

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**WORK SESSION**  
**SEPTEMBER 19, 2005**

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The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Auditorium Building, 45 South Street, located in Pittsboro, North Carolina, at 2:00 PM on September 19, 2005.

Present: Chairman Bunkey Morgan; Vice Chair, Tommy Emerson; Commissioners Patrick Barnes, Mike Cross, and Carl Outz; County Manager, Charlie Horne; Assistant County Manager, Renee Dickson; and Finance Officer, Vicki McConnell

Absent: County Attorney, Robert L. Gunn; and Clerk to the Board, Sandra B. Sublett

The meeting was called to order by the Chairman at 2:00 PM.

*Work Session*

1. **Tax Releases and Discovery Penalty (Bowers, Stevens, Mann, and Manco Farm)**
2. **Closed Session to Discuss Personnel Issues**
3. **JOCCA**
4. **Impact Fee**
5. **update on Revenue Neutral Tax Rate Calculation**
6. **Proposed meeting date change in December**

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The County Manager reviewed the Work Session agenda.

**TAX DEPARTMENT**

The Board heard comments from Kim Horton, Chatham County Tax Administrator, regarding discoveries and penalties related to State Statutes. The Board also heard comments from the Stevens and Bowers. After some discussion about tax discoveries and penalties and legal implications, the Board deferred a decision and asked that the County Attorney give a legal opinion on the matter.

**Discovery Penalty on Business Personal Property:** Consideration of a request to approve relief of discovery penalty on business personal property for James N. & Sharon Bowers

No action was taken on this matter.

**Discovery Penalty on Business Personal Property:** Consideration of a request to approve relief of

discovery penalty on business personal property for Donald & Teresa Stevens

No action was taken on this matter.

**Discovery Penalty on Business Personal Property:** Consideration of a request to approve relief of discovery penalty on business personal property for Jesse Lynn Mann

No action was taken on this matter.

**Discovery Penalty on Business Personal Property:** Consideration of a request to approve relief of discovery penalty on business personal property for Manco Farm, Inc.

No action was taken on this matter.

### **CLOSED SESSION**

Chairman Morgan moved, seconded by Commissioner Emerson, to go out of Regular Session and convene in Closed Session for the purpose of discussing personnel. The motion carried five (5) to zero (0).

### **REGULAR SESSION**

Commissioner Emerson moved, seconded by Commissioner Cross, to adjourn the Closed Session and reconvene in Regular Session. The motion carried five (5) to zero (0).

### **JOCCA**

The Board heard a follow-up report from Commissioner Emerson, the Finance Officer, and Assistant County Manager regarding JOCCA's financial condition.

After considerable discussion, Commissioner Cross moved, seconded by Commissioner Barnes, to approve JOCCA funding in the amount of \$22,238.00. The motion carried four (4) to one (1) with Commissioner Outz opposing.

The Board deferred action on JOCCA's expansion request until next fiscal year when more data could be gathered on the program on which funding was requested.

### **IMPACT FEES**

The Board discussed the Impact Fee and its application on mobile homes as per Commissioner Cross' previously voiced concerns. The discussion centered around opportunities that might be available to assist lower income homeowners who can afford a modest dwelling but have a hard time paying or cannot pay the \$2,900 Impact Fee and own a home. Keith Megginson, Planning Director, and Jenny Williams, Central Permitting Director, discussed tracking and administrative issues in conjunction with potential changes and how the impact fee was handled.

Paul Messick, Attorney, offered a written memo giving his opinion on the statute authorizing the County to levy impact fees and how amendments might take place. A copy of the memo is attached hereto and by reference made a part hereof.

After some discussion, the Board asked that Central Permitting and the Planning Department return at

the November 21, 2005 work session and present options for administrative coverage. The Board will also look at options that might lessen the burden on lower income citizens.

### **UPDATE ON REVENUE NEUTRAL TAX RATE CALCULATION**

The Board heard a presentation from the Assistant County Manager on the difference between revenue neutral projections and the actual collections that have been done. She reported that the Tax Office was within a quarter of one percent of the June projections. The Board thanked staff for the hard work and the accuracy of the calculations.

### **WATER TAPS**

Tim Carpenter, Hobbs, Upchurch & Associates Project Manager, stated that Chatham County recently advertised and solicited contractors to install the water district taps for customers that reside in the Southeast or Southwest Water Districts and live adjacent to an existing Chatham County water main; that the fees to the customers are \$500.00 for the taps; that on September 9, 2005, there were two bids received; that because of the estimated value of the contract, this was done as an informal process; that the bids received were from Burlington Mechanical at \$211,000.00 and Thomas Construction at \$143,900.00; that the project bids included the 50 - ¾" short taps, 40 - ¾" long taps, 2 - 2" short taps and 2 - 2" long taps.

He stated that upon review of the bids, Hobbs, Upchurch & Associates began to review the most recent tap list and found that there are approximately 110 - ¾" taps and 2 - 2" taps; that they also discussed with Thomas Construction the possibility of negotiations of the unit cost for each; that Thomas Construction did offer to deduct of 2% of the project cost and with a change of material for the 2" taps the total cost was reduced an additional \$576.00; that with the negotiations and the reductions in number of total taps, they were able to reduce the total project cost to \$120,284.20 which is a reduction of \$23,615.80; that these negotiations equate to an average cost of \$1,054 for the ¾" taps and \$2,812 for the 2" taps; that based upon the negotiated contact price and the tap fees collected by the County at \$500.00 per tap, the differential or the additional cost to the County is approximately \$64,284.20.

A detailed bid tabulation and a spreadsheet showing the negotiations are attached hereto and by reference made a part hereof.

Commissioner Emerson moved, seconded by Commissioner Barnes, to award the contract for water taps in the Southeast and Southwest Water Districts on existing water lines to Thomas Construction in the amount of \$120,284.20. The motion carried five (5) to zero (0).

### **BUSINESS PARK**

Tim Carpenter asked the Board of Commissioners to consider an additional fee for a geotechnical proposal for work at the Business Park. He stated that this work is necessary for the structural design of the roadway and bridges; that NCDOT requires this work if they are to assume the ownership and maintenance of the roadway; that the proposal is for Environmental Soils Consultants who will be performing the work; and that this was a fee that was not included in Hobbs, Upchurch, and Associate's Engineering Service Contract.

Commissioner Emerson moved, seconded by Commissioner Barnes, to approve the geotechnical investigation for the business park roadways and bridges in the amount of \$53,000.00. The motion carried five (5) to zero (0).

### **DECEMBER MEETING**

Commissioner Emerson moved, seconded by Commissioner Cross, to change the December 5, 2005 Board of Commissioners' meeting date to December 12, 2005 to allow citizens to complete various land use issues prior to the end of the year. The motion carried five (5) to zero (0).

### **ADJOURNMENT**

Commissioner Emerson moved, seconded by Commissioner Barnes, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 5:15 PM.

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Bunkey Morgan, Chairman

ATTEST:

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