

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**JUNE 20, 2011**

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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, Pittsboro, North Carolina, at 6:00 PM on June 20, 2011.

Present: Walter Petty, Vice Chair; Commissioners Mike Cross, Sally Kost, and Pamela Stewart

Absent: Brian Bock, Chairman (Available by telephone for a portion of meeting)

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

**INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**CALL TO ORDER**

Vice Chairman Petty welcomed those in attendance and called the meeting to order at 6:00 PM.

**AGENDA AND CONSENT AGENDA**

The Vice Chairman asked if there were additions, deletions, or corrections to the Agenda and Consent Agenda.

Commissioner Kost asked that:

- The June 6, 2011 Regular Minutes be removed from the Consent Agenda and placed on the Regular Agenda for discussion.
- The June 01, 2011 Budget Minutes be removed from the Consent Agenda and placed on the Regular Agenda for discussion and approval at a later date.
- Item #15, Carolina Meadows Retirement Community Water Meters, the description be amended to read “Approval of a request by Carolina Meadows to replace water meters at Carolina Meadows Retirement Community with a master meter system. The cost of replacement will be borne by Carolina Meadows”.
- Agenda Item #21, Human Relations Commission Presentation be removed from the Regular Agenda and placed on a later Agenda.
- Agenda Item Addition, Impact Fee Exceptions

Commissioner Cross 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 the Regular Meeting held on June 06, 2011, Work Session held on June 06, 2011, and Budget Meeting held June 01, 2011

The June 06, 2011 Minutes for Regular Meeting and the June 01, 2011 Budget Meeting were removed from the Consent Agenda and placed on the Regular Agenda for discussion.

The motion carried four (4) to zero (0).

2. **Fiscal Year 2010- 2011 Budget Amendments:** Approval of the fiscal year 2010-2011 budget amendments as proposed by staff, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

3. **Purchased Water Infrastructure Project:** Approval of Purchased Water Infrastructure Project Ordinance as proposed by staff, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

4. **Pyrotechnics Display at Donnie Barnes' Carefree Ranch:** Approval of a request to have a pyrotechnics display at Donnie Barnes' Carefree Ranch on July 23, 2011

The motion carried four (4) to zero (0).

5. **Pyrotechnics Display at Governor's Club Clubhouse:** Approval of a request to have a pyrotechnics display at Governor's Club Clubhouse on July 4, 2011

The motion carried four (4) to zero (0).

6. **Tax Releases and Refunds:** Approval of tax releases and refunds, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

7. **Funds Acceptance for Health Department:** Approval of a request to accept funds in the amount of \$250.00 from the NC Diabetes Education Recognition Program for the Health Department staff to attend training

The motion carried four (4) to zero (0).

8. **Funds Acceptance for Health Department:** Approval of a request to accept funds in the amount of \$826.00 for the NC Breast and Cervical Cancer Control Program (BCCCP) offered at the Chatham County Health Department

The motion carried four (4) to zero (0).

9. **Funds Acceptance for Health Department:** Approval of a request to accept funds in the amount of \$600.00 for the WISEWOMAN Project at the Health Department

The motion carried four (4) to zero (0).

10. **Funds Acceptance for Health Department:** Approval of a request to accept a donation in the amount of \$150.00 for the Focus on Fathers Program within the Family Outreach and Support Services Division of the Health Department

The motion carried four (4) to zero (0).

11. **Juvenile Crime Prevention Council (JCPC):** Approval of:

- A. Recommended funding grid
- B. Appointment of members
- C. JCPC By-laws

The motion carried four (4) to zero (0).

12. **Amendment to Educational Facilities Impact Fee Ordinance:** Approval of **An Ordinance Amending the Chatham County Educational Facilities Impact Fee Ordinance**, attached hereto and by reference made a part hereof.  
The motion carried four (4) to zero (0).
13. **Request for Proposal (RFP) - Briar Chapel Affordable Housing:** Approval of Request-for-Proposals (RFP) which would qualify multiple builders to complete the remaining lots in Briar Chapel  
  
The motion carried four (4) to zero (0).
14. **Substance Abuse Services:** Approval of request to allow County Staff to bid on substance abuse services for intermediate-sanctioned offenders  
  
The motion carried four (4) to zero (0).
15. **Carolina Meadows Retirement Community Water Meters:** Approval of a request by Carolina Meadows to replace water meters at Carolina Meadows Retirement Community with a master meter system. The cost of replacement will be borne by Carolina Meadows.  
  
The motion carried four (4) to zero (0).
16. **Historic Courthouse Restoration Project:** Approval of historic courthouse restoration project ordinance as proposed by staff and adopt **Project Ordinance Concerning the Historic Courthouse Restoration**, attached hereto and by reference made a part hereof.  
  
The motion carried four (4) to zero (0).
17. **Tax Collector Reappointment:** Approval of a request to reappoint Frances L. Wilson as Chatham County Tax Collector for a term of three years  
  
The motion carried four (4) to zero (0).
18. **Tax Assessor Reappointment:** Approval of a request to reappoint Tina Stone as Chatham County Tax Assessor for a term of two years  
  
The motion carried four (4) to zero (0).

**END OF CONSENT AGENDA**

**PUBLIC INPUT SESSION**

Commissioner Petty stated that the Public Input session carried a three minute limit per speaker, as had been mentioned on many occasions. This was an opportunity for citizens to share their position or view on any of the issues in the County, as well as an opportunity to perhaps sway the position of those that were listening. So, it was a very important time for those speaking as well as for those listening. In that regard, he wanted to make some comments on previous observations.

Commissioner Petty stated this was a privilege they enjoyed, and with that privilege came the obligation to be courteous and respectful to those attending, both in the audience and staff and Commissioners. He asked that speakers stick to the facts concerning the issues being discussed and refrain from personal attacks and things of that nature. From the audience standpoint, he asked that to be courteous to the speakers that they hold any applause or any approval or disapproval of comments until the speaker had completed their remarks, because it was distracting for the speaker and took away from the three minutes provided. Regardless of how someone felt about an issue, it would be courteous to hold applause or other reactions until after the speaker had completed his or her comments.

**Jeffrey Starkweather**, 590 Old Goldston Road, Pittsboro, NC, stated that he wanted to speak about what he considered to be a disturbing trend and who their elected officials trusted to make policy. He believed he had observed what he considered to be a double standard between trusting County staff versus trusting the School Board and the school administration staff. Public policy should be made by elected officials, not by staff. Staff's job was to do research and make recommendations based on factual analysis and to implement public policy. He felt they had gotten away from that with the County budget, where there was a general set of recommendations concerning degrees of cuts, but it was essentially turned over to department heads to decide the public policy regarding those cuts. Some of those cuts had to do with important issues about how they conducted County business and impact on citizens. He was particularly disturbed by the fact that the Board had essentially bypassed its responsibility and had not even brought those departments heads in to discuss the basis of those decisions or to question them.

