, Renita has obtained the following degrees, licenses, and certifications:

- Masters of Science in Community Agency Counseling, NC A&T University
- National Counselor Certification
- Licensed Clinical Addictions Specialist
- Certified Substance Abuse Counselor

Licensed Professional Counselor (provisional)

Chairman Bock congratulated Ms. Foxx and presented her with a certificate and an award.

**PARKER SPRINGS PRESENTATION**

The County Manager explained that Parker Springs is a 50 unit subdivision that has been proposed for some time. Part of the agreement with the subdivision approval was that they connect a line approximately 6,000 feet to help strategically move water around the County and was done approximately 3-4 years ago. With the economy having been what it is, it is now recovering, and the developers have an interest in pursuing the subdivision with some proposed changes.

Lyle Gardner, 10501 Charmford Way, Raleigh, NC, Wake County home builder, stated that they received subdivision approval for a 50-lot neighborhood off Mt. Gilead Church Road in early 2008. The original plan was to build homes in the \$500-600,000 price range which would translate into a lot value of approximately 20% of that amount or \$100,000. In the meantime, the economy decreased significantly. Their lender has since asked them to do a current market analysis to determine the feasibility for that 80-acre parcel of land. He stated that it was determined that there was a demand for homes in the \$300-350,000 range primarily by empty-nesters and people ages 50+. They recommended that they build about 75% of the homes with downstairs master bedrooms and three-car garages to accommodate that market. When they took a look at that price point, they reevaluated their estimated numbers to develop the neighborhood and found that they were “out-of-whack”. They are now asking the County to have the flexibility to install a community water system which would be about half of what the cost would be for them to bring the waterline a mile to their neighborhood and then run the lines within the neighborhood. The requirements for extending the waterline are the number of lots one has in the neighborhood times one hundred feet. In their case, it would be 50 lots x 100 ft or 5,000 feet. The existing waterline exists about 6,000 feet away from their property. They agreed, at the time because they had the funds in their budget, to support that additional expense when they were able to develop and sell lots for \$100-120,000. Their market now shows that they have to deliver lots at \$60-65,000 which would translate to a \$300-350,000 product. He asked for relief from that agreement to allow them the flexibility to install a community water system

Commissioner Kost asked if Monterrane was on County water; that she thought this property was adjacent to Monterrane; and asked where they would tap into County water.

Rusty Ammons, 5508 North Hills Drive, Raleigh, NC, managing member of the Parker Springs, LLC, stated that Monterrane has either a 6' or 8" line. This would be a parallel 12" line that the County recently ran through the Windjammer neighborhood up the street. The whole purpose of getting the 12" line would pump up the system for better water flow. That is where the County would come in and get a loop back through the property behind them.

Commissioner Kost stated that the loop was to fix pressure problems along Mt. Gilead Church Road and she thought Parker Springs was going to do part of it and the County was going to do the other part. She asked if the County has done its part.

David Hughes, Public Works Director, stated that there was another development that comes off Big Woods Road. The extension was going to be brought through there, between their development and the development on Big Woods, which was going to create the loop. When they did their extension up to Bynum Ridge, there will be a complete loop of a 12" line which would increase pressure on Mt. Gilead Church Road. It is better than it was because of the added tank in Briar Chapel which also boosted the pressure.

Mr. Gardner stated that they were making their original request to be able to allow them to install a community water system.

Chairman Bock asked if that was a community well. Mr. Gardner replied, yes, they would put in a community well and a storage tank and have a community system.

Mr. Hughes replied that we would then have a hole in the middle and set a precedence where people can put in wells and not tie into the County system; with the infrastructure already in place, it makes it difficult from a utilities standpoint to recoup the investment already put in; and that he would be strongly against that.

Chairman Bock asked if there was something else they had discussed that might be workable, stating he was sympathetic to both sides.

Mr. Gardner stated that Mr. Hughes had suggested that the County install the 1,000 feet length beyond what they would be required to install; they would pick up there, and bring the water to their neighborhood.

Commissioner Petty asked if it could then be made to work.

Mr. Gardner stated that they could and rather than the County having to have their portion engineered and because they have engineered the entire 6,000 feet already, they would engineer the line and install the entire line, otherwise the County has to engineer it, put it out for public bid, and both would be bidding their portions and have two engineers, two contractors, etc. He stated that they have a price on the full 6,000 feet length of the line for \$313,739.90 from the Fred Smith Company (old C.C. Mangum Company) which is for the construction, not the engineering. He stated that they are responsible for paying fees to the County in the amount of \$3,000 per lot (\$150,000) to use the County water. Obviously, the County's portion of that line is roughly \$50 per foot plus the engineering would be \$50,000 plus the engineering expenses. It would be much less than the fees than they are paying.

Mr. Hughes asked if they wanted to credit the fees against what it would cost. Mr. Gardner stated that he was suggesting if that is the alternative and if the Board decides that that is a better alternative, it would be a method to expedite the project for them and result in savings for the County. It would also save time for them as opposed to reengineering that line and putting it out for public bid.

Chairman Bock stated that sounded more feasible than a public well.

Mr. Hughes stated that the County would have to pay someone to put in the line and presumably, there would be a better price for the longer line.

Commissioner Kost stated that we are talking \$313,719.00 for all 6,000 feet. She asked in the other option, how many feet they would do.

Mr. Gardner stated they would do their 5,000 feet. Commissioner Kost replied that the County would only do 1,000. But, she stated, in a project with 50 homes on 80 acres, it does not seem like the \$100,000 would be a deal-breaker.

Mr. Gardner stated that it is costing them more if they go that route; that it would cost approximately \$150,000 more than the community well; that they can install the community well for \$100-150,000; that if they extend the water line, it's \$300,000; that \$50,000 doesn't sound like a prohibitive amount, but it is in this market. Chairman Bock replied that it sounded like a lot to him.

Commissioner Kost stated that this was part of the approval of the project; that if we are going to have a County water system we have to support it; and that she is not in favor of the community well option.

Chairman Bock stated that he was also not in favor of the community well option.

Mr. Hughes stated that he doesn't think it is unreasonable as it gets our water system further down Mt. Gilead Church Road which is a good thing. Then, there is only one little piece that we have to finish to connect the entire loop.

Commissioner Petty asked if Mr. Hughes' concern was setting precedence for future dealings.

Mr. Hughes stated that he is very much against the community well system as it would be a very bad thing.

