

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
DECEMBER 15, 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 9:00 AM on December 15, 2008.

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

The Work Session was called to order by the Chairman at 9:03 AM.



Work Session Agenda

1. **Presentation of Audit**
2. **Capital Improvements Projects (CIP)**
3. **Consideration of fees for newly adopted ordinances**
4. **Approval of Board of Commissioners Minutes:**
 - 11-17-08 Work Session**
 - 11-20-08 Business Corridor Meeting**
 - 11-24-08 Special Meeting on Ordinances**
 - 12-01-08 Regular Meeting**
 - 11-19-07 Regular Minutes Correction**
5. **Planning Board Appointments (Tim Keim and Jim Elza) by Commissioner Kost**
6. **Discussion of the process for the Board of Commissioners’ decision on whether or not to put liquor-by-the-drink on a referendum ballot**
7. **Time Warner Cable**
8. **Economic Development Structuring Proposal and consideration of EDC appointments**
9. **Designation of Economic Development Corporation as County’s agent for working with the listing agent for the Chatham County Business Park**
10. **Durham Development (Colvard Farms) Survey and Jordan Lake**
11. **Planning:**
 - * **Sign Ordinance Discussion: December Chatham Arts Tour**
 - * **Establish March 16, 2009 as public hearing for annual cell tower plan**

* **Discussion of CMAQ funds for sidewalks in relation to NC#87 roundabout**

- 12. Continuation of work of existing business rezoning**
- 13. NC Division of Water Quality Staffing Issue**
- 14. Community Development Director Selection and Proposed Recruitment/Hiring Calendar**
- 15. Discussion of priorities for December 18, 2008 meeting with the Legislators**

Chairman Lucier welcomed those in attendance. He stated the plan was to get through the agenda as far as possible by about 10:50 AM with items 1 through 5 then take a short break; and, that at 11:00 AM continue with items 6 through 10, noting that there would be others present who wanted to comment on those items.

AUDIT

Shane Fox, auditor with Martin-Starnes & Associates, CPAs, PA, provided the following PowerPoint presentation regarding the Chatham County 2008 Audited Financial Statements:

Audit Highlights

- Unqualified Opinion
- No findings or questioned costs
- No material internal control weaknesses identified
- Cooperative staff and deadlines met

General Fund Summary

	2007	2008
Revenues	\$69,357,487	\$72,086,457
Expenditures	\$62,371,307	\$69,148,218

Fund Balance

- Serves as a measure of the County's financial resources available
Assets – Liabilities = Fund Balance
- 3 Classifications:
 - Reserved
 - Unreserved Designated (Available)
 - Unreserved Undesignated

Total Fund Balance - General Fund

- 2006 - \$23,999,935
- 2007 - \$21,829,083
- 2008 - \$21,693,705

Fund Balance Position

General Fund

- Total Fund Balance \$ 21,693,705
- Required Reservations - 5,038,035
- Unreserved Fund Balance \$ 16,655,670

Unreserved Fund Balance as a Percentage of Expenditures – General Fund

- 2007 – 0.28
- 2008 – 0.24

Property Tax

- 2007 - \$40,241,035
- 2008 - \$44,214,727

Sales Tax

- 2007 - \$12,116,870
- 2008 - \$12,408,159

Restricted Intergovernmental (Federal and State Grants)

- 2007 - \$9,769,301
- 2008 - \$8,706,837

General Government

- 2007 - \$6,094,601
- 2008 - \$6,630,669

Public Safety

- 2007 - \$10,095,592
- 2008 - \$10,562,640

Education

- 2007 - \$21,559,284
- 2008 - \$23,532,025

Human Services

- 2007 - \$17,431,447
- 2008 - \$17,825,114

Debt Position - Governmental and Business-Type Activities

- Outstanding debt at 6/30/08: \$ 70,920,852
- Debt Margin at 6/30/08: \$ 519,597,634

Enterprise Funds

	<u>Cash</u>	<u>Net Assets</u>	<u>Cash Provided from Operations</u>
Utility	\$20,449,182	\$45,240,123	\$3,793,801
Solid Waste Management	\$ 2,907,573	\$ 4,230,525	\$ 411,185

Enterprise Funds - Operating Income or (Loss)

	<u>Revenues</u>	<u>Expenses</u>	<u>Income (Loss)</u>
Utility	\$7,198,611	\$4,391,967	\$2,806,644
Solid Waste Management	\$2,743,305	\$2,429,930	\$ 313,375

Chairman Lucier asked under Fund Balance Position, what “Required Reservations” referred to. Vicki McConnell, Finance Officer, stated it was basically accounts receivable.

Mr. Fox stated accounts receivable was the largest part of that; that the LGC had a calculation where they took accounts receivable and accounts payable and set those monies aside as it you would not be receiving any of it.

Commissioner Kost asked if encumbrances were a part of that. Mr. Fox responded no.

Ms. McConnell stated the amount reserved by State statute was \$4.9 million.

Mr. Fox stated the LGC put aside the receivables as if you could not collect those, with the idea that Fund Balance should not be including monies not yet received.

Chairman Lucier asked if that was a reasonable proportion for a county such as Chatham County. Mr. Fox responded yes.

Ms. McConnell stated most of that amount had to do with Social Services, which generally ran two months behind. Mr. Fox stated that two months in arrears was also the average State-wide.

Commissioner Kost stated then the LGC made the assumption that the money would not be received. Mr. Fox stated that was correct, noting that the LGC did not want the bottom Fund Balance number to include \$5 million in receivables in the event that \$2.5 million or any number was never collected; that the remaining \$16.7 million was then taken and divided into the total expenditures of the General Fund, which gave you the 28% and 24% figures under Unreserved Fund Balance as a Percentage of Expenditures – General Fund over the last two years; that when

those figures were presented to the LGC they were looking for figures that were at the least 8%, which was one month of expenditures in the Fund Balance; and, that Chatham County had three times that which was very healthy.

Commissioner Kost asked what Chatham's policy was. Ms. Paschal responded 20%.

Mr. Fox stated that in regards to sales tax revenues, he expected that figure to reduce slightly due to the current economic conditions in the country.

Chairman Lucier stated he believed that figure was already down. Mr. Fox stated that was true for everyone, noting they expected that figure to flatten out in 2009.

Commissioner Kost asked did the reduction in federal and State grants have anything to do with Medicaid. Ms. Paschal responded that was possible.

Mr. Fox commented that the Debt Position listed under Debt Margin at June 30, 2008 was \$519,597,634, which was the maximum amount of money the County could borrow.

Commissioner Thompson asked how the Debt Income Ratio was figured. Mr. Fox stated that calculation took into account the County's current debt along with the current property valuation, less the actual debt outstanding.

Commissioner Kost asked as part of the audit did they also look at the Fire Department. Mr. Fox replied no. Commissioner Kost stated then those were independent audits. Ms. McConnell replied that was correct, and they looked over all of those.

Chairman Lucier stated then from Mr. Fox's perspective as they entered into financially difficult years, they were in fairly good shape to deal with that. Mr. Fox responded he believed that 24% was a very healthy percentage to have; that that percentage may slip down to 20% or perhaps even 16% because no one knew what the economy would do over the next few years or what the State may do and how desperate they may get; that he believed everyone was aware that in past years as the State became more desperate for financing and funds that their tendency was to go to the local governments and perhaps withhold funding; and, that Chatham County was in very good shape with a 24% Fund Balance.

Commissioner Kost stated when the comparative data that the LGC had that was submitted to the State due, or was it already submitted. Mr. Fox stated the deadline was October 31, but only about 25% of those reports were received by that date; that Chatham County had met that deadline; that the LGC then took that information and entered it into their database; that the LGC then submitted review notes to the auditors and to Ms. McConnell; and, the LGC had approved the report several weeks ago.

CAPITAL IMPROVEMENTS PROJECTS (CIP)

Chairman Lucier stated that Ms. Paschal had requested that they review the school projects first, and then go over the permits and fees with Mr. Willis, and then review the remainder of the projects after that. He then invited those School Board members present to sit with the Commissioners during the discussion.

Renee Paschal, Assistant County Manager, distributed copies of the PowerPoint presentation to the Board, as well as a sheet with each project listed in alphabetical order. She stated that Commissioner Kost had requested project balances, which was any unspent funds, and any differences from last year's CIP. Ms. Paschal stated the first column was the project balance and second column was the difference from last year's CIP, adding that numbers in parentheses were negative numbers. She then provided the following PowerPoint presentation on the 2010-2014 Recommended Capital Improvement Projects, beginning with school projects:

2010-2014 RECOMMENDED CAPITAL IMPROVEMENTS PROGRAM (CIP)

- CIP based on a conservative approach:
 - Basic schedule left in tact
 - Only 2 new General Fund projects included
 - A few previously approved projects now listed as "future projects" due to the economy

- Projects funded through Fund Balance will have to be revisited as part of the operating budget process
- The timing of debt-financed projects will be based on availability of credit and economic conditions
- Projects with recommended timing and funding changes are noted

CIP Meeting Overview

- School Projects
- Summary of Financing Methods
- Operating Impacts
- Other Projects
- Project Categories:
 - Completed (no discretion about delaying or not funding, for information only)
 - Approved - Contracts Let (little discretion about delaying or not funding)
 - Approved - No Contracts Let (no construction or purchase contracts let; design contracts may have been let; Commissioners may decide to delay or cancel)
 - New (has not been approved in a previous CIP)
 - Future (lacks full information or justification at this time)

School Projects

Staff Agreement with Chatham County Schools

- Schools will request all capital outlay items of \$100,000 and greater through the County's CIP process
- Information provided will follow our format
- Items approved as part of the CIP will not need to be requested again through the operating budget
- Many of the items requested would have otherwise gone through the annual capital outlay request

Overview of CIP Expenditures

- Technology – 1%
- Buildings – 21%
- CCCC – 6%
- Economic Development – 5%
- Library – 6%
- Parks – 2%
- Other – 0%
- Schools – 59%

Schools - Financing Strategy

- COPs for projects already approved/discussed (northeast high school, northeast middle school)
- Installment purchase for Northwood expansion
- Fund Balance for projects with \$500,000 or less annual cost (e.g., bleacher replacements)

Schools: Completed Projects

Schools – Other (Page 63)

- Completed
- Funding for a 200-student classroom "pod" at Northwood, a new cafeteria at Jordan-Matthews, and lighting for tennis courts and softball fields at the County's three high schools.
- \$4.2 million; COPs issued
- Project balance: \$0
- Difference from previous CIP: (\$444,943)

Schools - Virginia Cross Elementary School (Page 67)

- Substantially complete
- Construct a new 101,000 square foot elementary school on Alston Bridge Road in Siler City
- \$17.9 million; COPs issued
- Project balance: \$1,092,150.38

Schools: Approved - No Contracts, COPs proposed

Schools - New High School (Page 59)

- Approved - No Contracts
- Construct a 169,000 square foot, LEED Silver high school on Jack Bennett Road in northeast Chatham
- 800-student capacity; 1,200 core facilities
- \$44.5 million; COPs proposed
- Project delayed 2 years because of timing of financing and adequate capacity of expanded Northwood
- Project balance: \$44,500,000

Schools - New Middle School (Page 61)

- Approved - No Contracts
- Construct a 119,945 square-foot, LEED Silver middle school in the Briar Chapel development off Andrews Store Road
- 650-student capacity, 800 core facilities
- \$26.1 million; COPs proposed
- Schedule currently has school opening in February 2011
- Project balance: \$25,484,089.80

Schools: Approved - installment financing proposed

Schools - Expansion of Northwood High School (Page 57)

- Approved – Contracts Let
- Increase Northwood’s core capacity to 1,200 students by constructing a new classroom building, expanding the cafeteria, renovating the auditorium, upgrading the weight room, creating a wrestling room, and adding a foyer to the gymnasium
- \$4.5 million; installment financing obtained

Schools: Approved - Fund Balance Proposed

Schools - Asbestos Floor Tile Replacement (Page 51)

- Approved - Contracts Let
- Abate and replace 60,375 square feet of asbestos floor tile in five schools: Chatham Central High School, Pittsboro Elementary School, Moncure, Paul Braxton, and SAGE Academy.
- \$440,000; Fund Balance appropriation proposed
- Project balance: \$108,763

Schools - Bleacher Replacements (Page 53)

- Approved - Contracts Let
- Remove unsafe bleachers at 11 schools and replace with aluminum bleachers that meet current safety codes.
- \$645,000; Fund Balance appropriation proposed
- Project balance: \$363,721.80

Schools - Camera Systems for Schools (Page 55)

- Approved - Contracts Let
- Provide IP camera systems for all schools in the County
- \$667,336; Fund Balance appropriation proposed
- Project balance: \$413,370.11

Schools - Expansion of North Chatham Cafeteria (Page 56)

- Approved - Contracts Let
- Expand the cafeteria at North Chatham to accommodate an additional 100 students
- \$384,300; Fund Balance appropriation proposed
- Project balance: \$181,349.55
- Difference from previous CIP: (\$49,700)

Schools - Renovate High School Science Labs (Page 64)

- Approved - No Contracts
- Renovate the science labs in all three high schools, including plumbing, cabinetry, etc.
- \$152,400; Fund Balance appropriation proposed
- Project funding delayed to FY 2010 - no impact on timing of construction
- Project balance: \$152,400

Schools - Renovate Restrooms and Add Hot Water (Page 65)

- Approved - Contracts Let
- Renovate student restrooms and add hot water to schools across the district. Schools having the least hot water availability will be prioritized ahead of other schools. Work would include replacing partitions, fixtures, and faucets; selective floor replacement; surface-mounted hot water piping; replace drop ceilings; and selective lighting improvement.
- \$1.1 million; Fund Balance appropriation proposed
- Project balance: \$1,062,000

Schools - Renovate Wastewater System at J. S. Waters (Page 66)

- Approved - No Contracts
- Renovate the wastewater and sand filter system at JS Waters
- \$125,000; Fund Balance appropriation proposed
- Project balance: \$113,500

Schools: New Project

Schools – Asbestos Ceiling Tile Replacement (Page 50)

- New
- Abate and replace 21,677 square feet of asbestos ceiling tile in Chatham Central and Jordan Matthews
- \$187,480; Fund Balance appropriation proposed

Schools: Future Projects

Schools - New Northeast Elementary School (Page 59)

- Future
- Construct a 110,000-square foot, LEED Silver elementary school in the northeast part of the County
- 800-student capacity
- Moved to Future Projects because of uncertainty of when school will be needed

Schools - Replace Gymnasiums (Page 65)

- Future
- Replace gymnasiums at Bennett, Silk Hope, and Bonlee schools
- Moved to Future Projects because of uncertainty of timing of a possible bond

Chairman Lucier stated they would begin their discussion starting on page 50 of the CIP for school projects, and could go through each one in order to identify any particular issues with any one of them. He stated first on the list was the asbestos ceiling and tile replacement.

Commissioner Kost stated their policy was \$100,000 or more, and asked did that mean that such things as asbestos removal was grouped across the schools because she would guess that for each school it would be about \$100,000. Ms. Paschal stated that was correct; that they considered replacing asbestos at all the schools as one project.

Chairman Lucier stated on the bleacher replacements, the number was prior to FY 2009 at \$165,000, but it actually cost much more than that; and, his point was he wondered if they would really do the bleacher project for that amount of money. Randy Moody responded at those schools he believed they could; that what they had experienced at Northwood was not just the bleachers but handicap accessibility and drainage issues that had to be corrected. Chairman Lucier stated then the \$165,000 was not the actual cost; that much more than that was spent. Superintendent Logan replied yes, that at Northwood the expense was greater than \$165,000.

