

**MINUTES  
CHATHAM COUNTY BOARD OF COMMISSIONERS  
WORK SESSION  
DECEMBER 05, 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 4:00 PM on December 05, 2011.

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

Staff 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 Lindsay Ray, Deputy Clerk to the Board

*Work Session*

1. **Public Input Session**
2. **Presentation by the Agriculture Advisory Committee**
3. **Board of Commissioner Liaisons for Boards and Committees**
4. **Goldston Wastewater Project Presentation and Request for Funding with City of Sanford by Tim Cunnup, Mayor of Goldston**

**CALL TO ORDER**

The Chairman welcomed everyone in attendance and called the Work Session to order at 4:00 PM. The Chairman asked that a presentation by Tim Cunnup, Mayor of Goldston, be added to the Agenda.

**PUBLIC INPUT SESSION**

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

**GOLDSTON WASTEWATER PROJECT PRESENTATION**

Tim Cunnup, Goldston Mayor, explained that during the engineering studies with Withers & Ravenel, they have reached a point that they need to proceed with outside contractors. None of the costs prior to receiving bids, such as engineering surveying and

design, permit fees, geotechnical exploration, easement acquisition, legal fees, or grant administration are funded as they were incurred. Withers & Ravenel asked that they be given some money in order to move forward. Unfortunately, their general account does not allow for a lot of funding. They looked into getting a bridge loan in order take care of the situation. Approximately \$700,000 of the total projects costs and the incurred amounts to date are nearly \$120,000 with the remaining \$580,000 scheduled to be incurred in the next six months. The design is approximately 40% at this time, but major costs for geotechnical and easements have not been incurred to date. They looked at a couple of banks who have been more than willing to lend them money until the point of funding with USDA and RDA. They then found out from the Local Government Commission (LGC) that they cannot borrow the money for “soft” costs to proceed.

He asked if the County would be willing to bridge them the funds needed which would be refunded at the time the USDA and the RDA is ready to release the funding.

Commissioner Petty asked if the LGC would allow them to do that.

Mr. Cunnup stated that he did not know and might be “putting the cart before the horse”. He stated that he wanted to talk with the Board of Commissioners to see if there was a possibility of this moving forward. If so, he stated that the next step would be communication with the LGC. He stated that the money was guaranteed by the USDA and RDA. One million dollars will arrive from the RDA first, followed by \$2.8 million from USDA. After that and once the project has been completed, the agreement with the County will begin and is totally separate.

Commissioner Petty asked the anticipated time line. Mr. Cunnup stated that hopefully within six months, but for sure within eight months.

Charlie Horne, County Manager, stated that the County is participating by the capacity. If the Board is inclined to pursue it, he doesn't think that the LGC would have a problem with it. He suggested that if the Board is inclined to go in that direction, the motion should be passed contingent upon the approval of the LGC, it would help expedite the process.

Commissioner Cross moved, seconded by Commissioner Kost, to make loan to Town of Goldston in the amount of \$700,000 with estimated repayment date of August 2012 contingent upon LGC approval. The motion carried five (5) to zero (0).

Mr. Cunnup thanked the Board stating that he would report back as soon as he hears from the LGC and the particulars can be determined.

Ms. McConnell, Finance Officer, stated that she would call the LGC the next day.

### **PRESENTATION BY AGRICULTURE ADVISORY COMMITTEE**

Charlie Bolton, Agriculture Advisory Board Chairman, stated that the board was established in the year 2000 with the primary purpose of advising the Board of Commissioners on agricultural and agri-business issues and to administer the Voluntary Agricultural District Program authorized and required by the General Statutes of the State of North Carolina. It is now the largest in the State with the largest amount of acres. The primary purpose is to protect the farmers from nuisance suits from newcomers into farming areas. The Register of Deeds maintains a map where the parcels are located in the Voluntary Ag District. When an attorney searches a title, they can determine if a person is within a mile of a Voluntary Ag District, which gives that person certain protections from someone moving into the County or purchasing an already established piece of property, realizing that farms have dust, noises, and smells that some might not understand when they move close by.

He stated that the Voluntary Ag Program is completely voluntary. The Ag Advisory Board has to approve membership. They performed a Cost of Services Study in 2008 which showed, even with the land taxation program, that farmers were contributing more to the tax

base than they were costing the County. The Farmland Protection Study and Plan, along with funding from the Triangle Land Conservancy, looked at different ways of maintaining ag land with an emphasis on “voluntary”. They have gotten involved in the last two years in the Agriculture Hall of Fame, honoring those who have had a major impact on agriculture in Chatham County. The funds for the dinner given to them are raised by private donations. Future projects include continuing to manage the Voluntary Ag District Program, updating the Voluntary Ag District Ordinance, and studying the possibility of offering the Enhanced Voluntary Agricultural District Program.