Chairman Bock asked if Mr. Gardner could make the project work if the County would agree to it. Mr. Gardner replied, yes.

Commissioner Cross asked if it would be turned over to the County. Mr. Gardner replied yes. He said that it sounds like a good compromise to him, as the County would have to pay the \$300,000 if they completed the loop by itself.

Commissioner Kost stated that there were quite a few people in opposition to the Parker Springs project in the beginning. She stated that they were surrounded by homes that are more in-line with the \$600,000+ higher price range.

Chairman Bock stated that he was inclined to think that the County could do its 900 foot portion of the line.

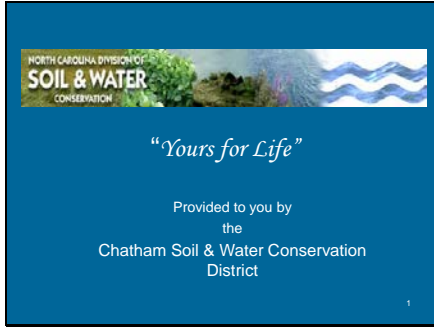
Commissioner Petty moved, seconded by Commissioner Stewart, to have the County cover the cost of the water line over 5,000 feet.

Commissioner Kost stated that she didn't have a lot of information prior to the meeting. There was no information regarding the presentation and that she had the information prior to the meeting to really understand it. She asked that future information be shared with all Board members about what is being discussed.

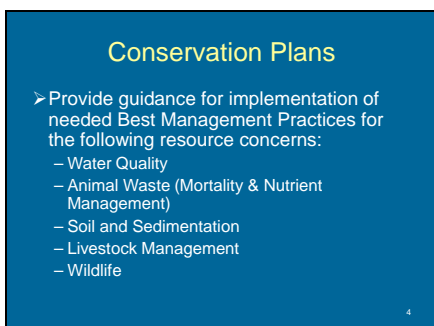
Chairman Bock called the question. The motion carried four (4) to one (1) with Commissioner Kost opposing.

### **SOIL & WATER CONSERVATION DISTRICT BOARD PRESENTATION**

Brenda Williams, Soil and Water Conservation District Administrator, stated that they were a five-member board, three elected and two appointed. She stated that they were present to give guidance to effectively use the funding that the Board might choose if they implement a one-cent per one hundred gallon surcharge on water consumed by customers using the Chatham County utility system water. She introduced Mike Sturdivant, Henry Outz, Environmental Specialist, and Amanda Sand, Soil Conservation Specialist, presented a PowerPoint entitled, "Yours for Life" and reviewed best management practices. The PowerPoint and commentary follows:



Our department works in cooperation with many departments, the soil and water conservation department with the department of agriculture on the state level, the cooperative extension service, the natural resource conservation service, and the farm service agency as well as other county, state and federal agencies.



Conservation plans are developed for all customers. The five resources that we try to address are soil, water, air, plants and animals.

**Cost Share Programs available to  
Agricultural Producers &  
Landowners**

- NC Agricultural Cost Share Program (ACSP)
- Conservation Reserve Enhancement Program
- Grants through Foundation and the FWS
- Environmental Quality Incentive Program (EQIP)
- Conservation Reserve Program
- Conservation Security Program
- Farmland & Ranch Protection Program
- NC Ecosystem Enhancement Program
- Community Conservation Assistance Program (CCAP)
- Ag Water Resources Assistance Program

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This is a list of the cost share programs available through the soil and water department. The programs that have provided largest amount of funding are underlined. Ag cost share and EQIP focus on agricultural best management practices CCAP (Community Conservation Assistance Program) is a urban BMP program.

**Poultry Best Management  
Practices**

Waste Storage Structure  
Composters- structure  
Incinerators  
Poultry mortality freezers

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Waste Storage Structures are used for manure storage. Composters, Incinerators and Poultry mortality freezers used for mortality disposal.

**Best Management Practices  
Related to Cattle**

Livestock exclusion fencing  
Watering systems (include well, well pump, spring development, waterline, heavy use area stabilization and water troughs)  
Stream Crossings

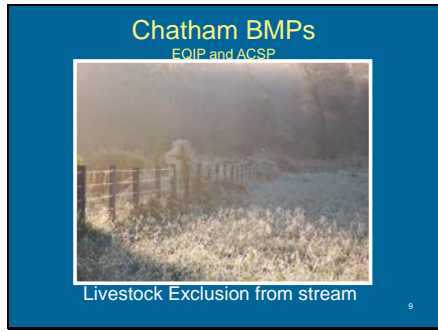
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When livestock owners are willing to exclude animals from surface waters, we can cost share for these types of practices.

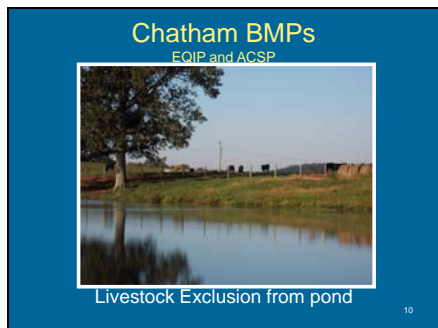
**Additional Best Management  
Practices**

Nutrient management  
Buffers along streams  
BMP's for cropland  
Grassed waterways  
Field borders  
Terraces  
Diversion

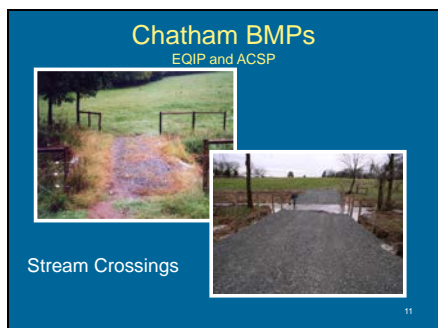
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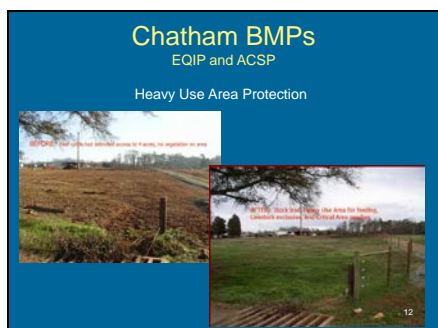
This is an area showing livestock exclusion fencing where livestock have been fenced out of the stream.