Chairman Lucier stated for bleacher replacements, it also noted for 2008 the home-side bleachers at Northwood, but the visitor's side was done as well. Mr. Moody stated they did do both sides, but the visitor's side was noted for FY 2009.

Chairman Lucier stated then in FY 2011, they had Northwood showing up again on that list. Mr. Moody stated that was the baseball field. Chairman Lucier stated the baseball field showed up in FY 2010. Mr. Moody stated that was the softball field. Chairman Lucier stated that also showed up again in FY 2012. Mr. Moody responded he believed they would be done with that project before then. Chairman Lucier said then at least one of the listings for Northwood would have to come out.

Commissioner Kost stated from a safety aspect, were they okay with the way that was laid out; that is, were there any concerns. Mr. Moody replied he believed they needed to move Silk Hope forward.

Chairman Lucier stated they trusted the Schools judgment on that, since they were more familiar with that than the Board. Mr. Moody stated that Silk Hope was his immediate concern.

Ms. Paschal stated then their plan was to reprioritize but to stay at the same level of funding. Mr. Moody responded that was correct.

Chairman Lucier stated the next project was the camera systems, and stated all the schools were listed in FY 2010, yet there were some expenditures included in FY 2011. Ms. Paschal stated the \$190,000 figure was correct, but did not know which schools would be done that year. She held a brief conversation with Mr. Moody to determine if the camera system project was listed correctly in the CIP materials, and they determined that the project would be completed in FY 2010.

Chairman Lucier stated then the total of \$667,000 was correct but it was not shown correctly in the individual years, so they had not just saved \$190,000. Ms. Paschal stated that was correct.

Commissioner Kost stated as a part of that, there would have to be some adjustments to the CIP. Ms. Paschal stated that was correct, because right now the Fund Balance model was based on that being in FY 2011, so that could be an issue.

Chairman Lucier stated the next project was the expansion of the North Chatham cafeteria. Superintendent Logan stated that was on schedule and would be completed this week. Chairman Lucier stated the cost was about \$50,000 less than they had anticipated.

Randy Drumheller, Schools Finance Officer, stated the savings on that project were moved to the Northwood High School project, which the Board had approved several months ago.

Chairman Lucier stated the next project was the expansion at Northwood High School, which had come in a little less than what they had anticipated; that they had anticipated \$5.5 million but it would be \$4.5 million. Ms. Paschal stated the budget had been based on a budget submitted by the school system originally; that the \$4.5 million was what had been submitted to the LGC; and, she had provided a spread sheet that compared the two budgets.

Chairman Lucier stated in that \$4.5 million was \$400,000 for contingency. Ms. McConnell stated that was correct. Chairman Lucier stated there was also \$300,000 for the auditorium. Superintendent Logan stated that was correct. Chairman Lucier asked would the Northwood project include the cafeteria. Superintendent Logan stated the cafeteria project was completed in the last fiscal year.

Commissioner Kost stated she saw where renovations were increased and the core capacity of the facility would move up to 1,200, and asked what the core capacity was before and after for Northwood. Mr. Moody responded the current capacity was 840 students; that when the renovations were completed the capacity would be 990; that the 990 was brick and mortar classrooms and did not take into account the pod and the mobile classrooms still on the campus; that using that capacity gave them another 275 students in addition to the 990.

Chairman Lucier stated then the stated capacity would be 1,265, with a core capacity of 1,200. Mr. Moody stated if they wanted to raise the core capacity they would have to add a brick and mortar element to it.

Chairman Lucier stated he assumed the auditorium project was substantial, at \$300,000. Superintendent Logan responded it would bring the lighting system and the appearance of the auditorium up to standards.

Chairman Lucier stated that was an additional proposal, correct? Mr. Drumheller stated it actually was in the original proposal, but when the bids had come in they had removed it from the project at that time and had later added it back in. Chairman Lucier stated the Board had

looked at in the past the possibility of having a performing arts center, but obviously in this economic climate they could not afford that. He asked what this project would do in terms of Chatham County's ability to use Northwood in part as a performing arts location in terms of usage by others. Superintendent Logan stated it would greatly enhance opportunities for such purposes, in that they would have comfortable seating, good lighting, and a renovated stage area. He stated there had been some discussion of trying to work some sound system upgrades into the project as well, so that would be the last piece to make that auditorium a first-rate center for visual performing arts.

Mr. Drumheller stated the project would also provide handicap access.

Commissioner Kost asked with the renovations, would the security of the building be enhanced so that people using the facility after hours would not have access to other parts of the building. Superintendent Logan stated once the entire \$4.5 million renovation project was completed, it would then allow for other parts of the building to be closed off during non-school hours, with the auditorium and cafeteria being the breakpoint for access.

Commissioner Thompson asked what the seating capacity would be. Superintendent Logan stated that would not change, noting at present it was close to 600.

Commissioner Vanderbeck stated regarding the energy consumption items, he asked if they were working towards some Energy Star standards. Mr. Drumheller stated all the lighting controls at Northwood would be done using an energy management system and they would implement as many LEED elements as possible in that non-LEED school.

Commissioner Vanderbeck stated then they were looking to reduce their operating costs in the long run. Mr. Drumheller responded that was correct. Commissioner Vanderbeck stated such measures needed to be considered with any energy-using items. He asked were they considering doing a performance contracting type of program. Superintendent Logan responded yes, and they would be seeking other ways to reduce energy usage as well. Commissioner Vanderbeck asked what their projected timeline was on that. Superintendent Logan stated they had not yet projected a timeline.

Flint O'Brien asked was there an estimate on the cost of the sound system. Superintendent Logan replied there had been some numbers tossed around but he could not consider that a bid, noting that those numbers were around \$150,000 to \$160,000. He stated they would need to get a formal bid on the sound system before it was official.

Commissioner Kost stated all the funds had been borrowed for that project, and it appeared that the scope of the project was changing slightly. She asked was that a problem as far as the lending institution. Ms. McConnell stated as long as they stayed within the \$4.5 million and it was used at Northwood, there were no issues.

Chairman Lucier stated there was \$400,000 in contingency included, so as they went forward with the project they might want to look at other things they had wanted to do at Northwood that were already in the CIP and intended to be done at some point at time; and, if that \$400,000 in contingency was not used then perhaps they could come back with a list of items it could be applied to, such as a sound system. Ms. McConnell stated that would be fine with her and fine with the lending institution as long as the original project was done.

Chairman Lucier stated the next project was the new high school, which had been delayed and was now scheduled to open in 2014. Superintendent Logan stated that was correct.

Chairman Lucier stated the County's growth had slowed and they did not need it immediately, but it would be needed in the next few years. He remarked that the property next to that was in some sort of bankruptcy proceedings. David Hughes, Public Works Director, stated it was being taken over by the bank.

Chairman Lucier stated there were some issues that they had discussed before, one of which was getting some sort of construction easement to put a road in, otherwise there was not enough room on the property they currently had. So, he stated, they would either need additional property or a construction right-of-way to construct the road. Chairman Lucier stated they were also concerned about the emergency access which they had originally planned to take out

through one of the cul-de-sacs and to keep it blocked except for emergency access. He wondered if they should be talking to the bank about that property next door. Charlie Horne, County Manager, stated he had put in a call to the principle of the bank to discuss that, but had not been able to reach him as yet.

Mr. O'Brien stated he did believe they needed to be looking into that now, because if they waited until they started the school it would be too late.

Chairman Lucier agreed, noting that was why he had asked the County Manager to begin looking into that. Superintendent Logan stated they had moved forward as requested with the survey of the property as well as the environmental assessment, and that the survey was completed and they hoped to have the environmental assessment completed by January.

Chairman Lucier stated they should also look into whether or not to try to acquire some of that bankrupt property. Mr. Hughes stated that could be problematic, in that the bank had taken the property over from the developer and the bank had parties that were interested in purchasing it. Chairman Lucier stated if the County did not make its request known then there was no chance of acquiring it, noting that property was already site-limited and if they could acquire at least a few additional acres of it that would be advantageous. Mr. Hughes stated they could look into that.

Jep Rose, County Attorney, asked did they know how much of it they would need and which part of it.

Chairman Lucier stated obviously they would want a few acres that was adjacent to the school site, but they would have to look at it to see which part would be of the most value when construction the school.

Commissioner Vanderbeck stated they did not need any more wetland, and adding a little more acreage for the waste system on site would be advantageous.

Chairman Lucier stated he did not know what was happening with the wastewater plan at this point, noting at one time the plan was to pump it uphill to Westfall, or to send it to the Governor's Club or to construct a wetland to treat it. He stated that perhaps Commissioner Vanderbeck's suggestion was a good one in that they should pursue obtaining enough land to do that on site. Chairman Lucier stated they should at the least let the bank know of the County's interest.

Mr. Rose stated that was true, noting that the bank's foreclosure on the property would cut off all subordinate liens.

Mr. O'Brien asked what the process was for doing that, noting he wondered should the schools do that or the County Manager. The County Manager stated he would make initial contact and if any meetings were scheduled the schools would certainly be fully involved as well as some of the Commissioners.

Chairman Lucier stated the ideal scenario would be to purchase a parcel that was not integral to the development itself but would be beneficial to the schools. Superintendent Logan stated he believed that would be in the northwest corner, but he would check with their architect to be sure.

Commissioner Kost stated she wanted to understand what happened with delays, noting she understood that development had slowed and projections were coming in lower than forecasted. She asked was the model driving when they built the school, or was the need feeding into that, because she did not like the idea that a funding model would drive when they built a school. Commissioner Kost stated in other words, for 2014 what were they projecting for school population and could Northwood accommodate it. Superintendent Logan stated that was directly dependent upon growth, and as had been pointed out it had slowed considerably because development had stopped; that with the numbers on hand today Northwood was at 994; that as Mr. Moody had pointed out when they concluded the Northwood renovations the school would be able to accommodate 1,200 students; and, that in five years it was very possible they would pick up another 200 students, but that was dependent on the economy and development.

Commissioner Kost stated as they moved the current middle school population up to the high school, what would that mean without considering any new students. She stated she got the sense that there was a bubble at the elementary level. Superintendent Logan stated unfortunately as the children moved up through the system, grades 9, 10 and 11 were where they tended to lose students through drop-outs although they were working to improve that.

Chairman Lucier stated he would love to have overcrowded schools if that meant the drop-out rate was lower. Superintendent Logan agreed that was a great reason for schools to be overcrowded.

Mr. O'Brien said he lived in Governor's Park which had many high school-aged children, but he knew of only one student who attended Northwood with all others attending alternative schools. He stated one of the jobs of this Board was to improve the perception of academic performance at Northwood and well as to improve the actual academic performance at Northwood which would potentially have a big impact on how many students would attend Northwood in the next few years.

Chairman Lucier stated they were sitting on 12,000 houses approved but not yet built, and when the economy turned around those houses would get built; that the other issue to think about was that Woods Charter was now at capacity, and many of those were in the high school classes; that when you looked at there being only 83 more students in the school system from one year to the next that was not a real number because it did not include over 100 students who were attending Woods, most of whom were Chatham County residents; and, the real number was 200 and the projections had to include that.

Chairman Lucier stated that when they looked at 2013 it looked as if all the school construction would be done, so why was it not opening up until 2014. Ms. Paschal stated that was her question as well; that all of their funding was in 2013 which meant the money would be spent by June 30 of that year.

Superintendent Logan stated he believed there had been a decision earlier in the fall to delay the project for a year. Ms. Paschal stated they had delayed the project two years, but she believed the original opening was 2011, so their thought was that the school would open in 2013.

Chairman Lucier stated that was what the CIP reflected, in that all the money would be spent by FY 2013 with no funds expended in FY 2014. Mr. Drumheller stated that the 2014 opening was based on the construction contract being awarded no sooner than January of 2012 at the earliest.

Superintendent Logan stated once they awarded a construction contract in January of 2012, it would take 18 to 24 months to complete the school.

Ms. Paschal stated they had discussed the fact that in order to open by 2013 they would have to continue to pay the architect and go ahead with the design; that part of the problem was that would amount to \$2.2 million that they did not have; that they were concerned about continuing with that expenditure and had discussed it with the Schools; and, they had determined that if they stopped paying the architect then it would delay the school opening until 2014.

Chairman Lucier stated then the \$23 million in FY 2013 would actually be spent in FY 2014. Ms. Paschal replied that was correct. Chairman Lucier stated that was likely the best they could do now, but would probably want to revisit it again once the economic situation improved and then consider moving it back up to 2013.

Deb McManus noted they would not be able to get the school built in that time frame if they did not move forward at this point. Superintendent Logan stated that was correct, because they had stopped all planning.

Chairman Lucier stated right now they were at FY 2009 and FY 2010 with no funds being spent and asked why if the economy had turned around could that project not be moved up one year with that \$2.2 million being spent in FY 2010. Mr. Drumheller stated the only restriction on that date was the January 2012 which was the construction award date; and, then all other tasks were lined up either in front or behind that date.

Superintendent Logan stated so if they moved that date to 2011, then yes, they could move the project forward a year.

Commissioner Kost asked about the planning money spent to date and asked would the County be reimbursing the Schools for that. Superintendent Logan stated they were paying it out of Fund Balance, and they owed the architect \$316,000. Commissioner Kost asked how much had been paid already to the architect. Superintendent Logan stated nothing, noting that when the County reimbursed them for the middle school they would use that reimbursement to pay the architect.

Susan Little, Chatham County Schools Finance Officer, stated the big problem when talking about the total contract of \$2.2 million was that they could pay the \$316,000 but what would they do in the interim because they did not have enough funding to carry that through to its conclusion without help from the County.

Chairman Lucier stated they understood that, and they would revisit that at the appropriate time.

Mr. O'Brien asked how that would work. Ms. Little responded they would work the County and try very hard to work within the funding mechanism provided by the County.

Superintendent Logan stated he wanted to clearly respond to the question about what was now in the pipeline as far as students; that based upon the number of students in grades 5 through 8 now, as those children matriculated to grades 9 through 12 in the Northwood area there were enough children in the lower grades that would keep growth occurring at the high school regardless of new students coming in; and, due to that there would be continued growth in the high school population based on those students already being served. Superintendent Logan stated that if the economy picked up along with development, then that would expedite or speed up the growth at the high school. He stated that even without the improved economy and increased development, growth would still be occurring at the high school but at a slower pace.

Chairman Lucier stated that with 12,000 houses approved but not yet built, most in the Northwood district, if only 25% or 3,000 of them were built, by most estimates that would be roughly 1,000 to 1,200 students with the possibility of roughly 360 more students at Northwood. Superintendent Logan stated that was correct, which would put them over capacity. Chairman Lucier stated that would be in addition to those students already in the system, so he did believe they would need to keep an eye on that. Mr. Moody agreed, stating that in that scenario that would need to be watched and if it did happen they would need to get the high school project moved up.

Mr. O'Brien stated he would prefer that they continued planning for a 2013 opening date, which had been publicly announced.

Chairman Lucier stated they would plan to open it as soon as possible and believed everyone was in agreement with that.

Commissioner Vanderbeck stated they were not planning for failure, but had to deal with the economy.

Ms. McManus stated they had to be realistic about what funds would be available.

Chairman Lucier stated they would build it as fast as they could, and there was no difference of opinion on that.

Commissioner Kost stated she believed it should be a priority to figure out how to come up with the \$2.2 million and therefore make it easier to move up the date.

Chairman Lucier stated that would have to be done in FY 2010, and that was why he had raised the issue. He stated if there were no additional questions, the two issues they had talked about with the high school was to investigate with the remnants of Westfall the additional things that would be of benefit to the school system and to be cognizant of the wastewater issue, and the other was to try to secure the planning money for the new high school as soon as possible.

