

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**WORK SESSION**  
**FEBRUARY 16, 2009**

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The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry Dunlap Building Classroom, 80 East Street, located in Pittsboro, North Carolina, at 2:00 PM on February 16, 2009.

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 2:02 PM. Chairman Lucier explained that the first issue would be handled quickly because it was not properly advertised; that the Highway #42 Water Line Options needed to be advertised as the Southeast Water District Board and they had not done that; and, that it would be illegal for the Board to reach any decision on that issue although they could discuss it.

**Work Session**

1. **Highway #42 Water Line Options:** Continuation of consideration of whether or not to extend water lines along a portion of Highway #42 to connect to Harnett County water line. Harnett County would then serve that portion of Highway #42 in Chatham County
2. **County Line Business:** Update from Jim Willis, Erosion and Sedimentation Control Supervisor, on Notice of Violation (NOV) at construction site
3. **Revaluation Update:** Presentation of revaluation work summarizing methodology used, township averages, and recognition of tax office appraisers
4. **Leadership Academy Presentation:** Presentation by recently completed Leadership Academy Team of their issues project on Energy Conservation for County Government
5. **Resolution on Jordan Lake Water Quality Rules:** Consideration of a resolution to the General Assembly encouraging legislators to maintain Jordan Lake Rules as proposed and move up the implementation schedule
6. **Board of Commissioners Budget Priorities:** Discussion and consideration of budget priorities from recently completed Board Summit
7. **Bynum Beach Plan:** Review plan to landscape and utilization of Bynum Beach

**HIGHWAY #42 WATER LINE OPTIONS**

Chairman Lucier stated he would recommend two things: first, that they have a brief discussion and that before they considered it next time that they get it properly advertised; and, that they use larger type so that it could be read.

David Hughes, Public Works Director, explained that their latest financial evaluation of the Highway #42 line with the costs for serving Truth Road removed the cost was reduced from \$230,000 to \$175,000; that they had run the analysis using that number; and, it would carry a negative cash flow of \$58,929 over a 20-year period.

Chairman Lucier stated it was at year 16 or 17 that the negative flow stopped on any given year. Mr. Hughes responded it was the 17<sup>th</sup> year.

Commissioner Kost asked would this item be placed on the Board's (March 2<sup>nd</sup> ) Work Session.

Chairman Lucier stated that was correct and it was to be advertised as the Southeast Water District Board. He stated for those who did not know, the Board of Commissioners served multiple roles; they were also the Board of Adjustment, the Southeast Water District Board, and the Southwest Water District Board and a few other things. He stated that whenever they had an agenda item relevant to those issues they had to advertise it as such; otherwise any decisions reached would not be valid.

Chairman Lucier stated before they moved to the next item, he wanted to announce that this was Deputy County Clerk Liz Marcum's last work session; that she was moving on to other places; and, that they would all miss her and wished her all the best. He noted her replacement was present and asked the Manager to introduce her.

County Manager Charlie Horne introduced Elizabeth Plata, the County's new Deputy Clerk.

### **COUNTY LINE BUSINESS**

Chairman Lucier stated this was an update from Jim Willis on the Notice of Violation at the County line construction site and what had been done to correct it. He stated the Board would be discussing that in more detail at tonight's meeting and perhaps reaching a decision on it, but because Mr. Willis had a prior commitment they had wanted to receive an update from him this afternoon prior to tonight's session.

Jim Willis, Lead Sedimentation and Erosion Control Officer, stated that essentially the problems on site were threefold: there was an inlet protection problem; and off-site sediment problem; and, a stabilization problem. He stated that upon receiving the Notice of Violation the owners had reacted very quickly and all three issues were correctly promptly and properly, and they were now in compliance.

Chairman Lucier stated the letter that had been sent to them said that they had until January 30 to take correction action. He asked was the corrective actions done on time. Mr. Willis responded that the clean-up and restoration of the off-site material went a couple of days beyond the January 30 deadline, but essentially everything else was corrected by that date.

Chairman Lucier stated then it appeared Mr. Willis had no particular issues with it. He asked Mr. Bradshaw if he wanted to comment. Patrick Bradshaw, Attorney, stated the only thing he would say was that a meeting was scheduled with Mr. Willis but it had snowed, so the meeting was delayed. He said in the Notice of Violation Mr. Willis had emphasized that before the off-site work could be done it had to be specifically approved in writing by him. Mr. Bradshaw said the off-site work had gone beyond the deadline but it had certainly been submitted to and approved by Mr. Willis and they had then proceeded with dispatch to complete all the work.

### **REVALUATION UPDATE**

Chairman Lucier stated he was sure that many had already received their revaluation notices, and that Ms. Stone had some information to share.

Tina Stone, Tax Administrator, provided the following PowerPoint presentation:

Market Value is...

- The Most Probable Price - not necessarily the highest, lowest, average, or actual sale price. They are required by the State to use market value standards.

#### How is Reappraisal Conducted

- Recent real estate transactions resulting in a change of ownership are reviewed.
- The sales price and terms of the transaction are verified.
- True “arms-length” transactions are qualified and placed in our sales file.
- Our sales file contains qualified sales from January 2005 through current or December 2008 in order to capture the downturn in the economy.

#### Qualified Sales

- A sale between unrelated parties
- Reasonable exposure in the market
- Not a forced sale – foreclosures not a part of the sales file
- No advantage being taken by the buyer or seller
- Both parties recognize the present use and potential uses of the property

#### Stratification

- The County is divided into approximately 570 appraisal “neighborhoods.”
- Value reviews were conducted on a neighborhood basis.
- Sales analysis was conducted using sales from within the neighborhood.  
\*\*Delineation of neighborhoods is based on similarities in homes, taking into account such factors as: quality of construction, age of structures, sales price ranges, availability of utilities and location within the County.

#### Neighborhood Examples – 3 slides

- Neighborhood P1039 (Powell Place in Pittsboro)
- Neighborhood 1383P (The Reserve at Jordan Lake)
- Neighborhood 0375 (southwest Bear Creek)

#### Three Approaches to Value

- Cost approach
- Income approach
- Sales comparison approach (market approach)

#### Uniformity and Equalization

- The most important point to remember is that the primary goal of reappraisal is uniformity.
- The purpose of a reappraisal is not to increase revenues or to provide tax breaks, but to fairly, equally and uniformly appraise the real property at its true value in money
- Ad valorem taxes (property taxes) is based on value, it is important to have all property valued periodically on a uniform basis, using a modern system of valuation.
- Market value appraisals become the foundation for assessments; equalized values create equalized and uniform taxes.

Equalization also creates a better tax climate in the community since each taxpayer is paying only his or her fair share.

