

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JULY 18, 2011

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 July 18, 2011.

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

Staff Present: Charlie Horne, County Manager; Jep Rose, County
Attorney; and Sandra B. Sublett, 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 Bock welcomed those in attendance and called the meeting to order at 6:05 PM.

AGENDA AND CONSENT AGENDA

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

Chairman Bock asked that:

- The June 6, 2011 Board of Commissioners regular minutes be removed from the Consent Agenda and placed on the regular agenda for discussion.
- Item #11, Law Enforcement Parking Lot Improvements Bid, be removed from the Consent Agenda and placed on the regular agenda for discussion.

Commissioner Kost asked that:

- Item #17, Triangle South Workforce Development Board, be clarified to show that the two vacancies are a full Board appointment.

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

1. **Minutes:** Approval of Board Minutes for the Regular Meetings held ~~June 6, 2011~~ and June 20, 2011, Work Session held June 20, 2011, and Budget Meeting held June 01, 2011

The June 6, 2011 were removed from the Consent Agenda and placed on the Regular Agenda for discussion.

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

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

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

4. **Funds Acceptance for Health Department:** Approval of a request to accept funds in the amount of \$43,916.00 to the Children's Trust Fund for the Chatham County Public Health Department

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

5. **Funds Acceptance for Health Department:** Approval of a request to accept funds in the amount of \$66,478.00 for a twelve-month period. The allocation is for the Children's Resource Van. The initial four-month contract amount is \$21,938.00.

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

6. **Funds Acceptance for Health Department:** Approval of a request to accept grant funds in the amount of \$42,733.00 for a twelve-month allocation period for the Focus on Father's Program and the initial four-month contract amount of \$14,102.00.

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

7. **2010 Community Development Block Grant Scattered Site Housing and 2010 Community Development Grant Economic Recovery Programs:** Approval of compliance documents for submittal to the NC Department of Commerce, Community Investment & Assistance for the 2010 Community Development Block Grant Scattered Site Housing and 2010 Community Development Block Grant Economic Recovery Programs

- Resolution #2011-33 Approving Administrative Resolutions/Policies, attached hereto and by reference made a part hereof.

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

- Citizen Participation Plan, attached hereto and by reference made a part hereof.

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

- Equal Employment and Procurement Plan, attached hereto and by reference made a part hereof.

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

- Procurement Policy, attached hereto and by reference made a part hereof.

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

- Resolution #2011-34 of Commitment to Further Fair Housing, attached hereto and by reference made a part hereof.

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

- Recipient's Plan to Further Fair Housing, attached hereto and by reference made a part hereof.

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

- Local Economic Benefit for Low-and Very Low-Income Persons Plan, attached hereto and by reference made a part hereof.

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

- Residential Anti-displacement and Relocation Assistance Plan, attached hereto and by reference made a part hereof.

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

- Section 504 Compliance Officer/Grievance Procedure, attached hereto and by reference made a part hereof.

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

- Resolution #2011-35 Concerning Community Development Code of Conduct, attached hereto and by reference made a part hereof.

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

8. **Final Plat Approval of “Briar Chapel, Phase 5 North”:** Approval of a request by Bill Mumford, Assistant Vice President on behalf of NNP Briar Chapel, LLC for final plat approval of “Briar Chapel, Phase 5 North”, consisting of 174 lots on 45.92 acres, located off Andrews Store Road/Parker Herndon Road, Baldwin Township

The plat meets the requirements of the Subdivision Regulations and the Compact Community Ordinance with other agency approvals.

As per the Planning Department and Planning Board recommendation (by unanimous vote), approval of the financial guarantee and approval of Briar Chapel, Phase 5 North was granted with the following two (2) conditions:

1. The plat not be recorded until the County Attorney has approved the form and amount of the financial guarantee.
2. The plat not be recorded until the public roadways have sufficient travel surface for emergency vehicle access in order for the public health and safety to be protected.

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

9. **Joint-Use Library Inter-Institutional Agreement:** Approval of the Maintenance and Operations Supplement to the Joint-Use Library Inter-institutional Agreement, attached hereto and by reference made a part hereof.

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

10. **Non-Profit Contract:** Approval of the Contract between Chatham County and Chatham Trades, Inc., attached hereto and by reference made a part hereof.

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

11. **Law Enforcement Parking Lot Improvements Bid:** Approval of request to award the bid for the Law Enforcement Parking Lot Improvements in the amount of \$366,077.00 to Raleigh Paving and authorize the County Manager to sign the contract on behalf of the County

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

12. **Designation of Voting Delegate to NCACC Annual Conference:** Approval of Commissioner Mike Cross as the Designated Voting Delegate to NCACC Annual Conference.

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

13. **Foreign Trade Zone #93:** Approval of a letter of support from the County for inclusion in the expanded service area of FTZ #93, letter attached hereto and by reference made a part hereof.

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

14. **Appointments to the Board of Health:** Approval of a request to reappoint members to the Chatham County Board of Health:

Rachel Stephens, full Board reappointment
Bill Browder, full Board reappointment
Mary Jackson, full Board reappointment
Gregory King, reappointment by Statute (Engineer)
Joanna Tysor, reappointment by Statute (Veterinarian)

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

15. **Resolution Encouraging the Citizens to Observe Firefighters Week in Chatham County, NC:** Approval of **Resolution #2011-36 Encouraging the Citizens to Observe Firefighters Week in Chatham County, North Carolina during the week of September 11th in North Carolina**, attached hereto and by reference made a part hereof.

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

16. **Housing Authority Appointments:** Approval of Housing Authority Appointments, **Vicky Oldham** and **Paige Otos**

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

17. **Triangle South Workforce Development Board:** Approval of Theresa Isley to the Triangle South Workforce Development Board for a two-year terms by the full Board

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

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. As my grandfather used to say, ‘when you step on someone else’s shoes to get their attention, you should leave the shine.’

I come before you because we have differences of opinion, but not differences between us. In fact I would like to take this opportunity to compliment the County staff. I was showing property to a gentleman today in Pittsboro who said he has worked with a number of neighboring counties and he felt Chatham County had the friendliest and most helpful staff in the region.

His thoughts tie into my belief that the dividend of good government is community. And the payback for our stewardship and good policymaking is Chatham County.

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.’

I mention these ideas again because of a conversation I had this weekend at Betty Wilson’s 80th birthday celebration with her eldest son Marshall Wilson. Marshall grew up in Pittsboro. He was schooled here. He was a senior in the first graduating class of Northwood High School. He became an architect and he is well traveled.

Marshall related to me a story about his travels around the country working with clients and visiting communities. His conclusion is that successful communities are not engaged in a race to the bottom, don't have the lowest taxes nor a lack of zoning and environmental controls, but rather the communities that had the highest property values and the best quality life were those that invested in themselves. They funded schools, they built parks, they supported investment by the public and private sector in their communities, they supported planning and preservation and they have prospered.

Again, in a nutshell, our metric for local government is not based on the pursuit of net profit, but rather on outcomes that directly connect to our quality of life.

And to the extent that we pursue common goals which serve and better our community we will become a place where people want to live as opposed to have to live."

Ruth Moose, 18 Caldwell, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

"The only thing worse than stupidity is ignorance. IGNORANCE CAN BE FIXED...THROUGH EDUCATION. The bookmobile is one of the cheapest education tools a county can fund. As a newspaper reporter, I once spent a day on a bookmobile and I saw first hand how people use it. How this one little traveling library got more books in the hands of more people. How medical books provided health information, books on how to plan an economical wedding went to a mother of the bride, how to write a resume, home repairs and not to mention fiction for people who did shift work and needed books to relax. I have seen books save lives, mine included. Somehow in a critical juncture at my life, the right book came into my hands. I believe in education. I believe in books. I believe how a county supports its libraries (and one little bookmobile) tells me a tremendous amount of how they value their citizens. And the lives of the citizens."

Jan Hutton, 120 Willow Way, Chapel Hill, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

"Commissioners, I'd like to begin by quoting from a document entitled [A Strategic Plan for Reading Literacy](#) published by the NC Department of Public Instruction in 2006.

'Reading is the fundamental skill needed for success in life, especially in the 21st century. Literacy resources include [community resources and family involvement](#). The utilization of resources and collaboration among everyone concerned about a literate citizenship is essential.'

I think this is what we are talking about this evening. Can we collaborate, as a county of human beings (not conservatives and liberals) to support, among other things, literacy education?

