

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
NOVEMBER 16, 2009

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

Present: George Lucier, Chairman, Sally Kost, Vice-Chair, Commissioners Mike Cross, Carl Thompson, and Tom Vanderbeck

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

CALL TO ORDER

The Chairman called the Work Session to order at 2:05 PM.

METROPOLITAN AREA BOUNDARY OF DURHAM CHAPEL HILL CARRBORO METROPOLITAN PLANNING ORGANIZATION (DCHC MPO)

Ben Howell, Planner, explained that the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is the agency responsible for transportation planning in the urbanized area (based on US Census information) of Orange, Durham, and Chatham Counties (also referred to as the Metropolitan Area Boundary of MAB). The MAB is required to include, at a minimum, the Urbanized Area (UZA) based on the latest decennial Census. Currently, the MAB covers more than the UZA in Chatham County. The MPO is proposing to modify or adjust the MAB in Chatham County to correspond with the boundaries of Traffic Analysis Zones (TAZ) to provide consistency and better accuracy in population estimates used for modeling. According to the US Census Bureau, "TAZs are special areas delineated by state and/or local transportation officials for tabulating traffic-related data-especially journey-to-work and place-of-work statistics. A TAZ usually consists of one or more census blocks, block group, or census tracts." The current MAB splits several TAZs, which makes estimating population and other data for the modeling the MPO does difficult. The MPO staff has proposed adjusting the MAB to match TAZ boundaries in Orange and Chatham Counties.

The MAB adjustment proposed by MPO staff will expand the boundary within Chatham County by a net total of approximately 5,500 acres (the proposed boundary adjustment removes approximately 600 acres, but adds almost 6,000 acres). The TAZs in Chatham County are large compared to Durham and Orange Counties, and the MPO staff stated in email correspondence that they chose to move the boundary south (instead of north) because the TAZs that are currently split by the boundary include "suburban type development." If the boundary is moved south as proposed, all of Fearington Village (currently the MAB runs along Weathersfield Drive) and a portion of The Preserve (approximately 280 acres) would be picked up by the MPO. According to the MPO staff, the Governing Board of the MPO (the Technical Advisory Committee) must approve the MAB adjustment and the Governor must concur before it takes effect. MPO staff plans to present the MAB adjustment to the Technical Advisory Committee at their meeting on December 9, 2009.

Commissioner Kost moved, seconded by Commissioner Vanderbeck, to wait to make any adjustments when there is more data available from the 2010 Census. The motion carried five (5) to zero (0).

AFFORDABLE HOUSING ADVISORY BOARD RECOMMENDATIONS

Bob Eby explained the specifics for potential slots for membership on the Affordable Housing Advisory Board, bylaws recommendations, the Conflict of Interest Policy, and staff recommendations per the County Attorney, sustainable Communities Development Director, and the County Manager's Office. Mr. Eby and staff answered questions from the Board.

The Chairman asked for thoughts and recommendations from the Board.

Commissioner Cross stated that he would like to see the Affordable Housing Non Profits remain as voting members and then use the Ethics Policy when it applies to them as they have been very helpful in getting this organization up and running and that it is going very well.

Commissioner Vanderbeck stated that he feels that the Board is getting into a different arena as an advisory board from a task force; that we will be addressing inclusionary housing and possibly a form of inclusionary zoning; that what developers and developments have to do to is comply and who is going to handle the housing that is created; and that having a general nonprofit, ex-officio presence there would be helpful; that from the standpoint of a profession, it's good; that it makes it less messy if someone has a questionable position or the appearance of a conflict; that the input from these parties is critical because this is what they do all the time; that if they become ex-officio, it opens up two slots for voting members that live in the County; that it must be clear who is a voting member when awards are made to certain non-profits; and that these situations can be addressed in the conflict of interest policy.

A discussion ensued regarding the number of members plus the ex-officios.

Commissioner Thompson asked if a Conflict of Interest would take care of everything. He stated that by the nature of the makeup of the committee and the various sectors involved, it would be a continuing thing.

