

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**MAY 04, 2009**

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The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Building Auditorium, 45 South Street, located in Pittsboro, North Carolina, at 9:00 AM on May 04, 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; and Clerk to the Board, Sandra B. Sublett

**INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**CALL TO ORDER**

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

Commissioner Vanderbeck asked that Item #4, Approval of the Board of Education request for permission to transfer \$300,000 in fund balance back to current expense from capital outlay to cover maintenance expenses for the remainder of FY2008-2009, and Item #5, Approval of the Board of Education request for permission to reallocate funds between capital outlay projects be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

**AGENDA AND CONSENT AGENDA**

Commissioner Vanderbeck moved, seconded by Commissioner Kost, to approve the Agenda and Consent Agenda with the noted requests as follows:

1. **Minutes:** Approval of Board Minutes for Regular Meeting held April 20, 2009, Work Session held April 20, 2009, and Corridor Zoning Minutes from Special Meeting held April 27, 2009

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

2. **Resolution Honoring the Service of Gretchen Aylsworth:** Approval of a **Resolution #2009-40 Honoring the Service of Gretchen Aylsworth, Director of the Guardian ad Litem Program for Chatham and Orange Counties**, attached hereto and by reference made a part hereof.

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

3. **NC Housing Finance Agency Urgent Repair Program: Approval of various policies of the NC Housing Finance Agency Urgent Repair Program as follows:**

- A. **Resolution #2009-41 Authorizing the Execution of NCHFA-2009 UPR Documents**, attached hereto and by reference made a part hereof.
- B. Chatham County 2009 Urgent Repair Program Assistance Policy
- C. Grant Project Ordinance
- D. Procurement and Disbursement Policies

The motion carried five (5) to zero (0). All documents are attached hereto and by reference made a part hereof.

4. ~~**Transfer of Funds for Board of Education:** Approval of the Board of Education request for permission to transfer \$300,000 in fund balance back to current expense from capital outlay to cover maintenance expenses for the remainder of FY2008-2009~~

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

5. ~~**Reallocation of Funds for Board of Education:** Approval of the Board of Education request for permission to reallocate funds between capital outlay projects~~

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

#### **END OF CONSENT AGENDA**

#### **PUBLIC INPUT SESSION**

**Bob Knight**, 406 Chimney Rock Lane, Sanford, NC, offered his apologies to the Chatham County Human Resources Director stating that he had written a letter to the newspaper naming the Human Resources Director instead of the Human Relations Director. He voiced his concern with regard to items in the budget: 1) Eliminate the Human Relations Director thereby saving the County taxpayers a minimum of \$70,000+ per year. He stated that there are only five in the State and one of those is in Chatham County; that there is a lot of money being spent and a lot of everyday people don't feel like a Human Relations Director is needed; 2) Cut the Economic Development Director's salary from \$100,000+ per year; that this has been ongoing for several years; that the position should be on commission based on getting new business and hiring new workers in the County; that he has been told that the previous Board told him that the County cannot have development without sewer and water; that he thinks this is putting the cart before the horse; that incentives have to be put out to work for it rather than just expect it; that the Commissioners need to roll back their salaries upon the acceptance of the job; that vehicle reimbursement should be at forty cents per mile and a log book required for use of County vehicles; that a technology allowance isn't understood when the Commissioners are receiving \$3,600 per year; that special meetings should be cut to \$50.00 per meeting with no mileage; that this will cut out unnecessary meetings; that all or a portion of health insurance should be paid for by each Board member; that Commissioners jobs should be considered part-time, making them ineligible for benefits in accordance to the operation of other business and surrounding counties which would lead to another savings of \$45,427.00 for the taxpayers; that surrounding counties do not provide insurance for their board members; that the position of a County Commissioner was never meant to be one for making a living, but that is what it has become; that he wonders what happened to "serving while running" instead of ways to make a comfortable living out of it.