When you look at the Chatham County Bookmobile, you see literacy support at its best – a vehicle that for over 50 years has brought reading materials to youngsters so they can build their skills as readers and learn about the world around them. As this literacy report states, community resources are a vital part of any strategic plan for literacy. NC is rated 42nd in the US in literacy. Can we afford to eliminate the Bookmobile, this very economical tool whose accessibility enriches children's skills and lives? I've included in these remarks the web link to this document. I would have printed the document for you, but it's 69 pages long.

http://docs.google.com/viewer?a=v&q=cache:E5Xy_XZkyI4J:www.ncpublicschools.org/docs/curriculum/languagearts/elementary/strategicplanforreadingliteracy.pdf+North+Carolina+is+42+in+literacy&hl=en&gl=us&pid=bl&srcid=ADGEEShB8CCFMFzZHujRBKBADJAXaKIR6hgIjzXiU4buJlHZ5YESqsxAgNwIXjdz-OiYpy2zCOAqrGpyT4zjr1x3JX2ZVECvJtwaI27W2epndLjJpHLRtaTNS6ijihqJgNbhHSAzuaa&sig=AHIEtbTDD6EO34NJMe9xy57tf-WzCG62jg

The last point I'd like to make is my great concern, shared by many other citizens, about the elimination of the de facto NE Chatham branch library. The Bookmobile truly serves as a branch library for all of us who live in North Chatham, allowing us to avoid an increasingly expensive 30+ miles round-trip to Pittsboro. As the library assessment study performed in 2001 by Chatham County showed, North Chatham based on projected

population growth stood in need of the next new library. The generous gift of land from CCCC brought forward a gorgeous new library in Pittsboro, instead. If the Bookmobile is eliminated, there will be a gaping need to serve those, who by geography, live and pay taxes in Chatham, but are nowhere in proximity to the new library. For those who live in North Chatham, the Bookmobile is the place where our taxes and being served by the county government come together.

Commissioners, I ask you to strongly factor in literacy needs of our county's youth as well as North Chatham's very human desire to derive benefit from their County taxes, when you look at a truncated Bookmobile schedule."

Judith Butt, 112 Stone Edge, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

"A beautiful rural community with planned growth, interest in the environment, a vibrant art community, the cultural advantages of two major universities nearby, good medical care at each of those, more land to garden, and a promising library suggested a good place to retire. I could live with the little library in town as long as there was a good independent bookstore, McIntyres, and the promise of a new, bigger library on the horizon. It took 6 years from the time I moved here for this wonderful Chatham Community Library.

For most of the seven years that I've been here, those promises were fulfilled. In this last year, many disappointments have arisen with budget cuts from the state and the county that are affecting some of the wonderful aspects that propelled me here. Major cuts to the health of the environment from both State and County, and the possibility of further State legislation damaging our air and water, the closing of the Chatham Arts Gallery where I volunteered, and the elimination of the bookmobile.

While the County cannot correct all of these, they can reverse decisions that affect the health of the environment and the bookmobile. I hope some of those budget cuts can be reversed.

I recently came across a longitudinal study done by the Kellogg Corporation, which shows that the best predictor of how many prison beds we will need in the future is failing third grade reading scores. As Mike Cross suggested this afternoon, we can grant the schools the \$706,181 from the Fund Balance. I think we could also keep the bookmobile running on the reduced schedule for less than \$30,000. Schools and libraries are the most vital elements in literacy. Either we pay for it now or we pay for it later."

Walter Colshill, 610 Ferrington Post, Pittsboro, NC, stated that the citizens of Chatham County had enjoyed the services of the present bookmobile since 2003 when it was purchased for \$103,000 but perhaps along with another vehicle. Their predecessors had enjoyed a bookmobile all the way back to 1958. To bring about the closure of this essential core facility would be disastrous to the wellbeing of many residents. Additionally, it would be shortsighted, mean spirited, and counterproductive. The books are paid for, the vehicle is paid for. They were being offered a discount on the cost of the diesel to run the vehicle. So what were they going to do with it? Park it in some council yard while it gathered dust and rust through immobility and a lack of maintenance? Are they going to sell it for a fraction of its purchase cost? None of those suggestions in his view seemed particularly worth meaningful consideration. They should see to it that that essential tool that had brought about much pleasure, learning, culture, and sheer delight to young and old alike, should without further lack or hindrance be sent out onto the roads of our County once more to continue its noble duty to all those who thirst for the regular appearance of the Chatham Bookmobile.

Jennie DeLoach, 484 Boothe Hill Road, Chapel Hill, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

"My name is Jennie DeLoach. I have lived in Chatham County for close to 30 years. I noticed that there are 5 public hearings on the agenda for our County Commissioner's meeting this evening. Tonight I want to address the purpose of a public hearing. I have thought that a public hearing is one in which the public... those citizens of Chatham County, have an opportunity to let their county commissioners know what they think about a specific

issue before the commissioners. In my idealized view of this process, our commissioners will then take into account the knowledge they brought to the evening's discussion, take into account what they have heard and with the gained knowledge from the hearing, they will then make a more informed decision about whatever the individual hearings are about. I believe that an informed citizenry can give input to the process so that together we can have a better outcome for our county. Am I naive?

On June 6th I wrote Commissioner Bock an email in which I thanked him for voting to not designate the Planning Board as the Watershed Review Board and then added "Now if only you will vote to keep the ERB as part of the review process for conditional use permits". He wrote back "I can promise to use the ERB as an advisory committee as we do others. I can't be convinced that they need to be in the process as they are now."

"I can't be convinced that they need to be in the process as they are now." ?
How does one know whether they can be convinced or not without hearing the facts from those with opposing views?

Not to be daunted by his comment, on June 8th I wrote Chairman Bock back and asked him what his main issue (or 2 or 3) is about having the ERB as part of the review process. I asked this so that I could address his concerns at the upcoming public hearing which will take place this evening. It has been six weeks. He did not reply.

There is something wrong with our system. I came here tonight to speak on 2 different public hearings, but if I am going before someone who is so adamant that their beliefs are the only correct ones that they cannot be convinced otherwise, I have to ask, why do we have public hearings? If Commissioner Bock is so entrenched in his own beliefs that he does not feel that anything other than what he already knows is important in making a decision, it makes a mockery of the system to go through a public hearing. I'm hoping that I am wrong about this, but only time will tell if I am. In fact, about 3 hours time if tonight's agenda is correct.

I am including my email to Brian as part of the public record. I hope that he will be open to what people have to say tonight and that he will keep an open mind about a topic until the hearing is over so that TOGETHER we can have a better outcome for our county."

The email follows:

From: **JENNIE DELOACH** (jen_girl@msn.com)
Sent: Wed 6/08/11 9:03 PM
To: Brian Bock (brian.bock@chathamnc.org)

I'm curious. What is your main complaint (or 2 or 3) about having the ERB as part of the review process?

I have been to many county commissioners meetings during the Bunkey days, and during the Lucier days. The Environmental Review Board did a lot to help the developers, the surrounding land owners and the folks who would later buy lots in the development. I was wondering if it was just an issue of your not being informed, like when you said there should be scientists on the ERB, and there are some, or when you said you would like a scientist to show you the data that says having development within 100 feet from a stream bed is any better than 50 feet, and I told you that the ERB has those studies. Perhaps if you could let us know what your issues are, they could be resolved and the ERB allowed to stay as part of the review process.

Please don't just say streamlining.

Jennie DeLoach

From: brian.bock@chathamnc.org
To: jen_girl@msn.com
Date: Tue, 7 Jun 2011 17:35:15 -0400Subject: Re: Environmentalist?

I know exactly who you are talking about.

I can promise to use the ERB as an advisory committee as we do others. I can't be convinced that they need to be in the process as they are now.

Brian

Ann Granath, 115 Stone Edge, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“Many of us here in this room worked hard to make the new Chatham Community library a reality. We love our new library and will continue to help the librarians in every way to make it the best. However, as a result we did not expect that there would be an elimination of our 4th Branch Library--the Bookmobile.

I feel that you put the library in an impossibly difficult position when your suggestion of cutting 5% from the library budget came across as a mandate.

If it is not possible at this time to retain the bookmobile, we ask that the County store it. Perhaps the budget shortfall will not be as serious as you are anticipating. And should the three potential sponsors with whom we are talking become a reality, this along with a reduced schedule at a smaller cost, would make the Bookmobile service financially attractive.

If you had visited the bookmobile, we might have been able to engage in an honest dialogue of ideas. We thank you for your consideration but we urge you to be open to finding alternatives that would keep the Bookmobile on the road.”

Larry Ballas, 139 Indian Creek Lane, Apex, NC, stated that if kids were going to learn to read it started at home and not with a bookmobile. They all realized that they needed to teach their kids to read at home so that they could learn more in school and not just learn in school.

Mr. Ballas stated through every County Commission that they had been through he had always felt that the public hearings were not really listened to by the Commissioners. It was not this particular Commission, although he did agree that they verbally expressed their bias, but it was not something unique to this year. Since he had been in Chatham County that had been the case since Gary Phillips was a County Commissioner, as well as Bunky Morgan and George Lucier.

Mr. Ballas stated what he really wanted to speak about was crime in Chatham County, and specifically crime on the other side of Jordan Lake. Over the last two years crime in that area had increased tremendously, and they really had not seen any increase in Sheriff patrols in that area. Just in the last week one house was robbed twice and three stores were robbed, and over the last four or five months there had been numerous other thefts. He did not see, in all honesty, Ms. Kost or the Board doing anything about that. Since they were not going to do anything about it he was going to be innovative and request that the Board meet with the Sheriff's Department and begin list serves in districts so that when a crime occurred a sheriff could take 30 seconds out of his busy schedule and put that on a list serve so that everyone in that district knew that there was crime going on. That would allow them to enhance their Neighborhood Watch activity. He hoped that they would consider something like that in order to reduce the ridiculous amount of crime that was occurring over the last two years, and in his opinion it was because the Board was so busy with other things that they were not really looking at the total safety of individuals in Chatham County. When someone walked into someone's home they were being invaded, and that was not fair to the people who lived there. They needed to redistrict in a way that would increase the amount of people on this Board so that they reduced their work load and became experts at their work and not neglect things as they went on. He was very disappointed that the amount of crime in eastern Chatham County had increased so much.