Another photo where livestock were excluded from surface water.

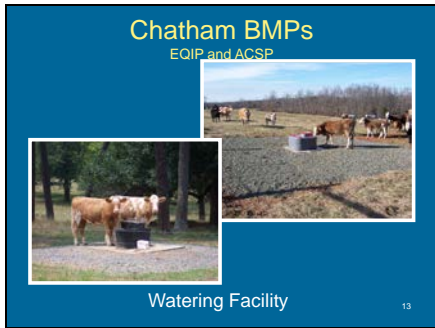


Stream crossings are used with livestock exclusion when needed, allowing animals to cross a stream without eroding the stream banks.

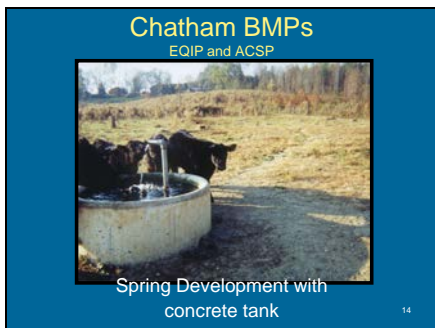


Heavy use areas include spots where animals spend a significant amount of time, including feeding, lounging, and drinking areas. Here they have installed a critical area seeding where vegetation was lacking or non-existent.

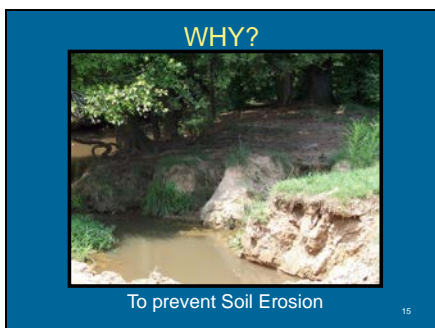




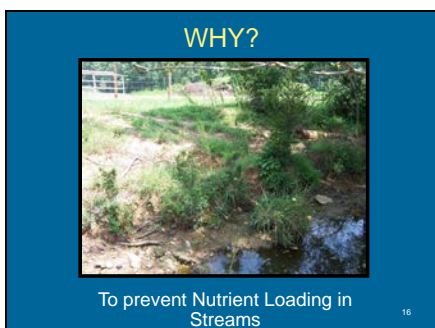
Note heavy use area around the watering tanks. These are installed when the cattle have been excluded from the stream because they need an alternative watering source.



An alternative to drilling a well for watering livestock is to tap into an existing spring.



This is an area that has had livestock access. The water quality is not good, sedimentation and turbidity in the surface water is high.



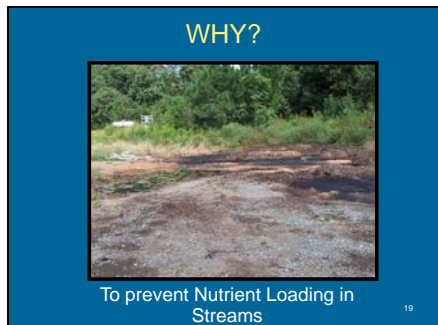
In this photo, nutrients have blackened the water in this stream.



This photo shows the potential for nutrient loading.



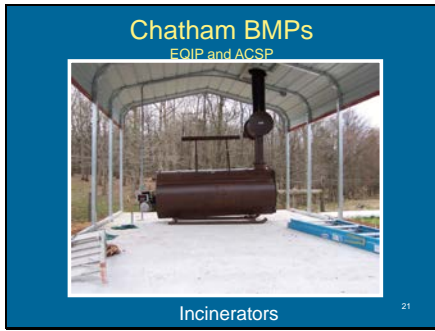
Here is a photo of animal waste being stored.



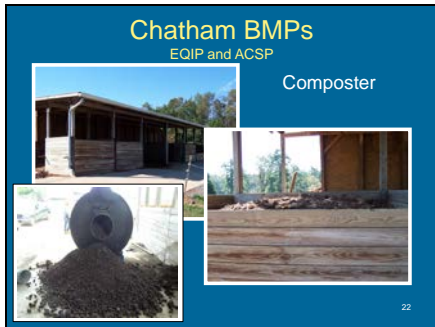
This is a photo showing a manure storage site outside. State law requires manure to be covered within 15 days if stored outside.



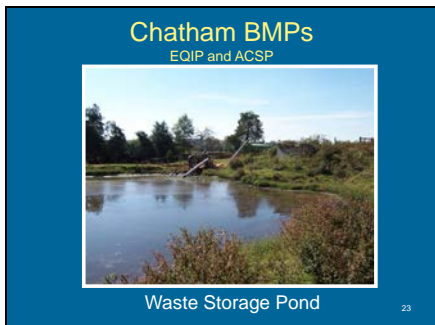
This photo shows a mortality incinerator.



A second mortality incinerator.



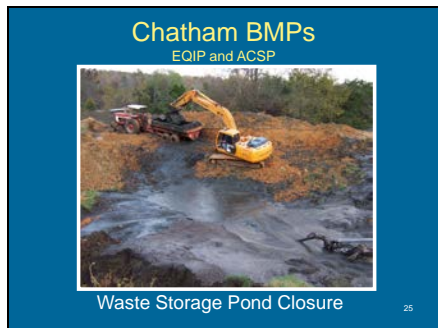
These are mortality composters used primarily for poultry and swine.



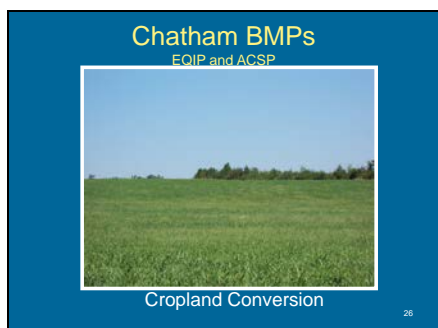
For dairy and hog operations.



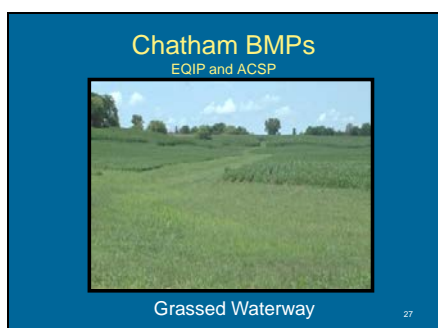
We also cost share on litter spreaders for poultry operations, honey wagons for dairies and irrigation systems for swine when water quality is being improved.