#### Notification and Appeals Process (dates subject to change)

- Feb 9, 2009 revaluation notices mailed
- 15 days to appeal
- March 09 - begin informal hearings
- April 09 - informal results mailed
- April 09 - begin BOER hearings
- May 09 - BOER results mailed
- June 09 - PTC appeals due

#### Resources

- Appeal form attached to revaluation notice.
- Informal appeal hearings scheduled in the evenings to accommodate taxpayers.
- Web page - [www.chathamnc.org](http://www.chathamnc.org) updated
- Appraisal Department (919)542-8272.

#### Sales Ratio

- The sales ratio study is a study used to measure the level of appraisal. By checking the level of appraisal and equalizing values of the Public Service Companies of 4th & 7th year counties, we are ensuring fairness and equality amongst all taxpayers.

#### Summary

- Revaluation completed/notices mailed.
- Final sales ratio - 100%.
- COD - Coefficient of Dispersion - 9.69.
  - \*The Coefficient of Dispersion is used to measure the uniformity in the sales ratio study. A low COD represents conformity amongst the County (2009 estimates only).

2007- 89.90 % COD - 14.04

2008- 88.63% COD - 15.95

\*\*NCDOR looks for COD's in the 5-15 range for reappraisal counties\*\*.

#### % of Increase by Township

- Albright 22%
- Baldwin 26%
- Bear Creek 12%
- Cape Fear 31%
- Center 30%
- Gulf 17%
- Hadley 40%
- Haw River 32%
- Hickory Mountain 29%
- Matthews 13%
- New Hope 32%
- Oakland 35%
- Williams 21%

These percentages are based on market value (includes exempt properties, land use, etc.)

#### Summary

- Average County-wide increase - 24% (however, because value was done on a neighborhood basis there is no actual County-wide increase).
- The percent of increase also reflects new construction, new subdivisions, new commercial property, etc.

#### Citizens Informed

- Insert mailed with tax bills (August 2008) explaining the revaluation in English and in Spanish.
- Brochures were placed at town halls, County offices, etc.
- Public Meetings - 5 public meetings held across the County. Based on feedback from surveys these meetings were well received.
- Website - revaluation page.
- Articles in local newspaper.
- Radio ads.

Ms. Stone stated so far, they had received between 350 and 400 appeals, with some being appointments and some duplicates; that some people had called to make appointments as well as had sent in their appeals form which resulted in the duplicates.

Chairman Lucier stated that ultimately the thing that concerned most people was not so much their valuation but what their tax bill would be that would be received in August; that the revaluation was only one part of that, with the other part being the tax rate which the Commissioners would set in June as part of the budget; that they had pledged to begin with a revenue neutral tax rate which meant that the tax rate would in fact go down from what it was now; and, although the valuation may have gone up, with the tax rate coming down some people would see no change in their taxes, others would see an increase, and others would see a decrease. Chairman Lucier stated that in his own case, his valuation went up 35%, so he would likely see an increase because it was higher than the County-wide average of 24%; and, that if

someone had a revaluation of their property that went up by less than 20%, chances were they would see a decrease.

Chairman Lucier stated that taxes were a function of two things: one was what the property was valued at; and, two, what the County set the tax rate at. He stated that even though the valuation went up, the tax rate would come down because they would try to achieve a revenue neutral tax rate. Chairman Lucier stated the current tax rate was 65.7 cents per \$100 valuation and it would be lower than that, but how much lower remained to be seen.

Chairman Lucier stated another point was that this represented how much property had changed since 2005 in terms of value; that everyone realized that real estate values were going up in 2005, 2006, and 2007, but not in 2008; and, that nevertheless, the revaluation had to capture the change in value that had occurred since 2005, not just since 2007. He stated that some may have read in the newspaper that the Commissioners had struggled with this a bit early on in terms of whether or not to delay the revaluation; that their initial feeling was to delay it but had decided not to for a couple of reasons, both financial; that one reason was that through a quirk in the tax law if they did not do the revaluation a large utility company like Progress Energy would have gotten a substantial tax break of close to a quarter of a million dollars; that they had already invested quite a bit of money in the revaluation that would have had to be spent, and the net cost would have been about \$500,000 to delay; that that was equivalent to almost one penny on the tax rate, or about 1.5% of the tax rate, and the taxpayers would have had to pay that; and, in the Commissioners' minds the decision to go forward with the revaluation was based on not wanting to charge the Chatham County taxpayers another half-million dollars.

Commissioner Kost stated that last week she and Chairman Lucier had met with the Mayor of Cary and the Town Manager; that because Cary was primarily in Wake County their tax rate was adjusted last year during their revaluation; that what that meant was that since Wake County was on an eight-year cycle those Cary residents in Chatham County would not see a Cary-adjusted tax rate move downwards; that in four or five years from now they could see a substantial tax increase; and she and the Chairman had suggested to Cary that they consider what other jurisdictions across the State were doing which was to ask the General Assembly to allow them to have two different tax rates; and, she was encouraging that because there were now close to 1,000 people who lived in Chatham County but in the Town of Cary.

Commissioner Kost stated that Ms. Stone was holding a meeting tomorrow especially for those Cary/Chatham County residents and had over 300 people who planned to attend, so there was definitely interest. She stated that one of the things they heard was that some people wanted to hire an appraiser, so how do they respond to that? Ms. Stone stated they had heard a lot of that, and a lot of people were waiting to appeal to see what their taxes would be. She stated if they waited, then they would miss the deadline for appeals. Ms. Stone stated her advice would be for those people to fill out the form to schedule an appeal and not to get an appraisal at this time; that during the appeal process there might be some adjustments that were made; and, then once they were notified of the County's decision, then if they did not agree then they could get an appraisal if they choose to do so. Ms. Stone stated normally it still would not be necessary to get an appraisal at that point, but if it went to the State that might be the time to do that.

Commissioner Thompson stated that the information sessions that were held were certainly a good idea. He stated he was interested to know what the average attendance was for those sessions. Ms. Stone stated between 20 and 30 people. Commissioner Thompson stated regarding the evening meetings set up for the Board of Equalization and Review to hear the appeals, was that a first time for that, and was it done the last time? Ms. Stone replied yes, it was done during the last revaluation. Commissioner Thompson stated that was a good idea, as well.

Commissioner Vanderbeck asked could they calculate on the web site how many hits they received. Ms. Stone responded they could, but she had not yet received that information. She said from the phone calls received, she was sure the number would be high.

Renee Paschal, Assistant County Manager, stated that the average of 24% in the property tax base was only for real property, and there were others parts to the tax base. She said her point was that the entire tax base did not increase 24%, and if taken together it was less than 20%.

Commissioner Kost asked if she knew what percentage of personal property on the tax base. Ms. Paschal stated that could be calculated if she could have just a moment to do so.

Ms. Stone stated she wanted to recognize the Appraisal staff, noting it had taken the efforts of their entire division to accomplish their goals. She said the Appraisal staff, who had done the meat of the project were: Karen Jones, Appraisal Supervisor; Theresa Clark, Appraisal Technician; Leroy Swepson, Jimmy Milliken and Rodney Wiley, Appraisers; and, Ron McCarthy, RS&M Appraisals, who had done contract work for them.