Chairman Lucier responded by saying that the economic development issue is an important issue for Chatham County; that bringing jobs here is critically as important since the County has struggled to do so with these economic times. There is a need for a full-time economic development director with a salary that is matched with the responsibilities of the job. Chairman Lucier mentioned that well over 100 jobs have been brought to the County with Uniboard and Advanced Build Homes; that Chatham County's unemployment rate is the 4<sup>th</sup> lowest in the state. Chairman Lucier stated that any growing county that wishes to expand its economic base needs to have an Economic Development Director that is well paid and that our director's salary is not out of line in comparison with other places. With regards to the Commissioners' salary, Chairman Lucier states that being a Commissioner is a full-time job that requires him to work 40-50 hours a week, which is what the citizens expect him to do; that the Commissioners' total package is less than what the average County employee receives, yet they are expected to make policy decisions that are critical for the county. Regarding the technology allowance, Chairman Lucier states the Commissioners have to provide their own office, supplies and they do not have an administrative assistant; \$300 a month is far less than what the county would pay if they had to provide an office for them. Regarding the Commissioner meetings, Chairman Lucier states that the Commissioners have to prepare extensively for them because they are held under intense public scrutiny; that the Commissioners do not hold extra meetings; he asked Mr. Knight if he believes that the

Commissioners should not have budget hearings or joint meetings or that they not meet with neighboring counties to find solutions to problems such as water, sewer and infrastructure that affect the county greatly.

Commissioner Kost stated that Wake and Orange County offer health insurance and an office for their commissioners; that she keeps a log of her mileage and she is averaging about 900-1,000 miles per month doing county business, going to regional meetings in Durham and Raleigh. She states that the technology allowance covers the cost for office supplies and ink cartridges for her computer, which are rather expensive.

Commissioner Thompson responded saying that with regards to the Human Relations Director in Chatham County, we have a one person department; that Chatham County is fortunate to have an outstanding person in this position; in looking at the diversity and growth that the county is facing, Commissioner Thompson feels that the Human Relations Director has served the county well; states he can recall a few incidents where having this position has helped with mediation and investigation, which have indirectly helped the county save money; states that relations have improved between the East and West sides of the county, between the newcomers and those residents that have been in the county for a longer period of time. Commissioner Thompson stated that we are one of the few counties that has a Human Relations Director and rather than seeing that as something negative, it should be seen as something positive; that Chatham County is taking the lead and setting an example for other counties; not only do we now have a set of rules and regulations, but have also formed a Human Relations Board which has been very effective in helping Chatham County move forward and feels that the work of the Human Relations Director has been exemplary.

Commissioner Vanderbeck agreed with Commissioner Thompson. He added that this board and director have provided education to young students, sensitivity training to employees and feels that there is a great need for this office.

**Philip Culpepper**, 100 West Estates Way, Cary, NC, consultant representing Chatham Park Investors invited Board members and others to a lecture presented by Timothy Beatley, a Teresa Heinz Professor of Sustainable Communities at UVA. The lecture will be held on May 28<sup>th</sup> at Chatham Mills, from 7-9pm; topics for discussion include sustainable communities and green urban design.

Chairman Lucier stated that he will attend. He also asked for Mr. Culpepper to come back and speak about any plans that they have for the large tract of land. Chairman Lucier explained that they are restructuring government to move several activities under one umbrella called sustainable communities. He mentioned that the following people might also be interested in attending this lecture: central permitting, the Green Building Task Force, the Affordable Housing Task Force, the Environmental Review Board and the Director of Environmental Resources.

## **BOARD OF COMMISSIONERS' MATTERS**

### **Employee of the Month:** Presentation of May Employee of the Month

Carolyn Miller, Human Resources Director, stated that the Employee of the Month program was instituted in FY 2009 to honor Chatham County employees for exemplary service to citizens and their fellow employees. She explained that the May 2009 Employee of the Month is Angela Birchett of the Chatham County Planning Department. She stated that Angie is a land use administrator, and has been employed with Chatham County for over twelve years. An excerpt from her nomination form follows:

*“Angela Birchett is a tremendous asset to Chatham County. Not only does she take care of her full time job in the Planning Department but she has made time to serve on the Wellness Committee for several years. Ever since she has been on the committee, she has put in her all when it comes to working with the committee and county management to provide wellness information to Chatham County employees. She has served as chair person for the past three years without a single complaint. Her enthusiastic attitude is contagious when it comes to promoting programs for Wellness. Through her leadership, the committee has sponsored walking challenges, weight loss challenges, massages, wellness fairs (with lots of*

*useful goodies), as well as informative and fun lunch and learns. She continues to encourage the introduction of new ideas to help promote wellness activities and distribution of information on healthy lifestyles for ALL county employees.*

**AND...**

*Angie exemplifies a number of the criteria listed above. Specifically, she is the primary leader, motivator, and organizer of the Wellness Committee and its programming. As you may know, the Wellness Committee lay dormant for many years. It has been a difficult and sometimes uphill struggle to start up again, introducing programs and educational efforts that benefit the employees.*

