

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
MARCH 17, 2008

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry Dunlap Building Classroom, 80 East Street, located in Pittsboro, North Carolina, at 2:30 PM on March 17, 2008.

Present: Chairman George Lucier; Vice Chair Mike Cross; Commissioners Patrick Barnes, Carl Thompson and Tom Vanderbeck; County Manager, Charlie Horne; Acting County Attorney Jep Rose; Assistant County Manager, Renee Paschal; and Clerk to the Board, Sandra B. Sublett

The Work Session was called to order by the Chairman at 2:30 PM.

The Chairman stated that Item #8, Consideration of a request to approve the “General Environmental Documentation Submittal Form,” would be moved to the April 07, 2008 Board of Commissioners meeting; and, that #8 would become the Board of Education request to move funds from one capital project to another. He then reviewed the sequence in which the items would be discussed.

Work Session

1. **Green Building Task Force Recommendations** (from February 12th request from Alicia Ravetto)
2. **Alamance Sludge Application Process; Next Steps**
3. **County Attorney Search; Next Steps Discussion**
4. **Lease for Attorney Office Space on Hillsboro Street**
5. **Transportation Briefing: HB #1513** by Paul Meyer
6. **Affordable Housing Update:** The Wooten Company
7. **Board of Elections Request to Sell I votronic Voting equipment**
8. **General Environmental Documentation Submittal Form:** Consideration of a request to approve the “General Environmental Documentation Submittal Form”

BOARD OF ELECTIONS REQUEST

Maja Cricker, Board of Elections Chair, stated they had recently held a hearing concerning voting equipment; that citizens had expressed a preference for paper ballot machines; that they owned 50 electronic voting machines used for early voting and for persons with disabilities; that they were currently considering the possibility of selling those electronic machines and obtaining machines called Automark, which assist disabled voters who have difficulty seeing and with motor difficulties; that they had the potential of selling the electronic voting machines to Mecklenburg County; and, one question was could they be sold if they so choose directly to Mecklenburg County, or, did they have to put them out for bid.

Ms. Cricker stated that Mecklenburg needed to obtain machines in the very near future, and the Board of Elections would like to take advantage of that; that the potential resale value of the 50 DRE units would likely be around \$149,000; that the worst case scenario for obtaining the Automark machines was around \$161,000; and, that resulted in a shortfall of about \$12,000. She asked if the Board would consider as high as a \$20,000 shortfall.

Chairman Lucier asked if that money would come back to the County or did it go to the State Board of Elections. Ms. Cricker stated it would go back into their account to be used to purchase the Automarks, but the difference in the sale of the older machines and the purchase of the new machines would have to be paid by the County.

Commissioner Vanderbeck stated he understood there was a possibility that the 50 DRE machines would be replaced with only 25 Automark machines, but they cost twice as much so that was why the additional funds were being requested. He stated he had also heard that having these Automark machines would save staff time. Ms. Cricker said that was being investigated,

although feedback from one county who had recently purchased Automarks had reported a tremendous time savings for staff.

Commissioner Vanderbeck stated that would mean what appeared to be a potential \$12,000 plus or minus deficit could also be smaller if they did in fact decrease paid staff time. Ms. Cricker said that was correct, adding that another possibility was that they could reduce the expenditure by about \$5,000 if they did not purchase the storage and transport racks.

Commissioner Vanderbeck asked about the window of time to sell the current machines to Mecklenburg County; how long would it take for Mecklenburg to forward the funds; and, that he had heard that Mecklenburg needed a response within 30 days, and the clock had already started. Ms. Cricker responded she did not know. Commissioner Vanderbeck stated it was important to know how the contract and payment would be structured, and the Board would need that information before any arrangement for a sale was completed.

Commissioner Barnes stated if this change would end the disagreements among every part of the County regarding what kind of voting machines should be used, then he would be in favor of it. He asked would this change end that discussion. Ms. Cricker replied she believed it would.

Commissioner Barnes asked what Dawn Stumpf's opinion was. Ms. Cricker responded that Ms. Stumpf preferred the IvoTronic; however, she believed that was not the community preference; that the Automark would satisfy that community preference; that it used a physical touch screen that marked a paper ballot; that it allowed you to magnify the screen for better viewing; that Braille keyboards were available; and, that paddles could be used if needed due to mobility issues.

Commissioner Barnes asked if the ballots could be counted expediently. Ms. Cricker stated the paper ballots would be counted as they had always been counted, by optical scanner. She said the one issue was that once the machines were used for early voting, the ballots would need to be sorted by precinct, usually done with volunteers; that Wake County had the League of Women Voters do that and had reported that it sometimes took more than a day, but Wake County was a much larger county than Chatham; and, that would not affect when they got in the actual returns.