Ms. Paschal stated in answer to Commissioner Kost's question, the percentage of business and personal property on the tax base was 5%, utilities were 3%, and motor vehicles were 6%.

Chairman Lucier stated so there was about 14% total of other tax on the tax base.

Ms. Stone stated that Frances Wilson had put together some information about tax collections that she would present to the Board.

Jack Johnson, 63 Barn Owl Lane in Chapel Ridge, Pittsboro, NC, stated he would be attending tonight's meeting and he would sign up to read a 3-minute presentation that he had already submitted to the Chatham newspaper for publication. He stated the gist of his comments, one of which was a response to Chairman Lucier's comments, was that he did not think this was an issue of what their tax bills would be; that he understood how taxation worked and believed most people did; that there was a budget that would ultimately be decided on that had to be funded, and you did that with the value of property times a rate; that what they were talking about here was the accurate and realistic current assessment of property; that the market values that were sent out to most taxpayers in the vast majority were unrealistic in today's market; that he understood that they were gathered in 2007 and 2008 at a time before the market panicked; that here they were today with numbers that did not really match reality; that that lead taxpayers into a complex issue, in that they had to ferret out for themselves the same data that the County already had available to it; that he believed the instant the valuations were mailed they were known to be unrealistic in the majority of cases; that the 300 or 400 that Ms. Stone had already heard from would likely double or even quadruple by the deadline; that he did not want to muddy the waters with the tax bill because he did not believe that was the issue, and that was not what they were here to discuss; that they were trying to put a number on their property that reflected the market value; and, that the numbers the County had provided did not do that.

Chairman Lucier stated there was a set process by which they went through to do revaluations that was mandated by law, and that was what the Tax Office and the Appraisers had done; that the County was also mandated to reevaluate periodically because they needed to ensure fairness throughout the County; that the fact was that in Chatham County in terms of recent sales, home prices had not deteriorated to the extent they had in other places; that the Appraisers had to use that information in their determination of the value; and, that if you or others thought that their property had been valued wrongly, then that was the purpose of the appeals process and the Board of Equalization and Review who were specifically trained to deal with those kinds of issues.

Ms. Stone stated that she had met with Mr. Johnson and explained the appeal process and how they established the values.

Mr. Johnson stated he had met with Ms. Stone not for his particular issue but to gather information representing an entire subdivision, and actually two subdivisions in terms of sharing that information. He stated this was a bigger issue that just him worrying about his particular issue.

Chairman Lucier stated they understood what he was saying and appreciated his comments.

#### **Tax Collections Update:**

Frances Wilson provided the following information regarding the update to tax collections as of February 13, 2009:

2008-2009	Charges	Abatements	Levy	Collected	% collected	Last Year End of Feb	Difference
Group 100	47,652,040.92	2,031,973.91	45,620,067.01	42,642,086.09	93.47%	95.68%	-2.21%
Group 150	1,567,169.21	31,568.25	1,535,600.96	1,535,146.76	99.97%	100.00%	-0.03%
	49,219,210.13	2,063,542.16	47,155,667.97	44,177,232.85	93.68%		
Group 200	2,551,965.46	273,583.04	2,278,382.42	2,024,640.41	88.86%	84.72%	4.14%
Totals	51,771,175.59	2,337,125.20	49,434,050.39	46,201,873.26	93.46%	95.18%	-1.72%

Group 100 – Real Estate and Personal property  
 Group 150 – Public Utilities  
 Group 200 – Registered Motor Vehicles

1. Final notices for real estate and personal property were mailed on February 4<sup>th</sup>. We expect an increase in payments by the end of the month. However, we also expect the percentage of collection to be less than last year's for the next three to four months due to the taxpayers who are making partial payments with the intent of paying their tax accounts in full by June. More than 50 accounts have been set up under payment plans.
2. Statements of the balance due for three public utility accounts are being mailed today (2-16-09). I anticipate those accounts will be paid by the end of February.
3. Current collection percentage for registered motor vehicles exceeds last year's percentage as of the end of February.
4. While being sensitive to economic conditions, enforcement procedures such as wage garnishments, bank levies and levies on personal property will begin in early March.
5. We currently have 240 parcels under foreclosure. Many of those taxpayers are also making partial payments towards their delinquent taxes with the anticipation of paying their accounts in full before the sale date.

Ms. Wilson stated as could be seen, they were down slightly from where they were at the end of February last year, and she expected them to stay down somewhat until the end of the year because they did have a fair number of people making partial payments towards their taxes with the intent of having them paid in full by the end of June. She stated vehicle taxes were up over 4% from where they were the end of February last year.

Ms. Wilson stated that she and Ms. Paschal had been watching the numbers a lot more closely this year and knew they had their work cut out for them to collect taxes with the way the economy was. She stated she would be giving the Board a full monthly report at the beginning of March.

Commissioner Kost asked was that the total levy? Ms. Wilson responded that was the total levy for 2008. Commissioner Kost asked what that included. Ms. Wilson responded it was only the County levy for the year 2008, noting that the Levy indicated in the chart of \$49,434,050.39 was what they had billed out for the 2008 tax year for County only.

Chairman Lucier stated then this year through the end of February, they had collected about 93.5%, and last year at the end of February they had collected 95%. Ms. Wilson stated that was correct, noting that figure was through last Friday. Chairman Lucier said then by the end of the month that percentage may be much closer. Ms. Wilson replied absolutely, noting that the final notices were mailed out around February 4 for the 2008 tax year, and the deadline was February 27 so they anticipated activity to increase significantly by the end of the month.

Commissioner Kost asked if they looked at the individual fire departments as well to make sure that they were okay as far as what their collections were. Ms. Paschal stated they did not look at the fire departments. Commissioner Kost stated they got a monthly report that was helpful, but the concern was that the fire departments had the operating revenue that they needed and considering that they were much regionalized that could be a concern. She suggested it would be a good idea to look at them. Ms. Wilson stated she had shown Commissioner Kost a report that included all the districts, and she could certainly supply that report to the Commissioners. Commissioner Kost stated she believed that would be a good idea.

Rita Spina, citizen, stated that there was mention of foreclosures, and asked for more information. Ms. Stone stated that foreclosures were not included in their sales file. Ms. Spina asked if anyone collected that information. Ms. Stone stated that assuming the sales were coded

correctly, they could run a report to show how many foreclosures had taken place within the County, but she did not have that information at hand.

