

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
NOVEMBER 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 9:00 AM on November 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 Paschal; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

PLEDGE OF ALLEGIANCE AND INVOCATION

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Chairman Morgan invited everyone present to stand and recite the Pledge of Allegiance after which he delivered the invocation.

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The meeting was called to order by the Chairman at 9:05 AM.

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AGENDA AND CONSENT AGENDA

The Chairman asked if there were additions, deletions, or corrections to the Agenda and Consent Agenda.

Commissioner Barnes and Commissioner Outz asked that Item #11, Mid Carolina Workforce Development Board appointments be deferred until a later date.

Commissioner Outz asked that Item #7, Consideration of a request to declare property as surplus and authorize the private negotiated sale of guns to Arrington Police Distributor and adopt a Resolution Declaring Property Surplus and Authorizing the Sale or disposal of Said Property, be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

Commissioner Emerson moved, seconded by Commissioner Barnes, to approve the Agenda and Consent Agenda with the noted requests:

1. **Minutes:** Consideration of a request for approval of Board Minutes for regular meeting held October 16, 2006 and work session held October 16, 2006

The motion carried five (5) to zero (0).

2. **Road Names:** Consideration of a request from citizens to approve the naming of private roads in Chatham County as follows:

- A. Barn Owl Lane
- B. Canyon Creek Way
- C. Jordan Lake Commons Drive
- D. Running Springs Drive

The motion carried five (5) to zero (0).

3. **Chatham County Middle School Project Ordinance:** Consideration of a request to approve Chatham County Middle School Project Ordinance as proposed by staff, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

4. **High Schools Lighting Project Ordinance:** Consideration of a request to approve Project Ordinance Concerning the High School Lighting Project for Chatham Central High School, Jordan Matthews High School, and Northwood High School as proposed by staff, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

5. **Northwood High School Modular Pod Project Ordinances:** Consideration of a request to approve Project Ordinance Concerning the Northwood High School Modular Pod as proposed by staff, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

6. **Declare Property as Surplus and Authorize Trade-In of Property for Law Enforcement Equipment:** Consideration of a request to declare property as surplus and authorize the trade-in of property for law enforcement equipment purchase. The list is attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

7. ~~**Declare Property as Surplus and Authorize the Private Negotiated Sale of Guns:**~~ Consideration of a request to declare property as surplus and authorize the private negotiated sale of guns to Arrington Police Distributor and adopt ~~**Resolution Declaring Property Surplus and Authorizing the Sale or disposal of Said Property**~~

~~This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.~~

8. **Resolution for Addition of Road to the North Carolina System of Secondary Roads – Ward Road:** Consideration of a request to approve **Resolution #2006-62 for the Addition of Streets or Roads to the North Carolina System of Secondary Roads – Ward Road**, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

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

The Chairman closed the Public Input Session.

BOARD OF COMMISSIONERS MATTERS

Public Hearings:

Public Hearing to Appropriate and Expend County Funds for Economic Development

Project: Public hearing to receive public comments on a request by Chatham County to propose appropriate and expend County funds for an economic development project (ATC Panels [ATC]) pursuant to North Carolina General Statute 158-7.1

Jennifer Nelson, PO Box 1627, Pittsboro, NC, Administrative Assistant for Economic Development Corporation, stated that she was speaking on behalf of the Chatham County Economic Development Corporation Board of Directors, who at their September 10, 2006 meeting, made a recommendation that the Chatham County Board of Commissioners make available the incentive policy to ATC Panels for a thirteen million dollar expenditure, with 25 new employees at their facility in Moncure; that they have worked with the North Carolina Department of Commerce on the ATC Panels project; that they, working with the Governor's Office, acquired \$200,000 of NC1 matching funds; that Mr. Bernard Torain, Existing Industry Specialist from the Department of Commerce has been detained in traffic but will arrive shortly to further explain the State's role in the project.

Ricardo Hillmann, 985 Corinth Road, Moncure, NC, Director of Operations for ATC Panels and manager of the Moncure facility, stated that ATC Panels is a privately owned company; that they have four plants in three different counties in the United States; that they have six hundred employees in the entire corporation; that they are present to apply for the tax incentives about which Ms. Nelson was referring; that they are planning to pursue two new projects for their company, specifically for their Moncure site; that the main intention of these projects is to improve their products, decrease the cost of production, and provide their customers with more opportunities to apply this product to new developments; that their product is used by the furniture industry which will enhance sales; that the Moncure facility is their main facility; that headquarters are also located here; that they have two different projects; that one is the screening project which will increase the quality of their raw board and the other melamine project which applies a paper on the surface of the board and permits that product to become part of the furniture component; that they are going to create 25 new positions at the site; that the incentive will also help them to produce and create training for those people and basically increase the technology in their facility. He thanked the Board for the opportunity to come before them with this request.