Commissioner Barnes stated if this sale and purchase would end the two-year fight over this, then he would be in favor of it. He asked if the sale went through, would the Automarks be here in time for the May primary. Ms. Cricker replied no, but they would have them for the November 2008 election.

Chairman Lucier stated then the question was if the Board of Elections came forward with a request for up to \$20,000, would there be any support for that. Commissioner Vanderbeck responded yes.

Commissioner Cross asked what the vote was of the Board of Elections in moving from the IvoTronic to the Automark. Ms. Cricker stated they had not yet taken a vote because it was still under discussion; that the vote would be affected by the feedback received from Board of Commissioners and its potential support.

Commissioner Cross stated he would prefer a recommendation from the Board of Elections based on its decision rather than based on this Board's decision.

Chairman Lucier stated the purpose of this discussion was to receive an update and not to get a decision. Ms. Cricker stated that obviously the Board of Elections would vote not to do it if they did not have the money to do it; and, they would not do it if they could not sell the present machines to Mecklenburg.

Commissioner Thompson stated he would be in favor of making a commitment to approving an additional \$20,000 to purchase the machines if there was a recommendation from the Board of Elections. He stated that based on the information Ms. Cricker had provided, he believed it might end that two-year discussion.

Commissioner Vanderbeck agreed with Commissioner Thompson.

The County Manager stated Ms. Cricker had indicated that Mecklenburg was on a short timeline, but assumed they did not need the machines for their primary. Ms. Cricker stated that one possibility was that Chatham County had never used all 50 machines, and could retain about 25 for use in the May primary if used only for disabled voting. She said that would allow them to sell Mecklenburg the other 25 right away.

Chairman Lucier stated what he believed the Board of Commissioners was saying was that they would likely be in favor of the change if small amounts of money were involved. Ms. Cricker said the remaining issue would be if the Board of Elections could sell the machines directly to Mecklenburg or would they have to be put out to bid.

The County Manager stated he believed the Board of Commissioners had discretion as to how the machines were sold.

Jep Rose, Acting County Attorney, agreed with the County Manager, noting that it would be different if the machines were being sold to a private party.

AFFORDABLE HOUSING STUDY UPDATE

Steve Player, representing The Wooten Company, acknowledged actions previously taken by this Board to promote affordable housing, the first of which was the commissioning of this study to help identify trends and possible solutions to the needs, as well as forming the Affordable Housing Task Force. He provided the following update:

- Study Methodology
 - Build on the 2002 Report, because it had the 1990 and 2000 Census data to compare and analyze
 - Provide an analysis of existing conditions – Section I
 - Develop tools and strategies that might be used to address needs identified – Section II
- Section 1 – Inventory and Affordability Analysis
 - ◆ Inventory Analysis
 - Demographic/economy – just over 60% of the families in Chatham County earned the area median income of \$60,000 or less; a high growth trend was identified; growth was expected in the elderly population – those 64 and over earned \$40,000 or less, and those 75 and over earned \$27,000 or less.
 - Ordinances and policies – higher densities could be encouraged; that mixed uses and other housing types were not particularly encouraged.
 - Infrastructure – the County was doing a good job in respect to water and the CIP for the next 4 to 5 years; there were some wastewater limitations.
 - Demand – driven by a number of factors, including that it continued to have a small town feel, that it was a short and easy commute due to the road system and the proximity to such things as hospitals and larger metropolitan areas, that there were a lot of amenities, and housing prices were still considered to be low.
 - Demand – driven by rising land costs; there were waiting lists for rental units, and those waiting lists increased with the developments subsidized and available for low and moderate income families.
 - Supply – predominantly single-family at 80%; remaining 20% was multi-family and manufactured housing; housing stock was aging; there was a lack of housing options for low and moderate income families; that the quality of housing was not exceptional; higher energy costs were causing a struggle; that there was low use of NC Housing Finance Agency products and USDA Rural Development Homeownership Programs, and, that applications were being submitted but the number of products available were low.
 - ◆ Affordability Analysis
 - Income trends – from 2002 to 2007 income had increased by 10% to 25%.
 - Sales trends - the home sales trends during that same period of time had increased over 60%, indicating that the opportunity for moderate and low income families to purchase housing had decreased.
 - Observation – the need for affordable housing had increased slightly over the last five years.
 - Quantification of need - the distribution of that needed housing had dropped in the last five years.

