

**MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
DECEMBER 16, 2013**



The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Historic Courthouse, 1 Hillsboro Street, Pittsboro, North Carolina, 6:00 PM on July 15, 2013.

Present: Chairman Walter Petty; Vice Chairman Brian Bock; Commissioners Mike Cross, Sally Kost, and Pamela Stewart

Staff Present: Charlie Horne, County Manager; Jep Rose, County Attorney; Renee Paschal, Assistant County Manager; Vicki McConnell, Finance Officer, Sandra B. Sublett, Clerk to the Board; and Lindsay Ray, Deputy Clerk to the Board

INVOCATION AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

Chairman Petty welcomed those in attendance and called the meeting to order at 6:05 PM.

ORGANIZATION OF THE BOARD

13-0616 Election of the Chairman and Vice Chairman

Chairman:

Jep Rose, County Attorney, presided over the organization of the Board. He opened the floor for nominations for Chairman of the Chatham County Board of Commissioners.

Commissioners Bock nominated Commissioner Petty for Chairman of the Chatham County Board of Commissioners.

Hearing no other nominations, Mr. Rose closed the floor for nominations and called for a motion to approve the nomination of Commissioner Petty as the Chairman of the Chatham County Board of Commissioners.

Commissioner Kost moved, seconded by Commissioner Bock, to approve the nomination of Commissioner Petty as the Chairman of the Chatham County Board of Commissioners. The motion carried five (5) to zero (0).

Chairman Petty took the seat of the Chairman.

Vice Chairman:

Chairman Petty opened the floor for nominations for the Vice Chairman of the Chatham County Board of Commissioners.

Commissioner Kost nominated Commissioner Mike Cross for Vice Chairman of the Chatham County Board of Commissioners.

Commissioner Stewart nominated Commissioner Brian Bock for Vice Chairman of the Chatham County Board of Commissioners.

Hearing no other nominations, Chairman Petty closed the floor for nominations and called for a motion to approve the nomination of Commissioner Cross for Vice Chairman of the Chatham County Board of Commissioners.

Commissioner Kost moved, seconded by Commissioner Cross, to approve the nomination of Commissioner Cross to the office of Vice Chairman of the Chatham County Board of Commissioners. The motion failed two (2) to three (3) with Commissioners Petty, Bock, and Stewart opposing..

Commissioner Stewart moved, seconded by Commissioner Bock, to approve the nomination of Commissioner Bock to the office of Vice Chairman of the Chatham County Board of Commissioners. The motion carried three (3) to two (2) with Commissioners Kost and Cross opposing.

APPROVAL OF AGENDA and CONSENT AGENDA

Commissioner Cross moved, seconded by Commissioner Bock, to approve the Agenda and Consent Agenda as follows:

13-0615 Minutes: Approval of Board Minutes for the November 18, 2013 Regular Session and for the November 19, 2013 Capital Improvements Plan Work Session

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

13-0606 Tax Releases and Refunds, attached hereto and by reference made a part hereof

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

13-0603 Consideration of request to approve the standardization of Kinetrol Actuators, award purchase order for Kinetrol Actuators purchase to Carotek Inc. in the amount of \$3,900.00, as the sole source, and to authorize the County Manager to approve the purchase order for the additional Kinetrol Actuators in the informal dollar range when needed

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

13-0604 Vehicle Maintenance and Repair Services

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

13-0605 Naming of Private Road from Citizens in Chatham County:

Dry Branch Road

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

13-0607 Naming of Private Roads from Citizens in Chatham County:

Hickory Pond Road and Kings View Lane

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

13-0542 Request by Todd and Suzanne Yanders for Conditional District Rezoning for a Landscaping Design Business with Outdoor Storage of materials on Parcel #17352, located at 190 Hatley Road

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

13-0600 Utilities CDBG Grant

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

13-0610 Community Development Block Grant (CDBG) Scattered Site Housing (2010) and Community Development Block Grant (CDBG) Economic Recovery (2010) Monthly Reports

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

13-0613 Adoption of a Language Access Plan to Comply with Community Development Block Grant requirements

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

13-0614 Request by D. R. Horton, Inc. for subdivision final plat approval of The Estates at Legend Oaks, Phase 1A, consisting of 12 lots on 18.064 acres located off US #15-501 NORTH and Legend Oaks Drive, Williams Township, Parcel #18665