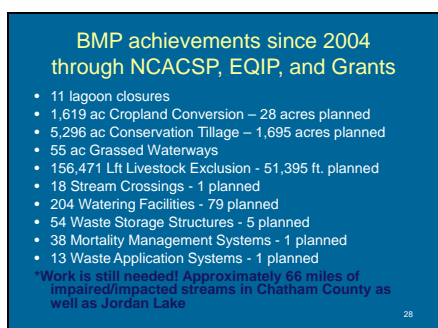
We have also received grant funding to allocate towards waste storage pond and lagoon closures, because the operation has closed down or the dam or other component has failed and it has created a water quality problem.



Used to establish and maintain a conservation cover of grass, trees, or wildlife plantings on fields previously used for crop production to improve water quality. Benefits include reduced soil erosion, sedimentation, and pollution from fertilizers.



A natural or constructed channel on active cropland that is shaped and established in suitable vegetation for the stable conveyance of runoff to improved water quality. Benefits are the same as cropland conversion.



**Ag Cost Share BMP Results**

Acres Affected: 4,656 acres  
Soil Saved: 3,865 Tons  
Nitrogen Saved: 14,715 lbs.  
Waste-N Managed: 710,410 lbs.  
Waste-P Managed: 840,792 lbs.

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**Chatham BMPs**  
Community Conservation Assistance Program

Critical Area Planting




Before After

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The community conservation assistance program, or CCAP, is a technical, educational, and financial assistance program for urban, suburban and rural non-agricultural lands. All private and public land is eligible for the program, including parks, municipalities, churches, businesses, homeowners, and schools. The program includes retrofit practices to treat polluted stormwater runoff that could ultimately end up in North Carolina waterways. I will go over a few of the BMPs that are part of this program. The first is critical area planting, which is an area of highly erodible land that cannot be stabilized using ordinary conservation practices on which permanent perennial vegetation is established. This reduces soil erosion and the deposition of sediment.

**Chatham BMPs**  
Community Conservation Assistance Program

Critical Area Planting



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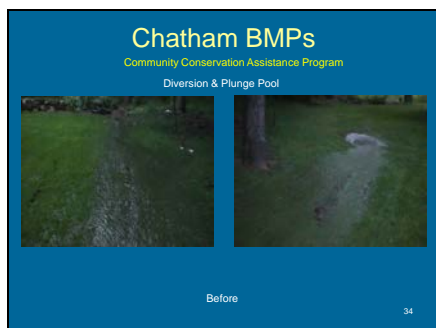
Town Lake Park



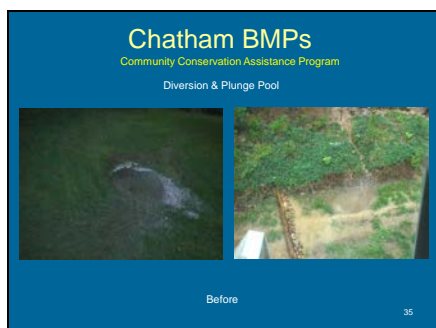
Next is the backyard wetland and rain garden. Note that both are located in a low spot in the landscape. Both of these BMPs encourage infiltration of water, using the plants and the mulch as an active, living filter. Removes sediments and sediment-born nutrients from roof runoff, parking lots, and driveways. Good example of a rain garden is at the SECU here in Pittsboro.



At Town Lake Park, we used native vegetation to plant a protective buffer in an area adjacent to the lake. This serves as a sediment and nutrient trap, which would have otherwise degraded water quality.



At this homeowner's property, we designed and constructed a diversion and plunge pool, photos of which I will show in a minute. The amount of water From paved surfaces (including driveways, parking lots, and roofs) uphill from his house created a literal river of stormwater running through his backyard, which created a cyclone effect around his drains. During a 1" rain, over 10,000 gallons of water flowed through his yard that ultimately ended up in the Haw River, along with it any sediments and nutrients that harm water quality.



Here you can see on the left the cyclone of water again and on the right is the high amount of erosion and sedimentation occurring in his backyard.



On the left is a photo of the diversion, which created a stable drainage way for the water that leads to a plunge pool. The large rocks in the plunge pool serve as a means to slow down the velocity of the water, which decreases its erosiveness. On the right is a current photo taken this spring. Here we are standing at the foot of the plunge pool looking up into the diversion.



Currently, the soil & water conservation district has 8 projects to be installed in the next year. We have a critical area planting at Woods charter school and at a private home, gully repair and critical area planting at NC Signs, 5 pet waste receptacles at 3 county parks, 1 rain garden and 1 wetland both at private homes.

**BMP achievements through CCAP (since 2009)**

- 1,740 sq ft Rain Gardens
- 195 sq ft Backyard Wetlands
- 745 sq ft Critical Area Planting
- 8,718 sq ft Grassed Swales
- 3,000 sq ft Riparian Buffer
- Planned for Installation: 174 sq ft. Rain Gardens; 450 sq ft. Backyard Wetlands; 7,999 sq ft. Critical Area Planting; 5 Pet Waste Receptacles

**BMP Results**

- 1,082,934 sq ft (~25 acres) affected
- 114,565 sq ft Impervious Area
  - 6 Homes
  - 810 People
- 2.24 lbs Total Nitrogen
- 0.32 lbs Total Phosphorus
- 43 lbs. Total Suspended Solids

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Chatham county has been participating in the CCAP program since 2009, during which time we have accomplished a lot. Yet, there is so much more to do!

**Chatham Cost Share Funds**

	2006	2007	2008	2009	2010	2011	TOTAL
ACSP	99,789	94,580	72,748	72,124	86,928	60,388	486,557
CCAP				13,795	14,418	5,776	33,989
Drought			13,723	118,336	45,884	16,496	194,439
Poultry Waste		27,670					27,670
<b>Total</b>	<b>99,789</b>	<b>122,250</b>	<b>86,471</b>	<b>204,255</b>	<b>147,230</b>	<b>82,660</b>	<b>\$742,655</b>
Encumbered	99,789	122,250	86,471	204,255	147,230	82,660	\$742,655
Expended	99,789	122,250	86,471	204,255	115,251	12,545	\$640,561
EQIP	470,559	632,756	679,338	263,235	265,410	500,632	<b>\$3,554,582</b>

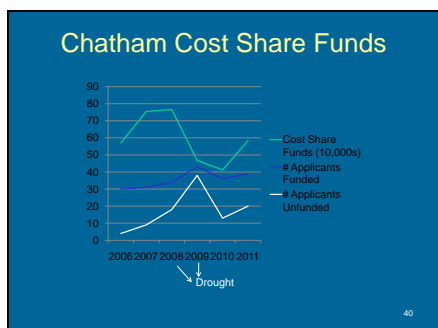
Cost share funds are distributed to landowners through the use of a ranking sheet, allowing for an unbiased analysis of each location, which gives the district the opportunity to focus on the most pressing water quality concerns.