Chairman Lucier stated the next item for discussion was the new middle school, which was scheduled to be opened in February of 2011. Ms. Paschal stated that was the projected completion date. Chairman Lucier asked what the start time was, noting he had thought it could be opened sooner than that. Ms. Paschal stated only if they did the early site package which had been discussed in October. Chairman Lucier asked what that package included. Ms. Paschal responded it included grading, sedimentation erosion control, and stormwater.

Superintendent Logan stated that early site package would have started next month, and they were trying to move forward with that.

Chairman Lucier stated would that have the school being completed in April or May of 2010. Superintendent Logan stated that was correct, with opening in August of 2010. Chairman Lucier stated if they started the early site work in April, why wouldn't the school be completed in August of 2010. Mr. Drumheller stated the original schedule would have started the early site package December 1, but they had pushed it back five months. Chairman Lucier stated if you were pushing it back four months, it seemed like the opening date had been pushed back eight months. Mr. Drumheller stated the original site package was December 1, and when that original site package took place they would still be working on design for the building package; that the building package would be awarded in February, so that would mean no contracts until April; and, now instead of the building package being just that amount of time, the building package would be that amount of time plus the site package time.

Mr. Drumheller stated you would have September, October, November, December, and January, so they had essentially pushed it back five months.

Commissioner Kost asked how much time it would take to actually construct the school, not including design. Superintendent Logan responded 15 months. Commissioner Kost asked was any contingency built into that. Mr. Drumheller responded not on that schedule, although they did have some on the original plan with the December 1 early site package.

Chairman Lucier asked what was happening with the \$26 million bid, and would that have to be rebid. Ms. Paschal stated it had never been bid because the design work was not completed.

Mr. Drumheller stated the site package had been bid.

Chairman Lucier stated he believed everyone agreed they needed to get the school built as quickly as possible, noting that North Chatham Middle was 45% over capacity. He stated it would likely be to their benefit if they bid the school if the money could be found because with these tough economic times they may be able to get a lower bid than would otherwise be offered. Chairman Lucier stated if the project came in a few million dollars below what was estimated they could afford to pay a higher interest rate without affecting their debt model. Chairman Lucier stated if the bid came in at \$23 or \$24 million, what interest rate could they afford to pay. Ms. McConnell responded she did not know, but could say that if they went the 20 years at the interest rate they had now, they would have to push some of the other projects out a little further.

Commissioner Kost stated of all the capital projects, this middle school was the highest priority and they needed to figure out a way to do it. She stated that planning money was continuing and the architect was being paid, and wondered if any of the Virginia Cross project balance could be used for this project. Ms. McConnell stated they were already doing that.

Superintendent Logan stated to share the impact of moving forward, the early site package in the budget was \$2.2 million; that because of the economy the bid had come in at a little over \$900,000; that they had seen a tremendous amount of savings with a lot of bids received; that the individual who had submitted the low bid had agreed to hold his price until April 1st; and, to actually do the site preparation work they had a cost that was over \$1 million less than that projected in the budget.

Chairman Lucier stated that he and Commissioner Kost had voiced their opinions, and asked what the remainder of the Commissioners thought about doing whatever was necessary to get the school opened in August of 2010.

Commissioner Thompson stated he believed they should take a strong look at doing exactly that.

Commissioner Vanderbeck agreed it was a priority and they should try to make that happen.

Commissioner Cross agreed with those statements as well.

Chairman Lucier stated that project had been lumped with some other capital improvement projects so they should think about separating it out. He asked what they would need to do to make that happen, what would have to be pushed back, and what other things would need to be looked at. Chairman Lucier stated there were a couple of people in the room who were interested in public/private partnerships and was that an option they would want to consider.

Mr. Drumheller stated if he could award the site package immediately, they may well have a chance of getting the school completed and opened in 2010.

Ms. McManus stated the problem was they did not have the money to float the cost at the present time in their Fund Balance.

Chairman Lucier stated that was understood, and that was why they were trying to get creative.

Commissioner Kost stated what they needed to do was look at the debt model, noting there may be some way to upfront cash from that model. Ms. McConnell stated she needed direction from the Board as to how to proceed; that they could obtain 20-year money at likely the same interest rate they had gotten before; that when they plugged that into the debt model or took some cash out of the impact fees, that really did affect all the other projects in the model; that what she needed to know was what other projects in the model, which were the judicial, the library, and the CCCC, were they willing to push back because they could not do all of them if they borrowed the 20-year money for the school.

Chairman Lucier stated it might be helpful to run a few options, noting that if they pushed all of them back six months would that help, and how would some other scenarios affect the schedule. Ms. McConnell stated much of it had to do with the economy, because if the economy did not improve they would have to look at pushing them back further or look at identifying some other source of revenue.

Commissioner Kost stated there was \$1.2 million cash of impact fees at present to pay debt service, and if that money could be advanced, it could be paid back once the funds were borrowed. She stated that would at least give them the planning money.

Chairman Lucier stated they had done the planning for the middle school, which was \$518,000, and what they were talking about was just the \$900,000 for the site work. Superintendent Logan stated that was correct. Chairman Lucier stated they had already budgeted for the current fiscal year that \$518,000, and what they would need immediately would be the \$900,000. Superintendent Logan stated that was the immediate need.

Ms. McManus stated that would keep them on track, time wise.

Commissioner Kost stated the Board had a work session in January, and asked if this topic could be placed on the agenda for that meeting in order to provide staff time to put some options together. Ms. McConnell stated if the Board said they wanted to go forward with building the school now, then that was all she needed to know at this point.

Chairman Lucier stated the question was how to do it, and what the impact would be on the other projects. He said he believed what the Board was saying was that they wanted to move forward with building the school. Ms. McConnell stated that would be regardless of what happened in March with the economy. Chairman Lucier stated that was correct, and would like the Board to be poised to make a decision on January 5.

Mr. O'Brien thanked the Board for its determination.

Chairman Lucier stated what he had said about North Chatham went for Northwood as well. Superintendent Logan stated he was of the opinion that the loss of some of their students to Woods Charter was not due to the quality of education they received at Northwood, but rather the crowding at the school; and, if they could reach a balance they would see some of those students come back.

Chairman Lucier stated the next item on the list was Schools – Other. He stated that was the pod at Northwood and the Jordan Matthews cafeteria.

Commissioner Kost asked were any funds left over. Ms. McConnell stated there was a little money left over for the pod, which had all been moved over for use as planning money.

Chairman Lucier stated the next item on the list for discussion was renovating restrooms and adding hot water to schools across the district. He asked what schedule they would use to do that. Superintendent Logan stated they would do that based on need and safety issues.

Chairman Lucier stated next was the wastewater system at J. S. Waters. Superintendent Logan stated that project was on schedule; that they were in the planning stage and would finish it up this summer.

Chairman Lucier stated they had already talked about Virginia Cross and the \$1.092 million in contingency. Ms. Paschal stated that was what they showed as the balance in the project, and it had been transferred for use for planning.

Chairman Lucier stated that completed the list for the schools. He stated the Board would meet again at a day work session on January 5, and hopefully would have options to consider and would make a decision at that time.

Commissioner Thompson stated one of the things he was asked from time to time was what were the goals and objectives for the school system in terms of looking at student performance, and the goals and objectives as far as how to deal with the drop-out rate. He stated that while he thought the School Board was an autonomous board elected by the people and responsible to the people, as a Board of Commissioners they as the funding agency should be in a position where they would want that information as well. Commissioner Thompson stated what he would like to see from the School System was an update from Superintendent Logan on the goals and objectives for the students, some of the strategies for reducing the drop-out rate, strategies for teacher retention, and overall looking at the money allocated for different areas to enhance the performance of students and were those funds being spent effectively or not being spent effectively in terms of statistics. Superintendent Logan stated the School Board would be holding a retreat on January 5 and 6, and everything Commissioner Thompson had just mentioned would be before the School Board at that time so it would be easy to share that report with the Commissioners later in January. He stated if the Commissioners could allow him 20 to 30 minutes he could provide a detailed briefing, or he could provide an abbreviated briefing in less time.

Chairman Lucier stated the “Closing the Gap” groups was attempting to address some of those issues, noting one of their major goals was to come up with a strategy. Superintendent Logan stated in fact he would be meeting with that group tomorrow, and that group was working on a whole new set of strategies and would have a plan ready to put into place next year.

Commissioner Thompson stated he believed January would be an appropriate time for an update, or perhaps in early February.

Chairman Lucier stated he understood that the Avid program had been very successful. Mr. O’Brien agreed, noting one of his goals as a School Board member was to develop a four or five year plan with some specific targets, and then to talk about how to get there.

Superintendent Logan stated he would get in touch with the County Manager so that an update could be scheduled on the Board’s agenda.

ORDINANCE FEES

Ms. Paschal stated that she had provided the Board with a copy of the abstract for use during today's discussion. She stated as part of the new ordinances recently adopted, they needed to establish fees, particularly for new stormwater services; that she had met with Fred Royal and discussed what they would need for staff in a normal economy; that they had determined they would need one additional staff person with a vehicle and operating expenses; that they had then set the fee based on the number of acres that would recover the full direct cost of that position; and, the fee they were recommending was \$125 an acre for plan review and \$125 an acre for an approval letter.

Commissioner Kost stated she was talking about an additional staff person under normal situations, but it was clearly not normal at the present time. She asked if they approved the fee they would not fill that position until they were looking at more normal economic times. Fred Royal, Environmental Resources Director, stated that was the current thought.

Ms. Paschal stated that Mr. Royal had talked with Mr. Willis about assisting with that in the short-term. Mr. Royal stated they would continue their collaboration on all the various issues, including stormwater, and would add this to the list of what they collaborated on.

Commissioner Kost stated that would add a lot of work. Jim Willis, Lead Sedimentation and Erosion Control Officer, stated perhaps on paper, but it would not jump all that much until development started back up.

Chairman Lucier asked was he comfortable with that. Mr. Willis responded at this point yes, until things changed. He stated when things did change he did not anticipate that happening all at once and they would have enough warning when it was time to fill the position.

Chairman Lucier stated development could accelerate fairly quickly, so they did need to be thinking about how to address that.

Commissioner Kost stated she was in favor of the cross-training, noting this was an example of where you saw the benefit of that.

Ms. Paschal stated there was no question that when development resumed to its normal pace that they would need that additional position. Mr. Willis agreed.

Ms. Pascal stated the next set of fees was for sedimentation and erosion control, with three new fees being proposed.

Mr. Willis stated the first new fee was the residential lot disturbance fee, which was a fee to recover the cost of approximately two to four inspections per residential dwelling and expecting a roughly 12 to 15 month time for a house to be built from clearing to when a CO was issued.

Chairman Lucier stated that would be for any dwelling that disturbed over 25,000 square feet. Mr. Willis stated that for dwellings that disturbed under 25,000 square feet would be when these fees were applied; that if the disturbance went over 25,000 square feet they would not be applied.

Mr. Willis stated the land disturbing permit renewal was set at \$50 per acre for the original disturbed area, which was for existing permits that were granted which carried a two-year expiration period that were not completed within that two year period and the permit had to be extended. He stated the \$50 per acre fee would recover the cost of inspections, and the size of the acreage would determine the number of inspections required.

Commissioner Thompson asked would the fee be \$50 per acre per year after that initial two-year period. Mr. Willis stated if that two-year expiration was reached and it was extended for an additional year and that additional year expired and the land disturbing remained active, then an additional permit would have to be obtained.

Commissioner Kost stated the abstract indicated that all other disturbances between 20,000 square feet and one acre would pay a fee of \$500. She asked was that suppose to be

25,000 square feet. Mr. Willis stated for an individual home being built, the \$100 permit would apply up to 25,000 square feet; from 25,000 square feet it would be a typical permit even if just a single home; and, for all other disturbances the 20,000 square feet would apply, which would include commercial, subdivision infrastructure, and similar items.

Mr. Willis stated the last fee was the land disturbing permit reapplication fee; that one revision made in the ordinance was the ability for staff to revoke a permit if a site was in violation or in some state of continuing violation; that the requirements for that reapplication would be that all problems both on and off site were address; and, that the reapplication fee would have to be paid at that time, which was \$250 an acre for the original disturbed area.

Chairman Lucier stated he believed they would need three separate motions to adopt each of the fees Mr. Willis had outlined.

Commissioner Vanderbeck moved, seconded by Commissioner Thompson, to approve the Stormwater Fees as follows:

\$125.00/acre for plan review
\$125.00/acre for permit

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

Commissioner Thompson moved, seconded by Commissioner Vanderbeck, to approve the Sedimentation and Erosion Control Fees as follows:

Land-Disturbing Permit Renewal	\$50/acre for the original disturbed area
Land-Disturbing Permit Reapplication	\$250/acre for the original disturbed area
Residential Lot Disturbance Permit	\$100/residential lot

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

Commissioner Kost moved, seconded by Commissioner Vanderbeck, to set the subdivision Concept Design Phase Fee at \$100/application. The motion carried five (5) to zero (0).

Ms. Paschal asked that the Board move to make those fees effective February 1, 2009.

Commissioner Kost moved, seconded by Commissioner Thompson, that all of the above fees be effective on February 1, 2009. The motion carried five (5) to zero (0).

MINUTES APPROVAL

Commissioner Kost stated she wanted to make some minor changes to the December 1st minutes where they were talking about the deletion of the Agriculture Zoning District, and suggested that the wording she had provided to the Board be substituted for the wording on page 4, 4th paragraph under Text Amendment to Chatham County Zoning Ordinance, as follows: "Commissioner Kost stated that the Board of Commissioners recommended at their November 17 work session to remove the Agricultural Zoning District from the Zoning Ordinance until that zoning classification could be further studied. Commissioner Kost charged the Planning Board to do further work on that issue. Chairman Lucier clarified that this item would first be referred to the Agricultural Advisory Board and after the Agricultural Advisory Board made their recommendation, the Planning Board would review and make a recommendation to the Board of Commissioners."

Commissioner Kost stated she would also like to delete the sentence on page 5, 5th paragraph, that read: "The Planning Director stated that there was one change with regard to the 25,000 square feet residential lot disturbance permit."

Commissioner Kost stated that on page 7, 8th paragraph, the sentence should read "Commissioner Kost asked how they will measure success." She stated that on page 8, 2nd paragraph, she wanted to insert in the first sentence the word "servicing" after "part of" and the word "suitable" in place of the words "an appropriate", so that the sentence read "Chairman Lucier stated that the hardest part of servicing Bynum would be finding a suitable stop."

Chairman Lucier stated that under the Lighting Ordinance, Mr. Megginson had provided some corrections and trusted the Commissioners had all looked at that.

Commissioner Kost moved, seconded by Commissioner Thompson, to approve the following minutes amended with the changes as noted:

11-17-08 Work Session
11-20-08 Business Corridor Meeting
11-24-08 Special Meeting on Ordinances
12-01-08 Regular Meeting
*11-19-07 Regular Meeting Minutes Correction

***Text Amendments to the Chatham County Zoning Ordinance to Regulate Outdoor Lighting:** The wording in the November 19, 2007 Board of Commissioners' meeting minutes was corrected and the following text deleted: "amortization schedule for vehicular canopies (Section 11A.17(3) be deleted and that they are considered as non-conforming."

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

PLANNING BOARD APPOINTMENTS

Commissioner Kost stated she wanted to make two appointments to Planning Board, the first being Jim Olza who was a Cary-Chatham resident with a background in planning and a former Guilford County Planning Director; and, the second appointment was Tim Keim.

Commissioner Thompson moved, seconded by Commissioner Vanderbeck, to appoint Jim Olza and Tim Keim to the Chatham County Planning Board. The motion carried five (5) to zero (0).

BREAK

The Chairman called for a short break.