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

13-0598 Adoption of the Recommended FY 2015-2021 Capital Improvements Program and Approval of Project Ordinances

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

13-0619 Vote on a Request to Approve a Planning Board Appointment by Commissioner Sally Kost

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

13-0621 Vote on a Request to Approve a Letter of Commendation for the Carolina Tiger Rescue on Being Selected as One of Three Winners of the 2013 Nonprofit Sector Stewardship Awards

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

13-0623 Vote on a Request to Approve the Design Concept for the First Responders Memorial

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

13-0628 Vote on a Request to Approve a Contract for Fiscal Year 2013-2014 between the Division on Aging and Adult Services (as represented and ministered by the Triangle J Area COG Agency on Aging) for Chatham County to Receive Federal and State Funds Allocated to Provide Certain Services Through the Home and Community Care Block Grant; for the Grant to be Passed

Through to the Chatham County Council on Aging for the Provision of Services as Mandated by the Older Americans Act, and Governed by the Rules and Regulations of the DAAS

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

13-0630 Approval of a Contract with Family Violence Rape Crisis to Appropriate \$450,000 for Land and Construction of a New Shelter

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Cabell Reagan, spoke on behalf of Guardians of Angels. He stated he has worked with them for past ten years as a volunteer attorney. He asked to speak about the animal control ordinance. He encouraged the adoption of the ordinance, especially with regard to 91.092 on tethering stating that the tethering issue is simply a humane decent treatment of animals and is consistent with the Judeo Christian heritage on which this country was founded. He stated that one defines the type of community they want through the legislative process of the county. Over the past four years, Guardians of Angels has presented two types of seminars to train law enforcement officers on issues involving dog fighting. Dog fighting and illegal drug trafficking does go along with this ordinance. They have trained over 200 officers in conjunction with the ASPCA. They were taught by retired detectives. One thing that is clear is there is a high correlation between dog fighting and drug trafficking. He stated that law enforcement can be given the tools to go in when there may be evidence of illegal drug trafficking or illegal dog fighting. Pitt Bulls are not necessarily evil animals, but dogs involved in dog fighting live in warehouse situations and live their lives on heavy chains and are tethered. The tethering part of this ordinance will give law enforcement a way to combat a lot of issues faced in this County today.

Bill Sommers, Fearington Village, presented his comments to the Board and provided them in their entirety for the record as follows regarding retiring Clerk to the Chatham County Board of Commissioners, Sandra B. Sublett:

“I wanted to pay tribute to a great friend, Sandra B. Sublett, a wonderful person who gave great service to our local government, and who did this within the process of understanding and happy service. I’ve known her for many years and I wish her as so many of us do as she takes from her experience and our blessing, the understanding that we will not forget her and we will cherish her service and happy personality for many years to come.”

He presented her with a beautiful bouquet of 33 roses.

Barbara Pugh, updated the Board of Commissioners on the happenings of the Historical Association. She stated that the grand opening of the Historic Courthouse was held on April 20, 2013 with over 1,000 people registered in attendance. Since that day, the Historical Association keeps the courthouse open three days a week. They have self-directed tours as well as guided-tours. She stated they have developed a really dedicated group of volunteers who enjoy doing the tours. When people come to visit, they learn a lot about Chatham County and they follow up by dining and shopping in Chatham County. She stated on a sad note that a good friend of the Historical Association, Jane Powell, had passed away. Ms. Powell was unable to attend the grand opening, but she was able to come see the courthouse before she died. Ms. Pugh introduced the new archivist for the Historical Association, Melissa Delbridge. She also thanked Susan Little for the work she does for the association.

SPECIAL PRESENTATION

13 0629 Vote on a Request to Approve a Resolution Honoring the Service of Sandra Brown Sublett

Commissioner Petty stated that at his very first meeting, he knew he had made a lifetime friend when he met Sandra Sublett. He said she was welcoming, patient, and understanding; and it has been a pleasure to work with her. He stated that for those in attendance who have not had the opportunity to work with Ms. Sublett, they do not know the amount of dedication that she has put into her job over all of the past twenty years. The staff and the citizens of Chatham County owe her a lot of gratitude. Commissioner Petty thanked Ms. Sublett for all she has done and for her friendship. He wished her well on her retirement.

Commissioner Petty read the resolution into the record and called for a motion to approve the resolution.