Catherine Regula, 19206 Stone Brook, Chapel Hill, NC, stated that to speak in generalities, she wanted to congratulate the Commissioners on their hard work. They may feel at times that they were outnumbered of that perhaps the people who voted them into

office were not paying attention. But, they were watching them, and she was encouraging those people to attend Board meetings in droves. Because many of them could not for whatever reason attend, she would speak on their behalf.

Ms. Regula stated that they did not want the Board to feel stampeded by a group of people who in some ways think of Board meetings as a 1950's game show with contestants and applause. She was thinking particularly of "Queen for a Day" where female contestants each claimed that they were the most miserable woman on the planet so please vote for her at the end of the show with applause. When a winner was chosen, then she would receive a washing machine and other prizes. It all came down to that critical moment when the applause-o-meter would measure each contestant, with perhaps the first or second receiving less applause but the third began to cry so she received more applause. But, the last contestant would become hysterical and would ultimately win, but it was all rigged because the audience would be given cues with a sign which read "Applause, Applause, Applause." The lesson of that was to not pay any attention to the level of applause because it could be rigged. Secondly, the number of people who voted them into office would fill this room many times over, and their applause would be deafening.

Jordan Treakle, 511 N. Greensboro Street, Carrboro, NC, stated that he worked for the Rural Advancement Foundation International, which was a farmer advocacy nonprofit based in Pittsboro. Since the beginning of 2010 gas companies had been approaching farmers and landowners in Chatham County offering contracts for future natural gas exploration. RAFI was partnered with the NC State Cooperative Extension Center and an attorney at the Extension Center to look at the language in the contracts currently being offered to landowners and farmers in the community. They were concerned that the contracts were not giving people a fair deal and were not adequately compensating landowners for their resources, and were placing unfair, unreasonable liability on the landowners. A very clear example came from landowners who had been offered \$1 to \$2 per acre for their mineral rights. The average in the northeastern part of the country for their bonus payment per acre was \$2,000 to \$5,000. They felt that those companies were exploiting landowners' lack of knowledge about the issue, that many landowners did not understand their property rights, and were not working with an attorney to analyze the contracts and to negotiate for a fair lease. RAFI was partnering with the Chatham County Agricultural Extension Center to hold a public information meeting on that issue tomorrow at 6:30 p.m. They would be providing objective information on property rights and the potential impacts of drilling on farm land or other land so that people could make an informed decision about their property. They invited the Board to attend to learn about this issue as well as the public, and hoped that the Board would help distribute this information to landowners and the community so that people could be protected from these practices.

Commissioner Petty asked if they were conducting any public service announcements through the news media. Mr. Treakle responded they had put out several press releases, and the Agricultural Center had sent out announcements through their list serves. He stated it was also on the Chatham Chat List and announcements had been printed by several newspapers.

Beth Kricker, 224 Buteo Ridge, Pittsboro, NC, stated that she believed sincerely that it would not be the intention of the majority of this Board to place the burden of the deficit or to balance the budget on their three and four year old children. If they believed that the long road to a college education began with preschool and Head Start and the expected increase in enrollment occurred in that age group, it then followed that from their 45th position in that age funding they would then be down to an unfunded mandate. It would seem in the natural order of priorities their most precious commodity, the children, should come before bonuses, prisons, and others. She would submit creating more special service jobs, counseling services, managing a program for self-supporting skills would serve their community, save many a youth, and save the prohibitive expense of maintaining more jails, particularly if there were plans to privatize them. In concern for the health of their children, their elderly, and all those with compromised health issues the suggestion that they deregulate the buffer zones intended to protect their lakes, rivers, and streams invited far-reaching consequences. Building too close to their waters allowed seepage from the wastewater treatment plants allowing E coli and other dangerous chemicals into their drinking water and the sludge now being used as fertilizer had been implicated as a cause for the increased cancer growth. In defense of the community they had sworn to protect, it was in their power to halt those

dangerous practices. We stand to lose millions of dollars as tourists soon learn that their water may not be safe to drink, and their lakes and rivers were compromised. One day their term of service may end, and they may reflect on their legacy.

Martha Johnson, 88 Oak Leaf Lane, Chapel Hill, NC, stated that one of the first things that had greeted her when she came to Chatham County over 15 years ago was the sight of the wonderful bookmobile at Cole Park Plaza. This particularly appealed to her because her dad was the library director for a primarily rural five-county district in Alabama when she was growing up. He was dedicated to the idea that everyone should have access to books and library services. For many, that was only possible through the bookmobile program. When she was in high school she had helped him with his summer reading program; however, she had worked mostly with the town children because they were the ones who could come to the library. She was amazed at her graduation that most of the children attending were bookmobile patrons and many of the top readers of those summer programs. She was amazed, but her dad was not. The bookmobile provided better than virtual access to books and library services. It provided reading for many that did not have easy access to the city library. This was important for preschool children all year round and for the homes they lived in so that they could be taught from books. It was important for their in-school children during summer months but it also filled a major void for the adult readers as well.

Ms. Johnson stated she was appalled to learn that Chatham County would no longer provide bookmobile services to the people who made up the foundation of Chatham County. Having a robust bookmobile program would reaffirm Chatham County's commitment to the entire County, especially to the rural areas that were the foundation of the County rather than limiting the library services to in-Town residents.

COMMISSIONER PRIORITIES

Law Enforcement Parking Lot Improvements Bid: Approval of request to award the bid for the Law Enforcement Parking Lot Improvements in the amount of \$366,077.00 to Raleigh Paving and authorize the County Manager to sign the contract on behalf of the County

Commissioner Kost stated that the bid was coming in at \$366,077, and according to their Capital Plan there was \$654,897 in the project of which \$61,000 was for design work. She stated that left roughly \$600,000 in the project budget, and asked was that all inclusive or was there anything else in the project that would come out of the total budget of \$654,897. The County Manager stated there needed to be some contingency, but otherwise that was it. Commissioner Kost stated as a note to the Commissioners, they had been looking today for some money for the schools and here was another couple of thousand dollars which could be a bookmobile as well.

Commissioner Kost moved, seconded by Commissioner Cross, to award the bid for the Law Enforcement Parking Lot Improvements in the amount of \$366,077.00 to Raleigh Paving and authorize the County Manager to sign the contract on behalf of the County, bid tabulation attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Minutes – June 6, 2011:

Commissioner Kost explained that the June 6, 2011 Regular minutes had already been approved. The Board had asked the Clerk to remove comments that people submitted in writing as opposed to those speaking at the public hearing. They asked that the comments be removed and included as an appendix to the minutes.

COMMISSIONERS' PRIORITIES

Legislative Public Hearings:

Public Hearing for Text Amendment to Chatham County Zoning Ordinance: Public hearing to receive public comments on a request by the Chatham County Board of

Commissioners for a text amendment to the Chatham County Zoning Ordinance to remove the Environmental Review Board from the review process for conditional use permits.

Jason Sullivan, Planning Director, explained the specifics of the request which was an amendment to Section 17.1 to remove the Environmental Review Board from the review process for Conditional Use Permits that required an environmental impact assessment. If the hearing was closed tonight, it would be forwarded to the Planning Board for their review and recommendation at their August 2 meeting.

Caroline Siverson, 5560 Castle Rock Farm Road, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“My name is Caroline Siverson and I reside at 5560 Castle Rock Farm Rd. Pittsboro. I am speaking tonight on behalf of Chatham Citizens for Effective Communities.

In addition to small commercial projects, which normally do not present problems, the Conditional Use Permit (CUP) often addresses large-scale development projects including commercial, industrial, and institutional. The Board of Commissioners (BOC) must rely on accurate information about the site and the proposed project in order to determine whether the requested use is appropriate and will not create negative impacts on neighboring properties. Such negative impacts affect the value of adjacent properties, the quality of life of their owners and essentially constitute a property rights issue for adjacent property owners.

A CUP allows the county to place conditions on the permit that will assure less negative impacts and insure that the project maintains a desirable character for the area of the county where it is located.

A conditional use project can include very large developments, such as a shopping center, with significant impacts on a neighboring community. For such a project the BOC must rely on accurate information to determine whether the project meets the 5 findings set forth in the Chatham County Land Use plan.

Finding #3 states “The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community.” Scientifically based information is required to determine whether or not a project meets these criteria.

An Environment Impact Assessment (EIA) is a technically complex scientific document. and while county staff is very talented, they may not have the scientific background to fully review an EIA and make recommendations to the Board of Commissioners. Staff and Planning Board members typically have a skill set very different from that of the Environmental Review Board (ERB). There is no clarity in the zoning or subdivision ordinance that provides for any other peer review of large non-residential projects.

A balanced and thorough review of an EIA will provide you with appropriate and accurate environmental protection measures to allow you to place conditions on these permits. The BOC wisely decided to retain the ERB as the Watershed Review Board (WRB) because of their expertise. CCEC requests that the BOC restore the full functions of the ERB for the zoning process and for all Chatham County environmental matters.”