LIQUOR-BY-THE-DRINK

Discussion of the process for the Board of Commissioners' decision on whether or not to put liquor-by-the-drink on a referendum ballot

Chairman Lucier stated the Commissioners had been asked by the Pittsboro Town Board to put liquor-by-the-drink on a referendum ballot, and also by the ABC Board and the Economic Development Commission. He stated they needed to think about how they would do that, and one question would be when to put it on a ballot and if they did, would they want a public hearing or public input session, how much would it cost, and if they did it would they need to retain an early voting site.

Commissioner Thompson stated regarding the letter from the EDC Chair, he wondered if it was a unanimous vote to ask that the Board put liquor-by-the-drink on a ballot.

Commissioner Kost stated that the next County-wide election would be May 2010, and asked when was the next municipal election.

Chairman Lucier stated that would be November of 2009. Ms. Paschal stated if the Board decided they did want to put liquor-by-the-drink on the ballot, the timeframe was 60 to 120 days; that they would need to send a letter to the Board of Elections no less than 60 days and no greater than 120 days before an election.

Chairman Lucier stated if they voted to put liquor-by-the-drink on the ballot, he believed it should be done either in May or November, 2009. He proposed that they discuss this issue at the January 20 meeting, which would be consistent with the timeframe just described.

Commissioner Cross stated he believed they should have a public hearing and also to get a better answer from Siler City, noting he did not believe they had understood the question,

which was not if their Board believed they should have liquor-by-the-drink but rather if the citizens should have an opportunity to vote on it.

Chairman Lucier stated he had talked with the Mayor and the Town Manager before the vote and explained that to them.

Commissioner Cross stated that was before the vote and they still made no decision.

Chairman Lucier stated they took no action, although they could ask them to consider it again.

Commissioner Cross stated he had understood that the towns could ask for a referendum and the County could ask for a referendum, but the thought was they should all do it together. But, he stated, if they had the referendum could the towns be split out, with the County having liquor-by-the-drink but Siler City and Goldston not be included. The County Manager stated he believed they would have the option not to do it although they would have the formal authorization to do it under the County-wide vote.

Chairman Lucier stated it was his understanding the Town Board would have to vote not to have it. He stated that the Pittsboro Board had voted unanimously to put it on the ballot; that Siler City's response was no action..

Commissioner Vanderbeck stated that if the entire County voted and the vote was positive, then every municipality could have it unless they had some special exemption. He stated if a stand-alone referendum was held in May he would not think there would be early voting.

Chairman Lucier asked what the cost would be if no early voting site was provided. Ms. Paschal responded the rough cost was estimated at between \$26,000 and \$31,000 for a special election without early voting. She stated the cost for the early voting site would be about \$1,200 a month so that would cost an additional \$6,000 to \$7,000, as well as the poll workers at a cost of about \$4,000.

Commissioner Kost stated that her understanding is that early voting at the Board of Elections office in Pittsboro is a state election law requirement and that early voting there would be at little or no additional cost.

Chairman Lucier stated then the real cost was in the \$30,000 range without any additional early voting costs. He asked how the Board felt about a public hearing or public input session.

Commissioner Thompson stated it was his opinion they should definitely hold a public hearing, and that they should have all the affected municipalities weigh in as well as the Chamber of Commerce.

Commissioner Kost stated she believed they should hold a public hearing as well, but was concerned that the time might be tight.

Chairman Lucier stated he was suggesting holding the public input session on January 20th, and either decide that evening or wait until the next meeting in February and that would still allow them time to meet the schedule.

Commissioner Vanderbeck stated he believed they should call it a public input session rather than a public hearing. There was some brief discussion by the Board members regarding the differences between a public hearing and a public input session.

Mr. Rose stated he saw no issue with calling it a public hearing or a public input session.

Commissioner Cross stated he believed citizens were used to the term public hearing rather than public input, even if they were the same.

Commissioner Thompson stated citizens may not put as much emphasis on a public input session as they would a public hearing, since the term public hearing sounded more officious.

Chairman Lucier stated then they would call it a public hearing, and if the Board agreed they would hold that hearing on January 20th.

Commissioner Kost moved to hold a public hearing on liquor-by-the-drink at the January 20, 2009 Board of Commissioners' meeting.

Chairman Lucier stated they needed to make sure that the purpose of the public hearing was for the Board to gather input on whether or not to put liquor-by-the-drink on a ballot.

Commissioner Kost amended the motion to hold a public hearing at the January 20, 2009 Board of Commissioners' meeting on whether or not to put liquor-by-the-drink on a referendum ballot.

Mr. Rose stated the statutes required a certain notification process for public hearings, but in this case they would not be required to do that.

Chairman Lucier stated he believed they should follow the normal public hearing notification process even if not required.

Commissioner Cross suggested purchasing advertising space in the Sanford Herald and the Chatham Record as well.

Commissioner Vanderbeck seconded the motion.

Chairman Lucier called the question to hold a public hearing on January 20, 2009 on whether or not to put liquor-by-the-drink on a referendum ballot. The motion carried five (5) to zero (0).

Chairman Lucier stated then they would either decide the question after the public hearing on January 20th or at the first meeting in February.

Commissioner Thompson asked could they solicit comments from the Chamber of Commerce, as well as comments from all of the municipalities.

Chairman Lucier stated he had requested informal comments from the mayors. He stated they should send a formal letter to the municipalities and to the Chamber of Commerce so that it was clear what was being requested. The County Manager agreed to do so.

Chairman Lucier stated they had already heard from the Economic Development Commission via the letter they had provided.

Commissioner Vanderbeck stated the letter could be sent directly to the municipalities but if it were submitted to the newspapers as a Letter to the Editor it would achieve a higher level of notification. He stated that an EDC representative was a member of the Chamber of Commerce Board. Dianne Reid stated that was correct, and she would be happy to forward the request at the meeting on Thursday.

Chairman Lucier stated they would appreciate that, but that a formal letter would be sent as well.

TIME WARNER CABLE (TWC)

Debra Henzey stated that several months ago the Board had not reached resolution on the transfer requested from Time Warner to transfer their franchise agreement due to the splitting off of entities with Time Warner Cable; that they now had addressed all of the major concerns and Time Warner had agreed to abide by the agreement, which included providing service to Vickers Road at no additional installation costs to those residents; that the County would have the opportunity to review some maps to determine where service was being provided in the County; that the County would receive a PEG channel by the end of March; that the County would need to purchase some equipment but Time Warner would be providing fiber optic connection; and,

that for the length of the franchise agreement that channel would be on the basic tier service level.

Commissioner Vanderbeck asked what the abbreviation "PEG" stood for. Ms. Henzey stated that referred to a government access channel which was g cable companies were required to provide when requested, and that some were for education, some for government, and some for other public use. She stated that Time Warner had already starting collecting the fee for that channel and the County would be getting their first remittance in early 2009.

Commissioner Vanderbeck stated in the abstract she had referenced the Video Service Competition Act, and they would need to press their legislators to amend that so that local governments had sufficient start-up and expansion funds for access channels. He stated in a related issue, they were drafting a letter to the special legislative committee on broadband, and the abstract mentioned the recommendations for the Video Service Competition. Commissioner Vanderbeck recommended that when the final draft was completed that they highlight the section that referenced that and provide it to their legislators for the joint meeting on December 18th. Ms. Henzey agreed to do that.

Commissioner Kost asked if the resolution included all fiber optic cable that had been run throughout the County. She stated the resolution said they would have a map of all cable line routes including drop zones controlled by Time Warner Cable. Brad Phillips, Time Warner Cable representative, stated that the plan as they had discussed it would be for the County to be able to review maps belonging to Time Warner Cable which were called strand maps; that it did not include all the electronic equipment out in the field because that was proprietary information; that the designee on the County staff would be able to visit their facility and review those maps and make copies; and, that the maps would include fiber and coaxial parts of the strands.

Commissioner Kost stated that fiber had been run in the eastern part of the County, but people in the area where she lived near 751 were not benefiting from that. She asked if someone would explain paragraph C to her. Catherine Rice, with Action Audits, the County's Cable Consultant through Triangle J, stated that paragraph C specified that by March 31 Time Warner at its expense would run a fiber optic cable between their head end facility and an origination point of County government, and they would provide the transport equipment as well that would take the line from the road to the building.

Commissioner Kost asked how many Time Warner Cable customers they currently had in Chatham County. Mr. Phillips stated he did not know the exact number, but it was likely on the latest franchise fee report. He stated the County received a portion of franchise fees locally that differed from the State definition of gross revenue, and that was on that report as well.

Commissioner Kost stated she had asked because she was thinking about how they would use the PEG channel, and because they would be looking at a limited number of County residents who would have access to it. Ms. Henzey stated that at some point Charter would likely request a channel as well.

Commissioner Vanderbeck stated that having access to these maps showing that type of infrastructure would be helpful as they tried to inventory infrastructure around the County, so they needed to be on top of that if they were not already.

Commissioner Thompson stated in the resolution, he wanted a clear understanding of page 3, section 2 under b. He stated the language "the County Manager certifies that TWC has not satisfied any of the conditions specified in Section 1" had to do with automatically rescinding the consent to transfer if all conditions were not met. Commissioner Thompson asked should the word "any" be replaced with the word "all." Ms. Rice stated that "any" had the same meaning, in that if any one condition was not met then the transfer could be rescinded.

Commissioner Kost asked if the County Attorney agreed. Mr. Rose replied he believed so. Ms. Henzey stated the Attorney had had the opportunity to look over the resolution.

Commissioner Vanderbeck moved, seconded by Commissioner Kost, to approve **Resolution #2008-68 Granting Consent to the Change in Control of Ownership of the Cable Franchise for the County of Chatham from Time Warner to Time Warner Cable**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

ECONOMIC DEVELOPMENT CORPORATION (EDC) BOARD RE-STRUCTURING PROPOSAL

Chairman Lucier stated that as part of the strategic plan put forth for Chatham County there was an indication that the EDC board should be restructured; that the EDC had been working on that for some time and had worked through potential versions of restructuring; that the Board now had a proposal in front of them that the EDC had approved at its last meeting; and, the EDC was now asking for the Board's comments and formal approval so that the EDC could formally change their Bylaws.

Chairman Lucier stated there were a few questions relevant to the Board; that the current bylaws stated there were two Commissioners who were voting members of the EDC; and, that the restructuring plan would keep the two Commissioners on the Board but in an ex officio capacity, which was a non-voting position.

Chairman Lucier stated that another issue relevant to the Board was how the Board went about nominating and selecting board members; that the EDC was providing two alternatives in the reorganization document; that one was that currently each board member nominated an EDC member who was then voted on by the full board; that Alternative A would involve five Commissioner appointments nominated by individual Commissioners, and the remaining six EDC members would serve at large with a roster of representatives provided for the Board to choose those six at large members from; and, that the Commissioners would then approve all eleven members,

Chairman Lucier stated that Alternative B would have all eleven voting members appointed by the Commissioners from a single roster, with the Commissioners not individually choosing a candidate as was now the case.

Joe Glasson, EDC Chairman, stated they had tried to create a real process that provided the opportunity for them to build the best EDC Board possible, to get the highest level of achievement, and working in partnership with the Board in order to do that. He stated at the same time, they did not want people to see that as a political process but more as a process of accessing leadership at a level to allow them to create a business model to achieve their plans. Mr. Glasson stated what was proposed would be a system between the EDC and the Board of Commissioners that would allow them to achieve the best EDC Board possible, and believed that would be what the Commissioners would want from them.

Chairman Lucier stated what they were after was a Board that worked hard, was engaged, and that adequately represented the business community in different areas of entrepreneurship, recruitment, and so forth. He stated he believed the EDC had been increasingly active and there was a lot of enthusiasm and energy on the Board, and believed the reorganization plan put forth was appropriate and would allow them to carry on their work and to do what the Board expected them to do.

Commissioner Vanderbeck stated the first item stated that the reorganization would have the Chair and one Commissioner on the Board, and wondered if they could have some latitude to have the Chair or the Chair's designee and one other Commissioner. He stated the Chair did change every year and it would provide the Board some latitude to have someone available.

Commissioner Vanderbeck stated in Alternative A, it stated that the EDC would recruit, screen, and so forth. He stated it was more than the EDC just recruiting, that he believed applications would come in from the public at large and it was not clear if the Board would be able to direct some names to be included on the roster of possible candidates in addition to the EDC doing its own specific recruiting and knowing that the EDC wanted to consider candidates with certain job skills or experience. Commissioner Vanderbeck stated he would like to have that clarified, adding he would advocate for Alternate A.

Commissioner Vanderbeck stated in the last paragraph under Recommendation, it stated that the EDC President was authorized to draft revisions to the bylaws to correspond with the reorganized structure. He stated he was sure they needed some latitude for flexibility if necessary to address particular situations, and would hope that the Board would be included in any discussion regarding a change in bylaws. Ms. Reid stated that certainly any such changes would come before this Board.

Chairman Lucier stated that under Alternative A, they would still be asking the EDC to recruit, screen, and create a roster of potential members for Board consideration for all vacancies, so if the Board had someone in mind he believed that person's name could be provided to the EDC.

Commissioner Kost stated her preference for Alternative A, adding that when possible some geographic balance would be good to have and that Alternative A would provide for that.

Commissioner Thompson stated would the screening criteria as they created the roster allow them to then submit to the Board all the applications they had received regardless of who they were, where they were from, their educational background or skill level. Mr. Glasson stated they would all be included in the roster. Commissioner Thompson stated he was also in favor of Alternative A, noting he believed that a geographic balance should be considered along with other factors and Alternative A would allow that kind of input from the Board.

Commissioner Cross stated he was in favor of Alternative A as well.

Commissioner Vanderbeck stated they had several issues to consider, which were the Expectations and then Alternatives A and B.

Chairman Lucier stated he did not believe the Expectations were necessarily something the Board needed to vote on.

Commissioner Vanderbeck stated in that case he would like to make some comments. He stated that under 3.a., the word "personal" should be "person." He stated that in item 6.d., it said "accomplish one or more of its tax-exempt purposes." Commissioner Vanderbeck asked if that could be more specific as to what those tax-exempt purposes might be. He stated in Attachment B under Accountability, it stated there needed to be measurable benchmarks for success agreed to by the Commissioners and the EDC Board." He stated he had not seen those benchmarks and obviously the Commissioners had not agreed to them. Commissioner Vanderbeck stated that under "Flexible," they had already addressed that the EDC must have the latitude to address changing conditions and that the Board of Commissioners would be included in that decision making process.

Mr. Glosson stated that they felt strongly about benchmarks and milestones and goals, and once they heard from the Board about the organizational structure then they would begin to finalize the benchmarks and would then share them with the Board.

Chairman Lucier stated that it appeared there was a preference for Alternative A, as well as the additional modification regarding the Chair or designee along with one other Commissioner.

Commissioner Vanderbeck suggested that it read the Chair or Commissioner designee so that it would not appear that latitude was being given to appoint someone not a Commissioner.

Chairman Lucier suggested it state two Commissioners and not necessarily the Chair. The Board agreed by consensus that would be a simpler approach. Chairman Lucier stated then the motion would be for Alternative A, and that there would be two Board of Commissioners members as ex officio members of the EDC.

Commissioner Vanderbeck moved, seconded by Commissioner Thompson, to approve the EDC Board reorganization and approve Alternative A (each Board of Commissioners member will have one nomination to the EDC Board, with a four-year term coinciding with the Commissioner's term; the appointment will be approved by the full Board of Commissioners. The remaining six voting EDC Board members will serve at large, with four year terms. The EDC will recruit, screen and create a roster of potential board members for the Board of Commissioners' consideration for all vacancies. The terms will be staggered and members cannot serve more than two terms. Members of the EDC Board must include at least one representative from existing business, one from a targeted industry cluster, and one from entrepreneurship.); and, that there would be two Board of Commissioners members as ex officio members of EDC Board.