- Section II – Strategies
 - Summary of problems/obstacles
 - Development of broad tools goals to test those strategies
 - Tools and strategies – a list of about 26 tools and strategies had been developed to use to address affordable housing
- Next Steps
 - Complete the draft document
 - Participate in an Affordable Housing Forum to be held next month
 - Present Task Force formal recommendations to the Board of Commissioners

Chairman Lucier stated the document would be finished prior to the April 11 forum, so that would be a focal point of the discussion; and, that as part of the implementation of the Task Force's report, the Task Force would then develop recommendations to be presented to the Board. Mr. Player stated that was correct.

Chairman Lucier stated this had certainly been an active Task Force, and thanked Mr. Player and the Task Force for its hard work.

Commissioner Vanderbeck stated if necessary, after the forum, the Board might even have some other potential project for the Task Force to work on. He stated he looked forward to the Task Force's presentation at the Forum and encouraged the Board of Commissioner's to attend.

TRANSPORTATION BRIEFING ON HOUSE BILL 1513

Paul Meyer, with the County Commissioners' Association, stated that the Legislature had recently passed HB 1513 which would allow Counties to spend its own funds on roadways where before it was entirely a State function; and, indicated that he would provide more information later in his presentation. He provided the following presentation entitled Counties and Transportation Finance:

Transportation Topics

- History
- Overview of NC Road Network
- Overview of NC Transportation Appropriations and Revenues
- NCDOT Outlook
- SB 1513
- 21st Century Transportation Committee
- Secondary Roads Program

History

- 5,500 miles of county roads assumed by the State in 1921
- State assumed control of all remaining county roads in 1931; a statute was adopted that took control of those roads from the counties and gave it to the State; SB 1513 changed that by providing voluntary authority for counties
- Instead, centralized system in NCDOT
 - Construction and maintenance
- Municipalities own/operate road systems
 - Construction and maintenance

Overview

- State: 80,000 miles (2nd nationally)
- Municipal: 20,000 miles
- County: 0

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- 64,000 miles of the State system are secondary roads
 - Municipalities spend \$1 billion annually

07-08 State Transportation Appropriations

- Highway Fund \$1.81 B
- Highway Trust Fund \$1.14 B
- Federal Funds \$942 M
- Total \$3.91B
- Construction: 46%
- Maintenance: 23%
- Highway Patrol/General Fund: 11.2%
- Other DOT Divisions: 9.1%
- Admin: 7.4%

State Transportation Revenues

- Gas Tax \$1.62B
 - 30 cents/gallon
 - US Avg. 28.5 cents/gallon
- Highway Use Tax \$600M
 - 3% of sales price, net trade
- DMV Fees \$700M

Highway Fund

- Maintenance
- Municipal Aid
- Admin.
- Transit
- Other Agencies
- Construction

Highway Trust Fund – presented as pie charts

- First pie chart included Maintenance and Municipal Aid, Administration, Transit, Other Agencies, and Construction
- Second pie chart included Urban Loops, Intrastate Highways, Municipal Aid, and Secondary Roads

Paving Programs

- Urban Loops (4 lanes): 1,000
- Secondary Roads (2 lane): 5,500
- Intrastate Roads (4 lanes): 3,600

NCDOT Outlook

- Growth, growth, growth
- Increasing construction costs
- Flat/declining revenues
- Aging roads and bridges
- Est. \$65B funding deficit (2005-2030)
- Public cry for DOT reform
- Growing backlog of “State-wide tier” (largest highways) and “subregional tier” needs (city streets, secondary roads)
- Rapidly increasing urban congestion
- NCDOT policy transition – funding emphasis on “State-wide tier”

SB 1513

- Allows voluntary county authority to participate in funding of:
 - Rights-of-way acquisition
 - Construction
 - Reconstruction
 - Improvement

- Maintenance
- Under agreement with NCDOT

21st Century Transportation Committee

- 24 Members divided into three subcommittees: Finance, Transit, and Intergovernmental Relations
- Tasked with offering recommendations for both 08 and 09 Sessions
- 2 county commissioner representatives

Secondary Roads Program

- Purpose: paving of all eligible secondary roads
- Converted to improvement program, starting FY 2010-11
- \$170M annually
- Recommendation to eliminate program - diverting for larger roads

Other State “Solutions”

- VA: Regional Taxing Authorities (recently struck down by the Virginia Supreme Court as unconstitutional)
 - Sales tax on services
 - Gas tax
 - Land Transfer tax
 - Regional registration fees
- SC: Pennies for Progress
 - Local option sales tax for named projects
 - Vote of the people

Commissioner Vanderbeck asked why the Legislature had not waited for the recommendations of the 21st Century Transportation Committee before adopting HB 1513. Mr. Meyer stated that was a good question and did not know the answer.