Mr. Starkweather stated he was also disturbed about what he had heard today which was that County Planning staff had essentially taken over a lot of the review functions of this Board and away from the Environmental Review Board. There had been a completely different story when the School Board had brought their budget before this Board. They had gone over it line by line to basically keep them straight, and had gone over in detail a \$65,000 amount for maintenance supplies. There was questioning about the use of computers which he had found particularly disturbing from an economic development standpoint where Mr. Bock had said he did not necessarily think that these were necessary for education. It turned out that he was unfamiliar with the fact that these computers were only used by high school students and in fact there was tremendous evidence presented as to how they had improved the schools. Even more disturbing was the question about teachers' assistants where it was suggested that teachers' assistants could somehow be a little more efficient and do the more work in the same five days, but that standard had not been applied to other County employees.

Mr. Starkweather asked that in future that they give respect to their School Board who were supposed to be making school policy and that this Board take on its function of making County policy and not passing that on to County staff.

**Bill Causey**, 2734 River Forks Road, Sanford, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

"My name is Bill Causey. I live at 2734 River Forks Road. I am here tonight speaking on behalf of five citizen groups: the Deep River Clean Water Society, The Haw River Assembly, Chatham Citizens for Effective Communities, the Orange-Chatham Sierra Club and the Friends of the Rocky River of which I am a member. We are asking the Commissioners to amend the 2011/2012 budget and restore funding for important environmental programs and staff.

Specifically we are asking you to undertake **SEVEN** actions.

- (1) Fully fund the Environmental Resources Director position,
- (2) Fully fund the Natural Resources Director position,
- (3) Fully fund the vacant soil erosion control position,
- (4) Fully fund the land use planning map,
- (5) Keep environmental services a separate department and utilize the expertise of the department,
- (6) Keep an effective and fully competent Environmental Review Board, and
- (7) Maintain all current stream buffers.

We are asking you to do this for two reasons. First, we cannot count on the State to provide adequate environmental protections for Chatham County. As will be explained by the next speaker, the Republican controlled General Assembly has destroyed meaningful state environmental protection programs in North Carolina. In addition we cannot count on private property rights to provide meaningful environmental protections because, if they could, we would have few environmental problems today.

Second, we are asking you to undertake these **SEVEN** actions because the residents of Chatham County face a full plate of environmental problems. Some of these include the following.

- (1) Drinking water supplies in the Rocky River, the Haw River and Jordan Lake serving Pittsboro, Siler City and Chatham County are impaired,

- (2) Millions of gallons of sewage sludge are spread on farms throughout Chatham County and much of this contaminants ground and surface waters,
- (3) Excessive soil erosion increases the cost of treating drinking water in Pittsboro, Siler City and Chatham County,
- (4) The Rocky, Haw and Deep Rivers are in a continuing state of biological decline,
- (5) If permitted by the state, natural gas drilling using hydraulic fracturing will result in extensive surface and ground water pollution in the County.
- (6) These and other environmental problems will only increase as our population grows and as climate change increases the chances of more storms, floods, extensive droughts and greatly reduced stream flows in the Rocky, Haw and Deep Rivers.

For these reasons, we ask the Commissioners to amend the budget and make environmental protection a real “Core Function”. Thank you.”

**Martha Girolami**, 473 Mt. Pisgah Road, Apex, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

My name is Martha Girolami. I live at 473 Mt. Pisgah Church Road. The State budget passed last week by the N.C. General Assembly has severely reduced the ability of the Department of Environment and Natural Resources to protect the environment of North Carolina and Chatham County. To quote a Winston-Salem Journal editorial on June 18, 2011...

“The party of America's greatest conservation President, Theodore Roosevelt, is on the verge of accomplishing a major rollback of North Carolina environmental-protection laws and programs. Legislative Republicans have used the budget to emasculate a number of environmental programs and to handcuff state environmental regulators”.

This means Chatham County cannot count on the State to provide us the environmental protections we need. I highlight this because at the budget retreat this winter the current Chair of the Chatham Board of Commissioners said Chatham County can rely on the state to provide adequate environmental protections and therefore Chatham can cut environmental protection programs. This assessment was incorrect then and is even more incorrect today.

Accordingly, you must do all you can to provide environmental protections for Chatham County or we will not have the protections we need. Some of the reasons for this are as follows:

- (1) State appropriations for 190 positions in the Department of Environment and Natural Resources are eliminated. Many of these are enforcement positions.
- (2) Compared to fiscal year 2007/2008 funding for the Department is reduced by 40%.
- (3) All seven regional offices are placed on justification review which means if they seriously pursue environmental enforcements this year they may not be funded next year.
- (4) The Department is prohibited from issuing new rules that are stronger than federal minimum standards unless the courts require the new rules.
- (5) The Clean Water Management Trust Fund is slashed to less than 12% of its previous funding level.
- (6) The Division of Forest Resources and the Division of Soil and Water Conservation are transferred to the Department of Agriculture.
- (7) Over two years time the well water testing program will be eliminated.

These and other actions taken at the State level mean we in Chatham County must do all we can to protect ourselves from environmental problems of all types. For this reason, the Board

of Commissioners must restore the funding requested by Mr. Causey on behalf of the five citizen groups. Thank you.”

**Carl Lee Grimes**, 34 Valley Meadow Drive, Chapel Hill, NC, stated that the Bookmobile had been a real asset to the people living in north Chatham, not only for himself, family and friends, but also to the elderly at Galloway Ridge, Ferrington Village, and Carolina Meadows who were able to travel to Cole Park Plaza. He realized that the budget was tight, noting everyone fought that battle every day. The Bookmobile cost the County about \$47,000 a year to operate, but the Bookmobile truck had many years of service left in it. He suggested that rather than eliminating the service that they consider reducing the service to half time, which would reduce the cost to no more than \$27,000. That would allow many people in the County to continue to benefit from the Bookmobile service. He asked that the Board please discuss that and find in their hearts to put \$27,000 back in the budget for the Bookmobile.

**Elaine Chiosso** presented her comments to the Board and provided them in their entirety for the record as follows:

“The Chatham County Environmental Review Board (ERB) respectfully submits the following recommendations to you in order to protect and preserve Chatham County’s natural resources, clean water and air, and the health of its residents.