Commissioner Cross asked why the Board of Commissioners needed two members on the EDC Board when the Towns had only one.

Chairman Lucier responded because the County financially supports the EDC.

Commissioner Cross asked why that was relevant in this instance.

Chairman Lucier stated that because the county funds the EDC they were responsible to the taxpayers for those expenditures to ensure that funds were spent appropriately. He stated at this point municipal governments did not provide funding.

Commissioner Vanderbeck stated under the proposed structure, the new organization named Chatham First would provide opportunities for members of the local governments and citizens to actively participate.

Chairman Lucier stated that in any event, the Town representatives had all voted unanimously in favor of the restructuring.

Chairman Lucier called for a vote: The motion carried five (5) to zero (0).

Chairman Lucier stated then what the Board would expect back from the EDC in the not too distant future was a roster of proposed candidates for the Board to consider with Alternative A to be used. Mr. Glasson stated the EDC would be meeting January 8, so it would be some time after that.

Commissioner Vanderbeck stated for further clarification, when discussing the benchmarks and other items not yet developed it would be premature for the Board to expect the EDC to come back in the next month or two, given that they need time to develop information for the candidates and the Board.

Chairman Lucier thanked the EDC for the work that had gone into this process, noting he knew it had not been an easy task to get to this point.

LISTING AGENT FOR BUSINESS PARK

Chairman Lucier stated they had one other item relevant to the EDC and that was the designation of the EDC as the County's agent for working with the listing agent for the Chatham County Business Park.

Ms. Reid stated they had sent Requests for Proposals to commercial brokers and based on the response they had selected Grubb and Ellis to do the marketing of the Business Park; that this was an effort to formalize that listing agreement with them; that since the County was the property owner the agreement needed to be between the County and Grubb and Ellis; that it was their understanding that the County would prefer not to be involved in the minutia until they had actually reached the point of sales; and, that the Attorney had some additions that needed to be inserted into the agreement.

Commissioner Vanderbeck asked had those additions been included in the draft the Board had received. Ms. Paschal stated that Mr. Rose's changes were not included in that document.

Mr. Rose stated the contract was for one year, which was not unusual for commercial property. He stated the legal descriptions were provided but he was not sure what some of the numbers related to. Ms. Reid replied they were the Deed and/or plat numbers. Mr. Rose asked would they want to sell or lease. Ms. Reid stated there were a series of options. Mr. Rose stated then it could be leased. Ms. Reid stated that was correct. Mr. Rose stated they would be responsible for marketing expenses that they undertook up to \$6,900, which was the advertising fee.

Chairman Lucier asked was that for Grubb and Ellis or for the EDC. Mr. Glasson stated it was associated with the EDC, that it would be Grubb and Ellis doing the marketing brochures. Chairman Lucier stated the County already had a marketing budget for the EDC, which was about \$25,000. Mr. Rose stated those funds would come from that line item.

Mr. Rose stated that Grubb and Ellis were entitled to a 6% commission, regardless of how the sale was accomplished; that if the County or the EDC brought a purchaser forward they would still be liable for the 6% commission. Mr. Rose stated that if it was leased the fee was also 6% of the rent, and asked would that be for the entire term of the lease. Ms. Reid replied that was correct.

Commissioner Vanderbeck stated did the contract indicate that if the payoff was through a lease that the payoff was deferred up to five years. Mr. Rose stated yes, but if the lease was being paid monthly then Grubb and Ellis would be provided 6% each time a lease payment was made.

Mr. Rose stated after the termination of the agreement on December 31, 2009, if within the next 180 days anyone they had shown the property to purchased or leased the property then Grubb and Ellis would be entitled to the 6% commission for six months, but they had to identify those prospects. He stated there was also a dual agency addendum where they would represent the County as the seller as well as the buyer, and possibly collect a percentage from the buyer's agent as well as the seller's agent.

Commissioner Thompson asked what his feelings were about that. Mr. Rose stated it was a common thing in today's world and not unusual. Commissioner Thompson asked how he felt about the exclusive right to sell, noting those would be the only conditions in which they would be the listing agent. Mr. Rose stated that most agents would expect that exclusivity.

Mr. Glasson stated that they wanted aggressive marketing, and in order to get that they would have to provide that exclusivity. He stated the key for them was that they had wanted someone to look at the Business Park in a manner that would provide the best marketing and then to aggressively go after it, in terms of having the Business Park fully sold or leased.

Chairman Lucier stated that would not in any way affect the Commissioners' right to approve any potential sale. Mr. Rose stated that raised another issue; that typically the way it would work would be by what was called a negotiated offer and sale; that they would bring forward a purchaser who would agree to the purchase for "X" amount and would then have to make a 5% cash deposit; that they would then advertise that for upset bids; and, that after ten days if no upset bids were received then they could then close on the property. Mr. Rose stated his question was if they brought forward a purchaser and then advertised it, and someone did offer an upset bid, would you still want them to receive the commission in that instance. He stated under the contract he believed they would be entitled to that.

Chairman Lucier stated he believed they would deserve it, because they would not have received the upset bid had the original purchaser not been identified. He stated his question would be if the commission would be on the original bid or the upset bid. Mr. Rose stated it would be 6% of the selling price, which would be the upset bid.

Commissioner Cross stated going back to the EDC reorganization, the Board of Commissioners rules stated that a Commissioner elected or re-elected would have the option of keeping the representative they had or appointing someone else, but the language in the reorganization materials did not reflect that. Ms. Reid stated she was not familiar with the Board's rules, but if that was the case then they would certainly honor that.

Commissioner Cross stated that he had a vacancy, and asked how long it would be before the Board received a roster, noting that if it was some time from now he may want to go ahead and fill that vacancy for the interim period. He stated the person he wanted to appoint to that vacancy would be the same person he would add to the EDC's roster for consideration.

Chairman Lucier stated then both Commissioner Cross and Commissioner Kost would be making a recommendation for an appointment; that both of them would provide a name to the EDC for inclusion on the roster; and then in a couple of months that roster would come back to the Board for consideration of appointments.

Commissioner Kost stated she had been very pleased to see the types of information that had been requested in the application.

Commissioner Cross stated he wanted to have a representative on the EDC during that interim period.

Ms. Reid stated that Carolyn Underwood had not yet formally resigned.

Commissioner Cross stated that last Thursday, had formally released her. Mr. Glasson stated as far as they knew she remained a member in good standing; that she had not relayed that information to the EDC as yet. Commissioner Cross stated he was now formally notifying the EDC that she was no longer his appointment, but she was willing to serve as one of the at-large or industry representatives if the EDC wanted her.

Chairman Lucier stated the appointment was not technically a Commissioner's appointment; that the Commissioner nominated someone and the full Board made the appointment. He stated if Commissioner Cross or Commissioner Kost had someone they wanted to nominate then those name should be given to the EDC for inclusion on the roster.

Commissioner Cross stated since he could not technically release Ms. Underwood, he would appreciate Ms. Reid notifying her that she was now released. He stated that in the past, Commissioners submitted a name for appointment and the Board approved the appointment as a courtesy, but the reorganization changed that process.

Chairman Lucier stated a lot of effort had gone into the reorganization and he believed the Board would want to honor that new process, and therefore nominations by the Commissioners should be forwarded to the EDC for inclusion on the roster of candidates for appointment. He added that if someone resigned, they needed to do so in writing.

Mr. Rose stated that today the Board needed to consider approving the EDC as the County's agent to promote the Business Park, and to approve the contracts.

Commissioner Vanderbeck stated would Mr. Rose have some additional points to include. Mr. Rose stated just the language regarding the statute that would apply, just to make sure everyone was upfront about it.

Commissioner Vanderbeck moved, seconded by Commissioner Kost, to:

1. Designate the EDC as the County's agent to promote the Chatham County Business Park
2. Approve contracts (Real Estate Agents Disclosure, Dual Agency Addendum, and Listing Agreement) with Thomas Linderman Graham, Inc. to market, promote, and list property for sale at the Chatham County Business Park subject to review by the County Attorney.

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

DURHAM DEVELOPMENT - COLVARD FARMS - SURVEY AND JORDAN LAKE

Commissioner Kost distributed a draft resolution for the Board's consideration. She stated that Mr. Neal Hunter had in 2005 commissioned a survey to determine the normal pool of Jordan Lake, and it had shifted in his survey by about 100 acres, thus taking out about 164 acres of the critical watershed area for the lake; that he was proposing a large development of about 1,500 residences with about 100,000 square feet of retail in Durham County but in what Chatham believed was a critical area of the lake; that the Durham County Commissioners had approved it in a split vote in November and it was now on the plate of DWQ; that the concern was that a private developer had paid to have a survey of the lake; that the lake had shifted according to that survey and had made land along 751 where they could now bring water and sewer into it when you could not bring water and sewer into the critical area of the lake; and, that the resolution was asking that no shift in the critical watershed boundary be made unless an independent survey was conducted.

Elaine Chiosso stated what the survey was supposed to show was that there was a change in the normal pool boundary of the lake, and they found that to be extremely curious.

Chairman Lucier stated there must have been a major geologic event that others were unaware of. Ms. Chiosso stated the other issue was if there was some change why would that change occur only in Durham, and for that reason they did not trust it.

Chairman Lucier stated then the key point was that they were asking for an independent survey before any boundary was changed. He stated this issue was touchy because the resolution would be sent not only to DWQ but to another county government; and, that they had all seen what had happened to Cary with Amberly when they put their dense development close to the lake and what that had caused in terms of erosion and sedimentation in Jordan Lake that had been clearly visible in aerial photographs, noting it was substantial and very sad. Chairman Lucier stated that Chatham County would be the recipient of what went on in the lake since most of it was in Chatham County, so he believed it was appropriate that the Board respond in this manner.

Keith Megginson stated that the County had adjusted its critical area more than once; that it was not due to geologic events but that the State's maps were wrong; and, that the adjustment had been by several hundred acres, once in the area around the Governor's Club on Morgan Creek, and again down by Ferrell's Store.

Chairman Lucier stated they were only asking that an independent survey be conducted. Mr. Megginson stated he was only pointing out that it was a sensitive subject, and that he did not want the County to appear hypocritical since they had changed their critical area by a much larger amount.

Commissioner Vanderbeck stated it also appeared that the State DWQ was bypassed, so there was some difference between what the County had done and what Durham did, that may have to be reversed.

Commissioner Kost stated that the County's critical area was one-half mile, but for Durham County it was a full mile. She stated what was outlined in the resolution was that although Chatham's was a half mile they had taken a number of steps to protect water quality in Jordan Lake, including what they were currently working on which was to work for five-acre lots. Commissioner Kost stated she did not believe they had been hypocritical because they had taken so many steps to protect the lake which were more stringent than that used by Durham.

Chairman Lucier stated that was correct, noting Durham did not use buffers for ephemeral streams, and Chatham had buffers throughout the full Jordan Lake watershed and not just the one-half mile.

Ms. Chiosso stated what this was really about was that they have the ability to provide water and sewer, noting that if that happened there was no question that the area would be annexed by the City of Durham.

Chairman Lucier stated the density for this proposed development would be similar to the Amberly density.

Commissioner Kost stated the project was 164 acres, with 60 reserved as open space, so they were talking about 1,500 homes on 100 acres including 100,000 of retail, so it was an intense project.

Ms. Chiosso stated if you drove through the Amberly development, you would agree that this type development so close to the lake was inappropriate.

Commissioner Vanderbeck stated he believed copies of the resolution should go to the appropriate legislators, which would include not only Chatham County but those in the Cape Fear watershed.

Ms. Chiosso stated one of Jordan Lake's big benefits to downstream water users was that it acted as a major stormwater and sedimentation control feature. She said when there was talk about pool change, if anything it should be getting larger because of the sedimentation.

Commissioner Cross, seconded by Commissioner Thompson, to adopt **Resolution #2008-69 by the Chatham County Board of Commissioners in Opposition to Modification of the Critical Watershed Boundary of the B. Everett Jordan Reservoir.**

Commissioner Vanderbeck stated also that the distribution list be expanded as discussed. Chairman Lucier agreed.

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

LUNCH

The Chairman called for a lunch break with the meeting to resume at 1:15 PM.

CIP (continued)

Ms. Paschal stated they had completed discussion regarding the schools, and they would now discuss other projects in the CIP:

Funding Strategy

- Fund large, needed facilities through debt (COPs):
 - School debt to be repaid from impact fees, ADM funds, lottery proceeds, and restricted sales tax
 - Other debt to be repaid from 5 cents on the tax rate held reserve
 - Debt model is based on these funding sources
- Fund smaller needs through Fund Balance, as this source is available; schedule in CIP should be considered tentative
- Maximize grant opportunities
- Fund parks through grants, recreation fee, and increase in the property tax rate, effective FY 2009
- Fund northeast solid waste collection center through a \$10/year increase in solid waste fee (funds accumulated in capital reserve), effective FY 2009

Commissioner Kost asked if the ADM funds were all earmarked to pay debt. Ms. Paschal stated that was correct.

Commissioner Vanderbeck asked about the new study on impact fees. Ms. Paschal stated the study was underway, and the Commissioners should be able to discuss that in the spring at the latest.

Ms. Paschal stated they proposed to fund smaller needs through Fund Balance as available; that the schedule in the CIP should be considered tentative until they had a better picture of next year's budget; that they did try to maximize grant opportunities; that their strategy in addition to using grants was to fund parks through an increase in the property tax that was effective in this fiscal year; that they were using grants and recreation fees to purchase land; and, that they were funding the Northeast Solid Waste Collection Center through a \$10 per year increase in the Solid Waste fund, which was also effective in the current year.

Ms. Paschal displayed a graph of funding sources, noting the predominant source was Certificates of Participation (COPs) at 86%, Installment Purchases at 5%, General Fund Fund Balance at 4%, and Grants and Gifts at 2%. She stated what funding all of those projects from COPs did to their debt was that it resulted in a high debt per capita; that for counties their size the State high was \$1,635, the average was \$716, and the low was \$72; that there were some counties whose debt per capita was somewhat higher than \$1,635 but that was the highest for counties the size of Chatham; and, that it assumed a debt high in 2013 and then a fall off from there.

Commissioner Kost asked did that assume that they would borrow all the money, such as for the high school. Ms. Paschal responded that was correct.

Chairman Lucier stated it did not include the future projects, only the approved projects. Ms. Paschal stated yes, it included the projects that were approved or recommended. She stated the next measure the auditors had mentioned was debt as a percent of assessed value; that they believed the legal limit was 8% of assessed value; that Chatham County would go to about 1.7% in the high year which was below the highest for their population category of 2.25%; and, that one reason that number was not higher was because they had high assessed value per capita.

Ms. McConnell stated that the Local Government Commission (LGC) would not allow them to get to 8%. Ms. Paschal stated that there were three indicators, and they were pushing the upper limits of the other two which was the debt per capita and the debt service as a percentage of the General Fund. She stated that in the high year of 2013 they were bumping up against the LGC maximum of 15% of their General Fund expenditures being debt.

Ms. Paschal stated that the Fund Balance would look somewhat different than what they had seen in the audit because they were not backing out the statutory restrictive money but showing the full Fund Balance; that the numbers were preliminary so the figures provided at the retreat would look somewhat different because they did not yet have good revenue numbers; that they had modified some of the assumptions in the out years because they believed revenues would have low growth in the next two fiscal years; that that would not plummet but they would fall below the 20% goal; and, that they were being conservative so they were not providing the best case scenario.

Ms. Paschal stated regarding other revenue sources, Parks Capital Reserve was next. She stated that this year in the budget they had recommended one cent going into the reserve; that you would reduce that by \$200,000, and in the chart provided in the CIP document she had continued that out without an increase due to the economic climate; and, that they did have a possible negative balance meaning that they would need more money to pay for the northeast park than they would have in reserve, but if they did not hit the Fund Balance too hard they could carry that until the next year when they could reimburse themselves.