A discussion was held regarding the Chatham County Agricultural Advisory Board appointments, reappointments, remaining terms, and full open terms.

Commissioner Cross added that the Ag Advisory Board, Sam Groce, and Mr. Bolton have a lot more knowledge to give the Board of Commissioners good suggestions for board members. He stated that referrals were welcome.

Commissioner Kost suggested that the vacancies be advertised. Chairman Bock concurred.

Commissioner Stewart asked if appointments were limited to an equal number from each district. Mr. Bolton stated yes, but that they had not been limited to residing in the Commissioners’ districts.

By consensus, the Board concurred that appointments would not be limited to living in each Commissioner’s district.

Mr. Groce explained that during the conversion from one computer system to another, a lot of the data was lost. He stated that they were not as concerned about where a person lived but really wanted to make sure all of the areas of agriculture were represented from livestock, timber, crops, and vegetable producers. They wanted a variety and a spread over all the agricultural interests that were represented in Chatham County with greater weight given to the those that were in larger areas, i.e. cattle production.

A discussion continued with regard to serving and expired appointments.

Mr. Bolton replied that the reason for the different term lengths of appointments is so that they could get back on the staggered cycle.

Commissioner Kost asked if the Board’s policies were on-line. The Deputy Clerk replied that they were. {County Government; County Boards and Committees; New Advisory Committee Policies; Click to view the addendum.}

Chairman Bock suggested that the board go about its business with the current appointments until new people are appointed.

Commissioner Stewart asked about the decline in agriculture in Chatham County. Mr. Groce replied that in the previous census, there was a slight increase in the number of farms. This was due, in part, to the criteria by which they are judged. There was a small decline in agriculture, but with the shutdown of the Townsends facility, they are expecting to see a severe drop next year in the County’s agricultural income.

Commissioner Kost stated that under the adopted policy, we have a problem with the Ag Advisory Board. It states that “Each appointed citizen advisory member shall serve a term of three years and hold office until the qualifications and appointments of his or her successor or until one year has elapsed since the expiration of the term for which that citizen was appointed whichever first occurs. All appointments are effective July 1. No person should serve more than six consecutive years.” She stated that there was a problem with the Ag Advisory Board since all of those elapsed for a year.

Commissioner Stewart suggested that they talk about this issue at the next Ag Advisory Board meeting to be held on December 13, 2011 at 7:00 PM.

**BOARDS OF COMMISSIONER LIAISONS FOR BOARDS AND COMMITTEES**

Chairman Bock explained that this had previously been done last year. It was reviewed relatively quickly. Some of them were unfamiliar to new Board members at the time of discussion. Some were assigned blindly or by default. He asked that a discussion be held so that they could determine that the Board members were assigned to the proper boards.

Debra Henzey, Director of Community Relations, explained that the member of the Board of Commissioners serve as liaisons to many volunteer boards and committees in the County and regionally. In most cases, they are non-voting members, but a few are voting seats. The Board periodically reviews these assignments and makes changes as needed.

The most recent revision of the assignments was made in January 2011 as part of the Board’s retreat. The Board of Commissioners clarified in January 2011 that, unless the assignment is a voting seat, the role of liaison is to be available as needed. In those cases, the liaison is not expected to attend all meetings of the volunteer boards or committees nor direct or otherwise impact the work and direction of these groups.

A discussion of the various boards and committees ensued. Changes and corrections were made.

**Library Board Liaison:**

Chairman Bock asked to be assigned as a liaison to the Library Board. Commissioner Kost stated that she did not want to give up that assignment.

Chairman Bock called for a vote to allow Commissioner Kost to remain as the liaison to the Library Board. Commissioners Cross and Kost voted in favor of the motion.

Chairman Bock called for a vote to allow Chairman Bock to become the liaison to the Library Board. Commissioners Bock, Stewart, and Petty voted in favor of the motion. The motion carried three (3) to two (2).

**Metropolitan Planning Organization (MPO):**

A discussion ensued regarding representation on the MPO.