Commissioner Thompson asked how they determined when to pursue wage garnishments or bank levies on personal property. He asked would it be when they had dealt with the taxpayer and no other solution was determined? Ms. Wilson stated that was correct, it was the last resort. She stated they tried to work with people, and as long as they consistently made their monthly payments then they were given the option of continuing that process before they pursued wage garnishments and other methods of collection. Commissioner Thompson stated that under #5 it stated there were currently 240 parcels under foreclosure, but he understood that many of those taxpayers were making partial payments towards their tax bill. He asked did that mean that number would be reduced. Ms. Wilson replied absolutely.

## **LEADERSHIP ACADEMY PRESENTATION**

### **Energy Conservation for County Government:**

Chairman Lucier stated that four of the five Commissioners had attended the awards ceremony held on February 6, and everyone had commented on what a great job everyone at the Leadership Academy had done with the projects they worked on. He stated that Academy was made up of Chatham County employees who were learning more about County government, current issues, and how they might contribute to address those issues, adding that that was good for the County and good for the individuals because it put them in a position to perhaps acquire a better job within the County. Chairman Lucier stated that the Commissioners had been told that the energy savings project was absolutely terrific, and they were excited to hear more about it today.

Alicia Doran, a Social Worker with the Health Department and representing the Leadership Academy, introduced Tony Wilson of the Planning Department, Lynda Hall with the Police Department Jennie Kristiansen with Social Services, and Mike Williams with the Sheriff's Office. She stated their project was energy savings for Chatham County, and their objective was to look at how Chatham County could reduce its energy consumption by 10% over the next five years. Ms. Doran added that Fred Royal, Director of Environmental Resources, was their project advisor and had been a great help to them during the project. She provided the following PowerPoint presentation:

#### Scope of the Issue

- If the energy efficiency of US buildings improved by 10%, Americans would save about \$20 billion and reduce greenhouse gases equal to the emissions from about 30 million vehicles. (Source: [http://www.energystar.gov/index.cfm?c=challenge.learn\\_challenge](http://www.energystar.gov/index.cfm?c=challenge.learn_challenge)).

#### Areas of Focus

##### Buildings – information to be provided by Tony Wilson

- What are the most cost effective ways to increase energy efficiency in existing buildings?  
In new construction?

##### Transportation – information to be provided by Lynda Hall

- Fleet vs. non-fleet vehicles.
- How much is the county spending? Where can the county save money?

##### Changing Employee Behavior – information to be provided by Jennie Kristiansen

- How can we change employee behavior to increase energy savings?

#### Background and Research

- Cost saving measures used by other local governments
  - Case Studies
    - Fayetteville, AR – had the most comprehensive approach; had been able to save about \$250,000 over 1½ years by hiring a Sustainability Coordinator; used a variety of approaches such as the use of bio-diesel in fleet vehicles, installation of LED stoplights, and developing a water reclamation program throughout the city.
    - Wayne County, NC – implemented a 4-day work week with an estimated energy savings of \$300,000 a year.



- Wilson County, NC – worked with an energy consultant firm and have estimated energy savings at \$107,000 a year through implementation of recommendations of the consulting firm.
- Greensboro, NC – hired a sustainability manager who provides energy savings education to staff.
- Employee Energy Savings Survey conducted - 173 respondents
- Interviews
  - Jackie Williams, Fleet Manager
  - Don Metcalf, Facilities Management Director
  - David Hohn, with the Managing Consulting firm of Johnson Controls
- Created a video – “Energy Man”

Ms. Doran turned the presentation over to Tony Wilson. Mr. Wilson provided the following information:

#### Buildings: Current Issues

- Chatham County currently requires all new County buildings to meet Silver LEED (Leadership in Energy and Environmental Design) Green Building Rating System Certification.
- Chatham County is awaiting an RFP (Request for Proposal) from Johnson Controls to implement energy efficient practices to reduce costs by 15% over the next five years, which includes conservation of water.

#### Chatham County’s Two Highest Energy Consumers

- Chatham County Law Enforcement Center - \$32,155 (annually) for 16,044 square feet, which equates to about \$2.00 per square foot.
- Courthouse Annex - \$23,170 (annually) for 15,488 square feet, which equates to about \$1.50 per square foot.

Figures are based on Chatham County Summary of Annual Accounts provided by Don Metcalf, Facilities Director. Figures do not include water usage.

#### Mid-Range Energy Consumers

- Old Courthouse Building (127 years old) - \$11,596 (annually) for 11,392 square feet, which equates to \$1.02 per square foot.
- Emergency Operations Center - \$12,675 (annually) 5,448 square feet, which equates to \$2.33 per square foot.

Source: Chatham County Summary of Annual Accounts provided by Don Metcalf, Facilities Director. Figures do not include water usage.

#### Lowest Energy Consumers

- Animal Control - \$4,534 (annually) for 2519 square feet, which equates to \$1.80 per square foot.
- Water Department Maintenance Building - \$1,465 (annually) for 1500 square feet, which equates to \$.98 per square foot. (Note – this building is occupied only for a short period in the mornings and again in the afternoon; cost does not include operation of machinery at the Water Plant itself.)

Annual energy costs for 39 metered /occupied Chatham County buildings = \$202,600.

#### Recommendations: Buildings

1. Replace all manual thermostats with programmable thermostats that can be controlled from a central location. Currently there are approximately 200 manual thermostats; cost for replacement estimated at \$150 per unit for a total of \$30,000; if programmable thermostats were placed in all new buildings, cost savings would be immediate; for existing buildings it would take approximately 10 years to recognize a savings.
2. Replace incandescent bulbs with energy-efficient compact florescent lamps.
3. Use occupancy sensors in areas where lighting is typically left on, such as restrooms, classrooms and conference rooms.
4. Consider implementing a four-day work week. This would allow designated offices to be closed so that energy usage is minimal on those days.
5. Continue to pursue a partnership with a consultant in order to reach energy savings goals.

Mr. Wilson turned the presentation over to Lynda Hall. Ms. Hall provided the following information:

#### Transportation Facts

- Not driving an average passenger vehicle for one day will remove 31.4 pounds of carbon dioxide from the atmosphere.
- One gallon of gasoline = 19.4 pounds of carbon dioxide released in the atmosphere.  
Source: Chapel Hill Herald, September 14, 2008.  
Source: [www.epa.gov](http://www.epa.gov)

#### Chatham County Fleet Vehicles

- Number of miles driven by County employees with fleet vehicles from FY07-08 = 205,035 miles.
- At \$.485 per mile this equals an annual total cost of \$99,441.77.
- This figure indicates that Chatham County fleet vehicles alone emit approximately 205,035 pounds of CO<sub>2</sub> per year.
- This figure does not include miles driven by:
  - Department-assigned vehicles.
  - Sheriff's Office vehicles.
  - Personal vehicles used for County business.
- Why does it matter? Reducing the number of miles driven by County employees not only saves money in fuel costs, but also reduces greenhouse gas emissions.