Commissioner Kost stated she believed it was the Board's policy that one cent would grow when the tax base grew, but what Ms. Paschal was showing here was that it would be frozen. She stated she believed they would eventually want to unfreeze it because the intent was that as the tax base grew the reserve would grow as well. Ms. Paschal stated what she had tried to do was that they could do what had been recommended for the northeast park and still continue to accumulate some reserve for future park projects even if they left it at the \$522,266. She stated she agreed that at some point they would want to unfreeze it, but not until the economic conditions improved. Commissioner Kost stated that should be okay as a temporary freeze.

Chairman Lucier agreed, noting it would likely remain frozen through FY 2010, but after that they would have to look at the economic situation and decide then.

Ms. Paschal stated the other issue was their projected recreation fee balance; that they were looking at purchasing some additional park property; and, that in the eastern district they would have about \$379,000 left and about \$91,000 left in the western district. She stated she had provided more snapshots than projections because it was hard with development as it was now to do projections.

Chairman Lucier agreed, stating they could accelerate a lot or very slowly. Ms. Paschal stated what they were trying to do was work with what they had without projecting a lot of excess revenue. Chairman Lucier stated he believed the intent would be to hold that almost \$400,000 and let it build up again so they could purchase a larger piece of property.

Commissioner Kost stated that money could be used to construct parks as well.

Ms. Paschal stated next was the 911 funds:

911 Funds – Unrestricted

- Total Uncommitted - \$389,354
- Total Committed - \$763,284

911 Funds – Restricted

- Total Uncommitted - \$736,098
- Total Committed - \$220,000

Ms. Paschal stated that as discussed last year, they had reverted unrestricted funds to the General Fund, but because it was a one-time reversion and those were treated as for capital purposes only; that if the Board were to adopt this recommendation then they would commit

about two-thirds of their unrestricted 911 money, so they would not have it for future projects; and, that for restricted 911 funds almost a quarter of that had been committed.

Commissioner Kost asked what “restricted” meant. Ms. Paschal stated they would have to use the funds for the stated purposes. Commissioner Kost asked how did they determine what was restricted. Ms. McConnell stated the State made that determination.

Ms. Paschal stated they were proposing to use the unrestricted funds to purchase mobile data terminals for the Sheriff’s Office, and they could not use restricted 911 money for that.

The County Manager stated that restricted 911 funds were typically only for those things specifically to enhance 911 services, such as consoles.

Ms. Paschal stated that next was the water capital reserve, broken down with Uncommitted at 44% and Committed at 56%.

Ms. Paschal stated that the bulk of the effect on the operating budget was debt service; that they were building up a reserve to pay the debt service so the revenue to pay for that would be transferred from the reserve and property taxes would not go up to pay for that. She stated that for other projects besides schools, she would first talk about completed projects, and there was no decision to be made on those but were provided for information only. Ms. Paschal stated if a project was in the CIP and not completed then it was reported on in the next CIP.

Building Renovations (Page 14)

- Complete
- Renovate the Dunlap Building, Sheriff’s Office, Siler City Health Department, and Soil and Water Offices
- \$1.5 million; Fund Balance appropriated
- Project balance: \$71,417.75
- Difference from previous CIP: (\$108,021)

Park - Southwest District (Page 46)

- Completed
- Develop a district park located in the southwest quadrant of the County adjacent to Chatham Central High School. The park includes a trail, fencing, a lighted multi-use ball field, covered picnic shelter with full kitchen and concession stand, a sand volleyball court, a playground, a shelter, and restrooms
- \$611,164; \$292,146 grants, \$251,435 General Fund, \$55,357 recreation fee, \$12,226 Other
- Project balance: \$0
- Difference from previous CIP: \$2,870

Social Services Renovation and Expansion (Page 71)

- Complete
- Construct a 22,400-square-foot addition and renovate the existing 9,480 square foot space to accommodate the needs of Social Services for the next 20 years
- \$5.8 million; COPs issued
- Project balance: \$841,735.55

Commissioner Kost asked about the project balance of \$841,735. Ms. Paschal stated that was the budget minus what had been spent on the project to date. Commissioner Kost asked would that money be reallocated in the CIP. Ms. Paschal stated it would be applied to the site projects that the COPs paid for, but, that did not mean that they would have \$841,000 left at the end of the project, that it was just what was left at this point.

Chairman Lucier stated it would reduce their debt service, not be a transfusion into the General Fund. Ms. McConnell stated that any money left over from a COPs project would be funneled into one or the other projects so that at the end it would be put against debt service, but only when they completed all the projects. Chairman Lucier stated that impact would only be about \$30,000 or \$40,000 a year. Ms. McConnell agreed.

Commissioner Kost asked would that be for every COPs project or just certain ones. Ms. Paschal stated it would be for any of them. Commissioner Kost stated then that could potentially

be a source for some of the planning money for schools they had discussed earlier today. Ms. McConnell agreed that was possible.

The County Manager stated the question at this point was what amount would be left over. Ms. Paschal stated she believed it would be between \$100,000 and \$150,000.

Mr. Hughes stated they would need to retain some funds to close out the project. Ms. Paschal stated that did include some retainage.

Telephone System Replacement – County-wide (Page 74)

- Complete
- Replace the County's existing phone systems with a hybrid "voice over IP" (VoIP) system/PBX system
- \$260,000; Fund Balance appropriated
- Project balance: \$22,600
- Difference from previous CIP: (\$40,000)

Water – North Chatham Hydraulic Improvements (Page 85)

- Complete
- Upgrade the North Chatham Water System's hydraulic system to address existing problems with water pressure and problems with pressure reaction in the lines (water hammer) and to allow for the expansion of the northern water system.
- \$2.4 million; Water Capital Reserve
- Project balance: \$0
- Difference from previous CIP: \$206,957

Mr. Hughes stated they had spent more than expected on the hydraulic improvements because Hobbs had left out a portion of the pipe replacement, and there had been some additional work done to install some isolation valves.

Water - Silk Hope School Water Main Extension (Page 87)

- Complete
- Construct a water main to serve Silk Hope School
- \$1.2 million; Water Capital Reserve
- Project balance: \$267,890.41
- Difference from previous CIP: \$49,310

Chairman Lucier stated the project had cost more because they had been forced to bore the river, noting his recollection was that it was about \$175,000 in additional funding.

Commissioner Kost asked was that project done. Mr. Hughes stated it had been completed. Commissioner Kost asked then was the balance available. Ms. McConnell stated it had to go back into Water Capital Reserve.

Ms. Paschal stated that the next set of projects had been approved and contracts let, so there was little discretion about stopping those projects:

American Tobacco Trail (Page 12)

- Approved - Contracts Let
- Participate with other jurisdictions in converting a former Norfolk Southern Railroad line into approximately 23 miles of trails between downtown Durham and Bonsal in Wake County
- \$60,000; recreation fee
- Project balance: \$60,000

Central Carolina Business Campus (Page 16)

- Approved - Contracts Let
- Construct the infrastructure for Chatham County's Business Campus in Siler City including construction of roadways, water mains, sewer mains, and sewer pump stations
- \$8.6 million; \$7.1 million in COPs issued; \$130,000 General Fund revenue; \$400,000 Grant; \$990,898 interest (all 2006 COPs)
- Project balance: \$405,868.19
- Difference from previous CIP: \$378,035

Chairman Lucier stated they would need all overages and underages for the Alston Bridge connection. Ms. Paschal replied that was the \$378,035 figure.

Commissioner Kost asked would additional funds need to be allocated. Ms. Paschal stated it had already been allocated, adding they were using interest received from COPs so no additional funds had to be borrowed.

County Office Building Purchase & Renovation (Page 22)

- Approved - Contracts Let
- Purchase and renovate a 33,000 square foot building on Business 64 in Pittsboro for additional office space
- \$4 million; installment purchase
- Project balance: \$600,000

Ms. Paschal stated they were still calling the building the Performance building, so they would likely need to name the building at some point; that they were conducting a space study to determine who should be moved into the building but also to utilize the building in the short term; and, that the project balance of \$600,000 was for renovations not yet started, and they were currently analyzing what needed to be done.

Chairman Lucier stated the contract was \$120 per square foot including the renovations, and the estimate was that over a period of 9 to 10 years their savings from rent and rental income would pay for the building, so essentially after that period they would have a building that cost them nothing, except for operating costs. Ms. Paschal stated that was correct, adding there was no question with all the rent they were paying and would have to pay if they did the Judicial Center and relocated those offices, that purchasing this building would keep them from having to build new buildings down the road.

Commissioner Vanderbeck asked when their projected tour or first meeting was in that building. The County Manager stated they could likely hold the first meeting in January there if the Board would like to do that.

Ms. Paschal stated that one of the issues was there was no elevator to the second floor which was the office space that was available, so part of the \$600,000 would be to make the building ADA compliant.

Commissioner Kost asked what else would be needed to make the building ADA compliant. Ms. Paschal stated they would likely need to move some walls as well as install the elevator, and in addition they would be running some fiber optic cable. She stated they were also considering converting the propane gas tank to natural gas.

Chairman Lucier stated they would definitely use that entire \$600,000 project balance.

Commissioner Vanderbeck asked did the contractor have the specifications for that work. Ms. Paschal replied they did. Commissioner Vanderbeck stated then it may be more prudent to hold on conversions until they received their recommendation. Ms. Paschal stated it may, adding that there was quite a bit of work to be done to get people in there, so timing-wise that may be fine.

Electronic Document Management System (EDMS)/Imaging (Page 24)

- Approved - Contracts Let
- Purchase hardware and software to scan the County's historical files and provide file storage and retrieval.
- \$400,000; Fund Balance appropriated
- Project balance: \$200,721
- Difference from previous CIP: (\$100,000)

Library - Automation System (Page 36)

- Approved - Contracts Let
- Purchase an automation system for Chatham County Public Libraries to operate independently from Alamance County
- \$96,928; \$77,604 grant and \$19,324 Fund Balance appropriation
- Project balance: \$22,163

- Difference from previous CIP: (\$15,085)

Sheriff/Jail Software (Page 69)

- Approved - Contracts Let
- Purchase new software for the Sheriff's Office and Jail
- \$123,343; Fund Balance appropriated
- Project balance: \$31,579
- Difference from previous CIP: \$32,773

Ms. Paschal stated that project was discussed at length, and if they did not have to pay out the Positron contract they would save about \$25,000.

Waste Management - Landfill Feasibility Study (Page 78)

- Approved - Contracts Let
- Conduct the first phase of a multi-phase project to site a County-owned landfill. A consulting firm has been hired and has nearly completed the feasibility of a facility limited to Chatham County waste or if the facility needs to be expanded to include other counties' waste. The consultant has determined the type and size of different facilities and is in the process of preparing a presentation of its findings for the Board of Commissioners. Subsequent phases would include finding a location, acquiring land, determining how the landfill would be operated (by the County or private entity), etc., if it is determined to be in the best interest of the County.
- \$50,000; Waste Management Fund Balance appropriation
- Project balance: \$17,853

Ms. Paschal stated the project balance would be used to pay out the consultant.

Water - Western Transmission Mains (Page 88)

- Approved - Contracts Let
- A continuation of the Pea Ridge transmission water main, the project consists of constructing 162,000 linear feet of water mains to serve the southwest water system
- \$14.9 million; \$14.5 installment purchase; \$397,220 contribution from Siler City
- Project balance: \$3,244,814.72
- Difference from previous CIP: \$3,811,450

Mr. Hughes stated that project was very close to completion. Ms. Paschal stated the project balance was large because not all invoices had been received for payment.

Chairman Lucier asked what the status was on the southwest water line, noting he thought they were under the needed signups. Mr. Hughes replied they were actually over, noting the original signups needed was 515, and they were at 558, although that was for the whole district and they had not yet separated those signups by location.

Commissioner Vanderbeck stated that gave the preliminary information to start talks with USDA. Mr. Hughes replied that was correct, and they would now begin looking at where the density of the signups were located.

Chairman Lucier said they would also look at where they might want to further recruit. Mr. Hughes responded that was correct.

Water District - Southeast Water District Line Construction (Page 91)

- Approved - Contracts Let
- Install approximately 40 miles of water distribution mains in the Southeast Water District, in response to the positive vote in that district to finance water lines and signups from residents.
- \$5.3 million; \$5.1 million USDA loan and \$187,500 in tap fees
- Project balance: \$4,244,262.87
- Difference from previous CIP: (\$628,899)

Ms. Paschal stated for the Southeast Water District Line, the project balance was large because not all invoices had been received for payment.

Chairman Lucier stated they were still working out there. Mr. Hughes replied that was correct, noting they were 30% to 40% done.

Ms. McConnell asked did he have an estimate for when they might be through. Mr. Hughes stated he did not have the schedule with him, but the project was estimated at one year and they had let the contract in July with work commencing in October. He estimated the project should be finished by late spring.

Ms. Paschal stated the next set of projects were those that had been approved by no contracts had been let, and the Board did have the discretion to change them, not fund them, change the timing, or change the scope.

CCCC - Pittsboro Campus - Sustainable Technologies (Page 18)

- Approved - No Contracts
- Construct an 18,000 square foot LEED certified building for the environmental resources programs at Central Carolina Community College. This building will be constructed at the same time as the joint-use library
- \$4.6 million; COPs proposed
- Project balance: \$4,298,412.25

Ms. Paschal stated the project budgets for this project and the Library project had both been increased due to the higher than expected bids that were received.

Chairman Lucier asked if the projects were rebid would they likely come in at a lesser amount. Ms. Paschal stated that was a possibility, especially since the environment was so competitive at the present time. But, she stated, she was not sure it was not already competitive when they had bid it, because they had garnered a lot of interest and a lot of bids.

Mr. Hughes stated there were some components to that building that were different from most standard buildings, so there was not as much competition and not as much savings to be seen. He stated examples would be the raised floor and the mechanical systems that were demanding to install. Ms. Paschal stated that was not a part of that.

Chairman Lucier stated that was a separate listing and was about \$888,000, but the last time they had talked about that they had said that part would be rebid. Ms. Paschal stated that was correct, and she would talk more about that when they reached that point in her presentation.

Community College - Siler City Campus (Page 20)

- Approved-No Contracts
- Construct a 23,322 square foot industrial and adult education center to be built in the County's business campus
- \$5.6 million; \$4.4 million COPs proposed; \$531,910 Capital Reserve; \$627,805 grant
- Project balance: \$5,236,311.11
- Difference from previous CIP: \$2

Ms. Paschal stated for this project, there were other funding sources; that the State had provided them some funds a few years ago plus they had to match it, so they would not have to borrow the full \$5.6 million.

Judicial Facility (Page 28)

- Approved - No Contracts
- Construct an 86,400 square foot judicial facility south of the Courthouse Annex to accommodate the existing and future needs of the judicial system (courtrooms, judges, clerk of court, district attorney, probation, and public defender)
- \$23.9 million; COPs proposed
- Project balance: \$23,134,054.16

Ms. Paschal stated that project had been delayed because of the financing model. Commissioner Kost asked how long the delay was. Mr. Hughes responded for one year. The County Manager stated they had completed the planning, and the next step would be to prepare the contract documents.

Law Enforcement Center Site Improvements (Page 30)

- Approved - No Contracts
- Provide additional parking and an access road for the Law Enforcement Center and Emergency Operations Center
- \$627,038; \$575,980 Fund Balance appropriation proposed; \$51,058 grant
- Delayed to 2011 to reduce impact on FY 2010 Fund Balance
- Project balance: \$575,864
- Difference from previous CIP: \$66,080

Ms. Paschal stated that project had been delayed for three years to reduce the impact on the 2010 Fund Balance. She stated they were participating with NC State University on some Best Management stormwater practices, and NC State was providing some grant funds to pay for that as well as for planning costs, and that accounted for the difference from the previous CIP. Mr. Hughes stated he was not sure that funding from NC State would last that long, and they would need to check into that. Ms. Paschal agreed, but stated it was either delay that project or delay some school projects, so she was not sure there were other options.