Land application of wastewater sludge in Chatham Co. The ERB spent two years reviewing information about the nearly 2500 acres of permitted fields for sludge application by municipalities, primarily from outside the county. 20 million gallons of sludge were applied in 2007 alone. Concerns by citizens include the presence of pathogens and toxicants in sewage sludge that can affect human health and surface waters. We urge you to consider the recommendations we made to the Board on January 10, 2011 to post information about sludge application on the county website, including a map and list of permitted fields, and a “*Frequently Asked Questions*” document. (*Attachments A, I-3*)

Resolution on the impacts of hydrofracturing (“fracking”) for natural gas. Areas of Chatham County in the Deep River Basin are underlain by shale rock that may produce natural gas. North Carolina regulations do not allow fracking at this time. The natural gas hydrofracturing industry is poorly regulated and exempt from many federal laws, and has resulted in environmental and public health damages in other states, such as Pennsylvania. We recommend that the Board consider passing a resolution voicing concerns for our people, lands and water about this issue. A draft resolution is attached for your consideration. (*Attachment B*)

Local impacts and mitigation of climate change. The ERB drafted a resolution on February 28, 2010 concerning the importance of planning and action on climate change and its effects at the local level in Chatham County. The Planning Board endorsed this resolution in 2010 as well. We recommend that the Board of Commissioners consider adoption of this resolution. (*Attachment C*)

Comments on joint Chatham-Cary land use plan. The ERB made recommendations to the BoC on the Joint Plan Map in 2009. These recommendations include using the most protective regulations where the two jurisdictions differ, use of 10 acre lot sizes in the area north of New Hope Church Rd, and encouraging “Low Impact Development” practices. We continue to have concerns about a mixed use development this close to Jordan Lake. These comments remain relevant to the continuing discussion of the plan, and they are attached for your review. (*Attachment D*)

These are issues of great importance to the people of Chatham County and we hope you will give them your deepest consideration.”

**Maria Correa**, 1405 Goldston Glendon Road, Goldston, NC, responded to some of the comments made at the last Board meeting about gangs in Chatham County. She was a U.S. citizen by choice, noting she had wanted to be a part of the American democratic experience. She was also a proud Hispanic. If gangs were a problem they should be dealt with, but remember that there is no distinct color or ethnic requirement for gang membership and the color of your skin was not a reflection of your moral values or your immigration status. Hispanic Americans shared with all Americans the strong family values and obeyed the law. So, it was not you and not us, and it was not us and not you. It was we the people of the United States.

**Ina Kimbrough**, 10062 Fountain, Chapel Hill, NC, stated that she wholeheartedly endorsed what had been said about environmental protection. She lived in northern Chatham County and also endorsed what had been said concerning the Bookmobile. She understood how much the Bookmobile meant to the people in northern Chatham County, noting she had been a taxpayer in Chatham since 1999 and had asked when she purchased her house when the high school was going to be built, and she was still waiting. She would like to know when the students being bused from her neighborhood would have a high school, noting it was a definite need. As a former educator having been a university educator for 27 years, she wanted whatever was necessary for quality education in Chatham County. She also wanted her Commissioner, Sally Kost, to be on every committee related to redistricting.

**Randolph Voller**, 21 Randolph Court, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

“Greetings. I come before you as a private citizen, a fellow elected official and the Chair of the Chatham County Democratic Party. I empathize with you and I honor your service our community. In fact, I believe we chose to do this because we all want to continue to enhance our community.

I do not believe we are at war politically. I believe that we can reconcile our differences in the pursuit of common goals which serve and better our community.

I believe we are in an evolutionary period for civil society that ultimately will reconcile how we as a species will sustain ourselves and the biosphere in the future.

The great question is how we will manage the endeavor and what our overarching philosophy will be.

We must be all willing to consider that some of our ideas work in the abstract, but not in practice. Our beliefs will become “means tested” and we will experience a shift in perspective.

I personally had such an apotheosis in 2003, when I actually came to believe that the Chicago Cubs would win a World Title in my life time. My perspective has been adjusted. I now realize as a Cubs fan that it is not just about the elixir of victory, but the shared journey of disappointment. The Cubs will never be the Yankees---which is “ok”.

I ask that we consider such a similar shift when we evaluate the meaning of our local government and its reason for being. When we throw out fancy consultant business terms like “streamlining”, “optics”, “core functions” and “synergy” we need to remember our metric for the business of local government. We are a non-profit. We should provide value to our citizens and the business community. Our measurable is not based on the pursuit of net profit, but rather on outcomes that are directly connected to our quality of life.

In the “Death of Common Sense” author Philip Howard has an excerpt from a 1937 report on administration given to President Roosevelt:

“Government is a human institution...It is human throughout; it rests not only on formal arrangements...but even more upon attitudes..It is certainly not a machine...What we want is not a streamlined, chromium trimmed government that looks well in the advertisement, but one that will actually deliver the goods in practice.”

People matter. The spirit matters. In Deus Machine. The ghost in the machine.”

**Mimi Bryant Pollard**, 1817 Gade Bryant Road, Moncure, NC, stated she wanted to talk about what environment meant and how important environment was, and what she believed was the charge of the County Commissioners especially in a budget crunch. She implored the Board to use more data-driven decision-making techniques. She presented her comments to the Board and provided them in their entirety for the record as follows:

“I ask that we consider that our metric for Chatham County be based on outcomes that are directly connected to our mutual and shared quality of life.

To that end I leave you with three thoughts:

The arts provide outlets for self-expression and new ways of teaching and learning. The arts bridge communities and celebrate histories. We need to embrace our Arts community.

And as Edward O. Wilson said:

“It's obvious that the key problem facing humanity in the coming century is how to bring a better quality of life -- for 8 billion or more people -- without wrecking the environment entirely in the attempt.”

And finally, as we approach the new millennium, we see how much remains to be done to give our young and future generations a better world to live in: a more peaceful society with a healthier, cleaner environment and a pattern of sustainable development which seeks to eradicate poverty. Education is the single most powerful means to improve the quality of life... the single most powerful weapon against poverty and intolerance. Education builds a culture of peace ... it empowers human beings, both young and adult, to be effective in their chosen sphere of activity ... education in its essence, opens doors to both personal and social development. ~ Federico Mayor”

**Larry Ballas**, 139 Indian Creek Lane, Apex, NC, stated that he was an environmentalist but one thing it appeared they never talked about was that it was not Chatham County that polluted a lot; rather it was people that were outside of the County. Setting up all these regulations within the County to prevent the citizens from doing what they needed to do was wrong. They really needed to teach those outside the County not to pollute Chatham County.

Mr. Ballas stated that last week it was mentioned by one of the Commissioners that prayer was settled law as far as not having the Commissioners pray or offer some kind of invocation, but that was not true. Their neighbors to the west in Forsyth County had that issue going before the Supreme Court, so in the next few months to a year that would perhaps be decided. Prayer was always welcomed in one way or another, whether it was generic or specific.

Mr. Ballas stated one problem he found in the County had to do with the unemployment rate, noting it was listed as being very good. But, they had to remember that a very large number of their people who worked and lived in Chatham County worked outside of the County, and they really did not know the metrics of the people who were unemployed and who lived in Chatham County and worked in the County, and that may be something much greater than the 7% that the State had determined. He suggested that the Commissioners try to determine what those metrics really were because it would help them in their economic development and would help them in determining what type of education they needed to add to get citizens educated in order to get jobs. Was the unemployment rate in Chatham County really for the people who lived and worked in the County something like 20% or 25%, and was it because so many people worked outside the County that the rates were determined to be much lower.