#### Survey Responses: Transportation

Of the 173 County employees surveyed:

- The average total number of miles that employees drive to and from work each day totals 5,375 miles.
- The average total numbers of miles employees drive in County vehicles per month totals 31,100 miles.
- Comment: "When travel and vehicle usage are necessary to complete job tasks, I make sure multiple site visits are scheduled while visiting the area." (Anonymous survey respondent)

#### Recommendations: Transportation

- Comment: "Staff are expected to plan field days in a way to save fuel, mileage, and time; however, there is no written policy to this effect." (Anonymous survey respondent)
- Develop a County transportation policy that:
  1. Develops a mileage tracking system for fleet and assigned vehicles (e.g. updating existing fleet software).
  2. Encourages County employees to adopt good driving habits in order to improve fuel efficiency.
  3. Keeps cars serviced and maintained on a regular basis.
  4. Creates incentives for employees who carpool.
  5. Continues to choose fuel efficient vehicles when adding to motor pool.
  6. Considers limiting employee use of assigned County vehicles for commuting to and from work.

Ms. Hall turned the presentation over to Jennie Kristiansen. Ms. Kristiansen provided the following information:

#### Employee Behavior

- Comment: "Changing employee behavior is the key to energy savings in County-owned and leased buildings." (Don Metcalf, Chatham County Facilities Management Director – October 15, 2008).

#### Survey Results: Employee Behavior

- 91% of survey respondents are interested in reducing energy consumption at home and work.

Common responses and quotes from survey:

- Comment: "To save on lighting and electricity, we have what we call daylight savings time. We cut off the lights for the remainder of the day, or after lunch, or whenever it is best." (Anonymous survey respondent)
- Comment: "We leave the thermostats alone!" (Anonymous survey respondent).

Recommendations: Employee Behavior

- Provide incentives for employees in departments who reduce energy costs.
- Implement an employee education program for both new and existing employees.
  - Use “Energy Man” video (with 10 energy saving tips)
- Consider hiring a sustainability coordinator to oversee County energy saving measures.

Ms. Kristiansen stated they had received a lot of help on the project and wanted to offer their thanks to the following people:

Mark Ellington edited the video “Energy Man.”

Carolyn Miller, Phillip Richard, and Frances Wilson who were their actors in the video.

Debra Henzey who helped with the survey design and distribution.

Don Metcalf and Jacqueline Williams, who helped with the research.

Wendy Paschal who assisted with meeting space.

Roy Allen, who provided consultation.

Trey West, who donated 32 packages of light bulbs that were randomly distributed to people who had completed the survey.

Ms. Kristiansen turned the presentation over to Mike Williams. Mr. Williams provided a brief summary:

Summary

- There is no one simple solution that will allow the County to reduce energy costs.
- The County should consider broad-based long term strategies that utilize the County’s existing infrastructure and all available resources:
  - Implement energy savings measures in County buildings.
  - Make changes to County transportation policy.
  - Implement County employee education program to increase knowledge about energy savings.
  - Hire sustainability coordinator to carry out these efforts.

Mr. Williams then played the video entitled “Energy Man” created by the Leadership Academy that provided ten tips for energy savings. The Commissioners and others present applauded the video.

Chairman Lucier asked had they talked to the schools? Mr. Wilson replied no, that they had not included the schools in their research project, noting the parameters used were for County buildings only.

Ms. Doran stated there was such a huge scope that could have been included, but they had to narrow that scope so that it was manageable.

Commissioner Kost stated she believed the video contained some really good ideas, and believed they would likely agree that some things needed more research and discussion. She asked where it went from here as far as some of the ideas. The County Manager stated this was one of four projects that they had the Leadership Academy students look at; that they would take those through the next logical process which was to take the good ideas and some things that came up that they may massage and get more feedback on and that may turn into something different; and, they would then put those ideas into the process and budget.

Commissioner Kost stated things like the 4-day work week had merit, but unfortunately some of the buildings shown to be the energy hogs were used 24/7, so that would not make a difference. She stated she assumed those types of things would be flushed out and really hard numbers would be determined. The County Manager stated that was correct.

Mr. Wilson stated that they were in hopes that the next Leadership Academy could pick up where they had left off and continue the research and go deeper into the topics, and perhaps research some issues that they had not touched on.

Commissioner Vanderbeck stated that over the past two years a lot of those things had come up in their meetings, but sometimes it took the employees working within departments to give lift to their Department Heads, etc., and he appreciated that. He stated one thing they had not mentioned but needed to be was that if you happened to cut 10% and saved about \$20 billion

then they would not have to build any new power plants and everyone would save a lot of money and create a lot more clean air.

Commissioner Vanderbeck stated that the departments had all been asked to think about trimming their budgets, lowering their fleet mileage, to get hybrid vehicles wherever possible, and to set thermostats to a lower temperature. He stated that as far as facilities management, he did not see them at least for the short term hiring a sustainability coordinator; that there soon would be a Sustainable Communities Director to oversee that new department; that he would certainly recommend to staff that there were a number of programs, such as the one at NC State, about facilities management that were available; and, that the Manager should become more familiar with sustainability issues if he had not already. The County Manager commented there was a class coming up in April.

Commissioner Vanderbeck stated he had enjoyed the video, and would highly recommend that it be shared with the school system. He suggested that perhaps the Chairman could arrange a viewing for Dr. Logan and the School Board.

Mr. Wilson stated the Commissioners should keep in mind that those who had entered the Leadership Academy had done so to learn more about County government and how it operated, and all had taken part in that to learn what the Manager's job was and what the Commissioners' job was and to understand those roles. He stated their project would not have been possible without the assistance of Fred Royal, noting the project was his idea and he had submitted it to the panel for approval. Mr. Wilson stated that Mr. Royal deserved much praise for getting the project off the ground.

Chairman Lucier stated he believed they all deserved that praise, and congratulated them on their efforts and for graduating from the Leadership Academy.

### **JORDAN LAKE WATER QUALITY RULES**

Chairman Lucier stated the Commissioners had been provided with a copy of the draft resolution that Elaine Chiosso and the Environmental Review Board had put together that basically was asking the General Assembly to approve the Jordan Reservoir Water Supply Nutrient Strategy Rules in their entirety rather than delaying them further. He stated that was in part in response to some counties who were asking that those rules be delayed or not adopted, and the County had sent on three occasions a resolution to the Division of Water Quality asking them to implement the Rules to protect the lake's water quality from recreational as well as from a drinking water source perspective. Chairman Lucier stated if approved this resolution would go to the General Assembly, because apparently a bill had been introduced by two congressmen that would ask that the Rules not be adopted. He stated the position that draft resolution would have the County take was that they would urge adoption of the Rules in their entirety.

Commissioner Kost stated she wanted to suggest one small change to the resolution, only because when reading it you really did not understand that a bill had been introduced in the General Assembly. She stated she did not have the exact terminology, but wanted to add something to the effect that "Whereas, House Bill \_\_\_ has been introduced which would...and then explain what that bill would do..." just so they would have a reference to what they were actually responding to was legislation that would weaken the Jordan Lake Rules. Mr. Hughes stated it would actually disapprove the rules.