Rita Spina, 12 Matchwood, Pittsboro, NC, speaking on behalf of Loyse Hurley, 16 Matchwood, Pittsboro, presented Ms. Hurley’s comments to the Board and provided them in their entirety for the record as follows:

“Illness prevents me from attending tonight’s meeting, so I’ve requested someone else present this for me. I am Loyse Hurley and I reside at 16 Matchwood, Pittsboro N.C. As the former President of Chatham Citizens for Effective Communities, I have attended most all BOC, Planning Board and ERB meetings for the past 7 years. It was an especially busy and environmentally damaging time during the hay day of development in Chatham County, before the ERB was formed.

The Zoning Ordinance change proposes to remove the ERB review of any necessary Environmental Impact Assessments from all Conditional Use Permits. The Subdivision Ordinance change proposes an outside peer review as a substitute for the ERB review and the outside peer review ultimately would be paid for by the developer. Both of these proposed changes can drastically weaken the environmental protections for the county. This is totally inconsistent with one of your stated aims of protecting our environment. Why would you even consider choosing to eliminate such a professional board and one of the most valuable assets of this county?

You have stated one of your main purposes is to make it easier for development to come into the county. Reducing the timeline needed for approval of a development proposal, should save them money. Given this purpose, why on earth would you require that the developer spend additional monies to pay for an outside peer review of an EIA when the professional services of the ERB are readily available on a volunteer basis, at no cost to the developer? These proposed changes simply do not make sense.

If you want to modify and shorten the environmental review time, just simply decrease the review time for the ERB, but leave that important function of a review to them. They have the county's best environmental interests at heart.

Sincerely,

Loyse Hurley
Board Member Chatham Citizens for Effective Communities"

Jennie DeLoach, 484 Boothe Hill Road, Chapel Hill, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

"I live on Lystra road between Westfall and Chatham Downs. The slideshow before you are pictures of those two development projects while they were under way. They were taken by my neighbor Peter Theye. A picture is worth a thousand words. Sixty-seven pictures saves me a lot of words, especially when I only have 3 minutes!

When I spoke to Brian Bock this past fall, he said his problem with the ERB was that it cost too much. I ask once again, cost who? In any development process there are many people affected. There's the developer, the future buyer, the adjacent land owners. Then there are the streams and lakes downstream from the development... and on and on. Who is looking out for these? It could cost the homeowners, tax payers, or adjacent property owners when something that could have been changed wasn't and things go wrong.

The real question to be asked is why wouldn't we want the ERB as part of the development process? Why would we want to take knowledge and expertise away from any project? The ERB is made up of scientists who volunteer their time thereby costing the county nothing and giving them a valuable resource. Having the knowledge and boots on the ground make for a better developed project for everyone.

If the developers don't have the right information they could be building roads, houses, or septic fields thru ephemeral or intermittent streams or on seeps. Does this sound far-fetched? All of these things have happened in Chatham before the ERB was established and some of these happened within 1 mile of my house.

One development had their road crossing a perennial stream; the state permitting agency hadn't noticed it. Another development bulldozed an intermittent stream. Its stream bed had an 8 foot high bank. Obviously a lot of water passed through there over time. That water now has to go somewhere... If the development plan doesn't take the best consideration into account then adjoining land owners or future property owners will pay. Storm water off newly developed land will come across theirs causing flooding and erosion for years to come.

Within the development process, the conditional use permit is the only place that the county commissioners can set conditions for approval for a development. Basically a development that needs a conditional use permit needs extra scrutiny. This is the place where the ERB is needed. They can advise the county commissioners to set certain

requirements based on their findings. The conditional use process is there for when a development is outside the normal subdivision process and needs extra scrutiny. Why would we want to have less scrutiny? Let's leave the ERB in the loop and be thankful to our County Commissioners for letting the citizen's interest come before that of the developers."

Gary Simpson, 82 Cynthia Lane, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

"My name is Gary Simpson and I reside at 82 Cynthia Lane, Pittsboro. I am speaking tonight on behalf of the Chatham Citizens for Effective Community.

The Chatham County Zoning Ordinance lists several circumstances that would justify amending the ordinance. Section 19.1 states that to change the regulation and restrictions of the Zoning Ordinance the amendments shall be reasonably necessary to promote the public health, safety and general welfare and to achieve the purposes of the adopted Land Use Plan.

Removal of the Environmental Review Board (ERB) from reviewing the required Environmental Impact Assessment (EIA), while not clearly providing any alternative qualified review, does not meet those criteria.

Although the EIA has been recently eliminated in the ordinance for general use projects, we understand the EIA will be required for Conditional Use Permits of two or more contiguous acres of disturbance. Unlike a general use permit, where the EIA was determined by the BOC majority to be of no regulatory value, the EIA is a vital component of the Conditional Use process in making the 5 findings set forth in the Land Use Plan and for requiring and setting conditions on the permit in order to mitigate negative impacts.

An EIA is an effective tool for environmental protection only when it is substantiated by qualified experts with sufficient scientific knowledge for a peer review. Removing analysis by the ERB weakens the ordinance and diminishes the environmental welfare of the county.

CCEC requests that you restore the EIA for general use projects and the full function of the ERB to provide review of all environmental matters."

Randolph Voller, 21 Randolph Court, Pittsboro, NC, stated that they were facing somewhat of a "catch 22" situation. If they looked at what had been happening from Washington to Raleigh, Chatham County to Pittsboro, they had streamlined and reorganized staff and adjusted regulations that affected their environment under an idea that he believed in part that the State would step into Chatham and into the breach and pick up the slack. They now knew that DENR would be broken apart and its staff cut, so good luck with calling the Calvary there. Recently legislation had been introduced in Washington to cut and reorganize the EPA and give more responsibility to the states. Perhaps that was a good idea or thought process but they wanted to push it back to Raleigh. If Chatham County cut and reorganized and Raleigh cut and reorganized and Washington cut and reorganized, everyone would have to pick up the slack. Who would win in that exercise? They would be the losers, because ultimately it would come back to Chatham County and Pittsboro. They should strongly consider what they were doing here and do what was best for their County and their towns.

George Lucier, 628 Redbud, Pittsboro, NC, stated that to be brief, he certainly agreed with comments made by others previous to him, and he wanted to speak against the removal of the ERB in the conditional use review process. They were blessed in Chatham County with an abundance of natural resources. They had three major rivers with a number of streams that ran into those rivers. The 120 miles of shoreline around Jordan Lake was almost completely surrounded by Chatham County lands. It was important for their future that they protect those resources and the ERB participation in the review of Conditional Use Permits helped them to do that. The ERB was composed of professional who were well equipped for that task. They were scientists and they knew what they were doing, and they did not cost the County any money. He would expect that the Planning Board and the Board of Commissioners would want that review by the ERB and not try to abolish that review. It was important to Chatham County's future, it was important to their economic development, and it was important that they did not squander their natural resources or give the impression

that they were squandering those resources. Please do not remove the ERB from the conditional use review process.

Judi Anderson, 11415 Governors Drive, Chapel Hill, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“Good evening. I am Judi Anderson. I represent the 2000 residents of the Governors Club. We have concerns about proposed changes to the zoning and permitting process. Several deserve your attention.

- **The first is requiring independent environmental assessments on developments that include more than 50 homes.** Previously, developments with 25 homes fell into this category. While these environmental reports have no executable mandates associated with them, they help identify and avoid problems. They are conducted by an outside expert at the expense of the builder, freeing overburdened staff for other duties.
- **Second, you have discussed removing environmental impact assessments by the Environmental Review Board.** While this Board’s input is advisory, but exceedingly valuable. This Board’s members have specific expertise that exceeds that of staff. They volunteer so there is no cost. Let’s be intelligent about using intelligent people to make intelligent recommendations.
- **Third, you are considering a one-step conditional zoning district.** This proposal appears to remove essential opportunities for input from the public. It prevents commentary from being “on the record” in hearings, and offers Commissioners the opportunity to discuss information outside of the context of a public hearing. None of these is desirable.
- **Next, is the recommendation to eliminate the right of the Board of Commissioners to review final plats.** Currently, you can delegate the final plat approval to staff if you wish. Why give that away when you do not have to? This last “face to face” dialogue with a builder/developer provides an opportunity for negotiation of non-enforceable actions that you would like a builder to undertake. We suggest you maintain the option to do so. You lose nothing by maintaining the status quo.
- **Finally, and most important is the proposal to reduce the storm water maximum from 25 to 10 years. This is most unwise and has** potentially damaging consequences. Planning for a 25-year storm means building greater capacity for storm water handling. It will help protect Jordan Lake and other surface waters in the County. We urge you to leave the current 25 year storm standard in place.

In closing, let me add that making Chatham County friendlier to development – especially commercial development – can be a benefit. However, we must still insure full disclosure, sufficient public hearings, strong neighborhood protections, appropriate environmental review and awareness of the impacts that development will bring. You owe your current constituents and those who will live here 50 years from now no less than a thorough, thoughtful approach to development, with appropriate safeguards. Please do not disappoint us with poor short-term choices that will have serious long-term consequences.”

Bill Sommers, 29 East Madison, Fearington Village, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

“Tonight, I would like to alert you to a problem. The merits of the Environmental Review Board (ERB) have been amply covered in previous public hearings and the Board of Commissioners has acknowledged the value of this committee by voting to keep the ERB functioning as the Watershed Review Board (WRB).