## **COMMISSIONERS' PRIORITIES**

### ***Public Hearing:***

**Public Hearing on Redistricting:** Public hearing to receive public comments on redistricting. With census data available from 2010, the Board of Commissioners is considering election district (County Commissioner Districts) boundary adjustments to account for population changes based in the census. Three options have been developed for public consideration and feedback.

**Cynthia Wertz**, 425 Old Oaks Lane, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the Board as follows:

“My name is Cynthia Wertz. I live in Chatham County, and I am representing the League of Women Voters in Chatham County.

The League of The League of Women Voters is a nonpartisan political organization that neither supports nor opposes candidates for office at any level of government. It encourages informed and active participation in government, works to increase understanding of major

public policy issues, and influences public policy through education and advocacy. The League believes that congressional districts and government legislative bodies should be apportioned substantially on population. The League supports a redistricting process that is more equitable and transparent by establishing a non partisan or independent redistricting committee or citizen's group that is responsible for redrawing electoral districts. In addition, we believe electoral districts should be compact, contiguous, and respect political subdivisions or communities of interest.

The League is concerned about the process under which the three redrawn district maps were created, i.e., we are concerned about the transparency of the process. It would have been preferable to have had an independent citizens' redistricting committee oversee the drawing of new electoral districts for approval by the BOC. When political parties alone redraw the electoral maps, it creates suspicion in voters' minds of gerrymandering. As far as we know, the proposed redistricting maps were drawn without formalized citizen input. Receiving citizen's input on the proposed maps tonight is a step in the right direction, but without further citizen involvement, the process is flawed. Not knowing the full thought process used by BOC members in redrawing the districts makes it difficult for the League and voters to understand all the considerations made in creating the new districts and to judge how fair the proposed districts are in the voters' minds.

To be more specific:

1. Why hasn't the BOC worked with the Chatham County School Board to align their electoral districts? Each political entity has five districts; the districts used to align. It is very confusing to the voters that they vote in one district for a commissioner and another for a school board member and yet another for their Congressional and state legislative representatives. It is obvious that you were not considering aligning the districts because you put three incumbent school board members in a single district in Options 1 and 2. Yet, one of your criteria's in redrawing the Commissioner's districts was to ensure that no two incumbent commissioners were in any one district.

2. Communities of interest should be kept together. The Fearrington community is split into two districts in Option 1, and Siler City is split into two districts in Option 2. Why? Are there other political subdivisions and/or communities of interest that have been split but may not be obvious on the proposed maps presented? Splitting communities of interest causes voting administrative issues. Administration of ballots during the election process (early voting and especially election day) will be much more difficult. For example under Option 1, some voters in Fearrington would receive one district ballot and others would receive a different ballot both at the same precinct. With current administrative problems in the election process where some district lines are not coterminous with precinct lines, this would create more issues and more costs for the Board of Elections. While technology may make it easier to get information about which ballot a voter gets, there is still the tax payer's expense of printing multiple ballot forms, distributing them to the right place and in the right quantities, and the people in the polling place having to spend additional time making sure each voter gets the right ballot. With the plan to shorten early voting, more voters will likely be voting on election day or by absentee ballot. All of these situations will cost the county time and money to "get it right".

3. Because of the disbursement of the voting age population (VAP) of Chatham's African American and Hispanic residents, it is difficult to create a majority minority district, defined as one minority group that is 50% plus one more in population. Yet, Chatham's African American and Hispanic VAP together represents 26% of Chatham's VAP and have much to contribute. There are no districts drawn in Options 1 or 2 that would provide a "Coalition District" for Chatham's minority voters. While there is no strong evidence that would indicate that African American and Hispanic groups vote together on issues, a "Coalition District" would provide Chatham's minority voters a better opportunity over the next 10 years to have a representative member on the BOC, as their representation in the other proposed districts range from 15 - 48% in Option 1 and 16% - 40% in Option 2. Please consider a "Coalition District" in the final redrawn electoral maps, such as District 4, in the proposed Option 3 map, where the African American and Hispanic voting age population comprises 56% of that district. Redistricting must be completed by the end of 2011 so that candidates running for office in 2012 can file in February 2012. Thus, there is time to involve more citizens in the process of redrawing their electoral districts. There is time to work with the Chatham School Board, who is meeting tonight to discuss where their district lines should be drawn, to ensure that voting

districts align and that voter confusion is reduced. The League would like to work with both the Board of Commissioners and the Chatham School Board to help achieve more transparency in this process and more citizen involvement. All Chatham County citizens care about the future of their children, of themselves, and of their community. It is their future. Will they be able to choose their representatives or will you choose for them?

Thank you for your time and allowing me to speak tonight.”

**Jeffrey Starkweather**, 590 Old Goldston Road, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the Board as follows:

“Chairman Bock. You have aggressively promoted what you claim is your election victory right to implement the campaign ideology and policy platform you ran on. Your supporters clearly agree with you as we seen them parade up to this podium to proudly congratulate you and the majority for doing just that.

I would, of course, argue that this campaign platform push has at times been at odds with reality here in Chatham and is not in the best interests its residents. Regardless, this is your political right.

However, when it comes to the issue of reapportionment, you have abandoned at least three campaign promises: 1) drawing commissioner districts that match school board districts; 2) consideration of a seven-member board with a combination of district only and at large seats and 3) open government. These were specific campaign promises you made in writing.

Now, I suspect you would cite practical realities you are confronted with as a basis for abandoning these promises. But you have not let practical reality hinder your implementation of many other campaign promises, such as your steamrolling our environmental regulations and review processes.

As Commissioner Kost and I stated when we ran for office in 2008 and have consistently stated since, we support a fair citizen participation redistricting process that would seriously consider some combination of district only and at large seats with seven board members. In speaking to the Chatham Conservative Voice candidate forum in April 2008 I stated my preference would be a four district only and three at large seat combination but was open to other suggestions.

Cadle Cooper, who lost a close Republican primary contest to Mr. Bock, has told me he supports a 4-3 combination system because it would allow every voter to cast a vote for a majority of the seats. I would add that all three incumbent Democratic County Commissioner candidates in 2010 supported considering such a mixed system as part of deliberate citizen input redistricting process.

To be clear, I opposed the district only voting proposal on the November 2006 ballot for three reasons: 1) the process was unfair and hurried; 2) the district map was unfair and gerrymandered Commissioner Patrick Barnes from seeking re-election; and 3) it converted all seat to district only elections.

I still oppose a district only election system.