Commissioner Cross moved, seconded by Commissioner Kost, to adopt **Resolution #2013-50 Honoring the Service of Sandra Brown Sublett**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Petty presented Ms. Sublett with the resolution and the remaining members of the Board joined them for pictures.

Ms. Sublett then asked to address the Board, Staff, and citizens. She presented her comments to the Board and provided them in their entirety for the record as follows:

“I want to thank the members of all the Boards I have served, the County Manager, the County Staff, and the citizens for trusting me so long with this awesome responsibility. I sincerely appreciate the trust of the Board and the citizens, and I am grateful for the opportunity to be an ambassador to one and all.

I have enjoyed my time here more than words can express. It has been a time enriched by all the people I have come to know and love along the way. Chatham County is truly a wonderful and special place, and I will miss you all. (The Board meetings not so much!) My daughter Kristin was very small when I started here, and she used to say ‘Mommie, why do you call them minutes when they take you HOURS to prepare them?’

I leave you in good hands, and I look forward to my next adventure. And I wish many blessings upon each of you in the future. Thank you.”

Ms. Sublett received a standing ovation.

BOARD PRIORITIES

13 0624 Discussion of Updated Draft of the Animal Control Ordinance:

Commissioner Petty introduced the new Chatham County Health Director, Layton Long.

Mr. Long invited Leigh Ann Garrard, Animal Control Supervisor, to present the proposed Animal Control Ordinance.

Ms. Garrard presented the two tethering options in a PowerPoint as follows:

Tethering Options



Ten Hour Time Limit with Option to Obtain Permit for Tethering as a Permanent Means of Restraint



- Includes **all of Humane Restraint Requirements** as well as:
- No dog may be tethered for more than ten (10) continuous hours in any 24 hour period without being taken off the tether for a period of at least two (2) hours. The ten (10) hour tethering time limit is suspended during the first twelve (12) months following the effective date of this provision. It shall be unlawful for any person to fail to keep his or her animal securely restrained or otherwise confined as required by this section.
- The Animal Control Division shall conduct on an 18 month educational phase with respect to tethering and the ten hour limit on tethering. The first 12 months will be education of the public on humane restraint, how to improve conditions while the dog is being restrained, alternatives to tethering, and the consequences of improper tethering restraints. The final six (6) months of the educational phase will involve written warnings for those found in violation of the tethering provisions of this chapter.
- Violations of this section may be established by evidence including, but not limited to, time-stamped photographs and video, records of complaints, and sworn witness statements.

Continued



- **91.094 PERMANENT TETHERING OF NON-VICIOUS DOGS**
- An animal control officer shall have authority to issue a county permit for an owner to tether a dog on his or her property as a permanent means of restraint if, after investigation, the officer determines that permanent tethering will not be injurious to the dog and will not endanger the health or wellbeing of persons or other animals in the immediate vicinity. The officer shall consider the following in making this determination:
 - The behavior, size, and temperament of the dog,
 - The number of other dogs on the owner's property and adjoining properties,
 - The adequacy and suitability of the proposed tethering apparatus to humanely restrain the dog in question,
 - The capacity of the dog for inflicting serious injury on persons or other animals,
 - The immediate surroundings of the area where the dog will be tethered and the likelihood that those conditions pertaining to the particular dog will have a detrimental effect on the welfare of persons and other animals in the vicinity and the tranquility of the neighborhood in which the property is located,
 - The bite history of the dog, and whether the dog has bitten or attempted to bite a human being or domestic animal without provocation, and
 - Whether the dog without provocation of a trespass has approached a person in an apparent attitude of attack.
- If, after considering the foregoing, the animal control officer determines that permanent tethering would not be injurious to the dog or harmful to persons or other animals in the immediate vicinity he or she may issue the permanent tethering permit, subject to such conditions as will reasonably maintain the health of the dog and the safety and welfare of persons in the vicinity.

Vice Chairman Bock asked if Mr. Long and Ms. Garrard were prepared to talk about any other parts of the Ordinance.

Mr. Long stated there are a lot of other technical parts of the Ordinance and a lot of it is rewording certain sections.

Chairman Petty stated he understood that with the exception of the technical revisions, the ordinance is ready for public hearing.

Mr. Long agreed, but stated they needed direction from the Board on whether or not to include one or both of the options on tethering.