The problem is that 6 of the 10 appointed member’s terms were up for reappointment early this year. Those who wished to continue their service and have applied for reappointment were told that there would be no reappointments made until the New Advisory Committee Policy was developed and approved. As you know this policy has been recently

approved and now limits a committee member to 6 consecutive years of total service on a specific committee. As a result those ERB members who wish to apply for one more term are now prohibited from doing so

The BOC voted unanimously to keep the ERB functioning as the WRB. The empty seats on the ERB should be promptly filled and should be filled with volunteers who meet the requirements set forth at the creation of the ERB and recently published with the application form. The citizens of Chatham County deserve to have a full board of environmentally qualified volunteers to advise the BOC on sensitive environmental and watershed issues.”

Diana Hales, 528 Will Be Lane, Siler City, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“I ask you to reject this change in the Zoning Ordinance, Section 17.1 that would eliminate the Environmental Review Board review on Conditional Use Permits. The Conditional Use Permit allows a developer to request an exception from current zoning requirements when their project cannot comply with those requirements, for whatever reason. The development restrictions within the various zones spelled out in the Zoning Ordinance have served Chatham County well and forms the base for its Land Development Plan.

The Conditional Use Permit, however, allows any developer to make the case to go outside those parameters and, for example, build more densely packed cluster housing, or change the use of land for other amenities, human wastewater application, or hundreds of other reasons.

The Conditional Use Permit, by its nature, means that the approved “zoned” use of the parcel will not be followed, and something different is being requested. This would be the time to ensure that any environmental concerns on that parcel are addressed for those new uses. And you need the Environmental Review Board to provide that advice.

Since the BOC approves conditional use permit requests, would you not want to know that the proposal would be a benefit to the County and not an environmental liability? The planning staff lacks the range of expertise available in the Environmental Review Board.

Subdivision Regulations - The Planning Department should be commended for finding some time-savings in the process to approve future development in Chatham County. However, this time reduction may end up crushing the staff when new development gears up again.

The one item I would encourage the BOC to reconsider is the threshold for an Environmental Impact Assessment and the total elimination of the Environmental Review Board from the Assessment process. The new recommendations would increase the EIA threshold to 50 lots, from the current 25 lots, and replace the free ERB advice with a requirement for the developer to HIRE this expertise. And again, the county planning staff, without the range of experience and knowledge, would have to review the environmental findings. This is not efficient, especially since you are getting free expert advice that will help the developer and county achieve the best result.”

The Chairman closed the public hearing and referred this item to the Planning Board.

Public Hearing for Text Amendments to the Subdivision Regulations: Public hearing to receive public comments on a request by the Chatham County Board of Commissioners for text amendments to the Subdivision Regulations to modify the subdivision process and standards

Jason Sullivan, Planning Director, explained the specifics of the request which had all been reviewed by the Board of Commissioners at a recent work session. The amendments did include changes to the major subdivision review process, and there were modifications to the requirements for the review of environmental information provided for subdivisions, and there was also the addition for a requirement public road maintenance bonds for proposed subdivisions as well as several other minor changes throughout the document. If the public hearing was closed tonight this would be forwarded to the Planning Board for its review and recommendation at its August 2 meeting.

Judi Anderson, 11415 Governors Club, Chapel Hill, NC, stated that as she had said previously she was representing the 2000 residents of the Governors Club. There were some issues that they found particularly disturbing about some of the recommendations. The first was requiring independent environmental assessments on developments for 50 or more homes when previously it was 25 homes. While these environmental reports had no executable mandates associated with them they did help identify and avoid problems. They were conducted by an outside expert at the expense of the builder, and thereby freed overburdened staff for other duties. They suggested that the Board not make this change but leave it as is.

Ms. Anderson stated the Board was considering a one-step conditional zoning district. When they had looked at that it appeared that it removed essential opportunities for input from the public, it prevented commentary from being on the record in hearings, and offered Commissioners the opportunity to discuss information outside the context of a public hearing. They did not believe any of those things were desirable.

Ms. Anderson said there was a recommendation to eliminate the right of the Board to review final plats; currently they had that right and could delegate it to staff whenever they wished. So, why would they eliminate their ability to have that right when it gave them the last opportunity they may have to talk to the builder/developer. They could only cajole them to do what the Commissioners wanted them to do but if you did not have the chance to meet with them then they would never have a chance to ask the question. So, leave it as is.

Ms. Anderson said probably one of the most important issues was that they would reduce the stormwater maximum from a 25-year storm to a 10-year storm. They believed that was a huge mistake. Planning for a 25-year storm meant building greater capacity for water handling and they could impact Jordan Lake and other surface waters.

Ms. Anderson stated that making Chatham County friendlier to development and especially commercial development could be a benefit, but they still needed to encourage full disclosure, sufficient public hearings, strong neighborhood protections, appropriate environmental review, and the awareness of impacts that development would bring. Your current constituents and those that would live here 50 years from now were owed nothing less than a thorough, thoughtful approach to development with appropriate safeguards. Please do not disappoint us with short-term choices that will have serious long-term consequences.

Rita Spina, 12 Matchwood, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“Good evening. My name is Rita Spina and I reside at 12 Matchwood Pittsboro. I am speaking here tonight on behalf of the Chatham Citizens for Effective Communities (CCEC) Board.

In the proposed Subdivision Ordinance text amendments there are several staff recommendations that CCEC fully supports. Namely, the change in definitions, the notification requirement for historical structures and cemeteries, the public road maintenance requirement and many of the changes in Chapter 6.

However there are a few modifications that we question.

Section 1.14 removes the stop work order as an enforcement tool and makes the daily fine penalty optional. CCEC recommends that we not weaken this section of the Ordinance

The question we have on Section 3.1 B is whether the required security amount is sufficient for environmental mitigation protection that might be needed for damage and clean up of a property that is administered by bankrupt developments?

Section 3.4 only mentions runoff from the roadways and does not address sedimentation and erosion runoff from the land itself.

Section 5.2 C (7) could pose another problem. While we understand the rationale for a shortened timeline, based on previous experience we question if there is sufficient flexibility should we have a resurgence of growth in Chatham County.

In Section 7.2 concerning roadways we question whether we have adequately addressed appropriate fire truck and emergency vehicle access within a development.

We have other questions pertaining to other sections of this proposed amendment. These will be addressed later during this hearing by other CCEC board members. Thank you.”

Gary Simpson, 82 Cynthia Lane, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

“My name is Gary Simpson and I reside at 82 Cynthia Lane, Pittsboro. I am speaking on behalf of the Chatham Citizens for Effective Communities Board.

Section 7.4 C (3) attempts to exempt small commercial developments including cell towers from onerous regulation. Inadvertently, the change of wording in this section now proposes to treat all commercial development the same as a minor subdivision. Commercial, industrial and institutional subdivisions do not qualify as minor subdivisions. For example many commercial developments have large parking lots contributing to grease and oil runoff. They might require large truck access for delivery of goods. They may produce noise in a quiet neighborhood. They should be properly landscaped, especially to block unsightly views. They need lighting and signage. They create new traffic patterns on public roads etc.

We believe that this rewording now “throws the baby out with the bathwater,” and requires additional clarification and change.”

Kate Dunlap, 1322 Mt. Olive Church Road, Pittsboro, NC, Board Member of Chatham Citizens for Effective Communities, presented her comments to the Board and provided them in their entirety for the record as follows:

“Good Evening. My name is Kate Dunlap and I reside at 1322 Mt. Olive Church Rd., Pittsboro. I am speaking here tonight on behalf of Chatham Citizens for Effective Communities (CCEC).

5.2(C)2(b) of the subdivision ordinance addresses the peer-review process for major subdivisions. CCEC believes the changes proposed to the amendment regarding peer reviews poses potential problems for the county.

Currently, an Environmental Impact Assessment, or EIA, is required for all subdivisions with 25 lots or more. The proposed amendment increases the threshold that would trigger the necessity of an EIA to 50 lots.

The proposed amendment provides for review of “environmental documentation” *by County staff only* for projects with 50 lots or less. But presently the required criteria for environmental documentation are unspecified and should be clearly defined. Staff should have an explicit framework to use as a tool for conducting consistent and sufficient evaluations, and it should be published and available to the public.

The characteristics of land throughout Chatham County are diverse. While a 50-lot development may not cause significant problems in one area, it could pose serious concerns in another.

The features of local watersheds, natural habitats, soil characteristics and absorbency rates, topography, and population densities should be taken into account when considering potential impacts. Our recommendation is to keep the ceiling on the EIA requirement at 25 lots and above for major subdivisions.

While you do require the developer to provide an EIA on 50 lots or more, you propose to substitute an outside peer review for the currently required Environmental Review Board assessment. An outside peer review would be contracted by the county, but would be *paid for by the developer*. There is potential for conflict of interest due to this payment plan. Impartiality and careful scrutiny are necessary in the environmental review process to protect our natural resources, as well and citizens’ interests and investments, in Chatham County.

Why stipulate that the developer pay for an EIA peer review instead of using the ERB for a competent peer review? The ERB is a professional board of highly credentialed citizens who are familiar with the variable conditions in Chatham County. They understand 401 and 404 state-required permits and certifications. They serve on a voluntary basis *at no cost to the developer*, which eliminates potential conflicts of interest. If your intent is to reduce the review timeline for subdivision proposals, impose a deadline for ERB review instead of completely eliminating its assessment.”