Commissioner Cross asked that consideration be given to hiring citizens of Chatham County.

Mr. Hillmann stated that that was their intent. He answered questions from the Board.

Bernard Torain, 301 North Wilmington Street, Raleigh, NC, stated that they are in support of the expansion for ATC Panels; that a grant amount has been approved up to \$200,000, contingent upon certain conditions; that if the County supports the expansion, they would have to match the grant; and that this would be in addition to whatever incentives are available.

Jerry Harris, 1235 North Second Avenue, Siler City, NC, Economic Development Corporation Board Chairman, stated that Chatham County really needs these jobs and that anyone ready to increase jobs needs to be supported. He stated that the public needs to be informed that companies asking for incentives do not receive them until their money comes in; and that they appreciate anything the Board can do to support ATC Panels.

Tom Ward, 1805 Martha's Chapel Road, Chapel Hill, NC, stated that he would like to see air quality questions addressed.

Carolyn Underwood, ATC Panels, Inc. stated that the facility has been sold several times; that when there is an existing facility and new requirements come into being after the company is in operation, they may not automatically be required to return and install the newer control technologies at that time. She stated that the new MACT (Maximum Achievable Control Technology) requirements under the federal rules no longer consider grandfathering clauses; that the new rules for this particular facility do not come into effect until October, 2008; that since the rule has been put into writing and put into the federal register, anything done from this point forward will have to meet the regulations; and that existing

facilities will have to be brought up to meet the regulations.

The Chairman closed the public hearing

Chairman Morgan moved, seconded by Commissioner Barnes, to adopt **Resolution #2006-63 Authorizing an Incentives Contract with ATC Panels**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Declare Property as Surplus and Authorize the Private Negotiated Sale of Guns: Consideration of a request to declare property as surplus and authorize the private negotiated sale of guns to Arrington Police Distributor and adopt **Resolution Declaring Property Surplus and Authorizing the Sale or Disposal of Said Property**

After considerable discussion, Commissioner Emerson moved, seconded by Commissioner Outz, to declare property as surplus and authorize the private negotiated sale of guns to Arrington Police Distributor and adopt **Resolution #2006-64 Declaring Property Surplus and Authorizing the Sale or Disposal of Said Property**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

FINANCE OFFICE

2006 Audit Presentation: Presentation of the 2006 Audit by Martin Starnes

Brian Starnes, partner with Martin Starnes & Associates, CPAs, PA, reviewed the audit process and explained specifics of the audit performed for Chatham County. He stated that the audit was an unqualified opinion; that there were no findings or questioned costs; that there was no material internal control weakness identified; and that the staff was very cooperative. A copy of the audit presentation is attached hereto and by reference made a part hereof.

BOARDS AND COMMITTEES

Mid Carolina Workforce Development Board: Consideration of a request to appoint two members to the Mid Carolina Workforce Development Board by Commissioners Barnes (1) and Outz (1)

This item was deferred until a later date.

MANAGER'S REPORTS

The County Manager had no reports.

COMMISSIONERS' REPORTS

Taxes for Blind Persons:

Commissioner Outz stated that someone in Pinehurst had told him that if someone went blind, they would be exempted from having to pay any taxes.

Staff is to look into this matter.

BREAK

Commissioner Barnes moved, seconded by Commissioner Outz, to recess for a five-minute break prior to going into Closed Session. The motion carried five (5) to zero (0).

CLOSED SESSION

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

AFFORDABLE HOUSING

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Commissioner Cross in order to continue what the Affordable Housing Task Force has been doing, a philanthropist family has been looking at the good works accomplished and are willing to donate a very large sum of money to the cause; that it will require matching County funds; that it would give money to leverage additional funds; that it would give them funds to purchase land in Pittsboro; that they are looking forward to receiving additional funds from the County; that this will be dedicated to the Habitat; that the philanthropic funds will be restricted to infrastructure and land purchase which is what is needed at this time; that rather than asking the County to loan the money based on funds coming from Briar Chapel, he is hopeful that the County will see its way to match the donation which will give them adequate funds to do what they need to do at this time. He stated that this proposal would be forthcoming at the November 20, 2006 Board of Commissioners' meeting.

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ADJOURNMENT

Commissioner Emerson moved, seconded by Commissioner Barnes, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 10:30 AM.

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Bunkey Morgan, Chairman

ATTEST:

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