During the campaign, Mr. Bock wrote “ I support the BOEs’ request to have districts match the BOC districts.” Yet, you did not involve the school board in drafting your two proposed maps. The result was that three incumbent school board members were located in the same district.

Mr. Bock also wrote “I support the idea of 5 members being elected by citizens of their districts and two being voted by all the citizens.”

Most upsetting is that you have ignored your open government campaign promise by denying a legitimate request from Commissioner Kost that we set up a citizens’ task force to review and make recommendations concerning alternative maps, increasing board size, and consideration of election system of district voting only, at large, and a combination of both. But

it is not too late for you live up to these three campaign promises. Such a citizens' task force could do its work in a couple of months, as the Courthouse Task Force did.

Open government means more than letting citizens comment on or watch a video of the commissioners' discussing redistricting maps you and Commissioner Petty privately drafted. True open government includes citizen input and deliberation before decisions are made."

**Heather Johnson**, 449 Foster Lane, Pittsboro, NC, stated that with all the talk about government transparency and an open process involving redistricting there had been complaints about citizen input. She said here they were, at a public hearing, and there had been maps available on line for a week. There had been two town hall meetings, one in the western portion of the County and one in the eastern portion of the County, both of which had been publicized where public input was taken. One of the concerns about the process under which the redistricting was being done was that there was not a citizen advisory group. She wanted to remind everyone that back when Commissioner Lucier had taken over the process, he had removed it from a citizen advisory group that he had not agreed with and taken it upon himself. They had a citizen advisory group that was nonpartisan that followed State regulations and one public official had not agreed with it so he had taken it on his own and had redrawn the lines himself. He had not restored them to "pre-Bunky" lines; he had changed them again. So to continue to impugn Commissioner Bock on his leadership of this process was misguided.

Ms. Johnson stated that in a census-bearing year the citizens of Chatham selected the leadership who would redraw those districts. Consider this: the citizens of Chatham were very well aware that redistricting would take place in that election cycle, and they had chosen the leadership. They had seen quick, decisive leadership as soon as the census numbers had come in, and thankfully they had very smart lines that made sense and were logical, followed major highways, and fell in line with all of the State regulations regarding demographics. Therefore, she supported Map 2. She appreciated the work that had been done, and additionally she appreciated Ms. Kost's work as well. But, they did have leadership in Commissioners Petty and Bock and believed their work had been well publicized for some time to the entire community, and that spoke volumes.

**Cathy Regula**, 19206 Stonebrook, Pittsboro, NC, stated she supported Map 2 because it kept Ferrington in the same district. She also believed that that map was superior to the Kost map because it did follow major roads and township lines, and believed that the Commissioners were following the tradition in having meetings where citizens were present, although it could become chaotic to have too many. It was also true that these maps had been available and there had been adequate discussion on all the issues, and believed it was time to move on to the final stages of choosing maps.

Ms. Regula stated she believed that the Democrats had spoken often about wanting justice and fairness regarding the redistricting process, and it seemed to her that it was the Republicans that should get fairness and justice this time around. After all, it had been 140 years since they had had the choice and the opportunity to even make these decisions at all. Secondly, how fair and just were the Democrats for 140 years when they did the redistricting. And what about the gerrymandering that goes on right now and trying to undo the mess they had made of gerrymandering in this County and in this State. There was a time in this State when anyone who was not a Democrat could not get a job.

Ms. Regula stated when she had worked the polls during the last election and she had seen a Police officer in uniform but off duty try to vote the Republican ticket with a Republican sample ballot. One of the Democratic pollsters shouted at him "You had better vote Democrat if you want to keep your job." That was just last year, so things had not changed that much. It is time for justice and fairness for the Republicans in redistricting. It is their prerogative. The Democrats never had committees. The Democrats never shared the decision-making.

**Linda Arnold**, 55230 Broughton, Pittsboro, NC, urged the Board to consider Map 2.

**Keith Horil**, 1620 New Hope Church Road, Apex, NC, expressed his support for Map 2. After reviewing all of the maps and looking at what the objectives were for each, Map 2 was the least representative of gerrymandering and was the fairest overall. Map 2 was a very fair map that represented the citizens of Chatham County.

Commissioner Kost stated that she had worked on option 3 which was referred to as the Kost map but should be referred to as option 3. She asked if Mr. Horil would explain to her where he believed it was gerrymandered. Mr. Horil asked if the public hearing was a time for him to speak or a time for her to question him. Commissioner Kost stated she would like to hear the answer. Mr. Horil stated he declined to respond to that question at this time but would be happy to meet with her at a later time.

Commissioner Petty asked that the meeting remain honorable and respectful. They all had their opinions and that was what public input and public hearings were all about. They were glad to welcome all of those comments, but asked that it be offered in a respectful manner.

**Ina Kimbrough**, 10062 Fountain, Chapel Hill, NC, stated she had lived in another state in 2000 and had worked on the census there. She pled with the Board to be totally fair and to make sure that all demographics were included in redistricting. Otherwise, people would feel that they were not represented when they voted. She requested that the Board reconsider some of the decisions already made and make sure that everyone was included. She supported Sally Kost's redistricting plan.

**Randolph Voller**, 21 Randolph Court, Pittsboro, NC, stated that these maps should not put them in the position that they were at war politically. This was something where they could come together as a community working with the Board of Commissioners, hopefully the Board of Education, the municipalities and anyone else who wanted to participate in the process. This was not a Democratic party, Republican party, Libertarian party or unaffiliates; it was just an issue for them. These options were three tries at it, but believed they could look at the issue in depth and perhaps do a little better. Let's rewind the tape to 2006 when they had gone through the maps and they were doing the best job they could for the purposes they had in mind, but they had not had the U.S. census figures. The next Board in 2007 and for whatever their reasons had wanted to correct it, but they did not have the census figures either so the process was not perfect. But now, we have the census data. They have everything they did not have in 2006 and 2007 and a resolution from the School Board requesting that the Board conform the districts. The School Board would be requesting a bill from the Legislature to give them the ability to work with the Board of Commissioners. This was a unique opportunity for the citizens of Chatham County to come together and do it right.

Mr. Voller stated that the process had obviously worked before because the three new Board members were elected. No one ever thought that Republicans would be elected but they were. So, the system worked, the early voting worked, and it worked for both sides. It's about message. It's about what the people want.

Mr. Voller stated that he respected and understood the previous speaker who had talked about the 140 years of Democratic rule. At one time the Democratic party was everyone. It had conservatives, it had races, it had liberals and populace and everything in between. Then it started to fracture. To say that the Republican party of 1898 when Daniel Russell was the governor was the same as the one today was just wrong. Some people might say the new boss was the same as the old boss in Raleigh. It was still older white guys running the show. He was 42 and had younger siblings who did not believe they were being represented, so nothing had changed. But, they could change and this process was a part of that change.