John Graybeal, 3396 Alston Chapel Road, Pittsboro, NC, stated that he was yielding his time tonight to all the hard-working CCEC Board Members.

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

“My mother was a teacher among her many talents and she read this poem to me as a child. The poem always reminded me of my grandfather, too. In this poem imagine that “Chatham County” is the “The Giving Tree” (*and I mean for Chatham County to be interpreted broadly as our government, as our people and as the physical place we inhabit*):

http://en.wikipedia.org/wiki/The_Giving_Tree

Lyrics to “The Giving Tree”, by: Shel Silverstein

Once there was a giving tree who loved a little boy.
And every day the boy would come to play
Swinging from the branches, sleeping in the shade
Laughing all the summer's hours away.
And so they love,
Oh, the tree was happy.
Oh, the tree was glad.

But soon the boy grew older and one day he came and said,
"Can you give me some money, tree, to buy something I've found?"
"I have no money," said the tree, "Just apples, twigs and leaves."
"But you can take my apples, boy, and sell them in the town."
And so he did and
Oh, the tree was happy.
Oh, the tree was glad.

But soon again the boy came back and he said to the tree,
"I'm now a man and I must have a house that's all my home."
"I can't give you a house" he said, "The forest is my house."
"But you may cut my branches off and build yourself a home"
And so he did.
Oh, the tree was happy.
Oh, the tree was glad.

And time went by and the boy came back with sadness in his eyes.
"My life has turned so cold," he says, "and I need sunny days."
"I've nothing but my trunk," he says, "But you can cut it down
And build yourself a boat and sail away."
And so he did and
Oh, the tree was happy.
Oh, the tree was glad.

And after years the boy came back, both of them were old.
"I really cannot help you if you ask for another gift."
"I'm nothing but an old stump now. I'm sorry but I've nothing more to give.”

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

“I’m speaking tonight in favor of the proposed changes to the Major Subdivision Ordinance. Many new ordinances were put in place and existing ordinances revamped in response to the massive development boom which we were not prepared for. It’s not surprising that with so much happening at one time there are conflicts and duplications among the various ordinances. It’s also not surprising that some of the proposals ended up having unintended consequences. People react most strongly to the things they most fear or most desire. Many of our ordinances were written out of fear of the damage that can be caused by poorly planned large developments and the desire to protect the existing rural nature of the county. Unfortunately when people focus strongly on a single area they often miss the big picture and limit opportunities for innovation and creativity. Subdivision does not only refer to large projects like Briar Chapel or Amberly. Any time an existing lot is divided it’s considered a subdivision.

The proposed changes also correct many other problems such as numerous areas of conflict between ordinances, vague language that left issues undefined and up to policy, and requirements for non-existent documentation from state or federal agencies. It’s clear that the proposed changes will go a long way to making our ordinance much clearer and more effective. An ordinance with as many problems as ours had could be difficult to enforce.

I was at the meeting when the first project to go through the new major subdivision ordinance was approved and was appalled at the length and complexity of the process. The Planning Director read off a litany of reviews and meetings, many of which were expedited due to the simple nature of the project, but the active process still took 9 months. How much time and money was spent not only by the applicant but also by county staff in this process? The appalling part was that this wasn’t some large project that would have a major impact on the surrounding community and potentially damage the environment during construction if not properly managed. It was a landowner, subdividing off the corner of their land that had held a cell tower for at least 10 years. The only reason they had to go through this process was because that the ordinance stated that all non-residential subdivisions, regardless of size, had to go through this major subdivision process. This is precisely the type of regulation that has given Chatham County the reputation for being unfriendly to business. If we require this for an existing cell tower, just think what the process must be like for a real subdivision! It’s no wonder many business owners have said they won’t even consider Chatham County when they’re thinking to relocate or expand. Not to mention existing property owners that may want to start a business who give up rather than run that gauntlet.

Our best protection is in well written ordinances based on facts and experience that can be clearly understood by everyone and can be easily enforced. Adding additional complexity and layers of review and ordinances does not necessarily improve protection. It can instead lead to confusion and encourage people to take as many shortcuts as possible to avoid unrealistic requirements or drive them out of the county altogether. It also leads to confusion and inconsistency as decisions are based on the subjective view of whoever happens to be in charge at the moment, rather than objective measures.

I want to commend staff on the excellent and professional job they have done. It’s clear they were basing their decisions on experience and actual facts rather than fears and wishes. Thank you for your hard work.”

The Chairman closed the public hearing and referred it to the Planning Board.

Evidentiary Public Hearings:

Public Hearing for Revision to Existing Conditional Use Permit: Public hearing to receive public comments on a request by Kent Dickens, dba Dickens Campground, Parcel #5749 and 5143, located at 2501 Corinth Road, for a revision to the existing conditional use permit to add 6.5 additional acres from an adjoining tract to the existing campground site, add a spray water park, and 98 additional RV camp sites

Jason Sullivan, Planning Director, explained the specifics of the request. The next two items were public hearings on Conditional Use Permits and any speakers presenting comments must do so under oath as it was a quasi-judicial proceedings and all comments and evidence would be entered into the permanent record. It was important to keep in mind as they moved forward with this process was that because the Board of Commissioners were

acting in its quasi-judicial capacity they should not be contacted outside of the meeting as all information had to be presented tonight and it would then be reviewed by the Planning Board as it moved through the process.

Mr. Sullivan stated that the first item was the revision to the existing CUP for the Ken Dickens RV Park, and the second was a request by Michael Gress for a Conditional Use Permit for a contractor's storage facility

The Chairman administered the oath to those in attendance who wished to make public comments.

Mr. Sullivan iterated that the first item was the revision to the existing CUP for the Ken Dickens RV Park. The requested amendment was to add 6.5 acres from an adjoining parcel to the current tract. In addition to expanding the RV Park, there was also a proposal to add a water park or water feature for those staying at the RV Park, and it would add an additional 98 camping sites to the site. The property was currently zoned R-1 which was a residential zoning classification, and there was no zoning district change required as a part of these proceedings because the Zoning Ordinance did allow for RV parks as a CUP in the R-1 zoning district. The request would increase the number of RV camp sites from 105 to 203.

Mr. Sullivan stated that the Appearance Commission reviewed the landscaping plan at its June 8 meeting and requested additional information that was supposed to be presented at the July 13 meeting; however, that information had not been received. As a part of the proceedings tonight, staff was requesting that the hearing be continued until August 15 so that the additional information could be provided to the Appearance Commission for their review and recommendation. Today they had received environmental documentation from the applicant and that would need to be reviewed by the ERB so that would be a part of the request to continue the public hearing tonight.

Mr. Sullivan stated that at the Technical Review Committee meeting last week several issues were raised and many of those issues could be addressed as conditions on the Conditional Use Permits if the Board of Commissioners was inclined to approve the request.

Mr. Sullivan stated that the staff recommendation was to continue the public hearing to August 15 in order to receive the Appearance Commission and the ERB recommendations.

Commissioner Cross stated that the RV Park supported the ten industries in southeast Chatham. It was a clean park and experienced no problems with the people who stayed there who were 95% professional technical people that kept the nuclear plant, the plywood plant, and others operating. There were some shut-down plans coming soon and the RV Park needed approval so that he could get started on it. The owner would be purchasing his water from the County which would be another great water customer, and he did not see the necessity in waiting for another month for an ERB report when the Park had been in place for eight or nine years. There were some questions about the buffer screening and measurements had been taken. Some of the land on the side of the road was as much as three and a half feet below the road surface, so naturally the trees were not eight feet above the road as yet. But, they were growing.

Commissioner Cross moved, seconded by Commissioner Petty, to not continue the public hearing after the completion of tonight's public hearing.

Commissioner Kost questioned what Commissioner Cross was specifically trying to accomplish. Mr. Sullivan stated that the staff recommendation was to hold the public hearing tonight and at the end of the hearing after the public had spoken to continue it to August 15. The Zoning Ordinance required that they have the Appearance Commission's recommendation entered into the record as well as a part of the Design Guidelines adopted by the Board.

Chairman Bock asked how long the Appearance Commission had had to provide a recommendation. Mr. Sullivan replied they had met on June 8 and reviewed the landscaping plan that was submitted, but there were some deficiencies in the materials that were submitted based on the adopted Design Guidelines. For that reason, the Appearance Commission requested additional information so that they could have a complete application

to review to make sure it met all the requirements of the Design Guidelines. They had requested that information be submitted at its July 13 meeting; however, it was not submitted to the Chair and the Commission in advance so it was not scheduled for them to review.

Chairman Bock asked had they received it at the July 13 meeting. Mr. Sullivan responded no, and noted that the June 8th minutes listed the deficiencies as identified by the Appearance Commission.

Commissioner Petty asked could the Appearance Commission approve it pending the satisfaction of meeting the requirements of the Design Guidelines.

Chairman Bock stated it seemed that this had been going on for some time, and this was exactly the kind of thing they had talked about in the past. If they were talking about the spacing of trees or bushes or the height of a tree on a buffer that was not even present at other businesses nearby, and they were going to postpone granting the request because the Appearance Commission did not like the bushes or whatever, then he began to have issues with that.