Chairman Petty stated they don't have a defined number of reports related to restraint issues. He stated that he is still interested in an ordinance that is humane restraint at the discretion of the Animal Control Officer. He stated that by having that kind of ordinance, things would be more manageable, and they will be able watch those calls over a period of time and decide if further steps are necessary. He stated there are concerns with the ten-hour limit and permitting options and that a lot of knowledge would be gained with reporting based on the humane restraint issues. He stated he did not think the ordinance was going to accomplish exactly what they wanted it to. Only time will tell.

Commissioner Kost stated there should be a public hearing in order to hear from the community.

Vice Chairman Bock asked if both options should be included in the Ordinance.

Commissioner Kost stated yes, that both options should be included.

Vice Chairman Bock reiterated that the public hearing would be scheduled for January 21, 2014 at 6:00 PM. He also requested that the Health Department prepare a press release in addition to any legal notices required for the public hearing.

By consensus, the Board agreed.

MANAGER'S REPORTS

The County Manager reported on the following:

Siler City School Property:

The County Manager stated there is an interested party who develops senior housing who would like to acquire the Siler City school property. They previously remodeled the Braxton Manor Senior Building and are interested in doing the same thing on the Siler City School site. He stated the Board may want to offer it to other interested nonprofits.

Parkwood Fire Department:

The County Manager stated that there is a problem with the Parkwood Fire Department which is having serious financial issues. Staff is looking into how the County would cover any emergencies and any impact it would have on insurance ratings. Durham County is looking into the issue as well.

Commissioner Kost stated some folks on O'Kelly Chapel Road were concerned about their insurance rate. She stated that she met with the Parkwood chief and he didn't mention any financial problems at that time. She stated Cary could service them and the chief at the Cary location was open to talking about it. The County Manager said staff would explore all options.

COMMISSIONERS' REPORTS

There were no Commissioner reports.

RECEPTION

13 0626 Reception Honoring Retiring Clerk to the Board, Sandra B. Sublett:

Chairman Petty invited all in attendance to join the Board of Commissioners at a reception honoring the Chatham County Clerk to the Board, Sandra B. Sublett, on the occasion of her retirement, after over twenty years of service to Chatham County. The reception will be held on the first floor of the Historic Courthouse immediately following the meeting.

ADJOURNMENT

Commissioner Stewart moved, seconded by Vice Chairman Bock, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 7:30 PM.

Walter Petty, Chairman

Respectfully Submitted by:

Sandra Brown Sublett

Of her final meeting as the
Clerk to the Board to the
Chatham County Board of Commissioners

ATTEST:

Lindsay K. Ray, Clerk to the Board

Chatham County Board of Commissioners

**MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
DECEMBER 16, 2013**



The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Historic Courthouse, 1 Hillsboro Street, Pittsboro, North Carolina, 3:00 PM on December 16, 2013.

Present: Chairman Walter Petty; Vice Chairman Brian Bock;
Commissioners Mike Cross, Sally Kost, and Pamela Stewart

Staff Present: Charlie Horne, County Manager; Jep Rose, County Attorney; Renee Paschal, Assistant County Manager; Vicki McConnell, Finance Officer, Budget Analyst, Lisa West; Sandra B. Sublett, Clerk to the Board; and Lindsay Ray, Deputy Clerk to the Board

Work Session

CALL TO ORDER

Chairman Petty welcomed those in attendance and called the meeting to order at 3:08 PM.

PUBLIC INPUT SESSION

Judy Pounds, Program Director of the Volunteers of America Supportive Services for Veteran Families, addressed the Board. The goal of the Volunteers of America Supportive Services for Veteran Families (SSVF) Program is to promote housing stability among very low-income Veteran families who reside in or are transitioning to permanent housing by providing case management services and temporary financial assistance (TFA) for Program participants.

Through the Supportive Services for Veterans and Families Program, the Volunteers of America fulfill the VA goal to improve the housing stability of very low-income Veteran families. The Volunteers of America Carolinas will provide outreach and case management services, and will assist participants to obtain VA benefits and other public benefits.

While any eligible veteran family may be served, Volunteers of America of the Carolinas Inc. (VOAC) will target those who have chosen to prioritize the provision of SSVF Program services to the following populations:

1. they are below 30% Area Median Income
2. they are Operation Iraq Freedom, Operation Enduring Freedom, and Operation New Dawn Veterans
3. are located in a community as defined by HUD Continuum of Care not currently

served by a Supportive Services Veteran Families grantee
4. are located in rural areas

We will be serving 14 counties in central North Carolina, they are, Rockingham, Caswell, Person, Granville, Guilford, Wake, Durham, Chatham, Franklin, Lee, Johnston, Randolph, Alamance and Harnett.
We have a \$360,000.00 budget to serve veterans and their families in these 14 counties. We are grant funded through the VA.

