

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
MARCH 06, 2006

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Building Auditorium, 45 South Street, located in Pittsboro, North Carolina, at 9:30 AM on March 06, 2006.

Present: Chairman Bunkey Morgan; Vice Chair, Tommy Emerson; Commissioners Patrick Barnes, Mike Cross, and Carl Outz; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager, Renee Dickson; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

The meeting was called to order by the Chairman at 9:30 AM.

Work Session

1. Partnership for Children: Presentation on Chatham Child Development Center
2. Resolution to Authorize Sale of Business Park Land to Hospital
3. Planning Updates
4. Equine Trail Presentation (ATT)
5. Architect Update-Department of Social Services and Dunlap Buildings Legislation Agenda

The County Manager reviewed the Work Session Agenda.

EQUINE TRAIL PRESENTATION (AMERICAN TOBACCO TRAIL)

Barbara Oslund, representing the NC Horse Council, stated that she is the voice of the NC horse industry; that she is the former president of Triangle Greenways Council, Board member for Triangle Rails to Trails Conservancy, former Chatham Trails Committee (advisory board for NCDENR), an environmental engineering professional, Chatham County resident, and a horse owner. She stated that the American Tobacco Trail (ATT) corridor is one hundred feet wide and owned by NCDOT; that it is leased to Wake, Durham, and Chatham Counties; that the project was initiated by individuals living near and recreating an abandoned rail corridor; that the Triangle Rails to Trails Conservancy (TRTC Board) lead advocacy organization; that the ATT Master Plan, approved in 1992, recommends an entire trail length as multi-use (hikers, bicyclists, and equestrians); that Chatham County Comprehensive Parks & Recreation Master Plan, approved in 1999, recommends the ATT as multi-use trail, including equestrians; that out of 590 surveys sent out, 150 were interested in equestrian trails; that the Equestrian Advocacy and Involvement originated the efforts to start equestrians using abandoned rail corridor; that there were several equestrians served on the TRTC Board and involved with planning and volunteer efforts; that there are only one of two public equestrian trails in the Triangle region on the ATT; that portions of the ATT currently open and in use include Durham City and County (North of I-40) which includes a paved urban greenway, Wake County with over five miles (Phase I & II) open as multi-use (hikers, bicyclists, and equestrians) with granite screenings surface; that Phase III construction is starting soon and has the same trail surface to the Chatham County line; that Chatham is the missing link; that the Chatham County Section Planning & Design Process is being lead by the NCDOT Bicycle/Pedestrian Division with staff input from Wake County, Cary, and Chatham County; that the preliminary design options to be presented to the public in Chatham County are targeted for March 2006; that the NCDOT estimates that it will take

over \$2 million to build ~ 4.6 miles in Chatham County (versus the \$1 million estimate in the master plan; that there is approximately 1.4 million Federal Highway Administration (FHWA) TEA – 21 Funds earmarked to construct the trail in southern Durham and Chatham Counties – the allocation to each county has not yet been determined; that additional Federal and County funds will be needed; that the cost estimate and responsibility has not yet been determined; that it is assumed that volunteers will help maintain the ATT; that the NC Horse Council (NCHC) is concerned due to previous master plans and recommendations that have been considered obsolete by the NCDOT due to explosive growth; that the ATT was originally presented to Chatham residents and interested public as a multi-use recreational trail; that the current NCDOT design views the ATT as an alternative transportation corridor instead of a multi-use recreational trail; that the minimal user group/public input in planning and preliminary design process to date (marked contrast to Wake County planning process); that there is a strong NCDOT bias toward long-term durability/serving the greatest population of future users and public need (i.e. the trail should be paved); that the trail design and use appear to serve immediately surrounding population versus regional recreational/tourism attraction; and that equestrian use is not considered a legitimate long-term use; that paving will permanently preclude equestrian use.