Commissioner Kost stated she would have to vote against the motion because at this point at the beginning of the public hearing they did not have enough information to make that decision. She did have questions, including about the July 2002 CUP and if all those conditions were being met. She also wanted to know why the revised landscape plan had not been submitted when it was requested, and it was her understanding that the applicant simply had not provided it.

Commissioner Cross withdrew his motion.

Chairman Bock administered the oath to Kent Dickens, the applicant.

Kent Dickens stated they had prepared a landscaping plan in 2002 which called for the shrubbery to have grown to 8 feet within five years. As there was a three to four foot difference in the road height, the shrubbery was about six feet to the top.

Chairman Bock asked if the discrepancy then was that the shrubbery was not tall enough. Mr. Dickens replied yes.

Commissioner Kost asked was that the only condition from 2002 that had not been met. Mr. Dickens replied to his knowledge, yes.

Chairman Bock asked Mr. Sullivan if he agreed. Mr. Sullivan stated there were some other issues other than the existing vegetation for the area where the current CUP was approved. It was his understanding that there were also issues with the landscaping plan that was submitted for the expansion area.

Chairman Bock asked if that information was available now, noting now was a good time to review it. Mr. Sullivan stated the issue on the height of the existing vegetation was not in disagreement, but there were areas where some of the shrubs had died creating some gaps in the existing vegetative screen.

Chairman Bock asked was that the only point from the 2002 CUP that was not met, noting the Board needed to know that and tonight would have been a good time to have that information. He asked if Mr. Dickens received a report from anyone noted what the discrepancies were. Mr. Dickens replied no. Chairman Bock asked had anyone communicated with him at all about discrepancies he might need to correct besides the shrubs that were missing. Mr. Dickens stated those shrubs were not required to be put in at that time.

Chairman Bock stated moving away from the shrubs, was Mr. Dickens saying that no one had told him of any discrepancies from the 2002 CUP. Mr. Dickens replied that was correct.

Angela Birchett, Land Use Administrator II and the Zoning Administrator, stated that at the June 8 Appearance Commission meeting they had gone over several things. There

were some shrubs at the entrance of the RV Park that do meet the height Mr. Dickens had spoken of; however, as Mr. Sullivan had said there were several areas of gaps, and areas where the plants had not grown as based on the Appearance Commission guidelines. There were some RV's being stored underneath the power lines which was not allowed. The 50-foot undisturbed perimeter buffer on the new part was not clearly marked and noted on the plans so the Appearance Commission was unable to give a recommendation on that. What you could not see on the plan was the corner lot that came up around the curve, noting in the past there were pines and other growth that helped to buffer traffic, but those had since been cut and cleared so there was more visibility into this site. The things the Appearance Commission had suggested was that instead of adding plants along the road which was pointless because of the elevation was to actually do plantings along his drive that went into the park itself. The applicant was told about that as well as about the RV's stored underneath the power lines. There were several people who had boats stored at the Park and he was told that boat storage was not allowed, and Mr. Dickens indicated that the boats would be removed. There were some storage buildings that people were being allowed to keep on the property which was not permitted by his CUP. Her point was that there were other issues that came out of that June 8 meeting that he and his associated had attended so he was told of them at that meeting.

Mr. Dickens asked what he was supposed to tell people that owned a boat and came to his park for recreation that they could not store their boat beside their RV? He stated he did not offer boat storage.

Chairman Bock stated the question was if boats were being stored there or was someone coming there to camp and had their boat with them.

Commissioner Cross stated that one of the problems here was that most of the people who came to this park as with most RV parks were tech workers. Occasionally they did have people who came in for a fishing trip, and they were putting rules on the Dickens RV Park that did not apply to anything else in Moncure. There was another RV park in the area that had not been required to put in any screening at all. Regarding all of these other "nitpicking" things about the current section of the park, it seemed that if he was in violation then someone should have been telling the owner about it before so that they could have been addressed. But, having a boat there because someone had parked their RV there while they went on a fishing trip was hardly what he would call long-term storage.

Chairman Bock stated it did not sound like storage to him.

Mr. Sullivan stated the reason staff was requesting continuation of the public hearing was in regards to receiving the recommendation from the Appearance Commission and the ERB which was required by the Zoning Ordinance. Those recommendations needed to be entered into the public record of this CUP process.

Chairman Bock asked why they did not have a recommendation now. Mr. Sullivan said the Appearance Commission had not prepared a recommendation because it did not receive a landscaping plan that met the Design Guidelines adopted by the Board of Commissioners in 2010. The ERB had not yet reviewed the environmental documentation because they had just received that information today from the applicant.

Mr. Dickens stated they had received the documentation today and had provided it. In terms of the shrubbery, they could take out the ring they had planted five years ago and it would be okay. The Appearance Commission had asked him when he would replace the shrubs, when it would be fertilized and watered, and what it would be replaced with. There was a woman present who had been at that meeting, and she was insulted by that as he was insulted, noting the Appearance Commission had not even asked him who he was. It was his feeling that the bushes were growing, and it was not his fault that the road surface was what it was.

Commissioner Kost asked about the permanent storage buildings that Ms. Birchett had mentioned, as well as the storage of RV's under the power lines. Mr. Dickens responded there were no RV's under the power lines although there might be some that were beside it. People in his park were transient as Commissioner Cross had said, and some just needed a

place to leave their RV's for short periods of time. Commissioner Kost asked about the storage units. Mr. Dickens replied they were used as overflow space.

Chairman Bock stated that was an issue because it was not an accepted use. Referring to a photo displayed on the screen, Chairman Bock asked if what they were trying to do was screen the RV Park so that it could not be seen from the road.

Commissioner Cross stated that this was on the same road where there were other businesses that had no screening of anything. There was an additional RV park approved since Mr. Dickens had received his CUP and there was no requirement for that park to have screening. If they were going to make rules then they should be applied the same to everyone, and in this case he believed this was an attempt to hold Mr. Dickens off for some reason he was not sure of. He did know that the community and its industry needed places for their workers to live, and Mr. Dickens was providing that service for the County and for those industries that were a huge part of the County's tax base.

Chairman Bock stated he had to say that when he heard about things like a bush not being the right height or bushes not being the right distance apart that was when it got his attention. That was where he said that was the kind of nitpicky stuff they were trying to fix. Someone cut down some pine trees and now you could see Mr. Dickens' RV Park, and his feeling was "so what?" Mr. Sullivan said those were policy decisions made by the Board of Commissioners, and if they wanted to amend that process they would be working on the Zoning Ordinance amendments in the coming months. From the staff's perspective, they wanted to make sure that people were complying with the adopted standards in the Zoning Ordinance. Chairman Bock stated that they appreciated that.

Commissioner Petty stated what he was hearing from Commissioner Cross was that those same standards and guidelines were not being applied to other properties, and asked was that correct. Mr. Sullivan stated there was another issue that had been brought to their attention regarding another RV park and they were working with that property owner now to bring their RV park into compliance over the coming months. They had worked out a plan with that owner to move forward with that.

Commissioner Petty stated rather than delaying this could they not set some guidelines to operate within, pending the Appearance Commission and ERB recommendations.

Chairman Bock said if the Appearance Commission came back with a recommendation of no because the bushes were not the right height that would not be well received at least by him.

Commissioner Kost stated that because this was a quasi-judicial proceeding if they did not wait for the Appearance Commission input on the landscaping plan then they could not consider it or make any sort of conditions.

Chairman Bock stated but, they could close the hearing. County Attorney Jep Rose said they could close the hearing but did not believe they would want to do that before they were ready to act on it.

Commissioner Kost stated then they would not have to have those recommendations as a part of the public hearing and sworn testimony. Mr. Rose stated those recommendations were not required at the public hearing stage and they need only have those recommendations before a decision was made. Commissioner Kost stated she would like to have that information but would also like to keep this moving forward. She believed that was critical information. Mr. Rose said they would need that information before they considered adoption. He suggested the best thing to do was to send it on to the Planning Board.

Chairman Bock stated he did not want to have to hold another public hearing if they did not have to.

Commissioner Kost asked someone to address the photo current displayed, noting there was no screening on the curb. Mr. Dickens stated his neighbor had taken down some

large pine trees in order to have a pasture for cows, and once a fence was put up there would be bushes all the way around it.

Chairman Bock stated even if that did not happen, was there an ordinance that said that he had to have screening so that no one could see the RV's. If there was, then he wanted that addressed. Mr. Sullivan stated there was nothing that said that RV parks had to be screened, but there were requirements in the Zoning Ordinance and supplemented by the Design Guidelines that spelled out how a landscaping plan had to be designed and what types of plants had to be installed.

Commissioner Kost stated that in 2002 those conditions were put in place based on a process, and it was important to uphold those conditions.

Chairman Bock stated that was the conditional use, but if there were issues such as storage sheds that should not be there or if you were storing RV's under a power line or storing boats, then those were issues because they were uses. Plants were not a use; plants were "let's keep the road pretty" and was not a use of your property.

Commissioner Kost stated not necessarily. She asked if there were any adjacent property owners that spoke in 2002. Mr. Dickens stated there was one who owned land across the road at that time who had opposed it, but he had since purchased that land.