Chairman Lucier stated the grant was less than 10% of the overall cost, so if they lost it they lost it. He stated they would still have to take the hit on the Fund Balance. Ms. Paschal stated that the bids may come in lower.

The County Manager stated it would be important to keep in mind the projects that would be suitable for the stimulus package which he believed would come very soon. Ms. Paschal stated that was important, noting she had just received an email from the State librarian asking for projects that were "shovel ready," and the library was "shovel ready."

Library - Chatham Community Library (Page 32)

- Approved - No Contracts
- Construct a 25,000 square foot joint community college-County library on the Pittsboro campus of Central Carolina Community College
- \$8.3 million; \$8.1 million COPs proposed; \$163,375 contribution from Friends
- Project balance: \$7,509,650.98
- Difference from previous CIP: \$407,330

Library - Radio Frequency Identification (RFID) (Page 38)

- Approved - No Contracts
- Contingent upon funding from the State library and the Pittsboro Friends of the Library; purchase and implement technology for loss protection, inventory control, and self-checkout for the Chatham County Public Libraries, including: self-check-out and staff work stations for each library, two portable inventory readers, installation of security gates at each library, and tagging of all library materials
- \$321,900; \$121,900 General Fund balance appropriation proposed; \$100,000 grant; \$100,000 from Friends
- Chances for grant are "fair," but Friends of the Library have also tentatively pledged funding
- Project balance: \$321,900

Library - Wastewater Reuse Project (Page 40)

- Approved - No Contracts
- Contingent upon receipt of grant funds, construct an innovative system to treat and reuse wastewater and rainwater for flushing toilets and supplying water to the HVAC cooling system for the new Chatham Community Library and CCCC Sustainable Technologies Building.
- \$888,284; seeking Clean Water Trust Fund Grant
- Project balance: \$877,784
- Difference from previous CIP: \$473,496

Ms. Paschal stated she had met with the project team last week, and they had indicated that project may well be able to be brought in under \$400,000 through value engineering.

Chairman Lucier stated that was a sizable reduction. Ms. Paschal stated their plan was to seek a grant from the Clean Water Trust Fund to offset the costs. Chairman Lucier stated the original estimate was \$400,000 to \$500,000. Ms. Paschal stated their goal was not to have to pay out the \$877,000, and the \$400,000 to \$500,000 was more likely what they would recommend.

Mobile Data Terminals Equipment and Software (Page 42)

- Approved - No Contracts
- Purchase software and equipment to equip deputies with mobile data terminals (MDTs) and automatic vehicle locators (AVLs). The project will be tested in the Sheriff's Office and phased in over two years.
- \$161,141; Unrestricted 911 funds proposed
- Project balance: \$161,141
- Difference from previous CIP: (\$20,894)

Ms. Paschal stated by not going with the Positron software they were not able to communicate with Dispatch, so some of the reasons to do mobile data terminals had now gone away, but they were still useful because they allowed Deputies to run their own checks and enter their reports while still in the field which was seen as a more efficient utilization of personnel.

Commissioner Vanderbeck stated that because it was optional that was why it came under the Unrestricted part of the CIP. Ms. Paschal stated that was correct, adding that because they had not gone with Positron the software had cost less, so there had been a savings realized.

Park - Northeast District (Page 44)

- Approved - No Contracts
- Develop a district park located in the northeast quadrant of the County on 66 acres located on Big Woods Road
- \$3.3 million; \$500,000 PARTF grant; \$217,500 CWMTF grant; \$1.2 million transfer from Capital Reserve (to be funded by tax increase approved in FY 2009); \$1.4 million in recreation fees already used to purchase land
- Project balance: \$1,984,663

Ms. Paschal stated there was no General Fund contribution or tax dollars applied to that project. She stated the project was more expensive due to the addition of a soccer field.

Commissioner Vanderbeck asked wasn't Carolina Meadows going to be a part of that. Ms. Paschal responded that she had no final communication from them, so she had not included what they might contribute towards the soccer field. Chairman Lucier indicated he had spoken to representatives of Carolina Meadows recently and they had indicated they would be participating by making a contribution.

Replace Communications Equipment (Page 48)

- Approved - No Contracts
- Replace Chatham County's communications equipment to comply with the Federal Communications Commission's (FCC) mandate that all equipment be capable of operating at 12.5 KHZ or less
- \$382,143; Unrestricted 911 funds proposed
- Project balance: \$382,143
- Difference from previous CIP: (\$506,850)

Satellite Backup for 911 System (Page 49)

- Approved - No Contracts
- Purchase equipment and software to equip the mobile Emergency Operations Center with a satellite backup for receiving 911 calls
- \$220,000; Restricted 911 funds proposed
- Moved to FY 2010 because of lack of progress
- Project balance: \$220,000

Ms. Paschal stated she had moved it on the schedule because no progress had been made, noting it had originally been scheduled for FY 2008.

Commissioner Kost asked what would happen now if 911 service was lost. Ms. Paschal stated they would not have 911 service. Commissioner Kost stated then that should be a huge priority. Ms. Paschal stated she had moved it to FY 2010 because she did not believe they would spend the money in FY 2009, but that could be moved up to FY 2009 if the project was ready to move forward.

Chairman Lucier stated that since the funding came from Restricted 911 funds it would not impact the County's budget one way or another. Ms. Paschal stated that was correct.

Storage Building for Emergency Services (Page 73)

- Approved - No Contracts
- Construct a 6,000 square foot storage building for Emergency Operations to use as a County Receiving and Distribution Point (CRDP) and the Sheriff's Office to use as a secure indoor facility for vehicles and other large items that are part of an investigation. Both departments would also store equipment in the building
- \$486,864; Fund Balance appropriation proposed
- Construction moved to 2011 to evaluate new office building as an option
- Project balance: \$486,864

Commissioner Vanderbeck said then that was included in the space study being conducted. Ms. Paschal stated that was correct, noting another reason it had been moved to FY 2011 was because it was a large hit on Fund Balance.

Waste Management – New Collection Center (Page 79)

- Approved - No Contracts
- Build a new, state-of-the-art collection center in the northeast quadrant of the County to accommodate the influx of new residents
- \$820,600; solid waste fee raised by \$10/year in FY 2009 to contribute funds to Capital Reserve and pay for construction out of Capital Reserve
- Project balance: \$820,600

Commissioner Vanderbeck asked when that was supposed to happen. Ms. Paschal responded construction would take place in 2012 and the facility would open in 2013.

Water - Governor's Club Water Main Relocation (Page 82)

- New
- Construct 600 feet of restrained 12-inch ductile iron line to provide a second feed to Governor's Club Tank
- \$170,300; transfer from Water Capital Reserve proposed
- Project balance: \$170,300
- Difference from previous CIP: \$82,300

Ms. Paschal stated that was not a new project. Mr. Hughes stated it was to protect existing PVC pipe at the foot of the dam and to move it down and around and make it a duct line, so that if they experienced a break there it would not erode the foot of the dam. He stated the project was not an emergency, but was something they needed to do in order to handle the planned increased pressure on the lines. Mr. Hughes added they had two alternatives to choose from, and they would likely go with the less expense one, meaning that the cost would likely be around \$120,000 to \$130,000, rather than the \$170,000 now indicated.

Ms. Paschal stated the next set of projects were new and had not been approved in a previous CIP. She stated the assumption was that the schedule, funding, or approval of these projects could be changed.

Increase Capacity for Data Storage (Page 26)

- New
- Provide a secure storage system for the County's increasing data storage needs
- \$152,900; Fund Balance appropriation proposed
- Project balance: \$152,900

Ms. Paschal stated a big advantage of that project was it would provide a back-up storage system so that the data stored would be more secure, and if some disaster caused the loss of one system they could easily move to the back-up.

Commissioner Vanderbeck asked would the servers remain in the same location. Ms. Paschal responded for now, but they would likely be moved to the recently purchased Performance building. Commissioner Vanderbeck asked was the new feed from Time Warner coming directly to the Performance building. Ms. Paschal responded that was correct.

Water - Increase Capacity (Page 83)

- New
- Provide for the long-term needs of the County water system through a combination of negotiating bulk purchases from other jurisdictions and increasing the County's ability to produce more water
- \$5 million; Water Capital Reserve transfer proposed
- Project balance: \$5,321,419

Chairman Lucier asked when proposals would be ready for the Board to review. Mr. Hughes stated their plan was for the second meeting in January. Chairman Lucier stated they may be able to nail down the figure at that time, noting what was shown was just a holding number.

Commissioner Vanderbeck asked would that be brought in to the facilitated discussion. Mr. Hughes stated he had not anticipated that.

The County Manager stated they had talked with the other municipalities about coordinating or integrating the system over time, but it was a matter of when that would happen. Commissioner Vanderbeck stated then it could definitely become a capacity issue depending on others buy-in to that. Mr. Hughes responded that they were looking now at the short-term rather than the long-term. Commissioner Vanderbeck stated it would be more strategic to get buy in.

Ms. Paschal stated other projects had been provided in the handout for information purposes, noting that not much information was available but they believed the Board might be seeing them sometime in the future.

Chairman Lucier stated the Board had the information and did not believe Ms. Paschal needed to go through that information now.

Commissioner Kost stated when talking about the new western intake, would that be included in that category of projects. Ms. Paschal responded it would.

The County Manager indicated that Pittsboro was interested in participating in the discussions regarding the western intake.

Commissioner Vanderbeck stated once they began partnering that could open up the possibility of grants. Mr. Hughes agreed.

Chairman Lucier stated they would talk more about that in January, as well as make a list of infrastructure projects and talk with Durham about issues related to them.

Commissioner Kost stated everything was nebulous as far as projects that were "shovel ready" such as the Library, and as they went through the CIP should they be identifying projects that could be ready to go. She stated if they were slow in applying for stimulus money, it could be gone. The County Manager stated many of the projects already approved or they had completed the planning aspect of them, so there were several projects that were close to being ready.

Chairman Lucier stated they did not yet know what the funding for infrastructure might be, but he agreed they needed to have a list of projects that might be eligible for that funding, such as the library, the middle school, and the water infrastructure issues just discussed. He stated those were big ticket items and if any one of them were eligible for funding it would be of great help.

Commissioner Kost stated her thinking was if they had such a list they could put them in priority order and if they met the criteria then they would be ready to go. Ms. Paschal asked if the Board wanted that list for the January 5 meeting. Chairman Lucier replied yes.

Chairman Lucier stated they may have to group the projects on the list into categories rather than ranking each one individually because they did not know what type of projects would be eligible for funding.

Ms. Paschal stated the middle school should be ready to go out for bid in February, and she believed that was the timeframe they would be targeting; that is, that something would be happening within the first few weeks of the new administration in Washington.

Chairman Lucier asked how the Board wanted to go forward from here with the discussion, noting he was somewhat hesitant to discuss buildings such as the library, the community college, and the judicial building until they got information back for the January 5 meeting about options for getting the middle school started and the impacts of that on other capital improvement projects.

Commissioner Vanderbeck stated he concurred, as did Commissioners Thompson and Cross.

Commissioner Kost stated they had talked about having a public hearing on the capital plan, and believed they would have to wait until after that to make a determination. She stated that the January 20th meeting appeared to be a busy one.

Chairman Lucier agreed, noting that the liquor-by-the-drink issue would likely be well attended. He stated the changes to the watershed ordinance were also scheduled for that meeting.

Commissioner Kost stated the Planning Board items for its last two meetings would likely be on that agenda as well.

Commissioner Vanderbeck asked had they determined the language to apply the Lighting Ordinance County-wide, noting they would need that language before setting the date for a public hearing. Mr. Rose stated they had not done that but certainly would after having just received that directive.

Chairman Lucier asked were there other capital projects Ms. Paschal had gone over that the Board had questions about.

Commissioner Kost stated she did not believe they could do anything about the scheduling until other factors were known.

Ms. McConnell stated for clarification, the School system had indicated they already had bids for preliminary site work. She asked had the Board given the go ahead for them to proceed.

Chairman Lucier stated not yet, that the discussion was that they had anticipated \$2 million, that the bid had come in at under \$1 million, and they needed to find a way to come up with that amount in order to keep the school project on schedule to open in August of 2010. Chairman Lucier stated they hoped to be able to determine that and give the School System the go ahead on January 5.

PLANNING

Congestion Mitigation and Air Quality (CMAQ) Funds:

Ben Howell, Planner, stated that he had prepared the agenda materials, and believed the Commissioners had all the necessary information.

Chairman Lucier stated what they wanted to do was use those funds for the pedestrian facilities around the roundabout. Mr. Howell stated that was correct, and the Town of Pittsboro would also like to place some sidewalks along NC #87 as far back towards US #64 as possible.

Chairman Lucier stated it was his understanding that the types of things those funds could be used for were limited. Mr. Howell replied that was correct, adding that generally the only thing the funds could be used for were things that calmed congestion. He stated this project was the best they could identify in the short time since they had found out about it.

Commissioner Kost asked would that project use the entire \$193,000. Mr. Howell stated they were not sure; that they had gotten a ballpark figure from NCDOT for just the roundabout area of about \$58,000; that their best estimate for the sidewalks was \$75.00 per linear foot for

sidewalk, curb and gutter, and if that was the case they would likely be able to do the entire length and have a small amount left over. He noted that to go for the fast track, you had to do projects over \$100,000.

Commissioner Kost stated there was an issue of timing. Mr. Howell stated the deadline for the application to NCDOT was January 29 for fast tracking, or they could wait until May 9 but that would require a 20% match. Commissioner Kost stated then there was no match for the fast track. Mr. Howell replied that was correct. He stated the \$193,000 was Chatham County's portion of the CMAQ funds, and it was his understanding that if they did not apply for them that the funds would go back into the State-wide fund and become available for any State projects.

Commissioner Kost asked had that been discussed at the last Rural Planning organization (RPO) meeting.

Commissioner Vanderbeck stated yes, and he had understood that if they did wait and apply later and a match was required, that if the project went over budget then the County would still be responsible for 20% of the total, and that was an important distinction. Mr. Howell stated they did not know at this point what the total cost of the project would be, noting they were awaiting an estimate from Pittsboro on the sidewalks, curb and gutter.

Commissioner Vanderbeck stated that the only thing the CMAQ funds had been used for was for the Business Park. Mr. Howell stated in this particular appropriation there had been \$60,000 used for the Chatham Transit Network for the bus that ran to Chapel Hill.

Ms. Paschal asked could the funds be used to run the sidewalk from the roundabout to the library. Mr. Howell stated he did not believe the timing would work. Ms. Paschal asked when the funds had to be spent. Mr. Howell stated they would be meeting with NCDOT in January, and from what they knew now NCDOT wanted all engineering completed and the money disbursed by the end of September, which was the end of the federal fiscal year, and they wanted the funds spent as quickly after that as possible. Ms. Paschal stated the best case scenario would be that they would begin the library project in April. Mr. Howell stated if that was the case, then it may work, but they would need to know that by the January 29 deadline.

Chairman Lucier stated they would know more by the January 5 meeting, but even if the library was delayed could they not still put in the sidewalk. Ms. Paschal stated she was concerned they may not want to. Mr. Hughes agreed, noting sidewalks were usually installed towards the end of construction to keep it from getting damaged.

Chairman Lucier asked how far it was from the roundabout to the library. Mr. Megginson responded about 200 feet, but you would not want to have the sidewalk there before they did the roundabout because it would get damaged.