*In addition to her full-time position in the Planning Department, Angie is the co-chair of the Wellness Committee, a position she has been elected to for several years in a row. She puts new energy into the wellness initiative, never hesitating to try new programs. She is a regular presenter at new employee orientation, educating new employees on the focus on wellness and its tie in to our health insurance costs and overall productivity. Chances are, if you have participated in a wellness program in the last several years, Angie had something to do with it.*

*We are all busy with our day to day jobs, and Angie is no exception. I am constantly amazed at the energy she puts forth on wellness issues. This isn't just a committee she serves on; she truly believes that with better health come better employees."*

Chairman Lucier congratulated Ms. Birchett and expressed his appreciation, on behalf of the Board, for her work efforts.

**Set a Public Hearing:** Consideration to set May 18, 2009 as the date on which to hold a public hearing for the borrowing of funds for the Central Carolina Community College (CCCC) Sustainable Technologies Facility, the Pittsboro Library and the Central Carolina Community College facility in the Chatham County Business Park in Siler City and adoption of Resolution Authorizing the Negotiation of an Installment Financing Contract and Providing for Certain Other Related Matters Thereto

Commissioner Thompson moved, seconded by Commissioner Vanderbeck, to set May 18, 2009 as the date on which to hold a public hearing for the borrowing of funds for the Central Carolina Community College (CCCC) Sustainable Technologies Facility, the Pittsboro Library and the Central Carolina Community College facility in the Chatham County Business Park in Siler City.

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

Commissioner Thompson moved, seconded by Commissioner Vanderbeck, to adopt **Resolution #2009-42 Authorizing the Negotiation of an Installment Financing Contract and Providing for Certain Other Related Matters Thereto**, attached hereto and by reference made a part hereof.

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

**Transfer of Funds for Board of Education:** Approval of the Board of Education request for permission to transfer \$300,000 in fund balance back to current expense from capital outlay to cover maintenance expenses for the remainder of FY2008-2009.

Commissioner Vanderbeck moved, seconded by Commissioner Thompson to approve the Board of Education's request for permission to transfer \$300,000 in fund balance back to current expense from capital outlay to cover maintenance expenses for the remainder of FY2008-2009, letter attached hereto and by reference made a part hereof.

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

**Reallocation of Funds for Board of Education:** Approval of the Board of Education request for permission to reallocate funds between capital outlay projects contingent upon the Board of Education's approval

Commissioner Kost asked School Board Member Deb McManus why the budget target for the project to repair the water problems at Pittsboro Elementary School was missed by over 50%. The budget was set for \$30,000, but only \$13,000 was spent. Ms. McManus replied that originally they thought more excavation and rerouting of water would be needed. There were some drainage issues that were causing a lot of washing. She offered to get more information from David Moody.

Commissioner Kost also asked that if there is an issue with access to the campus of the Pittsboro Elementary School, making the purchase of a fence a higher priority for the use of the remaining \$16,450. Ms. McManus stated that she could not speak to that issue because it was an item for discussion at the Board of Education meeting tonight. Commissioner Kost asked Ms. McManus to verify with the Board of Education how the budget was figured for the water repairs.

Commissioner Vanderbeck asked why Bonlee was asking for an additional 30%+ more to complete the dressing rooms project. Ms. McManus stated that she was not sure why Bonlee was asking for more money. She stated that the Bonlee dressing rooms are in the public restrooms. The idea is to separate the dressing rooms from the public restrooms, so that the students' personal belongings are not within the public's reach.

Commissioner Kost also asked staff if there was an opportunity for the schools and the county to do a joint mowing contract to save tax dollars. Charlie Horne, County Manager, will contact the Superintendent regarding this issue.

Commissioner Vanderbeck moved, seconded by Commissioner Kost, to approve the Board of Education request for permission to reallocate funds between capital outlay projects contingent upon the Board of Education's approval.

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

### **MANAGER' S REPORTS**

The County Manager had no reports.

### **COMMISSIONERS' REPORTS**

Jason Sullivan stated that they are checking to see whether or not the signs in the previously unzoned corridor south of Pittsboro on 15-501 were subject to the sign ordinance. Jep Rose, County Attorney, stated that the county has an off-premises sign ordinance that applies countywide. Mr. Sullivan stated that there is a section of the sign ordinance that is not very clear, but it does appear that there may be two signs on 15-501 South that may be in violation; one being the mobile home for sale sign across from 3M and a heating and air sign.