Mr. Voller stated that it was not unusual for a public official to question a speaker. They did it in Pittsboro often if someone brought up something of interest. He did not believe Ms. Kost was being rude; she just wanted clarification.

Commissioner Kost stated that was exactly what she had wanted.

**Larry Ballas**, 139 Indian Creek Lane, Apex, NC, stated he was trying to understand what redistricting was in Chatham County. They had districts in which people had to live in order for everyone in the County to vote. It was not district voting they were looking at with redistricting; it was addresses. That meant that all of these maps were gerrymandered and not just one or two of them, because they all had borders on them and they were all eliminating someone from running for election in a particular district when perhaps they would have been able to without the redistricting. He did not quite understand what redistricting was doing in Chatham County other than establishing what someone's address was. It did not make them a better county and it did not make them a more representative government because everyone in the County would be

voting for every person in every election rather than by districts. So, it did not matter what the borders looked like except from the point of view that if they did not want you to run in a particular district they would draw a line and eliminate your address.

Mr. Ballas stated they needed to change the entire thing in order to have district representation and he was in favor of going to district only voting. They could have a few at-large seats that everyone would vote for, which was what they were doing now because all seats were at large even though they had to live in a particular district. There was no State law that he was aware of that required them to have districts, so why did they have districts. It was so that people could live at a certain address and then have fair representation based on addresses and not on the quality of candidates. The only reason they had districts was to eliminate or make sure that people lived within a certain boundary with a certain address, and it eliminated some people who perhaps would like to run for office. A good argument could be made that it was discriminatory in some ways, because it eliminated some people from running for office. What do districts really mean in this County?

**Richard Bradley**, 929 NC 87 North, Pittsboro, NC, stated that if they were going to have districts they should follow as distinct lines as possible, such as major highways, major rivers, and as close to township lines as possible. A map with the straightest line possible would also be better. And, you had to follow the State regulations in regards to demographics when you drew those lines. Therefore, he supported Map 2.

Mr. Bradley stated in regards to remarks made at the last meeting, there were some people who really needed to get a copy of the U.S. Constitution and read it. There were comments made at the last meeting that were attributed to the Constitution that were not found in that document. The President needed to get a copy and read it as well. It plainly said that if you ran for a federal office you could not take another office until you had fulfilled your previous elected term. It ought to be that way on the local and the State level and all the way up to Washington. When you get elected to an office, you should not be able to take another job with the government or run for another office until you finished the first one out.

**George Lucier**, 628 Redbud, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

“Three redistricting plans have been put forward in order to address changes in census blocks between 2000 and 2010. The population shifts have been dramatic and it is appropriate to revise districts for Board of Commissioners’ residency requirements.

The proposals put forth by Commissioners Bock, Petty and Kost all have merit and all address the population changes that we have experienced over the last 10 years.

I am not here to advocate for any of the proposals. I am here to request that you establish a joint committee between the Board of Commissioners and the Board of Education for the purpose of establishing districts that are agreeable to both Boards. I urge you not to make a decision on the BOC districts until this Joint Committee has had the chance to evaluate the three proposals and to come up with a different proposal if they so wish.

Now, I understand that the BOE has requested that the State Legislature allow them to set their own districts. I would be surprised if the legislature would not vote for a proposal agreed upon the Chatham County Board of Commissioners and Board of Education.

The Joint Committee should address the following areas.

1. Evaluate the three proposals that have been made public.
2. Evaluate whether the BOC and BOE should increase from 5 to 7 members.
3. Evaluate whether a mixed system of districts would work best for Chatham County. For example would it be best to have 4 members of each Board to be elected by district only voting and three to be elected at large by the entire county.
4. There may be other charges to the committee that you wish to establish.

You have an opportunity to work with the BOE on this important issue and to provide clarity on voting districts to the citizens of Chatham County. Please take advantage of it.”

**John Graybeal**, 3396 Alston Chapel Road, Pittsboro, NC, stated that in regards to Ms. Johnson's comments he believed there was a very different situation if you had citizens who were chosen at large or from various different points of view involved in the map making process in the beginning as opposed to having maps placed on a wall that they only now had the opportunity to comment on. He rejected her claim that the opportunity for citizen input they had tonight, while wonderful, was in any sense the equivalent.

Mr. Graybeal stated that former Commissioner Lucier made an excellent point in suggesting that the maps they now had could be reviewed by the BOC and the BOE and perhaps other interested persons for purposes of determining whether or not they had something that made sense. The process was not over and that could still be done, and he strongly agreed with Mr. Lucier that it should be done. It was his understanding that the objectives that were recently set out for the districts by the Commissioners running for election was that they would basically not disturb any existing incumbents. On that basis he gathered that options 1 and 2 flunked that test. The map that Commissioner Kost had designed dealt with that situation as best as it could be dealt with, and to that extent it had merit over the other two.

**Donna Kelly**, 553 Holly Glenn Road, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

"When it comes to redistricting my most important concerns are even populations and boundaries as compact as possible. While it's important to have representation from each part of the county, currently reflected by residency in separate districts, it's more important for commissioners to base all decisions on what is best for the county as a whole. This is best reflected by countywide elections. On most issues there is a wide diversity of opinion spread throughout the county so I don't think any true representation by districts is possible on those issues. All concerns do need to be addressed and balanced as much as possible but commissioners shouldn't make decisions based on what's best for their district if it's at the expense of the rest of the county.

The most important issue is to keep the district lines as compact as possible so people can clearly see which district they are in. Hopefully the precinct lines will be redrawn as well to coincide with the new district lines where possible. The primary goal of any political process should be to encourage more involvement and the best way to do that is to keep things as simple and straightforward as possible.

With these things in mind I'd rank Option 2 as my first choice, followed closely by Option 1 with Option 3 as a distant third choice. Although it would be nice to keep Siler City in one district it makes for rather strange lines. Also, District 1 is more compact in Option 2. Option 3 has three very oddly shaped districts rather than one oddly shaped district in the other choices so that's why I'd rank it a distant third.

The Board of Commissioners should solicit input from the Board of Education since they're considering using the same districts, but it's not feasible to draw lines that would protect all 10 incumbents from both boards, especially when the current BOE districts are so unbalanced. While protecting incumbents is one way to avoid controversy I'm not sure it's really desirable to base districts that affect the entire county on where 10 people happen to live at this time."

**Donna Worthington**, 512 Park Drive, Siler City, NC, stated she had intended to speak during the Public Input session but would speak now although not on redistricting. A few years ago she had moved home to Siler City after a long absence. Since her return she had been greatly impressed by the improvements in development which had been made in Siler City and all over the County. However, it was disturbing that practically all the manufacturing base had been closed or outsourced overseas. Job creation was considered by most Americans to be their greatest challenge and that was what was facing their country now. Economic development must be their top priority in addition to education reforms that would provide skilled workers. The existing CCCC facility and the new Siler City campus was a prime example of development which would help alleviate their economic and unemployment problems. As well, the Siler City Arts Incubator project had much potential to put Siler City and Pittsboro on the map.