She stated that the ATT, currently open in Wake County, is a regional recreational destination for hundreds of equestrians and others; that some live near the ATT, many more trailer their horses from Chatham County and other counties in North Carolina; that Chatham County has a population of nearly 3,000 equines which is expected to grow as the County population grows; that equestrian landowners in Chatham County help maintain open space and agricultural character; that equestrians in Chatham County contribute to the agricultural economy through hay and feed purchases, veterinary care and other expenses; that there are no public equestrian trails in Chatham County and development and potential hunting law changes will limit future trail riding on private lands; that keeping the ATT as a recreational destination may bring more tourism money in the County; that a packed granite screening surface, versus paving, still allows bicycle transportation and handicap access while allowing equestrian use; that many non-equestrian users prefer a non-paved surface; that paving the trail will dramatically change the character and increase the “pace” of the trail for all users; that faster “traffic” may increase user conflicts, potential for accidents and increased liability; that because the trail has a 100 ft. corridor that is maintained as “natural”, it is buffered from the adjacent growth and development still allowing a relatively peaceful experience; that there are many paved public and neighborhood greenways in the Triangle; that in the future, a relaxing experience on an accessible unpaved trail with a 100-foot natural buffer will be rare and may serve the greatest public need; that an unpaved trail is wider, will minimize user conflicts, and may reduce the number of trees that will require removal; that some design options (i.e. “side by side” paved/unpaved sections) will not avoid long-term maintenance costs; may increase erosion due to user wear and tear at the paved/unpaved interface; and could increase potential for user conflicts and accidents due to narrow width; that a paved trail will not be maintenance-free; that Wake county’s current maintenance/management experience should be considered as a guide to operating an unpaved surface trail; that the NCHC would prefer that the original plan for an unpaved surface trail open to equestrian use be implemented through the entire ATT Chatham County section; that if this option is not possible, the NCHC would prefer that a portion of the Chatham County ATT remain unpaved and open to equestrian use north of Wake County to a reasonable transition point (such as the ATT intersection with New Hope Church Road; that the NCHC is an excellent resource for equestrian trail design and shared use trail information; should the trail continue to allow equestrian use, specific input from NCHC would be beneficial to the final design of the ATT in Chatham County.

Chairman Morgan asked Ms. Oslund to remain connected to Jason Sullivan; that the County has plans to carry out its part; however, it is unknown to what extent.

Commissioner Cross stated that NCDOT views the ATT as alternative transportation; that they are biased as to long-term durability (whether the trail should be paved); that he sits on the board and Jason Sullivan sits on the advisory committee to that board; that the difference in Wake and Durham Counties is that Durham sees their portion as a means to work transportation; that the portion that is done is being used quite well for that purpose; that wasn’t the purpose in Wake County; that he has been on both ends of the trail; that they are not yet at a recommendation point; that his personal opinion is that Chatham

County needs to go the same way that Wake County went; that it is meant for maximum recreation for use by its citizens; that there is \$1.6 million up for fight; that originally it was proposed that Chatham would receive \$.7 and Durham would receive \$.9; that Durham wants the whole amount; that Chatham County has a revenue problem; that at this time, the ATT is not a priority in Chatham County.

Commissioner Emerson stated that he was surprised how wrongfully simple concepts grow into such complexities; that if they are talking about a trail, it should be a trail; that they are not talking about a paved, non-vehicle highway; that if that is to be done, the name should be changed to a non-vehicle highway; that he thinks that the horse folks should be accommodated; that Chatham County is still a great agricultural County; that horses are agricultural; that until this past year, Chatham was one of the few counties that was increasing in the number of farms; that if it is a trail, then it should be used by horse people, bicyclists, and others; and that he thinks they need to be practical with it and supportive of it.

Commissioner Cross stated that Durham was the only one talking about paving it at this time.

Ms. Oslund thanked the Board for their time.

PLANNING UPDATE

The Planning Director presented a slide presentation updating the Board on the American Tobacco Trail in Chatham and Wake Counties. He stated that Jason Sullivan, Tracy Burnett, Cary Town employees, and he had met with NCDOT personnel for design update on the trail. He encouraged the Board to go out and look at the trail.