Commissioner Thompson asked who the two county commissioner representatives were on that committee. Mr. Meyer replied Richard Blackburn from Ashe County and Chuck McGrady from Henderson County; that there were also two municipal representatives, but was not sure who they were; that the rest of the Committee was made up of legislative members and various other interested parties; and, that Brad Wilson, the CEO of Blue Cross/Blue Shield was the Chair. Mr. Meyer said if anyone was interested in attending one of the Committee meetings, the next was scheduled for Monday, March 24 at 1:00 PM in the Legislative Office Building, and that the information should be on the Legislature’s website at www.ncleg.net.

Chairman Lucier stated he was a part of the MPO and they were supposed to receive an update from the 21st Century Transportation Committee at the last MPO meeting, but the person never showed. Mr. Meyer said he was not sure that Committee had a lot to offer at present, in that they were doing a lot of listening. He stated the “rumor mill” was that three things were on the table for the 2008 short session: Gap funding for toll roads; the ongoing transfer of Highway funds to the General Fund and the desire to end that; and, how DOT was going to improve its own performance.

Chairman Lucier said the traffic analyses that were done when looking at the consequences of that \$65 billion shortfall over the next 15 years showed traffic congestion increasing by 50% to 100% in many areas, and in many cases doubling the driving time. He said those projections tried to take into account expected growth, and Chatham County was very vulnerable to that because they were one of the fastest growing counties in the State. Chairman Lucier said that would put great pressure on their secondary roads, and the fear was that the State would not be able to maintain the roads. Mr. Meyer stated that the Legislature had realized that the number of miles that were eligible to be paved had decreased, and had passed a Bill in 2005 that would begin to convert the secondary road paving program to an enhancement program to be used for not just paving those roads but to enhance them by making them wider and safer and adding more traffic control devices. He said that unfortunately, since that time there was a growing voice, primarily from legislative staff, to eliminate the program altogether and take the

\$170 million placed in the fund annually and place it in the top tier for large roads. Mr. Meyer said that begged the question of where the funds would be found to upgrade and maintain secondary roads, hence HB 1513 to allow counties and municipalities to enhance the roads.

Mr. Meyer said that topic, as well as how to raise taxes for the State, was the primary discussion at the present time of the 21st Century Finance subcommittee, and the “bull's eye” was on local government. He called attention to the spreadsheet he had provided which showed that the State funds budgeted for secondary road maintenance and resurfacing in Chatham County for FY 2007/2008 was \$4.7 million; that at the present time they were not discussing taking those funds; that that \$2.8 million was budgeted just for paving; and, that the oral commitment was that the maintenance funds would remain but there was the potential that the \$2.8 million would no longer be available. Mr. Meyer added that of the County's 917 miles of secondary roads, there remained 90 miles that were unpaved, and that \$2.8 million allotment could have gone to enhance those secondary roads.

Chairman Lucier stated they were supposed to receive an update this spring on what the paving priorities were, and asked was that still scheduled. The County Manager responded they had obtained a resurfacing map which pinpointed ten roads for resurfacing, but he had not received the names of those roads as yet.

Commissioner Cross asked about the issue of highway funds being transferred to the General Fund, noting they had been told recently that those transfers were to pay back funds taken some years back. He asked when that replacement would be completed. Mr. Meyer stated there was a big push to end it this year, but the State would have to come up with \$175 to \$180 million annually to do that.

Commissioner Thompson asked how he gauged the sentiment of eliminating the highway enhancement fund. Mr. Meyer said one way he measured that sentiment was when he attended open meetings and heard the Co-Chair of the Senate Finance Committee say they should do it immediately, and that said to him that “the drum was beating loudly.”

Commissioner Vanderbeck stated he was surprised that privatization had not been mentioned, and hoped that it would not. Mr. Meyer stated that privatization had been mentioned in toll road discussions only at this point.

Commissioner Vanderbeck stated that it concerned him greatly, in that representatives on these kinds of committees were State appointed; that he was also worried about planning and what they should do as a county as far as growth plans, because unless they had the money to maintain the roads they would not be able to handle that growth; that he questioned whether they would need impact fees just for roads; and, would they be able to take funds approved for roads and use them for mass transit instead. Mr. Meyer stated those were all good points; that NCDOT had complained for years that local governments made land use decisions and the NCDOT was left to deal with road improvements; that NCDOT had said they believed that was inherently wrong; and, that by giving local government some responsibility in this area then perhaps the two would be bridged, that is, transportation policy and land use policy. Mr. Meyer stated it had also been suggested that the State play a part in those land use decisions via some form of authority.