Ms. Worthington stated that in addition to possessing some of the most beautiful towns and rural areas in the State, Chatham County had so much potential for growth and job creation.

It offered a prime location near the nationally known three universities and the Research Triangle Park. It also provided a direct route to their coastal port, an excellent transportation system, and close proximity to airports. But the most critical need for development lay within its people. Chatham County could provide a hardworking decent workforce consisting of some of the finest hardworking people in the world whose gracious hospitality was well known.

Ms. Worthington stated she hesitated to end on a negative note, but on the local radio station she had heard comments about “the dictator” and “the evil coalition of north Chatham.” She was really disappointed in that. After coming back home to Siler City she was very shocked to hear that. One thing that should be considered was that divided they would fall, but united they would stand and prosper.

**Diana Hales** 528 Will Be Lane, Siler City, NC, stated that Jeremy Poss in the County GIS Office had really done the County very well. They gave Mr. Poss parameters that the Board was concerned about and he was able to use that information to create maps. The map was the representation of the population. The whole idea of redistricting had to do with population movement. The whole idea of representative democracy was to provide as equal a voice as possible, so district lines were where the population lived. Sometimes you would have very tiny districts because they had a large population, but others would be very broad because the population was more diffuse.

Ms. Hales stated she had been very interested in Mr. Lucier’s remarks, noting there was no rush here. The School Board wanted to have new districts and it seemed ridiculous to have two sets of districts: one for the School Board and one for the Board of Commissioners. They should be the same, because it was confusing enough between the precincts and the townships to add that additional problem to ballots where you had two different districts. There should not be a breaking of entities; cities such as Siler City or Pittsboro or even Fearington which was in its own way a community. Option 3 handled a number of considerations including incumbency which was not handled in option 2, and would suggest along with Mr. Lucier’s recommendation that they actually work with the BOE and have another try at it. She was sure that Mr. Poss would be willing to spend the time with the Board and try to make the lines come out so that they had fairly equal populations in each of the districts.

**Judi Andersen**, 11415 Governors Drive, Chapel Hill, NC, stated that she had spent a long career in issue management and public policy. She could tell them both personally and professionally that so far, the process for redistricting lacked transparency and she thought deserved better treatment. She would like to echo what others had said about having a task force or some kind of a group of nonpartisans to provide input to the redistricting process and to recommend solutions for critical issues. Nothing short of a collaborative effort would reflect appropriately on the Board’s effort, because in some ways it did not look good on them. Nothing short of impartial forward-thinking deliberation would benefit all the citizens of the County, regardless of where the elected official lived.

**Carol Kurtz**, 27 West Madison in Fearington Village, Pittsboro, NC, stated that she wanted to speak exclusively to the issue of not dividing Fearington Village in regards to redistricting. On option 1 they had split a community that should be continuous, contiguous, and remain unified. They had talked tonight about the lines and doing what was logical, and it defied logic to separate and split Fearington Village. Fearington Village was a community of mostly seniors and they were no longer among the employed, which meant they had a lot of time for issues such as this one which would really raise the dander for many of them. They would get together with a lot of statistics and a lot of arcane legal points, and a lot of cartographers would get involved. You do not want to go there. It would be like putting your hand in a hornet’s nest. Just keep Fearington Village together. And, they liked option 3.

Commissioner Kost stated that in the beginning Ms. Wertz, speaking for the League of Municipalities, had said that by doing this the way they had done it raised a lot of suspicion. If anything this public hearing tonight had really re-emphasized that. She had advocated at the beginning of this process to do what so many people had requested tonight, and that was to have a task force to study the issue to give it some credibility. It could be nonpartisan or it could be representatives of both political parties, the Green party and whoever, but again put it in the hands of the citizens because they had raised a lot of suspicion by doing it this way. That was why she had questioned Mr. Horil about his comment about gerrymandering, because to her gerrymandering would be for her to take option 3 and to look and see who could win, and that

was not what she had done. If they were not going to have a transparent and open process with citizens driving this, then she had wanted to present a map that did two things. She had wanted to try to protect the Board of Education members. The goals of maps 1 and 2 were to protect the County Commissioners, but this Board had agreed in March that they would have one in the same, and that they would have districts on which the BOC and the BOE would agree. That would be difficult because that would be ten incumbents across the County, and it was difficult to draw the maps and to make them balanced. That was what she was trying to do with map 3, not trying to see which one would be more advantageous for Democrats or Republicans. That simply was not what she was doing. So, if Mr. Horil were still present she would apologize if he thought she was trying to put him on the spot because that was not her intention. Her intention was to try to understand how he thought that she was doing any type of gerrymandering.

Commissioner Kost stated she had also tried to keep the townships together but it had become very difficult. She believed that in options 1 and 2 that they worked starting from the east and moved west, and she had done it the opposite way. Her goal was to keep the ETJ's for the towns together, but it had become difficult in the western part of the County simply because the numbers did not work. That was why Siler City had to be split. But, they knew that Pittsboro was under a great deal of growth pressure, especially with the Preston development, so she had tried to keep the ETJ together with the Town of Pittsboro. Finally, she had tried to keep together the far east of the County in the Cary-Chatham joint land use area because it was on the eastern side of the lake and some of that would eventually become Cary. She reiterated that there was no gerrymandering, and there was no Democrat versus Republican. That was simply her objective in trying to coming up with the third map.

Commissioner Petty stated that this issue was not something that would be decided tonight but would be taken back up at the meeting on July 18<sup>th</sup>. He was not sure what the proper protocol was for the Board to question speakers or for speakers to question the Board, and he respected Mayor Voller and his views. But, because many times they had so many speakers the Board had tried not to have any interaction with the speakers because it caused the length of input session to become cumbersome and oftentimes created debate. On both of the issues tonight they had tried to allow the speakers to say what they felt necessary and to listen to that input. He did not know that there was a protocol, but that was the overall process the Board had used in the past.

Commissioner Petty stated in terms of the maps, he had been involved in that process. They had tried to address the same issues that Commissioner Kost had mentioned in terms of keeping the townships together. It got somewhat difficult with Siler City already being split, and because they were accustomed to that they had left it the same. They had tried every way possible to marry everything up and keep the townships the same, but it just had not worked. However, all of the maps met the guidelines they had to follow in terms of demographics. The intent was to try to make it as clean and easy as possible and to follow the major corridors, roads and waterways to give them a well-defined line to make it easy for people to determine in which district they were located. The Board would take all of the input into consideration and they would discuss it again on July 18<sup>th</sup>.

The Vice Chair closed the public hearing.

### **PRESENTATION BY THE HUMAN RELATIONS COMMISSION**

This item was removed from the Agenda and rescheduled for the July 18, 2011 Board of Commissioners' meeting.