These water quality concerns are decided upon by our board of supervisors on an annual basis and written into our strategy plan. As the needs and concerns of the landowners in the county change, so does the strategy plan.

With over \$3.5 million spent in the county in the past 5 years, we have helped to preserve our environmental

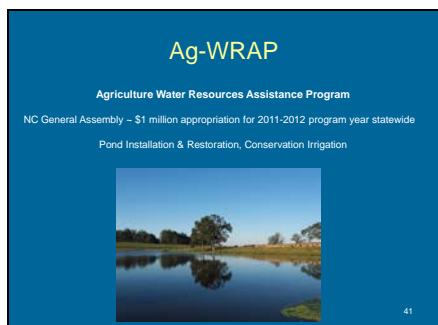
resources along with our human capital, supporting employment for producers as well as contractors who do the work under these contracts.

As you can see, we have been good stewards of this money, encumbering 100% of the funds every year. The delay in the expended funds is due to contracts that are still in the construction phase.



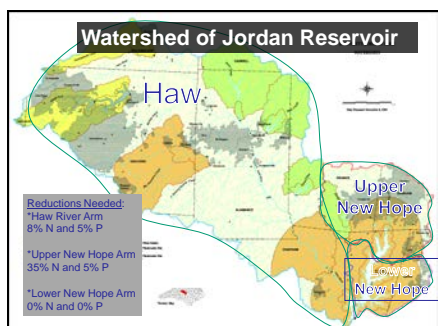
Here we are looking at the allocation of cost share funds as compared to the number of funded and unfunded applicants.

I will point out that during the drought program years of 2008 and 2009 we had the least amount of money available when the demand was the highest. The amount of available state cost share funds has been on the decline since 2001.



A new water quantity program called Ag-WRAP, or Agriculture Water Resources Assistance Program, utilizes techniques to promote water conservation in the agricultural landscape.

This current fiscal year, the NC General Assembly appropriated \$1 million statewide for the installation and restoration of ponds as well as conservation irrigation, which converts overhead spray-type irrigation systems to those that are drip irrigation at the ground surface, thereby drastically reducing evaporation.



With the upcoming Jordan Lake Rules, landowners in certain portions of the Jordan Lake watershed will be required to meet or maintain nutrient standards. This includes farmers as well as urban landowners. Additional funding will assist in the installation of practices that could help Chatham County reach those goals.



**Our Responsibility to Educate**

The Staff and Supervisors are committed to excellence in teaching people of all ages about the immeasurable importance of conserving our natural resources. We know and understand that it takes everyone to make progress in conservation.

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With that, it is part of our mission to continue to educate young and old alike about the importance of conservation of our natural resources. Everyone shares responsibility for protecting what's around them for the future of generations to come.

**Why are soil & water conservation practices and education important?**



For the future of generations to come...

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Ms. Williams stated that there are still 66 miles of impaired streams in Chatham County. Every year, the State Cost Share Fund is decreasing for best management practices. If the Board decides that it wants to go into the water resources business and vote for the tax surcharge, there is a place for the \$70,000 to be used as the programs are in place to administer the funding. There is a ten-year maintenance period on all contracts and they have to maintain these practices or repay prorated amounts.

Commissioner Petty stated that he had had a good experience with Soil and Water and he appreciates what they do. He stated that he was not aware that they were involved to the extent that they are outside of the agriculture part of it. He asked how most people go about acquiring their services and expertise.

Ms. Williams replied that by State law, they have to advertise that they are taking applications. A major part of it is by word-of-mouth.

Commissioner Stewart asked if they were providing 100% of the funding. Ms. Williams replied, 25% is for the client and they do the 75%.

Commissioner Stewart asked about the harvesting of timber stating that she personally knows two areas where the erosion has been bad.

Ms. Williams stated that Forestry Services is supposed to be taking care of that. They do help sometimes with road stabilization.

Commissioner Petty asked about the guidelines set for the programs. Ms. Williams stated that they follow all USDA standards through NRCS.

Commissioner Petty asked if there was anything they could do to help reduce some of the requirements that makes it more cost effective stating he had found, in some cases, people have told him that they are able to do things on their own for less money than what is

required of them if they follow the State guidelines. He asked how they could get more done with the dollars they are having to work with.

Ms. Williams stated that some people may want to do sub-standard things that do not last as long. It is fine if they want to do it on their own. They have to have guidelines to go by if they are using public funds. The State has chosen to use the USDA Standards. If they started a different program, she would hate to see standards lowered. She stated that they had decided not to cost share on certain things that the State will allow so they can do things that they feel are more important for Chatham County rather than State-wide.

Commissioner Kost asked if they had more projects than money and how do they make the decision.

Ms. Williams replied, yes, that they have ranking sheets and they are ranked with certain criteria if they are in an impaired water area, how far they are from the stream, what the water quality issue is. She stated that if there is no water quality issue, they don't approve it at all.

Commissioner Kost asked if it was done once a year. Ms. Williams replied that it was done every month as long as they have money. She stated that they can always help someone with regard to technical services.

Commissioner Petty asked if they found, during times like this, if people are more dependent upon their services with regard to calling for more information.

Ms. Williams replied, yes. People are always wanting their cattle out of streams. They have lots of calls with the CCAP Program. Farmers are always calling. The poultry program is an "ify" subject. And there are still the 66 miles of streams that need to be improved. She stated they still have lots of work to do regardless of the poultry situation.

Commissioner Cross asked if they had any way to leverage the money and matching grant money if it should materialize.

Ms. Williams stated that they could apply for grants stating that they had emergencies that arise. She stated that there are ways to subsidize grants and get more grants coming into the County.