We would like to know if your county has a veteran affairs office where we can meet and serve the veterans or a location for us to meet the veterans in Chatham County. We would like to thank you for giving us this opportunity to speak to you.

BOARD PRIORITIES

13-0577 Provide guidance as requested by Staff on the FY 2014-2015 Nonprofit grant process, including total funding appropriation, funding priorities, and funding of the arts, and vote on a request for approval and adoption of a nonprofit funding policy that will include the human services and Parks & Recreation grants.

Renee Paschal, Assistant County Manager, presented the highlights of nonprofit agency funding policy. Ms. Paschal stated that staff is asking the board to approve a nonprofit funding policy. For human services this basically puts in writing how the County has funded the nonprofits over the last several years and it also applies the policy to parks and recreation grants. Staff asked the Board to adopt that policy and confirm the amount of funding used in FY15 for the human service non profits. Last year in FY14 the Board set aside \$233,000 and of that \$10,000 was appropriated directly by the Board.

Ms. Paschal stated staff would like approval to continue the human services funding priorities from FY14 for the next two budget cycles which designated that 55% of the funds be used for programs addressing hunger, healthcare and housing. Ms. Paschal stated staff would also like the Board to make a decision up front on whether or not to fund arts agencies because last year the Board decided not to approve funding for arts agencies. Ms. Paschal stated that the application is a lot of work for the agencies and volunteers and it would be better to know up front if the Board will fund arts agencies.

Ms. Paschal stated the recreation grants have another pot of money that is roughly \$20,000.

Commissioner Kost stated she felt leaving the amount at \$233,000 did not account for inflation.

Vice Chairman Bock stated that the total would be \$253,000 if the recreation money was included as well.

Ms. Paschal stated that they will keep the pots of money completely separate and they will actually go through their funding process at different times of the year. When they met with the parks and recreation advisory committee they were concerned that the County timed it in the spring and they wanted it to be timed in the fall, which staff is recommending. The parks and recreation money can be approved through the budget. The human services money, however, needs to be approved up front.

Commissioner Kost asked if the Board could consider increasing the amount after the budget retreat when a little more is known about the state of the budget.

Ms. Paschal stated the nonprofit meetings are January 17, 2014 so if the retreat is on January 10, 2014 and the Board made the decision at the retreat, that would be enough time.

Commissioner Kost stated she felt the arts should be included because it is important to economic development.

Chairman Petty asked Ms. Paschal to restate what action was needed from the Board.

Ms. Paschal stated the Board needed to approve the policy, to approve the funding priorities, and decide whether or not to approve funding for the arts.

Commissioner Cross motioned, seconded by Commissioner Stewart to approve the nonprofit funding policy.

Commissioner Kost asked that under the first area "Policy Statement", the word "efficient" be added so that it reads "more effective and/or efficient".

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

Commissioner Kost motioned, seconded by Vice Chairman Bock, to approve an allocation of 55% of the nonprofit funding for the high priorities of healthcare, hunger, and housing for the next two budget cycles. The motion carried five (5) to zero (0).

Vice Chairman Bock moved, seconded by Commissioner Stewart, to exclude arts in this funding cycle.

Commissioner Cross stated he personally would like to fund the arts but \$233,000 is not a lot of money to fund the other priority areas. Commissioner Stewart agreed.

Chairman Petty called the motion. The motion carried four (4) to one (1) with Commissioner Kost opposing.

**13-0611 Presentation of a resolution by the Planning Board regarding the
County's Land Use Plan**

Donna Kelly, member of the Planning Board, presented a resolution regarding the County's Land Use Plan. She stated the Planning Board supports the land use plan and they believe the Economic Development Corporation's recent report reinforces that. What they found in their discussions was that no one wants to re-do the plan completely. They want to know if there is still money in the budget process to look at the current plan to refresh the plan.

Vice Chairman Bock stated that clearly there are some things that need to be removed. He stated he would support refreshing the plan.

Commissioner Stewart asked how long it would take to refresh the current plan.

Jason Sullivan, Planning Director stated staff would have to talk to the Planning Board to see if they wanted to go through the subcommittee process. It could take several months.