The County Attorney stated that there are a couple of ways to do it: 1) The suggested by-laws way which comes out of the committee and is controlled through the voting members which do not vote on anything in which they could have an interest. 2) Where you seek to find those who may have an interest and simply designate them as an ex-officio and they do not vote on anything.

Betty Wilson, Housing Authority Member, stated that she feels that a lot of times with boards and advisory committees, they can be so involved in the everyday workings of government that they forget the people they are serving; that the people of Habitat, EmPowerment, and the Housing Authority are in touch with the stakeholders and those who really need it; that she feels that they need a voice; and that she would like to see them have a vote on this advisory board.

Commissioner Kost stated that she agreed with Ms. Wilson except that she thinks that they will have a voice without being a voting member. She stated that her concern is that it is a perception issue; that she thinks it could be perceived by the public as being a conflict; that sitting around the table, they still have a voice and are able to represent that view; that she doubts that there will be too many close votes on this board; that decision making is often done through consensus and building; and there is ample opportunity to do it like that.

Mr. Eby stated that this is an advisory board which makes recommendations to the Commissioners and the Commissioners make the final decision.

Chairman Lucier asked that a list be sent to the Commissioners and that anyone that should be included and is not and vice versa, please let he or the Vice Chair know.

Mr. Eby asked that other applications that came in after the deadline also be included.

Chairman Lucier stated that the next steps, once they have that in hand, he and Vice Chair would put together a proposed roster for the Board of Commissioners would consider. By consensus, the Board agreed.

This item is to be returned to the Board for consideration at their December 7, 2009 Work Session.

Chairman Lucier said that it would be helpful to have someone in attendance to represent the advisory board.

Further discussion ensued. The Chairman stated that the Board will consider bylaws, appointments and an update on Briar Chapel at the December 7, 2009 Work Session.

BREAK

The Chairman called for a short break.

BOARDS AND COMMITTEES APPOINTMENT PROCESS

Elizabeth Plata, Deputy Clerk, and Debra Henzey, Director of Community Relations, explained the specifics of the "Boards and Committees" process in selecting those who might be interested in serving on various County boards and committees.

Chairman Lucier stated that the Board needed the data base updated so that they have accurate board/committee member information. The Board would like to be advised of expiring member terms three months in advance and on a quarterly basis. They asked Staff to look at several boards/committee for duplication of efforts. They asked that a letter be drafted to be sent to all board chairs (and their liaisons) requesting that they provide the County Manager's Office with any updates on member information.

A discussion ensued regarding lack of Staff time to devote to updating the boards and committees.

The County Manager stated that the Manager's Office has a part-time person who will begin work on December 1st to free up some of the Deputy Clerk's front office duties which will allow her time to spend on special projects such as boards and committees.

The Board reviewed advisory boards and committees authorized by the Board of Commissioners, determining which ones are required by General Statute, which boards can be dismissed, and which boards can remain as is. They also discussed the role of the liaison to be a conduit to that board and to know if there are any issues that need to be raised with other board members and issues regarding attendance, members, or the appointees, etc.

ZONING BOARD OF ADJUSTMENT

Sally Kost, Vice-Chair moved, seconded by Tom Vanderbeck, Commissioner, to recess as the Chatham County Board of Commissioners and convene as the Chatham County Zoning Board of Adjustment. The motion carried five (5) to zero (0).

WORK SESSION

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

CLOSED SESSION

Commissioner Cross moved, seconded by Commissioner Thompson, to recess the Work Session and convene in Closed Session for the purpose of discussing personnel and matters within the Attorney/Client privilege. The motion carried five (5) to zero (0).

WORK SESSION

Commissioner Vanderbeck moved, seconded by Commissioner Kost, to reconvene in the Work Session. The motion carried five (5) to zero (0).

RECESS

The Chairman recessed the meeting at 5:00 PM to the Manager's Conference Room for dinner.

ADJOURNMENT

Commissioner Kost moved, seconded by Commissioner Cross, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 5:45 PM.

George Lucier, Chairman

ATTEST:

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