Mr. Howell stated unfortunately there was some question about the roundabout because NCDOT did not yet have a timeline on the roundabout, and it appeared they did not want to put the roundabout in until the library was completed.

Chairman Lucier stated he understood the dilemma, and believed it would make sense to delay that until the January 5 meeting. Mr. Howell stated they had brought it forward now because the application for CMAQ funds was somewhat complicated and would take some time to complete, and if it was something the Board was in favor of doing they had wanted to get started on it.

Chairman Lucier stated he believed the Board was interested but they would not make a formal decision until January 5. Mr. Hughes stated he believed the bottom line was if they wanted to allow Pittsboro use of the funds then they could proceed, but if not then they needed to know that. Chairman Lucier stated he believed they were interested in working with Pittsboro.

Commissioner Vanderbeck stated that if they had to apply for the 80/20 funds, they did not know what that amount might be so it was too early to talk about that. Mr. Howell stated regardless of whether they did the fast track or the 80/20, they would still not be able to receive more than the \$193,000. He stated the only issue then was if the project exceeded the \$193,000, funds would have to be obtained from some other source, but if they went the 80/20 route they would have to match 20% of whatever the total was.

Mr. Hughes stated he believed Pittsboro would be willing to fill that gap, noting they had Powell Bill funds available and the sidewalk would be eligible for those funds.

Mr. Megginson stated it would be their preference that if they went forward with the project that Pittsboro handled the actual administration of the project.

Chairman Lucier stated he believed that could be accommodated. Mr. Megginson stated the sidewalks would be Town of Pittsboro sidewalks, and it would be appropriate for them to oversee the construction.

Ms. Paschal stated that one of the issues talked about in the initial planning for the library was that moving it from its present location would make it less walkable, so if they were able to tie it to the Pittsboro sidewalk system that would alleviate that issue.

Cell Tower Plan:

Chairman Lucier asked if the date of March 16 was okay with the Board for setting a public hearing for the annual cell tower plan. There was not objection from the Board.

Commissioner Cross moved, seconded by Commissioner Kost, to set March 16, 2009 as the date on which to hold a public hearing on the cell tower plan. The motion carried five (5) to zero (0).

Arts Tour:

Chairman Lucier stated the Arts Tour was finished, but it would come again. He stated perhaps they should look at the ordinances to see what might be done to better facilitate such things as the Arts Tour, the Farms Tour, and other events that were of a limited periods of time and were of interest to the County, and the signage that accompanied such events.

Commissioner Kost stated they had a provision in the ordinance that allowed for signs to be posted for bona fide events such as fairs, festivals, bazaars and the like. She stated because it was in the Zoning Ordinance it applied only to the zoned portions of the County. Commissioner Kost asked did they do any retrieval of those types of signs in the unzoned portions of the County. Mr. Megginson replied no. Commissioner Kost stated that it was the same type of issue. Mr. Megginson stated it was the State right-of-way. Commissioner Kost stated but wouldn't they collect such signs in other areas. Mr. Megginson stated they did not have any local ordinance that would prevent any signs over a certain size, adding that it only addressed billboards. He stated they had an off-premise sign ordinance for the unzoned areas, but the smaller signs did not fit under that category.

Chairman Lucier asked what the State would do if the County did not enforce that. Mr. Megginson stated they may have a citizen calling to have signs taken out of the right-of-way. Chairman Lucier asked had they received any calls about the Arts Tour signs. Mr. Megginson stated they regularly received calls about signs in the right-of-way, but did not recall any about the Arts Tour.

Commissioner Kost stated what she was hearing was that signs in the right-of-way could cause safety issues with sight lines and the like, so why would that cause problems only in the zoned portions and not the unzoned portions.

Chairman Lucier suggested over the next few months that Mr. Megginson develop some proposals from his perspective that would allow such signs as the Arts Tour signs to stay up for a limited time. Mr. Megginson stated they had thought about the issue because it had come up last year, and he believed it was an all or none issue. He stated he knew of only two options, don't collect anything in the right-of-way, and let NCDOT deal with its right-of-way.

Chairman Lucier stated perhaps they should consider dealing with the issue only when complaints were made. Mr. Megginson stated if someone complained about a sign in the unzoned areas, their response would be that it was an NCDOT issue.

Chairman Lucier stated if someone called about a sign, just go pick it up. Mr. Megginson stated that would be selective enforcement. Chairman Lucier disagreed, stating that you were becoming aware of something because someone made a phone call.

Commissioner Kost stated there was still some selective enforcement already going on, because she saw many signs that she knew to be illegal. Mr. Megginson stated not that they were aware of, and if she knew of any to please pass that information along.

Chairman Lucier stated those were temporary signs that were posted for a short time, and if no one complained why worry about it.

Rita Spina suggested some language could be added to the ordinance that spoke to temporary signs posted for "X" number of days, so that it was separated from all the other sign issues.

Mr. Rose stated in that scenario the County would collect the signs after the "X" day period had passed regardless of the message. Chairman Lucier responded that was correct.

Chairman Lucier suggested that the Board be thinking about that.

EXISTING BUSINESS REZONING

Chairman Lucier stated he and Commissioner Kost would be meeting with Mr. Megginson tomorrow morning to review the 79 businesses along the major corridors. He stated most of them were straightforward as to what the zoning was changed to, but there were a few that came out of the public input session that were questionable. He stated they would need to start moving toward an agreement as to what to put out for the public hearing that was specific to the action to be taken. Chairman Lucier stated he was proposing that he and Commissioner Kost meet with Mr. Megginson and make some preliminary recommendations for the full Board to consider.

Commissioner Vanderbeck stated he had said before that it would be helpful to segregate the businesses into two groups, those that were straightforward and those that had issues, in a form that could be easily digested and discussed. He asked had that been done. The County Manager stated he believed that was what would take place at tomorrow's meeting.

Mr. Megginson stated he had done that, and would be discussing it during tomorrow's meeting.

Chairman Lucier stated they would develop a roster for the full Board to consider. The County Manager stated the other idea with that was by grouping them you would need only two or three public hearings rather than 79.

Chairman Lucier stated they would most likely have to have a special separate public hearing for all of them, and not during a regular public hearing. Mr. Megginson agreed, noting that they had discussed doing that in late March or early April, stating that notices would have to be sent to individual property owners of each property and adjacent land owners.

Chairman Lucier suggested setting the date for that public hearing at the January 5 meeting. Mr. Megginson stated they had received a call from Dennis Spayer on Pittsboro-Moncure Road, who wanted to change his zoning from Business to Industrial. He stated they had received at least a couple of such calls from people who wanted to make a change, and he would provide that information at tomorrow's meeting.

NC DIVISION OF WATER QUALITY STAFFING ISSUE

Chairman Lucier stated they would be talking to the legislators at the meeting on Thursday about this issue, in that DWQ did not have enough staff to take care of Chatham County let along other counties.

Commissioner Vanderbeck asked was that on the agenda for that meeting. Chairman Lucier stated it was.

COMMUNITY DEVELOPMENT DIRECTOR SELECTION

Chairman Lucier stated they intended to move forward with that position. The County Manager stated that was correct. Chairman Lucier stated the position was important in terms of integrating existing activities and new activities that needed to get off the ground such as green building, transportation, and affordable housing. He stated the issue was having this Board involved in some way in that search, and also with the preparation of the job description for that position since it was a restructuring of current operations. Chairman Lucier stated he believed the Board agreed that the position was justified.

Commissioner Vanderbeck agreed, stating they did need to be a part of it but believed a selection committee with Commissioner representation would serve them well, as well as representatives of specific groups that they were trying to involve with this new department. He stated that the job description would need to be specific because the title Community Development Director would generate HUD-related interest so they would need to draw the correct audience.

Chairman Lucier stated Commissioner Vanderbeck had previously suggested Sustainable Development Director, which might be more appropriate.

Commissioner Vanderbeck agreed, and also suggested the job title of Sustainable Communities Director. He stated they were attempting to attract cutting-edge candidates who thought outside the box and to deal with issues and how they related to communities, and they wanted the County to be known for its sustainable policies so they would invite that branding. Commissioner Vanderbeck stated the title as it stood now may not attract the right type of applicants.

Commissioner Thompson asked was there a position already in existence somewhere that they could use as a model. The County Manager stated they had not located one as yet.

Chairman Lucier stated once again Chatham County was breaking new ground.

Commissioner Kost stated she knew of a county in the Pacific Northwest that had a similar position, and she would try to locate that information and provide it to the Board.

Chairman Lucier stated they wanted to capture the integrated nature of this position, and they wanted to attract people who wanted to be innovative in county government. He stated the job description and the advertisement had to reflect that, and then they had to get the best possible candidates for the position. Chairman Lucier stated he believed the Board wanted to move forward with the ad, the job description, and the formation of the search committee. The County Manager stated they would move ahead with that.

Mr. Rose stated then the search committee would make a recommendation to the County Manager. Chairman Lucier replied yes. Mr. Rose asked about the job description. Chairman Lucier stated the job description should be something that was vetted with the entire search committee.

The County Manager stated the timeline would need to be amended if they were going to go back and rewrite the job description, because it would add time to the process.

Chairman Lucier stated it would not be a new job description, but it should better capture what the job would be.

Commissioner Vanderbeck stated he would personally rather it took a little longer to get what they wanted and to attract the candidates they wanted to attract. He stated in order to get the right person they needed to communicate exactly what they were looking for, and it was primary to the process that they communicate that in the right way.

Commissioner Cross asked had they gotten any response to the Requests for Proposals from recruiters, or "headhunters" as they were called. The County Manager stated he would like to delay the discussion on that until a more opportune time, since that may entail a totally different process.

Chairman Lucier stated the search committee could still use the headhunter. The County Manager responded yes. Chairman Lucier stated they were not mutually exclusive and should work together.

Commissioner Cross agreed.

Chairman Lucier stated the headhunter would be doing the work of the search committee by broadening the scope of the search.

Commissioner Thompson stated they had advertised the position, but where were they now. The County Manager stated they had advertised the position some months ago; that they had received 60 resumes of which 3 were worthy of interviews; and, that they had delayed that due to budget concerns and the fact that the Board had an interest in participating in the process.

Chairman Lucier stated he recognized the importance of the job, a part of which was integrating all the different ordinances. The County Manager stated he believed everyone had the same interest.

PRIORITIES FOR LEGISLATIVE DELEGATION MEETING

Chairman Lucier stated they had a list of 13 items for the legislative meeting, and that Senator Atwater would need to leave by 9:20 AM in order to get to Raleigh by 10:00 AM. He then read the list of items:

1. Legislative Revenue Forecast Related to General Assembly Issues: The Honorable Joe Hackney and The Honorable Bob Atwater
2. NCACC Legislative Issues
3. Local Revenue Options
4. Possibility of Infrastructure Stimulus Package: Size and Time
5. Road Maintenance Issues (State and County Responsibilities)
6. Chatham Business Park Status and Assistance
7. DWQ Staffing Issues
8. Local Annexation Question: Local bill to require Cary and Apex to get approval of Chatham County prior to any annexations in Chatham County
9. Western Wake Partners and Chatham County
10. Adequate public facilities: Discussion of this as a tool to manage growth in local jurisdictions and how it might be viewed in the General Assembly
11. Metropolitan Planning Organization/Triangle Area Planning Organization, Capital Area Metropolitan Planning Organization (MPO/TARPO/CAMPO): Chatham County is in these three Transportation jurisdictions. How can we get our transportation needs met most effectively with this fragmentation of the County?
12. Adding Chatham Representation to Central Carolina Community College (CCCC) Board of Trustees.
13. Circuit Breaker Tax Process

Chairman Lucier stated he believed they would all want to discuss the first issue, which was the revenue forecast.

Commissioner Cross stated that the second item, North Carolina Association of County Commissioners (NCACC) legislative issues, could be delayed because they group would not approve their recommendations until January. He stated that TJCOG did approve their recommendations on the 19th, and the change in that was that revenue options that any county in the State already had authorized would be authorized to all the other counties in the State, and by Board resolution versus by referendum.

Chairman Lucier stated then items two and three could be dropped since their purposes were the same; that what they really wanted to talk about were the revenue options.

Commissioner Cross stated they should still ask the legislators to sponsor an all-county bill for the land transfer tax and the quarter-cent sales tax by resolution. He stated he did not expect to get that, but stated the Senate last June had passed a resolution in an attempt to take away their referendum authority, and that would be in the House during the next session. So, he stated, they needed a bill to give them something else to work with.

Chairman Lucier stated then they would leave on the agenda items 1 and 3; that regarding item 4 having to do with the infrastructure stimulus package, that even though not much information was available they needed to express to the legislators their interest in that package.

The County Manager stated that Speaker Hackney was president of the National Council of State Legislators, so he may have some inside information on the stimulus package.

Chairman Lucier stated then item 4 would remain. He asked about item 5, the road maintenance issues. He stated they had talked about that last year and their comments had not been well received.

Commissioner Kost stated given the time limits they may not want to take time for that.

Commissioner Vanderbeck stated the legislators knew perfectly well where the County stood on that, and they had resolutions from them as well as others.

Chairman Lucier stated then if they had time they would talk about it, but if not they would skip it. He stated the next item, number 6, was the Chatham Business Park status and assistance, and asked if they were requesting assistance with the marketing.

Commissioner Kost stated she had thought they would be asking was there anything the legislators could help with as far as NCDOT and the road issues.

Commissioner Cross stated he was sure that both Speaker Hackney and Senator Atwater were well aware of what was going on with the road, but that did not mean it could not be discussed with them.

Chairman Lucier stated then it appeared that should be a high priority. He stated that item 7 was DWQ staffing issues, and believed they should discuss that.

Commissioner Kost stated the basic idea was that there were already cutbacks at the State level, and any cutback to staffing would have a huge impact on Chatham as the stewards of Jordan Lake's water.

Commissioner Vanderbeck stated that could segue into the resolution passed today which was related to the staffing issue. He stated that there were no engineers to get the necessary work done, and not filling positions had effects on this County and others in many different ways.

Chairman Lucier stated that item 8 had to do with local annexation, and he did not know how the legislators would react to that. He stated that item 9 regarding the Western Wake Partners could be removed since it was a part of item 8. Chairman Lucier stated that item 10 regarded the adequate public facilities ordinance as a tool to managing growth.

Commissioner Kost stated that during the last legislative session there was a bill introduced to not allow local governments to have such an ordinance, and they needed to push back because Chatham County needed that flexibility in order to provide infrastructure to a growing community.

Chairman Lucier stated they would bring it up, even if it was just to say what Commissioner Kost had just said. He stated that item 11 was the MPO/TARPO/CAMPO, and should remain on the agenda at least for a brief discussion. Chairman Lucier stated that was true for item 12 regarding adding Chatham representation to the CCCC Board of Trustees.

Chairman Lucier stated item 13, the Circuit Breaker Tax process, had been gone over last year, and wondered was it worth doing it again.

Commissioner Cross stated the NACCC had it as a goal but not as a high priority.

Commissioner Kost stated wasn't the issue here that the Department of Revenue was not even ready. She stated if they were not ready, then the County could not implement it.

Chairman Lucier suggested just asking for a quick update on that.

Commissioner Vanderbeck stated he believed the NACCC had addressed before the issue of collecting sales tax on Internet and out-of-State orders, noting it was a huge loss for not only the County but the State as well.

Chairman Lucier stated then if time allowed they would discuss it.

ADJOURNMENT

Commissioner Vanderbeck moved, seconded by Commissioner Kost, to adjourn as the Chatham County Board of Commissioners and to convene as the Southeast Chatham Water District Board. The motion carried five (5) to zero (0), and the meeting was adjourned at 3:01 PM.

George Lucier, Chairman

ATTEST:

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