Commissioner Kost asked Ms. Williams if her board took a stand on whether they supported this surcharge on the water bill. Ms. Williams stated that they did not take a stand on it. They felt it was the Board of Commissioners' decision.

Commissioner Petty stated that he had heard comments that only those using the County water system will be contributing to the fund and they would like to see it shared some other way. He stated that until there is a County-wide water system, it would be difficult to spread the cost.

Lynn Mann, Chairman of Soil and Water, stated that even though only people who use County water would be paying into the system and everyone uses water, everyone's water would be protected. Any programs they have and any decisions they make are to protect the waters of the State and Chatham County and everyone would benefit.

## **BREAK**

The Chairman called for a short break

## **JAIL SITE SELECTION**

Mike Roberson, Chatham County Sheriff's Captain, explained that the first task of the architect hired by the County to design the new jail was to help the County determine the best site for the new jail. He presented a PowerPoint and stated that the architect evaluated 3 potential sites, including:

- Property adjacent to the new Justice Center (JC Site). The architect looked at both a single-story and a multi-story design
- An unidentified site within the Town of Pittsboro, chosen as a generic in-town site (GIT Site) to offer a comparison with the 2 known sites.
- County-owned property located near the closed landfill

The site selection study describes in depth these sites and their respective advantages and disadvantages.

The architect used five criteria to compare the sites:

- Project schedule
- Cost
- The site’s impact on security & operations
- Jail’s ability to expand
- The approval process

The site study analyzes each site against the criteria in depth.

Criteria 1: Schedule — The property near the closed landfill was determined to be the best site. The architect estimates a completion date of September 2013 for the landfill; February 2014 for the GIT site; and September 2014 for the JC site. The JC schedule is prolonged because of approvals needed, additional construction, and site restrictions.

Criteria 2: Cost — Although the GIT site appears slightly cheaper, both it and the landfill site have comparable costs. Both JC options are substantially more expensive.

CHATHAM COUNTY JAIL				
INITIAL COST COMPARISONS OF THREE PROPOSED SITES				
	Justice Center Site Single Story Jail	Justice Center Site Multi Story Jail	Landfill Site	Generic In-town Site
Demolition	40,000	40,000	0	0
Clearing and grubbing	16,000	16,000	32,000	40,000
Retaining wall & fill	508,750	508,750	0	0
Road access	40,000	40,000	35,000	35,000
Water & sewer	35,000	35,000	825,000	45,000
Other utilities	15,000	15,000	115,000	90,000
Additional Land Costs	200,000	0	0	380,000
Utility relocation	25,000	25,000	0	0
Additional Elevator	80,000	140,000	0	0
Water quality	200,000	200,000	100,000	100,000
*Other costs	650,000	875,000	100,000	150,000
Escalation costs	480,000	480,000	0	260,000
Multi-level booking/offices	325,000	325,000	0	0
<b>TOTAL DIFFERENTIALS</b>	<b>2,614,750</b>	<b>2,699,750</b>	<b>1,207,000</b>	<b>1,100,000</b>
Additional cost over least expensive site	1,514,750	1,599,750	107,000	0

Criteria 3: Site’s Impact on Security and Operations—Security was examined from two aspects:

- External security and interface with the court system
- Internal security and efficiency of circulation

Because of the close proximity and ability to transport prisoners within a secure environment, the JC Site offers the most secure interface with the courts.

Because of the configuration of the building to fit the site, the JC property does not allow for 2 key features of internal security—a central, one-direction hallway with good sight lines and a “wagon-wheel” configuration for monitoring cell blocks. The Landfill and GIT site offer better internal security and efficiency of circulation.

Commissioner Kost asked why there would need to be two control rooms since there is electronic monitoring. Capt. Roberson stated that the State does not recognize visual contact and video contact as the same. You have to be able to visually see people on each floor.

Commissioner Kost asked if the building was designed with direct or indirect supervision. Capt. Roberson stated that it would be direct and indirect; indirect by the control room and direct by a person inside the cell block. Commissioner Kost asked if the direct supervision would get into the issue of surveillance, so then, why two control rooms. Capt. Roberson responded because you would create twice as many rooms. He stated that the State requirement is that we have to physically observe every inmate twice an hour at irregular intervals and to observe any other special inmate every 15 minutes. Video is excluded. Video makes good sense, but it is not counted as that observation.

Criteria 4: Future Expansion — Because of the amount of property the County owns, the jail could be expanded for the foreseeable future on the Landfill property. The constraints of the JC site mean that the Phase 2 expansion to 212 beds will be difficult and very costly. No expansion is possible beyond that point.

Commissioner Stewart asked the distance from the courthouse to the landfill site and from the courthouse to the unidentified Pittsboro site. Capt. Roberson stated that it was a little further to the landfill. The distance would be approximately four miles.

Commissioner Stewart asked if the courthouse site was used, if there would be property for future expansion at that site.

David Hughes stated that it is extremely tight now.

Commissioner Cross stated that it was basically already used unless a retaining wall was built.

Criteria 5: The approval process — Both the JC and GIT sites are under the jurisdiction of the town of Pittsboro. Both sites would require a rezoning, special use permit, and text amendments to the zoning ordinance, which could take 90 days or more. The town planner has said that the jail could cause the justice building site approval to be reconsidered, as it affects parking and stormwater controls of that building.

The Landfill property is owned by the County and is unzoned. The architect believes all permits can be obtained without affecting the construction schedule.

Commissioner Kost asked how the soils were at the landfill site and if any soils analysis had been done and if we know anything about on-site septic in the area. The answer was, no. Mr. Hughes indicated that generally the soils in this area of the County are good.

The budget for the jail has been set and the architect is obligated to bring any site within the budget.

Capt. Roberson said that a committee comprised of representatives of the Sheriff's Office, County Manager's Office, Public Works, and the Project Construction Manager met and unanimously decided that the landfill is the preferred site.

Commissioner Kost asked if the judges had been contacted for their input. Capt. Roberson stated that he had talked with some of the judges, but that they had not been involved on the site selection.

Capt. Roberson replied that with regard to operating a jail, they have to think about public access and also an access to the courts. That can be provided in a couple of different ways. One way is physically bringing the person to court. In the new court system, there is a holding system designed in the basement with holding areas on each floor from which the inmates may be transported at odd times. They may be able to move 10-15 at a time. There is a design element built-in. There is also video if there are more instant things that they need with video links between the jail and courtroom for hearings.