Commissioner Vanderbeck stated he had tried to tie this to local option sales tax. Mr. Meyer said in the Virginia case, there were impact fees involved.

Chairman Lucier asked how would this work for local governments and their ETJ's. The County Manager said local governments would be responsible only for what was within their corporate limits.

Chairman Lucier stated then the counties would be responsible for the ETJ's. Mr. Meyer stated that right now State roads that were within municipalities were still the responsibility of the State.

Chairman Lucier stated the difficulty with that was that local municipal governments were in control of the planning decisions in the ETJ but the County would have to take care of the roads, and that did not seem right. Mr. Meyer said that was one possible outcome.

Commissioner Barnes stated that Commissioner Cross had already brought up the issue of Highway funds being transferred into the General Fund, and that it was payback for funds taken from the General Fund some years ago. He asked what the original amount was of funds taken from the General Fund. Mr. Meyer replied he did not know the answer; only that \$170 million annually was being transferred.

Commissioner Barnes stated Highway Trust Fund money came from gasoline sales taxes, and if it was being used for what it was intended for they would not have this problem. Mr. Meyer said that was a significant problem, and it was being experienced by every state.

Chairman Lucier thanked Mr. Meyer for his presentation.

Commissioner Lucier stated the Commissioners should probably consider establishing a Transportation Advisory Board to advise on issues such as this including obtaining grants for other transportation related issues such as bikeways and trails. He asked that that be put on an upcoming work session agenda.

Mr. Meyer suggested spreading the word on what was happening to the County's legislative delegation so that they had a full understanding of how this would affect the County.

Commissioner Vanderbeck stated that this could eclipse their school spending very easily.

BREAK

The Chairman called for a five-minute break.

GREEN BUILDING TASK FORCE RECOMMENDATIONS

Chairman Lucier stated this item would be a discussion of a set of recommendations provided by the Green Building Task Force, although he did not believe there would be time at this meeting to discuss all 13 recommendations in detail; he suggested spending 20 minutes today and get as far as they could, then discuss the remainder at an upcoming work session; and, that some of the recommendations would require a financial impact analysis before they could move forward on them.

Alicia Ravetto stated she believed they could begin by discussing recommendations one through five, and save the other eight for later. She stated recommendation #1 was to immediately take advantage of the authority granted by Session Law 2007-381 to charge reduced building permit fees or provide partial rebates of building permit fees for buildings that were constructed or renovated using design principles that conformed to or exceeded certain criteria. She stated last year they had looked at public buildings, and were now looking at private buildings and what kind of incentives might be provided. Ms. Ravetto said they needed guidance from the County because they had no idea of the number of permits related to construction that were submitted each year and if that would allow sufficient funds for recommendation #3 which was to fund a full-time County employee to coordinate Green Building initiatives.

Ms. Ravetto stated that recommendation #2 was to publicize any changes made in a number of ways, including the County's website, press releases, mailers to builders who had worked in the County over the last three years, and with handouts prominently displayed in the offices of Planning, Central Permitting, and Environmental Health. She stated they saw the County taking a leading role in educating the community.

Ms. Ravetto stated recommendation #4 was to provide, if feasible, priority status in the scheduling of building inspections and environmental health inspections for projects which qualify for the reductions or rebates by conforming to the criteria, and to similarly publicize that priority status. She stated that recommendation #5 was to provide in a highly visible form on the County website brief descriptions of all building projects in the County what had qualified for the reductions or rebates.

Paul Konove stated that the local Home Owners Association that included Orange, Durham, and Chatham Counties had a Green Home Building Council; in the last month they had

joined with Wake County to form a regional Green Building Council, with a membership of 162 who were mostly builders; that many Wake County builders built in Chatham County; and, that for Chatham County to provide incentives for that transition to green building would provide a model for others.

Chairman Lucier confirmed that Mr. Konove was a member of the Task Force. Mr. Konove stated that part of the LEED programs adopted for institutional buildings could be integrated into private buildings as well; that there was a new program called LEED ND, which was LEED for Neighborhood Developments; that the new program dealt with LEED planning and could be integrated very well into planning developments on green building principles; part of that were issues regarding parking, transportation, biking and walkability; and, integrating that LEED ND would then help with the transportation issues discussed earlier in the meeting.