Commissioner Vanderbeck asked Chairman Lucier if it would be appropriate to contact Gloria Benson, after the planning department and the county attorney have clarified this issue, to let her know what can or cannot be done. Chairman Lucier agreed.

Commissioner Kost asked if the "Motorcycles are Everywhere" signs are legal. Mr. Sullivan stated that they are not regulated by the County. With regard to the location of the signs, even if they are in the right-of-way, because they were placed prior to zoning going into effect they are covered under the zoning ordinance provisions.

Commissioner Cross stated that the Adult Education Group at the Central Carolina Community College (CCCC) in Lee County is about to get a new building. Mr. Patrick Barnes, former Chatham County Commissioner, was part of the selection committee for the architects that will undertake this project.

Commissioner Vanderbeck states that he spoke at the Sub Committee Hearing on the Jordan Lake Nutrient Rules; speaking against this substitute bill that was going to add time to an ongoing problem, it will change the rules allowing different percentages of nutrients in the lake and that the county can opt out of this bill or only parts of the lake can be cleaned; that in the long term it will cost Chatham County money to clean others' pollution; that this bill will disregard the stringent ordinances to protect the lake that the county has set forth. Once

the water level gets low, the toxicity of the lake will kill off some of the ecosystem that helps purify it and this will probably raise the cost of purified drinking water for Chatham County residents.

Chairman Lucier added that he met with the Association of County Commissioners and the Environment Sub Committee about the Jordan Lake Nutrient Rules as well. He explained at this meeting, that Chatham County has paid a huge economic price for the regional benefit. Chairman Lucier stated that before the Board can move forward on this issue, they need to know about the framework for this bill to see if the changes made are critical ones.

Commissioner Vanderbeck states that he met with the Affordable Housing Task Force, which will present the structural recommendations before the Board on May 18<sup>th</sup> for the Affordable Housing Advisory Board.

Commissioner Vanderbeck also stated that he attended the 64 Corridor Study Hearing on Phase 2A. This issue will be discussed further at the next work session.

Commissioner Thompson states that he met with the Block Grant Committee (COA) on April 21<sup>st</sup>. There was a concern about cuts in state funding, but as it turns out there may actually be an increase.

Commissioner Thompson mentioned that with regards to meetings he noticed that on the third week in April (a typical week) he attended the following events; on the 20<sup>th</sup> there was a Board meeting, on Tuesday he met with the Council on Aging, on Wednesday he attended the Earth Day reception at Central Carolina Community College (CCCC) and the senior games at Galloway Ridge, on Thursday he was the speaker at the volunteer banquet for the health department and on Friday he spent about 3 hours at a CBC meeting.

Commissioner Kost stated she and Chairman Lucier, participated in a Tour of Chatham County roads with the Durham/Chapel Hill/Carrboro Metropolitan Planning Organization Transportation Advisory Committee on Friday, May 1<sup>st</sup>. They toured the roads of northeast Chatham that were excluded from the long range capital plan for major road improvements. Representatives from various cities and counties were present during the tour. Commissioner Kost states that after looking at the condition of the roads, these representatives understood the need for road improvements in Chatham; that they were able to appreciate what was in store for the Jack-Bennett Lystra Road Corridor with the development that has been approved.

Deb McManus followed up to previous questions by the Board. She had contacted School staff and stated that a grading contractor did the estimate for the Pittsboro Elementary School. When the estimate was done, he thought that there would be more grading involved and so the estimate was much higher than what was actually spent. Bonlee School also had a contractor do the estimates for the dressing rooms, and as it turns out the project ended up being more involved than estimated. She stated that when the schools take on the responsibility of getting the estimates to present to the Board of Education, sometimes the Board can get a better deal, but other times the estimates are not as thorough. With regards to the fence for the Pittsboro Elementary School, the cost will come in under \$16,000; that David Moody stated that they will move forward with the contingency that if they had money left over, they will come back to the Commissioners to request that the money be allocated to another project.

## **ADJOURNMENT**

Commissioner Vanderbeck moved, seconded by Commissioner Thompson, to adjourn as the Chatham County Board of Commissioners. The motion carried five (5) to zero (0), and the meeting adjourned at 9:59 AM.

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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