

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**JUNE 02, 2008**

---

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 June 02, 2008.

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

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Commissioner Thompson delivered the invocation after which Chairman Lucier invited everyone present to stand and recite the Pledge of Allegiance.

**CALL TO ORDER**

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

**AGENDA AND CONSENT AGENDA**

Commissioner Barnes moved, seconded by Commissioner Vanderbeck, to approve the Agenda and Consent Agenda as follows:

1. **Minutes:** Consideration of a request for approval of Board Minutes for regular meeting held May 19, 2008 and work session held May 19, 2008

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

2. **Fiscal Year 2007-2008 Budget Amendments:** Consideration of a request to approve Fiscal Year 2007-2008 Budget Amendments, attached hereto and by reference made a part hereof.

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

3. **Fiscal Year 2007-2008 Project Ordinance Amendments:** Consideration of a request to approve Fiscal Year 2007-2008 Project Ordinance Amendments, attached hereto and by reference made a part hereof.

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

4. **Mutual Assistance Agreement:** Consideration of a request to approve the Chatham County Sheriff’s Office Mutual Assistance Agreement and adopt **Resolution #2008-22 Adopting a Policy for Mutual Assistance with Other Law Enforcement Agencies**, attached hereto and by reference made a part hereof.

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

5. **Resolution for Addition of Streets or Roads:** Consideration of a request to adopt **Resolution #2008-23 for the Addition of Streets or Roads to the North Carolina System of Secondary Roads – Heartland Drive, Amity Court, and Grove Park Circle in the Heartland Grove Subdivision**, attached hereto and by reference made a part hereof.

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

6. **Resolution to Accept State Revolving Loan Offer:** Consideration of a request to adopt **Resolution #2008-24 to Accept State Revolving Loan Offer from the North Carolina Environmental Management Commission**, attached hereto and by reference made a part hereof.

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

7. **PARTF Grant:** Consideration of a request to approve the letter providing PARTF with additional information on the grant application for the park on Big Woods 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**

**Gerald Totten**, 108 Petty Road, Siler City, NC, thanked the Board for allowing him time to give a short report on the effectiveness of the Chatham County Tax Department. He stated that one of the major roles of the Tax Administrator and her Department is to fairly assess real and personal property within the County; that a measure of that effectiveness is in the number of appeals by tax payers before the Board of Equalization and Review; that the greater the number of appeals, the greater the number of dissatisfied taxpayers is a truism; that beginning in 2005, there were 157 real property appeals, in 2006, a revaluation tax year, 578 real property appeals and 58 personal property appeals were handled by the board, 2007 saw 85 real and 29 personal property appeals heard; that this year the number of real property appeals dwindled to 25 and only 11 personal property appeals appeared; and that the only conclusion possible is that the sophistication and fairness of the tax system improves with experience.

Mr. Totten stated that for the same 2005 to current period, the percentage of tax bills which had to be either released or re-billed because of error also showed a steady decline; that in 2005 there were 1.2% of corrections made and now it is down to 0.8%.

He stated that as the Chair for 2007 and 2008, he was pleased to let the Board of Commissioners know that the Tax Department is trying its best to put the Board of Commissioners out of business; that the appointees the Board made in Ken Boggs, Herb Gaines, Tom Glendinning, Ralph Klevenow, Don Overby and Brenda Turner have made this duty to the taxpayers and to the Board a worthwhile and productive experience; that they each have carried out their duties taking advantage of the level of maturity and a perspective each appointee brings to this so-called court of last resort in tax matters; and that the only appeal level higher than this board is the State Tax Board where we have had very few appeals taken. The last resort is the courts.

Mr. Totten thanked the Board of Commissioners for giving him and the taxpayers we serve such considerate and professional employees and such diverse backgrounds of members of the board.

The Board thanked Mr. Totten for his service to the County.

**SECONDARY ROADS PRESENTATION**

**Secondary Roads Presentation:** Presentation of the 2008-2009 Secondary Roads Presentation for Chatham County by Reuben Blakley, District Engineer and adoption of Resolution for Secondary Roads for the Chatham County Secondary Road Improvement Program for FY 2008-2009

Reuben Blakley, District Engineer for the North Carolina Department of Transportation, Division of Highways, introduced Jeff Picklesimer, Division Maintenance Engineer, Damon Webb, Assistant District Engineer, and Benny Sloan, Chatham County Maintenance Engineer, and presented the Secondary Roads Improvement-Highway Funds Program for Chatham County. He distributed a copy of the priority ratings, and reviewed the

2008-2009 proposed allocations for unallocated highway funds and unallocated trust funds, a copy attached hereto and by reference made a part hereof.

Chairman Lucier thanked Mr. Blakely for his presentation.

Mr. Blakely answered questions from the Board.