CENTRAL CAROLINA BUSINESS PARK

Paul Messick, Attorney, explained that Chatham County proposes to convey four tracts of land containing 474.854 acres in the aggregate located off US Highway #64 in Siler City known as the Central Chatham Business Campus to the Chatham County Economic Development Corporation (EDC); that consideration for the conveyance is that EDC shall market, sell, or lease the Central Carolina Business Campus property and promote its use according to the County's local economic development policies; that all of the net proceeds from the sale of the property by the EDC shall be paid to Chatham County; that this conveyance may be made at any time following ten days from the date of publication a special notice in the newspaper.

Commissioner Emerson stated that it appeared to him from a marketing prospective, it is mandatory that the property be transferred to the Economic Development Commission so that they can proceed with marketing the product; that they would then not have to jump through so many legal hurdles in order to transfer a title; that from a practical standpoint, that is the way it should be done; that from a practical perspective, the ultimate control from the release process will remain with the Board of Commissioners; that shouldn't slow any transactions; that the cash flow from it would also be controlled by the release process; and that this would ensure that the money returns to the County to recoup the investments that they have or are making on the property.

Commissioner Barnes stated that he felt that they needed to do whatever was necessary to help the hospital get title to the land; that there needs to be clarification to a couple of things; that the EDC is funded by public money and 90% of that is from Chatham County; that the EDC is a public entity, not a private one; that during the last budget process, the Board voted to give the EDC their budget funding provided it was a public open meeting group; and that its meetings and everything is public.

The County Attorney explained that as long as the Board of Commissioners appoints the majority of the members serving on the Economic Development Commission, they control it and therefore it would be subject to open meetings laws, etc.

After considerable discussion, Commissioner Emerson moved, seconded by Commissioner Outz, to adopt **Resolution #2006-08 Approving the Conveyance of the Central Carolina Business Campus to Chatham County Economic Development Corporation Pursuant to NCGS 160A-279**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

After further discussion regarding the Economic Development Corporation contract, Commissioner Cross moved, seconded by Commissioner Outz, to approve the proposed contract with the Economic Development Commission upon approval by the County Attorney, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

PARTNERSHIP FOR CHILDREN

Jenny Megginson, Executive Director for the Chatham County Partnership for Children, stated that the Partnership's job is to make certain that all Chatham County children have the opportunity to grow safe, healthy, and strong and be prepared to succeed in school; that they serve as a planning and oversight group to be aware of changes in the community that can affect the children either positively or negatively; that a couple of years ago she started looking at mental health when the mandates were coming through for mental health to divest of services; that she was paying careful attention whenever there were transitions like that, the children were at risk; that she wanted to be sure they were looking out for and protecting the children; that Chatham County has had a program operated by mental health for over thirty years that has an excellent track record which makes a huge difference in the life of a particular group of children with special needs; that she learned early-on in the process that this program was going to have to be divested of mental health; that she started looking for folks that would take care of this program for them; that they had a competitive bid process during which they did not get qualified bidders; that she then set out to continue to work with mental health to find someone to take care of the program; that she was delighted to find that some old friends of hers from Orange County were interested in Chatham County's children and were interested in helping with the program; that they had successfully taken on the same program for Orange County; that she is in attendance to introduce the Board to those old friends and ask for consideration of support to what they need to do from Chatham County to make sure that the program continues. She introduced Mike Mathers, Executive Director of Chapel Hill Training-Outreach Project, Inc.