Chairman Lucier stated one of the questions was what the budgetary impact would be of a permit fee reduction or rebate. The County Manager responded that was the kind of fiscal analysis that he had mentioned earlier that would be needed.

Renee Paschal, Assistant County Manager, asked what kind of reduction would be seen as high enough to provide an incentive. Ms. Ravetto said she did not know the cost of permits, but if a permit were \$50, she would suggest a \$20 reduction; but, she did not know at this time what kind of numbers they were talking about.

Commissioner Vanderbeck stated then the County could potentially raise all the fees \$50 and then rebate it back to comply with the Green Building criteria. Mr. Konove stated that he was a builder and had worked on projects in Chatham County, and had not seen a permit rate increase in some time, so perhaps now was the time.

Commissioner Barnes stated the first recommendation was to provide a rebate to those construction or renovation projects being done according to Green Building criteria, and recommendation three was to raise building permit fees sufficiently to fund a full-time County employee to coordinate green building initiatives; and, that would be difficult to do. Ms. Ravetto stated that was the only way they had found to do it. Commissioner Barnes stated in effect they would be raising fees and then giving it back.

Chairman Lucier asked what the current cost was of a building permit. Mr. Konove stated although it was phrased as building permits, he believed the recommendation was actually referring to any building-related permits, including environmental health and planning fees.

Chairman Lucier stated then they were talking about the entire spectrum of building fees. He stated what the Board would need was a list of that spectrum of fees and how they were determined, since some were fixed and some were graduated.

Commissioner Thompson asked if the Task Force was familiar with the program used by the City of Asheville, noting it was similar to what was being proposed here. Ms. Ravetto said that would be the model to look at in that area, adding she had researched other areas and it appeared they were increasing the density allowance if using green building practices while always paying attention to affordable housing.

Commissioner Thompson stated Asheville had waived the entire building permit fee as well as a portion of the administrative fee and it would be interesting to see what the fiscal impact had been. Mr. Konove stated looking at these recommendations, there may be some costs involved but there would also be some benefits to the builders, as far as marketing, promotion and recognition benefits by the County.

Ms. Paschal indicated she had just emailed Ms. Ravetto the building permit fees broken down by type. She stated that the fees were based on the square footage of the house, and a 2,500 square foot house would be 30 cents per square foot, which was \$750. Ms. Ravetto stated that kind of analysis was what they needed help with. She stated the Major Corridor Ordinance Task Force had developed a summary of recommendations, but there was no section regarding green building; the Green Building Task Force saw that as a problem since it appeared green building was being isolated and not integrated into other related activities.

Chairman Lucier asked when the next meeting was of the Task Force. Ms. Ravetto responded the second Monday in April.

Chairman Lucier asked what the current timetable was for the forums, stating he knew one would be held tomorrow and one next week. He asked if the Planning Board would be looking at it at its April 1st meeting. Sally Kost, Planning Board Chair, stated that was correct, and would likely look at it again on May 7th if they did not finish it on April 1st; that the plan was for it to go to public hearing at the second meeting in May.

Ms. Ravetto stated the Task Force would like to meet with the Board of Commissioners on a quarterly basis to better inform the Board and in turn to be better informed.

Commissioner Thompson asked was there any grant funding available to fund a position such as that proposed in the recommendations, such as the US Green Building Council. Ms. Ravetto responded that could be investigated, adding that such a position could be the one to research all of the other options, including grants. She stated her belief that green building policies should be in place before the moratorium was lifted.

Chairman Lucier suggested Ms. Ravetto contact the County's grant writer for assistance; that the Board did need to think about how to provide the Task Force with some staff support on a part-time or contract basis if a full-time position was not possible; that the Board would want to see the entire list of fees and get recommendations from staff in terms of what might be possible as far as incentives for those meeting green building standards; and, if that was done to then publicize it. Ms. Ravetto said one of the incentives other counties had used, and was listed as their recommendation #4, was to offer priority status in the scheduling of inspections and other areas. Chairman Lucier stated then recommendations #5 and #6 would follow that, which referred to offering website descriptions of buildings projects that had met the criteria and providing website links to green building resources.

Mr. Konove stated how to deal with construction waste as growth continued would be an issue to keep in the forefront, noting he did not believe that Chatham County had a waste recycling coordinator. He stated a staff person could help in some way to further that effort, and added that he also did not believe there was a person in the Planning Department that had expertise in green building as it related to development.

Commissioner Vanderbeck stated that the issue of construction waste management had been brought up by the Solid Waste Board when they made their presentation several months ago.