Commissioner Barnes stated that they do an excellent job, but that he hopes that the State does not pawn off the roads to the County as they do not want it. He stated that he saw no need to fix something that wasn't broken. Mr. Blakely replied that he certainly understood that sentiment.

Commissioner Barnes moved, seconded by Commissioner Thompson, to adopt **Resolution #2008-25 for Secondary Roads for the Chatham County Secondary Road Improvement Program**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Mr. Totten stated that the Board of Education was getting ready to begin the preliminary work on the construction of a high school on Jack Bennett Road, that he understands that it is not on the list, and asked if this was the appropriate list on which it would appear. Mr. Blakely responded that it would be completely separate.

The Chairman stated that that actually comes under the Durham-Chapel Hill-Metropolitan Planning Organization (MPO); that the northeast quadrant, which includes the new high school site is part of the planning area and that all of the highway improvements are through that organization which has significant influence through DOT; that the upgrading of Jack Bennett Road and Lystra Road is a consequence of new schools; and that they are of the highest priority in Chatham County for the MPO.

Mr. Blakely complimented the efforts of the County Manager and other staff in working with his office.

## **PLANNING AND ZONING**

**Moratorium Extension:** Consideration of a request to extend the moratorium

Jep Rose, County Attorney, stated that the final ordinance draft went out Friday; that it finds that this process has turned out to be much more involved than anyone anticipated; that it was something that the County had not done before; that the extension narrows the scope on which they were focusing from four areas to two areas, the Subdivision Ordinance/Subdivision Regulations and Environmental Review Statements that are required; that there were several conditions that changed during the year which justify the extension; that these include the addition of the sewer capacity and the distinct possibility of a western intake for the western side of Jordan Lake; that a court decision in December struck down the existing ordinance that Chatham County had with regard to environmental impact statements because it did not specify the standards; that during the past year, the County Attorney who was very much involved in the redrafting of the Land Use Ordinances resigned; that it has been discussed by the Board of Commissioners on several different occasions in public meetings; and that a public hearing was held on May 19, 2008.

Chairman Lucier stated that he thinks it was appropriate to focus on the two issues that were focused on for the moratorium, upgrading the Subdivision Ordinance and setting standards for the Environmental Assessment; that those were the two things that needed to be accomplished; that there are a number of reasons that they did not achieve finality on these two issues; and that he thinks that they are laid out clearly in the Moratorium Ordinance.

Commissioner Thompson stated that the County Attorney did a fine job of completing the ordinance.

Commissioner Barnes asked the final date of the moratorium. Mr. Rose responded December 2, 2008; that the Board meets on December 1, 2008; and that he did not think there would be grounds to extend it at that point.

Commissioner Vanderbeck stated that he had read the draft and was pleased with it.

Commissioner Barnes moved, seconded by Commissioner Vanderbeck, to adopt **An Ordinance of the Chatham County Board of Commissioners Extending A Moratorium on the Creation of Certain Major Residential Subdivisions Within Chatham County, North Carolina to December 02, 2008**. The motion carried five (5) to zero (0). A copy of the ordinance is attached hereto and by reference made a part hereof.

### **MANAGER' S REPORTS**

The County Manager reported on the following:

#### **Installment Purchase to Finance Water System Improvements:**

Ms. McConnell, Finance Officer, explained that there were a couple of things that needed to be done in order to move forward with the installment purchase contract: 1) Approve the installment financing; 2) Reading of the resolution.

Ms. McConnell read the resolution in its entirety.

#### **Resolution Approving an Installment Financing of Water System Improvements and Authorizing the Execution and Delivery of Documents in Connection Therewith**

Commissioner Barnes moved, seconded by Commissioner Thompson, to adopt **Resolution #2008-26 Approving an Installment Financing of Water System Improvements and Authorizing the Execution and Delivery of Documents in Connection Therewith**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

#### **Closed Session:**

The County Manager asked that a short Closed Session be held to discuss property acquisition after the Southeast Chatham Water District business.

### **COMMISSIONERS' REPORTS**

There were no Commissioner reports.

### **SOUTHEAST CHATHAM WATER DISTRICT BOARD**

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to recess as the Board of Commissioners. The motion carried five (5) to zero (0).

**See Minutes of the Southeast Chatham Water District Board for action taken.**

### **REGULAR SESSION**

Commissioner Barnes moved, seconded by Commissioner Vanderbeck, to reconvene as the Chatham County Board of Commissioners. The motion carried five (5) to zero (0).

### **CLOSED SESSION**

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to go out of Regular Session and convene in Closed Session for the purpose of discussing property acquisition. The motion carried five (5) to zero (0).

### **REGULAR SESSION**

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

**RECESS**

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to recess the meeting. The motion carried five (5) to zero (0), and the meeting was recessed at 9:43 AM.

\_\_\_\_\_  
George Lucier, Chairman

ATTEST:

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