Chairman Lucier asked what about the bill number. Loyse Hurley replied it was HB3.

Chairman Lucier stated Commissioner Kosts' suggestion was to add a "Whereas" clause that would state "Whereas, House Bill HB3 would prevent adoption of the Jordan Reservoir Water Supply Nutrient Strategy Rules;"... He asked was that acceptable?

Commissioner Kost stated that was perfect, and would like to make that a motion.

Commissioner Kost moved, seconded by Commissioner Vanderbeck, to adopt **Resolution #2009-15 of the Board of Commissioners of Chatham County in Support of the Proposed Jordan Reservoir Water Supply Nutrient Strategy Rules 15A NCAC 02B.0262-.0273 & .0311**, amended to include a clause to read "Whereas, House Bill HB3 would prevent adoption of the Jordan Reservoir Water Supply Nutrient Strategy Rules;".

Commissioner Thompson stated they may want to consider that Ms. Chiosso had said that there were State environmental and clean water organizations in some surrounding municipalities who were urging elected officials to move in support of approving the Rules. He stated it may be a good idea for the Commissioners to actually ask, once they adopted the resolution, those other municipalities to support the resolution.

Commissioner Kost stated she had talked with Orange County this past week and they had received a presentation on the Rules, and they may soon be considering some type of action.

Chairman Lucier called the question. The motion carried five (5) to zero (0).

Chairman Lucier stated that Commissioner Thompson's point was that they should transmit the adopted resolution to the municipal governments listed in Ms. Chiosso's letter, which would be Cary, Wake County, Apex, Morrisville, Chapel Hill, Carrboro and Orange County, and asking them to join the County in adopting this or a similar resolution.

Commissioner Kost stated she suggested adding Durham City and Durham County to that list.

Commissioner Vanderbeck stated he agreed.

Chairman Lucier asked the Manager to draft a letter to be sent to the municipal governments, adding Durham County and Durham City to the list of recipients noted in Ms. Chiosso's letter.

Commissioner Kost stated she assumed the resolution would also be sent to the County's legislative delegation. Chairman Lucier responded yes.

The County Manager stated they would also attach the adopted resolution to the letters to be sent to the municipalities.

Chairman Lucier asked what committee that would go to, noting they should also send it to the chair of that committee. The County Manager stated he would get that information. Chairman Lucier stated they should also send it to whatever Senate committee and its chair would take it if it were passed in the House, as well as to Senator Atwater.

### **BOARD OF COMMISSIONERS BUDGET PRIORITIES**

Renee Paschal, Assistant County Manager, stated she had identified an error on the first line of the first bullet of the material, noting it should read "provide dual projection of items, so that Commissioners and audience can see information being presented."

Chairman Lucier stated at the retreat the strategies created and were then codified in terms of the different subject areas; that the document listing those strategies was clearly identified as a draft; that what the Commissioners needed to do was to determine if that draft accurately reflected the Board's priorities, and whether or not to condense it or to insert some introductory paragraphs before each of the subject areas in terms of overall goals; and, to then bullet the individual goals for each area. He stated it would be helpful to have a brief discussion on how they wanted to proceed.

Chairman Lucier stated he knew that Ms. Paschal wanted to use that list, and likely had already used it in meetings with departments, to provide guidance as those departments began working through and preparing their budgets for submission to the Manager and ultimately to the Board. He asked what would be the most efficient way of working through that document. Ms. Paschal stated she did not know that they needed to go through each bullet, but would ask if there were questions or suggestions under each category.

Commissioner Kost stated under Land Use Planning, they really needed to state an overall goal, such as "make land use decisions that were consistent with the Land Development Conservation Plan." She stated her other suggestion was that they had not really finished the list at the retreat because they did not have a goal dealing with schools and education, and did not have a goal that dealt with economic development. Commissioner Kost stated in other words

there were goals which the Board had stated were high priorities but they had not been put to paper.

Commissioner Kost stated that some of the strategies were more staff direction, so when a final document of the goals was prepared some of that detail needed to be removed because it went more towards the work planning for staff.

Chairman Lucier stated those were good suggestions.

Commissioner Vanderbeck stated that missing in the document which was probably an oversight but the Commissioners had in general agreed upon was the need for Internet access throughout the County; that they had pushed for that and it was in their major infrastructure shovel ready projects list; and, that it could be added under Open Government, Communication, Economic Development or others.

Commissioner Vanderbeck stated that in the Land Use Planning section, there had been something on sidewalks.

Commissioner Kost stated that had been removed because they had never really talked about it.

Chairman Lucier stated what he had heard so far was that the document as it now stood was perhaps too detailed for general distribution, but would be helpful for the departments; that there were a couple of items that needed to be added that they really didn't talk about, such as the schools, economic development, and Internet/broadband County-wide which was an economic development initiative.

Commissioner Vanderbeck stated that under the Conservation category under bullet 5, it stated "Require developers to provide and/or fund sidewalks, trails, and public parks to encourage walking, cycling, and other recreation;". He stated in general he believed they agreed that if sidewalks were called for within a development that the developer would pay for them, and he wanted it to be clear that it was more for greenways and connectivity which perhaps would be a sidewalk, but they were not looking to put sidewalks throughout the County. Commissioner Vanderbeck stated he did not think that was the intention, but it needed to be stated clearly.

Commissioner Thompson stated under the Personnel/Hiring/Staffing category, he thought the five overall goals were good, but believed they may be somewhat short on the strategies listed. He stated the strategy "Manager should develop options for implementing the pay study, which will be difficult in this fiscal environment" did speak to the goal of providing market-driven competitive pay, but they probably needed to look at strategies for ensuring diversity within County employment and ensuring adequate staff development and training.

Commissioner Vanderbeck stated those items were listed under goals and perhaps should have been strategies.

Commissioner Thompson stated that was correct, noting he would like to see some more strategies to meet the specified goals.

Chairman Lucier agreed, noting that what Ms. Paschal had tried to capture were some of the things the Commissioners had touched on, and they had gone into more detail on some things during the course of the retreat. He stated what Commissioner Thompson was saying was that they now needed to flesh some of those things out to make them truly reflect the Board's goals. Ms. Paschal stated those could also be things that staff had made recommendations on, noting those goals had been circulated to staff.

Chairman Lucier stated what had been provided was a good structure for the Commissioners to build on, and wondered what the most efficient way to proceed would be. He stated Ms. Paschal should feel free to use it with staff, but at the same time it was not a final document since the Commissioners were still working through the goals. Chairman Lucier stated with the new goals just added, there were likely about ten categories, and asked should each of the Commissioners work with Ms. Paschal on a couple of each to form both a introductory paragraph for each area as well as perhaps tighten up some of the individual goals.