Ms. Kost asked would building inspectors be required to obtain certain certifications in order to effectively inspect green building or LEED homes. Mr. Konove said not at the present time, but that was something that had been discussed and would likely come up again. The County Manager stated the inspectors used the State Code and a regulatory process to enforce that Code.

Ms. Ravetto stated that many of the things they talked about in regards to green building techniques were being incorporated into the new commercial and residential codes.

Chairman Lucier asked the County Manager to let the Board know when that information would be in front of them, so that it could be included in either the April 7th or April 21st work session. The County Manager reminded the Board that he and his staff were heavily involved in developing the budget, and did not believe they would want to put that off. Chairman Lucier agreed, and asked the County Manager to let the Board know when this could be put back on a work session agenda.

COUNTY ATTORNEY SEARCH – NEXT STEPS

The County Manager stated they had provided the Board with a lease proposal for office space on Hillsboro Street about a half block from the Courthouse.

Chairman Lucier asked had Fred Royal moved into the Attorney's previous office space. The County Manager responded not yet, noting they were still looking at that.

Lease:

Commissioner Barnes moved, seconded by Commissioner Cross, to approve the lease between the Rosemary Street Properties LLC and Chatham County for office space for the County Attorney.

Commissioner Thompson stated he had not yet seen the cost details of the lease agreement. Ms. Paschal stated she had emailed that out separately; that the space was 100 additional square feet and the cost was the same per square foot as what they had now; and, the cost would be about \$1,200 per month and they would need an additional \$350 this year to cover the difference.

Chairman Lucier called the question. The motion carried five (5) to zero (0). The lease is attached hereto and by reference made a part hereof.

County Attorney Search:

Chairman Lucier stated that one option would be to advertise as they had done before, receive applications, screen them, narrow them down to three or four, and invite those persons in for an interview, then make a selection; that if they went ahead with that process, they would likely need to take a hard look at the job description to make sure that it adequately described what they were looking for; that they would need to look at their recruiting strategy and how to get the people they wanted to consider applying; and, to think about whether or not to engage a search committee that was independent of this Board, who would make recommendations as to the final three or four persons to be interviewed.

Commissioner Thompson stated he believed they should consider looking at whether the County had the need for a full-time attorney as opposed to a law firm that had staff with expertise in several different areas; and, he would like to determine the cost of contracting with a law firm.

Chairman Lucier stated that would have been his second option.

Commissioner Thompson stated they should always consider the cost of the position, but by the same token getting good legal advice for the Board of Commissioners was critical. He stated the question was that given the income of this County, could they afford a person with the expertise they needed at this time as opposed to contracting with a law firm. Commissioner Thompson stated his personal opinion would be to contract with a law firm if the cost appeared to be equal or even somewhat higher.

Chairman Lucier stated then Option A would be a process with a rigorous search, Option B would be to contract with a law firm, and Option C could be a hybrid of the two where they retained a law firm that had a breadth of expertise and experience in County government, and also accrue a junior attorney who could perhaps grow into a stronger position while providing general legal services.

Commissioner Vanderbeck stated no matter what they did, they had to figure out how to do it better as far as assessing the County's needs; that they then needed to re-evaluate the job description and do a cost analysis with a full-time attorney versus a law firm; that they had representation by a law firm that had that breadth of expertise to help while they were in this period while so much was going on; that he would like to take a breather in that, still keeping in mind that at the time they moved to a full-time attorney it was because there was enough work for a full-time position and would actually save money and give them more control; and, that he saw a lot of options to be considered.

Commissioner Vanderbeck stated he believed the option of recruiting a junior attorney would be helpful; that the County had accumulated a law library; that a paralegal was already working; and, he would like the Board to look at all the options in a much more comprehensive way and then decide what the best fit was for the County.

Chairman Lucier stated it sounded like Commissioner Vanderbeck had no preference at this time. Commissioner Vanderbeck responded that was correct. Chairman Lucier stated they could go through the exercise of making a list of all the things they wanted an attorney to do,

who would interact with the attorney, and both of those would be long lists. He stated the County was undergoing a lot of changes and that increased the demand for legal advice; and, he agreed they needed to think about the issue comprehensively.

Commissioner Barnes stated he believed they needed a full-time County attorney, and perhaps they should consider the idea of hiring a junior attorney that would grow into the position. But, he stated, his preference would be for a full-time County attorney, so he would lean towards Option C that moved towards Option A.

Commissioner Cross stated the County was legally well covered at the moment, and believed they should do some more thinking before they moved forward with any process. He stated that with everything going on now it would be even more difficult with a new attorney; and, he believed they should allow Acting County Attorney Jep Rose to get them through the moratorium period.