Commissioner Kost explained that is why she asked the question regarding feedback from the judges as it does have an impact on their operation. She stated that when the site on Landfill Road was being considered as one of the options for a landfill, they heard a lot from the community from a social justice issue. She asked if any consideration had been given to that as she did not know if it was as objectionable as a landfill, but feels it would rank as something that the neighborhood would object to.

Ms. Paschal stated that it was considered.

Commissioner Stewart asked if there would be an issue on the unidentified property with anyone living around that area. Ms. Paschal stated that it could be.

Capt. Roberson said that he felt that no one would want a jail built next to them.

Commissioner Kost stated that she felt it was a consideration in the landfill and should be with the jail as well. She stated that she had always heard that when you go up, the price goes down on a square foot basis. In the report it references a two-story jail being more expensive.

The architect stated that when you go up rather than spread out horizontally, you save the price of the roof and the size of the foundation. The foundation, however, is getting bigger due to the increased weight on it. There are other construction problems that take place, especially on a site as the jail. It is very difficult to move material in and out. A vertical project on that site would definitely cost more money than a flat site where it could be spread out due to bringing in a crane to put up this type of construction. In order to bring a crane in at that site, you would have to bring it in off Highway 15-501 or build a road from the other side.

Commissioner Kost asked if it was either one or two stories, if a crane wouldn't have to be brought in. The architect replied, yes, but if the question was whether it was spread out or vertical, the spread out site has to have additional property which allows additional access to the property.

Commissioner Kost stated that the report stated it was more expensive to build a two-story facility and she is still unsure why that is. The architect replied that if it was one-story, there would be a need for additional property and they would be able to get access to the construction much more easily. If you go with a two-story facility, the length of construction would extend and to bring in construction materials through two ports of entrance would be a construction issue.

Commissioner Kost stated that she understood that; however, the report talks about one-story versus two-story and what she is hearing are issues dealing with a tight site. The architect stated that the tight site runs the construction up and for projects of this type, if it were on a flat site with plenty of space, he has always found that vertical is more expensive than horizontal and his contractors have agreed with him.

Commissioner Kost stated she had always heard that two-story schools are cheaper to build than one-story schools.

Commissioner Petty stated he would think that would depend on the type of facility. The architect agreed stating that for jail construction, there are certain phases that have to be done that can be spread out and time can be taken as opposed to going vertically. Any time a time frame expands, the cost goes up.

Commissioner Kost asked about how escalation costs were calculated at almost a half million dollars. The architect stated that there are two issues where the escalation costs are involved and both are the two sites in which there are zoning issues and the delay is due to zoning. In one case, it is much longer than the other. He stated that he gets his cost information from multiple sources including his experience over 16 years. After January 2012, the experts tell him that it is going to cost \$66,000 per month in escalation costs. As part of the planning process, it has been moved further into the year.

Commissioner Kost asked about the annual operating costs of transporting inmates to and from the courthouse for 100-150 inmates at \$214,000 per year. She stated that transportation of inmates is something they really need to consider which takes a lot of resources. She stated that she would like to see them make that site work which has been the intention all along, and the costs will escalate.

Mr. Hughes stated that one of the points not completely explained during the presentation was in Phase II and how restrained the site is. At some point, the jail will have to be expanded. There would have to be a bridge built to the second phase. There will be one way in. The cost of that construction will be outrageous. Once the second phase is done, it is done.

Commissioner Kost stated that she feels that needs to be explored. If we start housing misdemeanants or weekend DUI's, you can build a barracks-type jail and expand upward and some ways it can be cheaper.

Commissioner Stewart asked about the growth of the courthouse facility as well.

Mr. Hughes stated they would have to start tearing some stuff out and redoing some stormwater in the parking lots. It would be pushing up against the flood plain and there would be a lot of different issues on the site.

Commissioner Stewart asked about parking issues. Commissioner Kost stated that according to the report, there would be ten spaces lost.

Mr. Hughes stated that Phase II will be quite a bit more expensive per square foot than Phase I. Once it is done, it's done which is a big downside in twenty years if you are out of space.

Commissioner Petty stated that then the County would find itself in the same position that it is now in which is trying to find another side to build another jail. The problem with where we are now is that there is nowhere to expand where we are. If we proceed with the judicial center site, we will be faced with the same thing a few years from now with nowhere to go.

Commissioner Cross stated that he had hoped we could use the judicial center site, but from what it sounds like now, he wonders. Because we are so close to Robeson Creek, it would be difficult with the justice center not to pollute the creek. He stated that he wonders if this was a private company wanting to build on this site if it would be approved for them. He further stated that he thinks the Board needs to be careful of the precedent they are setting.

Commissioner Kost asked the distance from the retaining wall to the creek. Mr. Hughes stated that the closest distance would be Phase II and it probably would not be 150 feet. Commissioner Kost stated that there is a 150 foot buffer from the wall and that would be a substantial buffer.

The architect stated that the retaining wall shown on the diagram, is put as close to the creek as it can be because of the flood zone. One foot beyond the retaining wall is never going to have any construction as the site has been maximized.

Commissioner Petty moved, seconded by Commissioner Cross, to approve the landfill as the preferred site for the new jail site.

Commissioner Kost stated that she would be voting against the motion because she thinks we should have spoken with the court system and the judges. She thinks we should have weighed the socio-economic issues of putting it on Landfill Road. But her main reason is transportation costs and the issue of moving inmates four miles every time they need to be moved. She stated that she feels it could have been done on the judicial center site.

Commissioner Stewart stated that with all the issues arising it doesn't make the justice system the best site.

Chairman Bock called the question. The motion carried four (4) to one (1) with Commissioner Kost opposing.

### **CHATHAM WATER SYSTEM DEVELOPMENT**

David Hughes, Public Works Director, reviewed a map of the County water system, their water suppliers, and connections. He stated that we are now processing about 2.7-2.8 MGD from the plant and it is about as high as we can pump due to the hot weather. Traditionally, we have been processing the same amount of water for the last two-three years. There has not been much growth in housing in the County so the demand has hit a plateau at least for now. We have another 300,000+ (it varies from month to month and time of year) into Asbury and the same amount in the southwest. Pittsboro has stated in a letter that they are contemplating selling the County water at a rate of \$2.75 per 1,000 gallons. We now purchase water from Sanford for \$2.67; water from Siler City for \$3.84; a contract in place with Durham that has never been exercised which states that we get their lowest residential rate (Tier I rate) which is currently \$2.32.