### **MINUTES**

#### **June 01, 2011 Budget Minutes:**

Commissioner Kost stated at the June 1<sup>st</sup> budget work session they had had a very long dialogue with the Board of Education about various issues, but detail was lost in the minutes and was not included. She requested that the Clerk go back and capture some of those details from that budget work session, because it was not videotaped and she believed the minutes needed to reflect what the discussion was. She believed that the Board would be agreeable to that, and she had already spoken to the Clerk.

**June 06, 2011 Regular Minutes:**

Commissioner Kost stated that they had received a lot of written public comment from individuals who had not spoken at the meeting, and one in particular she had noticed because it contained comments that she would have actually addressed because they were not true. But, those written comments had been included in the minutes. As a procedural issue, she suggested that if the Board accepted comments from individuals for the record but those individuals had not spoken at the meeting that those comments become an attachment to the minutes and not be integrated into the actual proceedings of the meeting. To her, the minutes should reflect what was said.

Commissioner Kost moved, seconded by Commissioner Cross, to amend the June 6, 2011 Regular Minutes and remove all of the comments from individuals who submitted them and did not personally deliver them in person and to add them to the minutes as an appendix. The motion carried four (4) to zero (0).

**PUBLIC SCHOOL IMPACT FEE EXCEPTIONS**

Commissioner Petty stated that for the purposes of this discussion, he would attempt to contact Chairman Bock by phone to participate.

The County Manager stated that this item had come up several times in the past and concerned a housing facility for older adults and whether they should receive an exception from paying the school impact fee. There was some question about whether that could legally be done. The proposal was to impose provisions that prohibited anyone older than 18 from staying overnight in such a facility for more than 14 days in a consecutive 12-month period. If the Board was favorable to that, then those types of facilities would be exempt from school impact fees.

Commissioner Kost stated for clarification, this needed to be a unanimous vote by the Board of Commissioners. Jep Rose, County Attorney, stated that when it was passed the first time it must be by unanimous vote. Commissioner Kost stated that was the importance of having Chairman Bock available by phone.

Commissioner Petty was successful in contacting Chairman Bock by telephone to discuss this issue and to participate in the vote. He informed Chairman Bock that the Attorney and the County Manager had just updated the Board on the impact fee issue which he was familiar with, and they would need a full Board consensus and that was why he was being asked to participate.

Chairman Bock stated by phone that he was familiar with the issue and was available for the vote.

Commissioner Cross moved, seconded by Commissioner Stewart, to approve the construction of a housing facility for older adults (whether assisted living or independent living) provided there are legal provisions that prohibit children under the age of eighteen (18) from staying overnight in the facility for more than fourteen (14) days in any consecutive twelve (12) month period. If such a facility changes its requirements such that children under the age of eighteen (18) are allowed to stay overnight in the facility for more than fourteen (14) days in any consecutive twelve (12) month period, then at that time the educational impact fee shall be paid in the amount applicable at the time of the conversion and adopt **An Ordinance Amending the Chatham County Educational Facilities Impact Fee Ordinance**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Petty ended the phone call to Chairman Bock.

Commissioner Kost asked had that motion included the technical amendments they had with the renumbering. She believed they needed to do that, but did not believe that had been a part of what they had voted on. Mr. Rose confirmed that the renumbering had not been a part of the motion, but had been a separate item under the Consent Agenda.

Commissioner Petty contacted Chairman Bock by phone again to participate in the vote on an amendment to the Impact Fee ordinance. He stated the issue was that the renumbering was on the Consent Agenda on which there were only four votes, but it actually required that the full

Board vote unanimously on it. Therefore, that was why Chairman Bock had again been contacted by phone in order to participate in the vote.

Commissioner Kost moved, seconded by Commissioner Stewart, to approve the amendment to the Chatham County Educational Facilities Impact Fee Ordinance to correct section references from the Zoning Ordinance. The motion carried five (5) to zero (0).

Commissioner Petty ended the phone call to Chairman Bock.

### **MANAGER' S REPORTS**

The County Manager had no reports.

### **COMMISSIONERS' REPORTS**

#### **Redistricting:**

Commissioner Cross made a plea to the Board majority, because he feared that at the next meeting the only time he would have to say this was just before the vote on redistricting. He would ask that they speak with the Chair and make an effort to put the BOC together with the BOE and get the districts straightened out together. If they did not want a citizens' committee that was one thing, but they did need to get the districts together and the two Boards needed to work together. He asked that they consider that, noting there was plenty of time to accomplish that.

#### **Internet Meeting:**

Commissioner Kost reminded everyone of Commissioner Stewart's Town Hall Meeting was on Thursday Night at 6:30 PM.

Commissioner Stewart stated she wanted to make a comment about what that meeting was about and what it was not about. She was trying to bring the service providers together with the citizens and talk about how they could go forward to improve the broadband service in the County, as well as how to get funded. One of the problems they had with getting funding was that in some ways they did not qualify, so they wanted to work with those providers and figure out ways that they could fill those gaps. That meeting would not be about finger pointing and saying that the providers were not doing this or that. It was an opportunity for questions to be asked and answered, and for citizens to hear from the providers about what they had thus far done and what they were doing today. Of course, because that was a business those providers would not be able to share what their specific plans were for the future because their competitors would be in the same room. She had had discussions with some of those providers one on one and they truly wanted to provide as much service to the County as possible, because that was what they were in the business to do. So, it was in their best interest to get broadband into Chatham County whether it was through special funding the County would qualify for or some other way. They were as eager to provide broadband as the citizens were to get it, and that had been made very clear. They only needed to work out how they would be able to achieve that with logistics being what they were and with the County being so rural.

#### **Chatham-Cary Land Use Meeting:**

Commissioner Kost reminded everyone that the Cary-Chatham Land Use meeting was scheduled for June 29<sup>th</sup> at North Chatham School at 6 p.m.

#### **Sludge Sites and Sludge Application Maps:**

Commissioner Kost stated that tonight Elaine Chiosso had made mention of a lot of information dealing with maps of sludge sites and sludge application. She believed that would be beneficial to have on the County's Website, and asked that staff please look over that information and come back on July 18<sup>th</sup> with a recommendation. That information was very factual and did not state a position one way or the other, but the ERB had made that request and she would like to follow up on it.

**Public Art Standards:**

Commissioner Kost stated that several months ago she had talked about the need to have some sort of standards for public art, and as the new Justice Center was being constructed they had talked about public art in that facility. She wanted to remind staff and the Board that that was an issue they had said they would develop some standards and some guidelines for, and she hoped that they were moving forward with that.

**ADJOURNMENT**

Commissioner Kost moved, seconded by Commissioner Cross, to adjourn the meeting. The motion carried four (4) to zero (0), and the meeting adjourned at 7:37 PM.

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Brian Bock, Chairman

ATTEST:

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