Chairman Lucier asked how Mr. Rose felt about that. Jep Rose, Acting County Attorney, stated he was willing to continue his service to the County, and believed taking some time to be sure they knew what direction they wanted to move would be beneficial.

Chairman Lucier stated he believed what he was hearing from the Board was that they were well covered at the moment as far as legal services, and they wanted to think about how to move forward with the various options as well as the relative costs of each.

Commissioner Cross stated he believed that they all agreed that eventually they would need a law office; that the County already had enough work for a social services attorney; that perhaps they also needed to think about that at the same time; that they should take this opportunity to think about and plan what they wanted in the County's law office; and, that they eventually would need two attorneys. Commissioner Cross stated they were already paying for legal contract services for social services.

Chairman Lucier agreed, noting the amount spent on that contract may allow them to hire a social services attorney.

Commissioner Vanderbeck stated they had an ongoing facilities study and this was probably somewhere in the mix of that study.

Chairman Lucier stated this would be discussed again in the near future.

BOARD OF EDUCATION REQUEST

Chairman Lucier stated this request would basically be moving funds and repairing the entrance to Northwood. Gerald Totten, School Board Member, stated that the Board of Education was asking for approval to move certain funds in their Capital Outlay budget to allow them to complete some repairs and to delete the purchase of two buses that the State had agreed to provide.

Chairman Lucier stated this would also allow for the completion of the joint project with NCDOT to repair the entrance at Northwood. Mr. Totten stated that was correct.

Commissioner Thompson asked about the floor covering at Chatham Central that was deleted. He asked if the project had been completed, or if it was budgeted for \$30,000 and they were removing it. Mr. Totten stated the project had been completed and \$30,000 was left over, so they were asking to transfer those funds elsewhere.

Ms. Paschal stated they had taken some funds from maintenance funds, so it came out of another line item.

Chairman Lucier noted that the original budget was \$681,010, and the revised budget was the same figure, so they were not asking for any additional funds but were asking only to shift some of those funds.

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to approve the amendments to the Chatham County Schools request. The motion carried five (5) to zero (0). The amendments are attached hereto and by reference made a part hereof.

ALAMANCE SLUDGE APPLICATION NEXT STEPS

Chairman Lucier stated the Board had previously heard a presentation on this, and a public hearing was scheduled for April 22nd. The County Manager stated he believed that was correct.

Chairman Lucier suggested the Board try to put together any public comments at their April 7th meeting, and he would put together an outline to focus the discussion.

Chairman Lucier stated that Commissioner Cross had suggested, and he agreed, to invite Margaret Bryant Pollard, former Chatham County Commissioner who was present this evening, to join the Board for dinner in the Manager's conference room. Ms. Pollard thanked the Board for the invitation and accepted.

DISPOSAL OF PROPERTY

Ms. Paschal stated they had quite a bit of property to dispose of, such as chairs, filing cabinets, and the like, and asked the Board to authorize the County Manager to dispose of the property up to a certain dollar amount. She stated their plan was to hold a tag sale on March 29th and then anything left over would be given to Habitat or the local swap shop.

Commissioner Vanderbeck moved, seconded by Commissioner Thompson, to authorize the County Manager to dispose of property up to \$30,000.00. The motion carried five (5) to zero (0).

BIDS FOR AUDIO VISUAL AT DEPARTMENT OF SOCIAL SERVICES

Ms. Paschal stated they had been trying to obtain bids for audio visual equipment at DSS, and wanted to obtain a vendor to do all that was necessary. She said they had sought proposals from four different vendors and had been successful in obtaining only one; that County policy required that they get quotes for up to \$30,000; the quote received was for just over \$19,000; and, they were requesting that the Board waive the County policy for this one case so that they could accept the one bid they had received.

Commissioner Vanderbeck asked was the waiver being requested because of a time element. Ms. Paschal replied no, that the difficulty was getting a vendor who could do the entire project.

Chairman Lucier said from what Ms. Paschal had described, he did not believe the bid was unreasonable. Ms. Paschal said she would be happy to continue to search for other vendors. Chairman Lucier said he did not believe they could do much better than what had been received.

Commissioner Thompson moved, seconded by Commissioner Cross, to waive the County policy and approve the bid request. The motion carried five (5) to zero (0).

RECESS

The Chairman recessed the meeting to the County Manager's Conference Room for dinner at 4:48 PM.

ADJOURNMENT

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

George Lucier, Chairman

ATTEST:

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