Commissioner Thompson stated he would be glad to work on the areas he had just mentioned.

Commissioner Kost asked about a timeframe. Ms. Paschal responded the critical timeframe was that the budgets had gone out to the departments, and in order for the goals to be useful to them they need to see it as soon as possible. She said if she could distribute it with the changes identified today to the departments in draft form that would likely accomplish what they need it to.

Chairman Lucier stated the goals could be transmitted to them saying that it was a work in progress, and they had identified areas of high priority that would be detailed more in the next few weeks.

Commissioner Kost stated as she saw it, as they began preparing the goals for the next year they would have that input from departments at the beginning of the process rather than at this stage. Ms. Paschal stated in their view the Commissioners had had the input from the departments on the major issues with "heads up" documents, and if that was needed in some other format they could accommodate that.

Chairman Lucier stated he believed they did need it in some other format, noting it was mentioned at the retreat that the heads up documents were uneven and in no standard format, both in terms of major areas as well as overall length.

Loyse Hurley, citizen, wondered if they would want to provide an abbreviated version to citizens at the State of the County address.

Chairman Lucier stated that was a good suggestion and perhaps they could work towards having the list completed by that time. Ms. Paschal stated they could work towards that deadline.

Commissioner Kost stated she would prefer to take the Planning category.

Chairman Lucier asked who would like Open Government. Commissioner Vanderbeck agreed to take that category.

Chairman Lucier stated since he was the liaison to the schools he would take that category. He also agreed to take Economic Development and Broadband.

Commissioner Thompson stated he would take Personnel/Hiring/Staffing.

Commissioner Kost agreed to take Fiscal Management and Land Use Planning.

Commissioner Vanderbeck agreed to take Conservation as well.

Commissioner Cross stated he would take Public Safety.

Chairman Lucier summarized, stating that he would do Schools, Economic Development and Broadband; that Commissioner Vanderbeck would take Open Government and Conservation; that Commissioner Kost would take Land Use Planning and Fiscal Management; that Commissioner Cross would take Public Safety; and, that Commissioner Thompson would take Personnel/Hiring/Staffing.

Commissioner Kost reminded the Commissioners that each category needed to have an introductory paragraph formulated that stated the problem or the issue.

Chairman Lucier stated he believed that statement had to clearly state what the problem or issue was to be addressed, and then the overall approach to dealing with it. He stated that paragraph should be held to four or five sentences. Ms. Paschal stated she understood, and they would formulate a goal for Land Use Planning. She said regarding the individual items, was that something the Commissioners wanted to provide feedback on when everything was rolled together. Chairman Lucier responded yes, noting that whichever Commissioner had the responsibility would try to condense their sections.

Commissioner Kost asked that the document be provided as a Word document. Ms. Paschal agreed to do so. She suggested setting a deadline.

Chairman Lucier stated they wanted to distribute the final document at the State of the County address which was March 16.

Commissioner Kost suggested a deadline of the end of next week.

Chairman Lucier stated that would be good so that they could make it a work session item for the March 2 meeting. He stated they would allow them to go over what each of them had done and to make sure they were all comfortable with it.

Commissioner Kost stated then the deadline for turning in the information would be Friday, February 27. Ms. Paschal stated if the information could be provided to her prior to or by that morning, she would compile it and distribute it in time for the March 2 meeting.

### **BREAK**

The Chairman called for a short break.

### **BYNUM BEACH PLAN**

Chairman Lucier stated the Board had been provided with a copy of the Bynum Beach River Access Plan Items dated February 5, 2009, which was a plan and a process by which things would happen and in what sequence. He stated there had been a question about the survey. Fred Royal stated that the County had paid for a property value survey, which had been completed, and that the surveyor had created a map and plat and the logical next step would be to have that recorded.

Chairman Lucier stated then they would not worry about the unclaimed piece of property next to it. Mr. Royal stated that would require some deep research, noting the surveyor had not been able to provide any information on that and had indicated it would require some deep research. Chairman Lucier asked were they going to go ahead and do that research. Mr. Royal replied they could if the Commissioners wanted to proceed with that.

Commissioner Cross stated they might discover that the County owned it, and it would be worth the effort to find out. Mr. Royal stated the initial investigation indicated there was a gap of land and no one could really tell who owned it, so a deed search would have to take place to determine that.

Chairman Lucier asked what would happen if that was the case, that the owner could not be identified, and who would get the property. He stated that multiple landowners abutted it.

Commissioner Cross stated he thought it would be whoever did the survey first. Jep Rose, County Attorney, stated it would be whoever was paying taxes on it.

Commissioner Vanderbeck stated it could be that no one was paying taxes, noting there were still some of those plots around. Mr. Rose stated the County could foreclose on it if no taxes had been paid on it.

Chairman Lucier asked how much property they were talking about. Mr. Royal replied there were several deeds in that area with several different names, so it would take a little bit of looking into. Chairman Lucier asked did the Commissioners think it was a worthwhile thing to do.

Commissioner Kost replied yes.

Mr. Rose asked Mr. Royal what the size was of the tract. Mr. Royal stated he was not sure because there were several parcels in the area with several different owners, so they would not know without doing an in-depth deed search. Mr. Rose asked would the survey be helpful. Mr. Royal replied no, because the survey would show only the County-owned piece.



Chairman Lucier stated that piece of land was donated to the County 30+ years ago from Wallace Coffman as a conservation area, and did not know at that point who had owned the other property but it may be a part of a larger parcel that Mr. Coffman owned or had responsibility for through the old Heartwood Realty or through the Triangle Land Conservancy. Mr. Royal stated he had been in touch with the Triangle Land Conservancy. Chairman Lucier stated he believed that was a good starting point.

Commissioner Kost asked what the County's plans were for that piece of land. Mr. Royal responded the current plan based on the meeting they had had was to properly sign the property, create a public pedestrian access that was readily apparent and similar to the way it was, and do some environmental education in the riparian area with invasive species removal and native species planted. He stated as well, possibly some border fencing or some kind of barrier to provide for safety on the steep slope so that cars did not go out onto the cliff. Mr. Royal stated other than that, there were no other plans.

Tracy Burnett, Recreation Director, stated at the entrance into the property they would make improvements to the stairway and add a railing to accommodate increased accessibility into the area, and they would re-establish the foot path leading to the trail with some steps. She stated the area by the bridge that served as parking would be improved somewhat with perhaps some gravel added. Ms. Burnett stated there was the possibility of adding some amenities later on.

Commissioner Vanderbeck asked had the costs been identified associated with those improvements. Ms. Burnett stated not at this time, noting they had continued performing clean-up of the property and had just held their second work day to get the debris cleaned up. She stated they were waiting for the survey to be returned to them so they could determine where the exact boundaries were, and they had begun to outline the footpath. Ms. Burnett added that there were some funds in reserve that had been donated by a canoe club for improvements to that property, which amounted to approximately \$9,000, and she had received permission from that canoe club to use the funds for the improvements including the signage and the steps and railing. She said those funds were certainly been used first.