Commissioner Kost asked if we had to buy a minimum, when we start buying, or guaranteed amount.

Mr. Hughes stated that we could purchase a guaranteed rate that says we want "X" amount of water and it would have to be stated by April of that year and they have to sell it to us; however, we could buy water "as they can". They normally have excess capacity if they are not in drought. If they are in drought, they still have to sell us the amount that we state according to the contract.

Commissioner Kost stated that she thought the contract had a requirement of "peak day" requirement that they took the peak day and we had to buy that much water from them.

Mr. Hughes stated that once we state that we want that guaranteed amount, they have to provide that amount, and the County has to pay for it the rest of the year. If we take it as we need it, but it is not guaranteed, then we pay only for what we take.

Chairman Bock stated that he thought he had heard less than the \$2.67 from Sanford. Mr. Hughes stated that they had said if we want to expand our use of their water and we are willing to sign a contract to that extent, then they will contemplate selling it to the County for \$2.21.

Commissioner Kost asked how much it costs the County to manufacture per thousand gallons. Mr. Hughes replied about \$2.30 stating that was mostly fixed price cost. If we pump more, then the rate per gallon goes down because we are only using about a million gallons in the winter time which drives the cost per gallon up. If we started pumping two million gallons year round, the cost per gallon would go down. Sanford sent a draft contract stating if the County wanted more water, they could supply it. We are working on some infrastructure now. We are designing a pipeline from our Durham connection into the Governors Club tank to take considerable amount more water than we can now. We will

probably be able to move about three million gallons per day into that tank once the pipeline is done. We are also in design on two pump stations along the line coming from Sanford. We are now maxed out on 350,000 gallons per day. We would be able to take about 1.1 million gallons through the existing line with two additional pump stations through Sanford which would supply us with water in the Asbury District and the southwest area.

Commissioner Cross asked about the 3M tank. Mr. Hughes stated we would have to put in a new tank also which has already been approved and designed. It was submitted for an ARRA project and got turned down.

Mr. Hughes stated that the Siler City rate has been increasing year-to-year. It started out a couple of years ago at \$3.35 and we are now at \$3.84. He stated that he doubts that they could put water from Pittsboro into the tank although they could put it into the system. We would not be able to pump it all the way into the tank.

Chairman Bock stated that aside from the cost per gallon, we were talking about some logistical issues with Pittsboro as opposed to getting it from Sanford. Mr. Hughes stated that if we take water from Pittsboro, we would put the water in our north system where we are already providing water from our plant. That would not save us any money nor do much for us.

Chairman Bock asked, aside from the cost, could the Pittsboro water be used in the Asbury system. Mr. Hughes stated that now the line under the river is out-of-service. We can't move water from the plant to Asbury effectively. We would have to take the water that is produced out of the plant, pump it into the Asbury system, and use their water to replace the water we are moving. That line has been out-of-service for a couple of years we have been in discussion with Hobbs, Upchurch Associates about repairing the line.

Commissioner Kost asked about moving water into the "blue area" on the map at \$3.84 per thousand. Mr. Hughes stated it would be very difficult and would take a long time to get water from our plant over there and it would be even longer if we wanted to wheel water from Pittsboro all the way over the top of the lake.

Chairman Bock asked if the Pittsboro water would have to get into our system first; that we just couldn't take it from directly from Pittsboro and pump it.

The County Manager stated that if Pittsboro opted to build a line south into Asbury, it would be a quick connect. Otherwise, we would be going around our elbow to get back in there.

Commissioner Stewart asked if it made sense financially to get water from Pittsboro. Mr. Hughes replied that right now it did not. It might in a couple of years. If we take water from Durham and want it guaranteed, then we have to take the water year round which drives the cost up. It all depends on how the contract is structured with Pittsboro, at what cost, what kind of commitment we would have to make, how much water we would have to take, if we would have to take it year round or just pay for what we take.

Chairman Bock asked if we were currently buying from Durham. Mr. Hughes replied, no, we haven't yet. We won't this year for sure, and in the future, it depends on how much we grow.

Chairman Bock asked what we need to do to get the \$2.21 from Sanford.

Commissioner Kost stated that we need to negotiate a better deal from Siler City. At \$3.84, it doesn't even compare with everyone else.

Chairman Bock asked what we could do to get the price with Siler City down.

The County Manager stated that we are preempting our discussions that we are beginning to have informally with Siler City about the contract we have. We have to give a year's notice if we discontinue buying water from them. Whatever we do, we will need to give them notice if we decide to buy a larger quantity from Sanford and get it into Asbury



and southwest system. The number one purchaser of water in Siler City is going out-of-business on October 1<sup>st</sup> and Chatham County is the second largest purchaser. If Townsends does shut down, the County will become the number one purchaser. If the County goes off, they will have even more severe problems.

Chairman Bock asked with regard to \$1 per thousand, how much it is per day. Mr. Hughes stated that it was probably \$500,000 per year.

Chairman Bock stated that Pittsboro was probably looking for some kind of answer from the Board. Mr. Hughes stated that he didn't think that we need it right now, that in another year or two, we could. He stated that it was not a bad time to start talking about the details of the contract now.

Chairman Bock asked if we could talk about merging the systems.

Commissioner Kost stated that we need to talk about merging all three systems. She stated that they have a huge debt for the reservoir that we do not want to assume, but they are in a position that we do need to talk. We do not want to kick them when they are down, but with their prices, it is not even close.

The County Manager stated that they had talked informally a number of times in the past years about the possibility of a merger and consolidating the systems. It is really a more political issue than a staff issue. For staff purposes, they are happy to start talking to staff about how it might work, what kind of governance it would have, the debt for the two systems, if the jurisdictions have an interest in talking about it.

Commissioner Kost asked if the mayors, our Chairman, and Managers meet and talked about the issue. That would take care of the political part of it by having the elected officials there but having the managers there who have all the information.

Commissioner Cross stated that they also might want to take their engineers with them.

Chairman Bock stated that he thought it was a good interim step to start talking immediately. He stated that he thought they needed to tell Pittsboro that right now, it was not feasible. By consensus, the Board agreed.

### **ADJOURNMENT**

Commissioner Cross moved, seconded by Commissioner Stewart, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 4:37 PM.

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Brian Bock, Chairman

ATTEST:

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