Mike Mathers, Executive Director of Chapel Hill Training-Outreach Project, Inc., stated that he appreciated Ms. Megginson's help in addressing the Board. He stated that since 1974, as a division of the OPC Area Authority, the Chatham Child Development Center (CCDC) has served many of Chatham County's most vulnerable children; that today, the CCDC serves 34 children in two five-star rated classrooms at the Paul Braxton Children's Center in Siler City; that the CCDC is a five-star rated child care program; that it is an integrated Developmental Day model; that 17 of its 34 children are with disabilities; that it serves the entire County; that there are ten trained staff; that it has an annual budget of almost \$500,000; that it has strong parental support; that because of the State's reorganization of mental health and disability services, the CCDC must find a new home by July 01, 2006; that last year, OPC divested the Orange county Early Intervention program, KidsSCOPE; that the program was awarded to the Chapel Hill Training-Outreach Project, Inc. after the Orange County Government made a commitment to provide funding for the transition; that the transition to CHTOP was successful and recently the OPC Area Authority asked CHTOP to consider merging with the CCDC; that they have submitted a request for funding through the United Way's dual application process for: County - \$46,980.00 and United Way - \$11,200.00 for a total of \$58,180.00; that the transition budget includes: 1) Salaries for one month totaling \$23,000.00; 2) Fringe benefits for one month totaling \$5,980.00; 3) Licensing requirements totaling 14,200.00; 4) Printing, promotion totaling 4,000.00; and 5) Technology upgrades totaling 11,000.00; that the grand total is \$58,180.00; that all divested staff will transfer to CHTOP, Inc. with current salary and full benefits by July 15, 2006; that all contracts, licenses and other credentials will be transferred by July 15, 2006; that all fiscal controls for accounts payable and receivable will be in place by July 15, 2006; that all services will be continued without interruption through 2006 and beyond. He asked that the Board give consideration to his request.

Rebecca Doll stated that her family moved to Chatham County in July 2005; that they have four-year old triplets; that as a result of the premature birth, the two girls have some developmental delays in speech and language, fine and gross motor skills; that they have been involved in Early Intervention and with their former local school system in Ashe County; that when they found that they would be moving back to the Triangle area, having moved from Durham to the mountains three years earlier when the children were babies; that they did a great deal of research of all the area school system and decided that they would move to the county that provided the services they felt their children needed; that they investigated many counties; that it became clear that Chatham County had the same philosophy that they had experienced in Ashe county which was the importance of helping preschoolers catch up even before they reach kindergarten; that their next step was to investigate specific programs that would be available through Chatham County Schools; that they had the pleasure of traveling to Siler City and touring the facility; that they were instantly impressed; that they then traveled to Chapel Hill for a tour of Frank Porter Graham CDC since Chatham County contracts with this facility to provide services and it would be much closer considering her husband's drive to Durham for work; that while it seemed like a good facility and offered the same type of services that CCDC does, there were some important differences; that at CCDC they knew that their children would become part of a family, the facility was not as large and institutionalized and the staff they had met were wonderful; that in addition, their typically developing son would be able to remain with his sisters; that their decision was made and they chose to live in north Chatham County near Cole park Plaza so that her husband's drive to work and their children's drive to school would be the same; that despite the fact that she drive one hundred miles each day to take their children to their school, she has absolutely no regrets; that they are extremely happy at their school and are making wonderful progress which is a testament to the staff at CCDC; that they have been enrolled at CCDC since July 2005 and have received dedicated and loving support from CCDC in every aspect of their development; that had they not found a program that met their requirement, they were prepared to turn down her husband's promotion and stay in Ashe County; that as with most parents, their children come first and they are grateful that CCEC is there for their children; that it is her understanding that the CCDC is undergoing a divesture and that their parent organization is accepting bids for their purchase; that she would urge the Board to consider what a valuable resource CCDC is for future students and residents of Chatham County and that every effort be made to ensure that those services remain available. She thanked the Board for their time and stated that his family is very happy with the decision they made in choosing to live in Chatham County.

Commissioner Emerson stated that this was an extremely important program; that a recently released national study on programs of this nature showing the effects that these programs have had on children, tracing them to the age of eighteen; that it is a tremendous positive impact to help them become stable, productive citizens; that in the long-run, they are cost effective considering the alternative of having handicapped people trying to cope in today's society; that he has received several telephone calls from people who have children enrolled in the program; that they are echoing what has been said; that it would be a disaster to a lot of people if this program was not funded; that he feels that the modest request can be met; and that he is supportive of it.

BREAK

The Chairman called for a five-minute break.

LEGISLATIVE AGENDA

The County Manager reviewed the agenda for the Chatham County Legislative Delegation meeting to be held on Tuesday, March 07, 2006.