Commissioner Thompson stated there was some concern expressed by the residents about people who came to the area at night for entertainment and disturbed the neighbors. He asked were they going to provide signage to prevent that with the understanding that if that did not work they would install a gate at the steps to close off access. Mr. Royal responded that was their plan, noting the top of the steps needed to have bollards to prevent ATVs from accessing the site, or a gate that could be shut and locked if the bollards did not do the job. Commissioner Thompson asked if the neighbors had agreed to that. Mr. Royal stated that had been discussed in the meeting and that was the understanding.

Chairman Lucier stated he believed the neighbors were mostly satisfied but perhaps not 100%. He stated when he had left the January 17 meeting a couple of people had followed him out who said they were happy with what the County was doing.

Commissioner Kost stated then they were keeping that communication channel open with the community. Mr. Royal stated yes, noting they had a distribution list and any time anything happened the neighbors were notified, and those who had missed the meeting were now asking to be included on the list, which they had done. Commissioner Kost thanked him for that. Mr. Royal stated the survey was completed, but they needed to go out to the site and make sure that whatever was done was on County property and not on adjacent properties.

Chairman Lucier reminded Mr. Royal to follow-up with research to try to identify the owner of that unidentified parcel. Mr. Royal stated he would do that.

Loyse Hurley stated one of the issues on the northern side of the river was that someone came down and used the area for target practice, which was why the neighbors had formed the Community Watch. She stated they may want to stay aware of that.

Chairman Lucier stated where that problem existed on the other side of the river was further down where there were no residents but there were signs. Mr. Royal stated there had been issues of No Trespass signs being placed in questionable locations. He stated apparently

the County owned the property up to the centerline of the road, which was not the DOT right-of-way.

Chairman Lucier asked wasn't that the way it normally worked? Mr. Rose responded yes, but normally that would be subject to the DOT right-of-way, and apparently the tax database did not indicate that right-of-way existed there.

Chairman Lucier stated the request was that the Commissioners approve the plan.

Commissioner Cross moved, seconded by Commissioner Thompson, to approve the Bynum Beach Plan, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Other Issues:**

Commissioner Kost stated she had sent out an email noting some small corrections to the minutes of January 26, and stated she would be pulling from the agenda tonight both sets of the work session minutes and they would be placed on the March 2 agenda for adoption. She stated she had some things she needed to check in relation to those minutes.

Chairman Lucier stated item #12 would also be pulled from the Consent Agenda at Commissioner Vanderbeck's request.

Commissioner Kost stated she had called and left a message for Sally Pennington but she had not yet returned the call.

**Local Bill:**

Chairman Lucier asked Commissioner Kost if she wanted to bring up the local bill issue.

Commissioner Kost stated she had sent out the deadlines for a local bill, and asked did they want to ask their representatives in the General Assembly to introduce a local bill requiring annexations across the County line by the Town of Cary must be approved by the Chatham County Board of Commissioners. She stated they had discussed that during the legislation delegation meeting in December, and had touched on it again at the retreat.

Chairman Lucier stated that he and Commissioner Kost had talked in the interim to Mayor Weinbrecht and the Cary Interim Town Manager on Wednesday, and they had been noncommittal. But, the Mayor had said he would bring it up to the Town Council but did not know when that would happen.

Commissioner Kost stated they could not wait too long due to the looming deadlines. She stated she had understood that they could no longer do blank bills. The County Manager stated he did not remember.

Mr. Rose stated he believed in one chamber they had done away with blank bills, noting he believe that had been instigated by Speaker Hackney.

Commissioner Kost stated they may get Cary to agree, noting she had explained to the Cary Mayor that it would protect Cary as well as the County, because it would have to be a mutually agreed upon annexation.

Chairman Lucier stated the bill would be simple in that it would just say that no municipality could annex across a county line without the permission of that county.

Commissioner Kost stated it may need more than that.

Chairman Lucier stated then they could make it specific, and have the bill say that the Town of Cary could not annex across Chatham County's line without the express permission of Chatham County.

Commissioner Kost stated that in discussion she had that would be the preference.

Chairman Lucier stated then he would like to have a statement drafted and transmit it to the Cary Mayor, Town Manager, and Town Council indicating the deadline for receiving local bills, stating what the issue was, and saying that they realized that unless Cary agreed there was no use submitting it, but if they were going to do it they needed to submit it by March 3.

Commissioner Kost moved to ask the County Manager to draft a statement regarding the Board's desire to introduce a local bill dealing with annexation issues that would be mutually agreed upon (annexation from Cary into Chatham County) and that the County Manager transmit it to Ben Shivar and the Cary Town Council.

The County Manager suggested inserting a deadline for a response. Commissioner Kost agreed.

Chairman Lucier asked what that deadline should be, since a bill request had to be submitted by March 3 and he would assume there would need to be joint signatories on it if it were mutual. He suggested they could ask for a response by next Thursday, which was February 26.

Chairman Lucier stated to give the deadline, but say that the reason for the deadline was to meet the March 3 deadline.

Commissioner Vanderbeck seconded the motion.

Commissioner Kost stated she believed she would see a Cary Town Council member at a meeting tomorrow and would find out when the Cary Board would meet next.

Chairman Lucier suggested just leaving the deadline date open until they established when the Cary Board would next meet, and then they could determine a deadline.

Commissioner Kost stated those types of details could be ironed out between the two Managers. The County Manager agreed.

Chairman Lucier called the question. The motion carried five (5) to zero (0).

#### **Human Relations Request:**

Chairman Lucier stated he had received a letter from Margie Ellison asking if the County would purchase a sheet cake and a few other necessities for the Human Relations Awards Ceremony.

Commissioner Thompson stated as far as he knew that request was still valid.

Chairman Lucier asked was there any problem associated with approving that request. The County Manager stated the only point he would raise was the possibility of other volunteer groups wanting to have similar recognition ceremonies and want the same consideration.

Commissioner Kost stated that she believed that eventually they needed to do something in the whole area of volunteer recognition.

Commissioner Vanderbeck stated the monetary impact was negligible.

Chairman Lucier agreed, noting they were talking about a small amount of money, but the bottom line was that all the volunteers put in a tremendous amount of effort with no salary, drove back and forth to meetings and put in a lot of time, and believed buying a cake was appropriate.

There was no objection from the Board.

#### **RECESS**

Commissioner Kost moved, seconded by Commissioner Thompson, to recess to the meeting to the County Manager's Conference Room for dinner at 4:20 PM.

The Board discussed the topic of Board meeting safety during dinner.

**ADJOURNMENT**

Commissioner Cross moved, seconded by Commissioner Kost, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 5:35 PM.

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George Lucier, Chairman

ATTEST:

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