Commissioner Kost asked why they were talking about doing a land use plan when the County does not even have a map. She stated they need a map and that is going to take resources. Commissioner Kost stated the reason they had a \$350,000 budget to develop a comprehensive land use plan in 2010 was because there would have been community outreach. She stated the idea of small area plans should be considered in the priority areas. This is a big county and they could divide it up into four or six areas.

Commissioner Kost stated the Planning Department has a lot of things on their plate and if they are going to do it right it is going to take more resources than they currently have in the Planning Department. She stated they need to do a plan with the changes that are going to happen with the Chatham Park.

Chairman Petty stated at this time the resolution asks for updating the current plan.

Vice Chairman Bock motioned, seconded by Commissioner Stewart, to adopt the resolution recommended by the Planning Board.

Commissioner Kost asked if the motion should include the scope. She said she agreed with most of the points, but did not feel it was a simple update.

Commissioner Stewart stated they needed to clean up what they already first.

Vice Chairman Bock stated they can support the resolution and can always do more later.

Commissioner Kost asked that the motion be amended to include language stating it does not preclude looking at a more comprehensive land use plan. She stated she would need the amendment in order to support the motion.

Commissioner Kost stated she would like some sort of commitment as they move forward that they will look at this again because the County is looking at such explosive growth.

Commissioner Cross stated the resolution is a starting point and he did not want to vote against a starting point.

Chairman Petty stated the resolution states the Planning Board is just asking us to get started.

Vice Chairman Bock stated not enough is known about the megasite or Chatham Park to make a long term decisions. They do not know if they will approve Chatham Park and the megasite hasn't been certified.

Chairman Petty called the question. The motion carried four (4) to one (1) with Commissioner Kost opposing. She asked that it be put in the minutes why she was not supporting the motion. She stated she strongly supports a comprehensive land use plan and not just a refresh of the current plan.

13-0612 Discussion of final draft of Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO) updated Memorandum of Understanding (MOU).

Hillary Pace, Planner, explained the specifics of the request. She stated the last time the MOU was updated was 1994.

Ms. Pace stated the County's comments were not addressed within the MOU revision process. However, some changes made:

- E-verification was added
- The Town of Carrboro asked that all local government jurisdictions' weighted votes be doubled to a minimum of two votes.

Commissioner Kost stated they did that so that the NCDOT and Triangle Transit only received one vote.

Chairman Petty stated that the County may have received more support from the NCDOT and Triangle Transit if they had maintained their vote.

Commissioner Kost asked Commissioner Stewart if she made any of those arguments at the MPO meetings.

Chairman Petty stated staff had been arguing that for years.

Commissioner Stewart stated she did make those comments during one on one conversations.

Vice Chairman Bock asked Ms. Pace if the County's comments were addressed. She said they were not.

Chairman Petty stated they needed to remember how they got to this point. The MPO asked for more money and funding and the Board asked for a larger area and more votes and the MPO went the other way. He stated it is a sign the MPO does not want to work with the County.

Ms. Pace stated the MPO is asking for adoption by February 20, 2014. Ms. Pace did not have any advisement on what the process would be for drawing back the planning area boundaries as she had not heard back from the MPO.

Vice Chairman Bock asked what would happen if the Board did not sign the MOU.

Ms. Pace read the rules for the Board.

Commissioner Kost stated the MPO did not use the weighted voting during the two years she was on the committee. She said the County's issues were not ignored; the MPO just did not get back to staff.

Vice Chairman Bock stated the issues were not addressed and that is unacceptable.

Commissioner Kost stated the County's participation in the MPO is a federal requirement.

Ms. Pace stated that Chatham County does need an appointment to the MPO and the MOU does need to be voted on.

Commissioner Cross motioned, seconded by Commissioner Kost, to approve the MOU. Discussion followed.

Commissioner Cross stated that even though he does not like what has happened, he believes it is important to stay a part of this group. He stated it is going to be more and more important to be part of the MPO with the development of the Chatham Park.

Vice Chairman Bock stated that if the Board does not approve the MOU maybe the MPO will listen to the Board's comments.

Chairman Petty stated they have not answered any of staff's questions. He suggested Ms. Pace go back to them and say the Board is not going to approve the MOU to see how they would respond.

Commissioner Kost asked Chairman Petty to go to the next MPO meeting and tell them that as the Chair of the Chatham County Board of Commissioners.