ALLOCATION PROCESS

Renee Dickson, Assistant County Manager, explained that a change was being recommended in the allocation process. She recognized Dina Reynolds, Executive Director of Chatham County United Way and stated that the Board heard a good case from CCDC; that they could probably hear at least

twenty-five more from other agencies for funding; that is the reason the County has an allocation process so that all the needs can be taken into account and the best decision possible can be made; that over the years, Chatham County and United Way have worked together in their allocation process to make things easier for the non-profits so that they didn't have to submit two separate applications, one to the County and one to United Way; that now one application is submitted and they go through one allocation process; that they are talking about further merging the two processes during this budget year; that they are recommending that the County contracting with United Way to manage the funding for next year and that the allocation boards that have been set up through United Way make a recommendation about County funding; that in the past, the County has stopped just short of that; that the County has had the allocation process with County employees sitting on the panels; that they get to hear the same information as the volunteers on the allocation process; that then the County makes their own separate recommendation absent from that of United Way; that then United Way makes its own decision absent from the County's information; that sometimes this is a problem; that United Way might assume the County is going to fund something that it doesn't and make a decision based on that; that the hope is that there will still be County employees who sit on the allocation panels along with the volunteers; that they will jointly make a recommendation about County and United Way funding and that those decisions will be better coordinated; that the County is not giving up its ability to make a decision because the County Manager still has to approve the recommendations and make a recommendation to the Board; that the Board has the final decision; that she feels it is a good thing for several reasons; that United Way has a better process than the County as it is their full-time job; they have a "needs assessment" process which they do at least once every two years to see what the major needs are in the community; that they recruit volunteers and do a good job training them about the allocation process; that they have a sophisticated financial certification process; that they do a thorough job in examining the requests; and that if they are to merge, better decisions in funding will result in funding non-profits; that the County will pay an administrative fee to United Way to administer the contracts; that it will allow for intense monitoring of those funds to insure that the funds are being spent where they need to be; that County staff is limited and United Way already has to do this because of the contracts they have with the non-profits; that it makes sense to consolidate those two things and utilize the resource; that the final thing is that it will help United Way because they will get to count the County's pot of money in their campaign which will further strengthen United Way.

The County Manager stated that this will help in this process of further stretching dollars.

By consensus, the Board agreed to proceed with the joint budget allocation process between the County and United Way.

PLANNING MEETING WITH CARY

The Planning Director informed the Board that the next meeting with Cary is tentatively set for Thursday, April 6, 2006.

Commissioner Barnes stated that he did not want the meeting with Cary to be held in Cary nor in Wake County; that he would see what he could do about arranging to have it at the church.

The Planning Director asked for direction in where to hold the meeting stating that he had various conflicts in trying to arrange the meeting at different churches.

Commissioner Emerson stated that it might be well to hold the meeting at the Central Carolina Community College, Pittsboro Campus, as a central location.

Commissioner Barnes stated that either the Central Carolina Community College or Bell's Baptist Church, 1274 Farrington Road, Apex, NC was fine.

TRANSPORTATION

The Planning Director explained that there had been numerous times that people had mentioned the major thoroughfares and having a plan for those thoroughfares; that DOT did a strategic plan on the US #64/49 corridor across the County across to Charlotte; that they are not looking to change it to give more definition to what's called a functional design for US #64 from the Pittsboro Bypass to the east extending to US #1 in Wake County; that they are not cheap; that it cost over \$300,000 to do it; that they are asking for funds; that David Wasserman who headed up the strategic plan for the US #64/49 project sent him an email stating that they are looking at various sources for money; that DOT will put in about \$150,000; that the Capital Area Metropolitan Planning Organization is putting in about \$100,000, Apex is putting in about \$25,000, Cary is putting in about \$5,000; that they have approached the Rural Planning Organization (RPO) and asked for me; that they were told that they didn't know if they had money to put into it; that he told Mr. Wasserman that he would ask the Board if they had money; that he stated that the County was just starting the budget process and there were lots of demands on the Commissioners this year especially from schools; that he would be very surprised to learn if there was extra money for this type of project; and that he just wanted to let the Board know.

CLOSED SESSION

- Commissioner Outz moved, seconded by Commissioner Emerson, to go out of Regular Session and convene in Closed Session for the purpose of discussing potential litigation. 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).

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 12:29 PM.

Bunkey Morgan, Chairman

ATTEST:

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