A copy of the revised Board of Commissioners’ Liaison Table is as follows:

**Chatham County Board of County Commissioners 2011 Board & Committee Assignments**

Each of the five members serves as a member of or liaison to several volunteer committees or boards that focus on specific county issues. The table summarizes each member’s board and committee assignments. The list provides guidance on the most appropriate commissioner to contact about specific issues. An asterisk (\*) by the committees or boards listed below indicates that the commissioner is a **voting member** of this group. Groups highlighted in **RED** are required by state law. Groups highlight in **GREEN** are mandated under certain conditions that the county has met (has zoning, accepts federal funding for rental housing, etc.). Regional/state groups are in **BLUE**.

Chair Brian Bock District 3	Vice Chair Walter Petty District 5	Commissioner Sally Kost District 1	Commissioner Mike Cross District 2	Commissioner Pam Stewart District 4
<ul style="list-style-type: none"> <li>• Alcohol Beverage Control Board</li> <li>• Chatham Partnership for Children</li> <li>• Chatham Transit Network</li> <li>• Economic Development Board</li> <li>• Joint Cary-Chatham Land Use Plan Subcommittee*</li> <li>• Joint Orange-Chatham Community Action*</li> <li>• Library Advisory Committee</li> <li>• Orange-Person-Chatham Mental Health Committee*</li> <li>• Planning Board</li> <li>• Transportation Advisory Committee</li> <li>• Work First Planning Committee</li> </ul>	<ul style="list-style-type: none"> <li>• Board of Health*</li> <li>• Board of Social Services</li> <li>• Chatham Trades Board</li> <li>• Economic Development Corporation Board</li> <li>• Joint Cary-Chatham Land Use Plan Subcommittee*</li> <li>• Local Emergency Planning Committee</li> </ul>	<ul style="list-style-type: none"> <li>• Appearance Commission</li> <li>• Board of Elections (BOC has no appointments)</li> <li>• Board of Equalization &amp; Review</li> <li>• Chatham County Board of Education</li> <li>• Child Fatality Prevention Team*</li> <li>• Enhanced 911 Committee*</li> <li>• Environmental Review Committee</li> <li>• Grand Trees of Chatham</li> <li>• Green Building &amp; Sustainable Energy Advisory Committee</li> <li>• Human Relations Advisory Committee</li> <li>• Triangle J Council of Governments Appearance Committee* and Smart Growth Committee*</li> <li>• Triangle Area Rural Planning Organization*</li> </ul>	<ul style="list-style-type: none"> <li>• Affordable Housing Advisory Committee</li> <li>• Court Operations &amp; Security Judicial District 15B</li> <li>• Home &amp; Community Care Block Grant*</li> <li>• NC Association of County Commissioners, Legislative Goals Committee*, Board of Directors* and Tax &amp; Finance Committee*</li> <li>• NC Joint Legislative Commission on Municipal Incorporations*</li> <li>• Research Triangle Regional Partnership*</li> <li>• Solid Waste Advisory Committee</li> <li>• Sprott Youth Center</li> <li>• Triangle J Council of Governments Legislative Committee* and Board of Delegates*</li> </ul>	<ul style="list-style-type: none"> <li>• Agricultural Advisory Committee</li> <li>• Broadband Committee (informal committee)</li> <li>• Chatham Council on Aging &amp; Regional Aging Council</li> <li>• Child Protective Services Review Board</li> <li>• Joint Cary-Chatham Land Use Plan Subcommittee*</li> <li>• Durham-Chapel Hill-Carrboro Metropolitan Planning Organization*</li> <li>• Pittsboro-Siler City Convention &amp; Visitors Bureau Advisory Committee</li> <li>• Recreation Advisory Committee</li> </ul>

NOTE: The full Board of Commissioners also serves as the Board of Adjustment, Southeast Water Board and Southwest Water Board.

NOT ASSIGNED AT THIS TIME: Adult Care & Nursing Homes Committee

UPDATED: DEC. 5, 2011

**Board of Adjustment:**

A discussion ensued regarding forming a separate board for the Chatham County Board of Adjustment.

The County Attorney stated that there was a question as to districts and how many there needs to be. Each part of a zoned area has to have representation. When they got into it, it looked complicated because of the way the corridors have been zoned. There are discreet areas. The issue was sent to the Planning Director who was going to determine how it was going to work and how many board members they would have. He has not heard anything since early in the year. If it is the desire of the Board of Commissioners to move forward, staff can bring something back to the Board.

By consensus, the Board agreed to move forward with this.

**ADJOURNMENT**

Commissioner Cross moved, seconded by Commissioner Petty, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 5:03 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