Chairman Petty stated he would be glad to go to the next meeting.

Ms. Pace clarified that there would be no appointment to the MPO at this time.

Chairman Petty stated he would be happy to go to the next meeting but could not serve as the appointee to the MPO.

Commissioner Kost stated she was already serving on the TARPO and could not also serve on the MPO.

Commissioner Cross moved, seconded by Commissioner Kost, to approve the MOU. The motion failed three (3) to two (2) with Commissioners Stewart, Bock, and Petty opposing.

13-0618 CenturyLink will brief the Board of Commissioners on its current broadband coverage and future plans to extend coverage. The discussion will include the Board of Commissioners' interest in providers offering better coverage of "last mile" areas that currently have no options, including working with providers to secure federal grants to reach last-mile areas.

Ms. LaBounty LaBounty, CenturyLink representative, introduced Doug Lowe and Larry Methia.

Ms. LaBounty gave brief statement about the history of the company and passed out marketing materials for the Commissioners and the Clerk. Ms. LaBounty then offered to answer any questions from the Commissioners for anything that did not fall under proprietary information.

Commissioner Kost stated she would like to revisit her concerns from the last meeting. She said CenturyLink and AT&T both have areas on the east side of the lake. If AT&T does not offer service, is CenturyLink willing to do it?

Doug Lowe stated CenturyLink normally will not go into another provider's area but they will look into it.

Chairman Petty asked if the boundaries defined by the FCC have been in place for many years.

Mr. Lowe stated they try to honor those as professional courtesies and they have to file for a boundary change.

Vice Chairman Bock stated there are a lot of people in our county that do not have coverage and according to your map they do but they do not. Randolph telephone can easily come in and provide coverage but CenturyLink will not let them. He asked how we answer this problem.

Commissioner Stewart stated it was her understanding that Randolph has the ability to grow faster than they are into Chatham County but there is something that is preventing them from doing so. Citizens know that federal money is being given out because they are going to their representatives with this issue. They want to know why that money not coming back to Chatham County.

Vice Chairman Bock stated it was specifically the last mile funding that was in questions.

Ms. LaBounty stated the sites would have to meet the federal requirements and a lot of those sites do not meet those requirements. She asked Larry Methia to speak more on that issue.

Mr. Methia stated that when CenturyLink elects to receive CAF or Connect America Funds, that is a maximum of \$775 per residence and they match that by \$775 themselves. The problem that exists in many areas is that it costs much more than that to deploy the fiber and deploy the remote switch and equipment. Overall in Chatham they serve about 94% but the last 6% is more expensive overall than the CAF fund.

Vice Chairman Bock asked if there is another company that can do it if CenturyLink cannot, can we get a suggestions on how to reach that last 6%.

Ms. LaBounty stated CenturyLink does not prohibit the company, so it could be other state or federal regulations limiting them. CenturyLink does not have the capability to physically stop them.

Vice Chairman Bock asked if any CAF funding is being spent in Chatham County.

Mr. Methia stated that CAF funding is divided up into round 1 and round 2. During round 1 no CAF money was spent in Chatham County. During round 2 CAF money will be spent in Chatham County but it hasn't been finalized. There is a challenge process and it will be mid to late 2014 before they hear from any challengers and make decisions accordingly.

Ms. LaBounty stated the grants have not been awarded yet. It will be next year before they will be awarded and multiple companies submit for the grants.

Commissioner Kost asked if 94% of the households served by CenturyLink in Chatham County have internet access. Ms. LaBounty stated that 94% can get access.

Commissioner Kost stated a study from a few years ago found that not to be true. The Board received a lot of emails after CenturyLink attended the last meeting from citizens who did not have coverage.

Chairman Petty stated the Board received a presentation about three years ago and the percentage of prescribers is much less than that.

Ms. LaBounty stated the Commissioners were correct. There are other companies that cover Chatham County. 94% of households have access in Chatham County but only 20% are subscribing.

Chairman Petty stated to him that meant there is no one offering service in a large part of the county. He said there is also the problem of distance.

Commissioner Stewart asked if there other areas they were planning to move to.

Ms. LaBounty stated they have a planning group that looks into that but she did not have that information at this time.

Chairman Petty asked if that was something they would share with the public.

Ms. LaBounty stated she did not know but would look into it.

A representative from Congresswoman's Renee Elmers office was in attendance and answered questions from the Board.

Renee Ellmers representative stated they have looked into the issue and have done everything they can on their end.

Renee Ellmers representative stated they were aware of the Phase 1 and Phase 2. The Phase 2 will not take place until 2014.

Commissioner Stewart stated she believes with Randolph County it is a state issue.

Renee Ellmers representative stated that issue would be the edge out deal.

Vice Chairman Bock asked what that meant.

Renee Ellmers representative explained it meant moving the boundaries out. It was a distance issue with them as well.

Commissioner Stewart asked if there were any plans on improving existing services.

Ms. LaBounty stated they are always looking to improve their transport, pushing their fiber out, and upgrading the speed.

Commissioner Stewart asked about seniors. The County has a large number of seniors and they are on a fixed income.

Ms. LaBounty stated this program is for anyone receiving any type of assistance. There is no age qualification but there is an application process.

Chairman Petty asked how they market the program

Ms. LaBounty stated they do press releases and they are working with the school system to get the information out to every student.

Commissioner Stewart asked how many take advantage of the program in Chatham County. Ms. LaBounty stated she was not sure.

Vice Chairman Bock asked how long has the program had been in place. Ms. LaBounty stated three years.

Vice Chairman Bock suggested placing marketing materials about the program in the DSS offices and senior centers.

Ms. LaBounty stated they also mail materials out directly to homes.

Commissioner Stewart asked Ms. LaBounty to get the Board county statistics about the program.

Vice Chairman Bock asked if the Board can do anything to get that last mile taken care of in Chatham County.

Ms. LaBounty stated CenturyLink is willing to partner with the County if staff is aware of grants or other funding out there.

Chairman Petty stated the Board would do anything they could to try to help CenturyLink and the other service providers get coverage to all the citizens in the county without coverage.

Commissioner Kost stated CenturyLink's speeds are not fast enough if they are losing out to satellite internet providers.

Commissioner Stewart stated satellite does not provide good serve and is extremely expensive. She said for many people in the county satellite is the only option.

Commissioner Kost asked if there was any technology breakthroughs on the horizon that may help the County.

Mr. Lowe stated they had not seen anything in the distance area that is going to help.

13-0617 Vote on a request to approve a one-time \$50,000 contribution to the Central Carolina Community College's Central Carolina Works program

Dr. Bud Marchant reviewed the specifics of the request. He stated they currently serve about 5% of the high school population in career and college promise in the three counties they serve. They would like to serve 15%.

Dr. Marchant stated they believe with the two years of funding, the program will move from 5% to 15% and will become self sustainable program.

Kirk Bradley also spoke about the program. He stated they are about 70% privately funding and they also have grant funding. While they feel good about the budget, they felt they needed both public and private funding.

Commissioner Kost asked staff if the money for this project would come from contingency. The County Manager said that it would.

Commissioner Kost motioned, seconded by Commissioner Stewart, to approve the appropriation of \$25,000 from contingency this year and include \$25,000 in the 2014-2015 budget for the Central Carolina Works program. The motion carried five (5) to zero (0).

13-0632 Discussion of Commissioners' Liaison Assignments to Boards and Committees

Commissioner Kost recommended the Board of Education liaison be moved to the Chairman or the Vice Chairman. By consensus the Board agreed.

Chairman Petty is now the liaison for the Agriculture Advisory Committee, the Board of Education, the Transportation Advisory Committee and the Community Advisory Committee for Nursing Homes and Adult Care Homes.

Vice Chairman Bock is now the liaison for the Board of Health.

All other liaison assignments remained the same.

13-0631 Vote on a request to appoint a delegate and an alternate delegate to the Triangle J Board of Delegates

Commissioner Cross agreed to serve as the appointee to the Triangle J Board of Delegates. By consensus, the Board agreed.

13-0622 Discuss the Request for 2014 NCACC Federal Legislative Issues

Commissioner Kost stated the number one priority for her on a federal level is getting the federal government to help the County collect sales tax on online sales.

Chairman Petty stated he believed that was one of the goals already established by the NCACC. Commissioner Cross agreed.

Chairman Petty stated the goals were due by January 10, 2014 and asked staff to submit the Board's request.

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Stewart, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 5:00 PM.

ATTEST:

Walter Petty, Chairman

Lindsay K. Ray, Clerk to the Board
Chatham County Board of Commissioners