Chairman Bock stated the fact that they were spend time here with a full agenda talking about bush height and bush spacing bothered him and bothered him a lot. In the future if he saw many more cases such as this and he suggested not having an Appearance Commission, then they would know why he was suggesting that. That was an aside that perhaps he should not make, but this bothered him. He understood that they had to have the recommendations before the Board voted, but he was not inclined to say that they could not close the public hearing.

Commissioner Kost stated, if she owned a house on that side of the street and this request came in after, then she would want to have it screened because she was there first and she did not want to look at it. But what she heard Chairman Bock saying was that he did not even think that the screening was necessary, so they would have to agree to disagree.

Chairman Bock stated that Mr. Dickens was not saying he did not want to screen it. Mr. Dickens stated that was correct. Chairman Bock stated Commissioner Kost was hearing him say that, not Mr. Dickens. Mr. Dickens stated he took pride in how his RV Park looked because that was what he sold.

Commissioner Kost stated she was addressing more of a global issue that was a disagreement amongst the Board and would likely continue to be.

Chairman Bock stated he had no problem with the Appearance Commission per se, but when they were spending their time on the spacing and height of bushes then he had a problem with that.

Commissioner Kost stated there were more issues than just the bushes.

Commissioner Petty stated but those issues were easily addressed.

Commissioner Kost stated they would be reopening the CUP when they did this revision.

Chairman Bock stated that was correct, and they would get a recommendation from the Planning Board and from the Appearance Commission and from the ERB and they could get all of that without holding another public hearing. Once those recommendations were received, the Board could act and remain well within their guidelines. Mr. Rose stated that was correct.

Chairman Bock administered the oath to Tom Glendinning who wished to make public comments.

Tom Glendinning stated he was presenting himself as a landscape professional and a licensed landscape contractor with over 40 years experience. If there were any issues at all about the trees and shrubs at issue he would be happy to respond to them. From his observation, the trees in the center of the RV park were 12 to 14 feet tall judging by the height of the RV's, and the shrubs and types of shrubs that were planted as a border were performing at least at or above expectations and of enough variety that they should provide adequate cover. The photo taken from the curb had an elevation drop of more than six feet, and yet still the pine trees were above the grade of the road and were performing at or above expectations.

The Chairman closed the public hearing and referred it to the Planning Board.

Public Hearing for Conditional Use Permit: Public hearing to receive public comments on a request by Michael Gress, Parcel #80117, located at 56 Weaver Trail, on one (1) acre out of a 5.490 acre tract, for a conditional use permit specifically for a contractor's storage facility

Mr. Sullivan stated this was a request by Michael Gress for a Conditional Use Permit on one acre out of a 5.490 acre tract for a contractor's storage facility. The owners had recently constructed a 4,000 square foot accessory building that was permitted as a horse barn or stable and they were now asking to convert that use to use it as a contractor's office as well as to have outdoor storage for their equipment. The Appearance Commission reviewed the request at their meeting in July and recommended approval. If the hearing was closed this evening it would be forwarded to the Planning Board of its review at their August 2 meeting.

Mr. Sullivan displayed the site plan of the existing 4,000 square foot accessory building already constructed. He noted that this site was near the Chatham County line in the northeastern portion of the County.

Cynthia Perry, Attorney representing the applicant, stated that they were requesting a CUP for a one-acre portion of the Gress's personal residence in New Hill. The CUP being requested was for a contractor's facility including plants, storage yards, and staging areas. The Gress's had been residents of Chatham County since 2003 and have constructed on their personal residence a 4,000 square foot brick structure which was the subject of tonight's hearing. In addition, they had a 5,000 square foot custom home, pool, terrace, etc. Michael Gress was the president of Gress, Inc., a business for building pools and for landscaping. Mr. Gress was a licensed general contractor without limit on his license and was a certified master pool builder as well as a certified landscaper. Although the business was located in Wake County, Mr. Gress did pool design and installation as well as landscaping in Chatham County and throughout central North Carolina. What he needed to do here was to utilize a small portion of the lot of his private residence which was near the Chatham/Wake line for the storage of business-related products. Storage for tools and equipment would be located in that structure which he had initially had built as a barn for his horses and a tack area.

Ms. Perry stated that now, Mr. Gress wished to store building materials and equipment inside that building as well as sand, gravel, soil conditioning material and some small pieces of equipment outside of the building. He would continue to use a portion of the 4,000 square foot building for his own personal tools, horses, tack, and feed. Since Mr. Gress was in the landscaping business he would be berming and placing appropriate plantings to provide screening and buffers to the other members of the Weaver Creek Subdivision as well as across lower Thrift Road. Mr. Gress's company currently employed an average of 10 people, and some of those employees were Chatham County residents, and gross sales for the business in 2010 was approximately \$1.8 million.

Ms. Perry stated that Mr. Gress's business had been an important member of the corporate community for many years. She would now like to move their application and its accompanying exhibits into evidence in support of the five findings that were required to be made under the Ordinance for Conditional use. As stated by Mr. Sullivan, they had been just this past Wednesday before the Appearance Commission who she believed had been very impressed. With Mr. Gress being a landscaper he spoke their kind of language and they had appeared to be extremely pleased with the plan and his knowledge of plants. Certainly it was Mr. Gress's intention to make this project as beautiful as his master pools and his personal

residence. Mr. Gress was present and would like to introduce himself to the Board, as well as John Lechner who was a member of the Weaver Creek Subdivision community.

Michael Gress, 56 Weaver Trail and the Applicant, stated that he had already had constructed the building with pretty much the same conditions over the last seven years that he had been living in the residence. He wanted to go about doing business in the right way, and the only thing that he was really asking for was to allow his employees to come on site and pick up materials, noting that was basically why he was going through this process. He still had the horses and a pasture, and the majority of the 4,000 square foot building was for his and his family's personal use.

Commissioner Kost asked had there been any resistance at all or any push back from any of his neighbors, noting there were eleven listed on his application. Mr. Gress responded not at all, noting he had had to place an amendment in his homeowner's application to allow his business and the neighbors had all signed the amendment. He had bricked the entire structure to match his house, so its appearance fit.

John Lechner, 53 Weaver Trail, stated he lived across the street from the storage building. He was a semi-retired real estate investor and had been in that business for 45 years. He wanted to state that that was the best looking storage building he had ever seen, noting that Mr. Gress had put a tremendous amount of time, talent, and his treasury into that building and the landscaping, and he believed it was a real asset to the neighborhood, the County, and the State.

Mr. Sullivan reiterated that the recommendation from the Appearance Commission was favorable.

Chairman Bock closed the public hearing and referred the matter to the Planning Board.

BREAK

The Chairman called for a short break.

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 and will vote on same. Three options have been developed for public consideration.

Stephen Metelits, 77 Fearington Post, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

"Redistricting is a difficult process. An important principle in this process is to maintain communities in a single district and to avoid splitting neighborhoods.

The Map 1 Option splits the Fearington Development which fragments the cohesiveness of the Fearington Village community and ignores a prime principle of keeping neighborhoods together.

As a 33-year resident of Fearington, I strongly object to splitting the Fearington Village community into separate voting districts."

Commissioner Kost noted that only Option 1 would split the Fearington development.

Randolph Voller, 21 Randolph Court, Pittsboro, NC, stated he wanted to incorporate his previous comments which were already on the record. He hoped that they were not finished with the process and perhaps they could involve the School Board, the municipalities, and others members of the public. But if this was all that they were going to have, then he would advise that they work with the School Board in this unique opportunity to conform the districts so that the school districts and the Commissioner districts were the same. That would be simpler and best for all of Chatham County. Although it was not a part

of this process, now that they had the federal and State districts available he would hope that the Board could perhaps weigh in and let the powers that be know that they were well with the Second and Fourth. He was not too excited that Pittsboro would be at the very tail end of the Sixth, but that was just a footnote.

George Lucier, 628 Redbud, Pittsboro, NC, stated that he had made comments at the previous public hearing and they were similar to what Mayor Voller had just stated. It was extraordinarily important that they set up a joint committee with the Board of Education and the Board of Commissioners to arrive at districts that were mutually agreeable to both parties. For the reasons Mayor Voller had just said it made sense to have the districts the same so that Chatham County residents were not confused as to what district they were in. Mr. Lucier asked had they tried to work with the School board.

Chairman Bock responded that he had spoken to nearly all the School Board members. Mr. Lucier stated it would make sense to have a joint committee or even a joint meeting to work out any differences they might have. Chairman Bock stated that the public hearing was to receive comments and not hold a question and answer session.

Bill Sommers, 29 East Madison, Fearington Village, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

“I’d like to contribute a few comments on the BOC’s tangled effort to re-design the voting districts within Chatham County. In one of the options presented to the public, the BOC has, in effect, suggested a division of Fearington Village into two separate voting districts.

The BOC should know, as I am sure it does, that Fearington Village has a longstanding history in the modern day expansion of Chatham County. The BOC’s of past years have given Fearington Village a most generalized approval for its basic development....and has approved various internal developments within the overall program for Fearington Village. Not all of us who live there have completely agreed with the details involved but in cooperation with the Planning Board and the Fitch Development Team these details have always been worked out to effect controlled development within a clearly defined area.

Now the BOC, in one of its proposals, has suggested that Fearington Village be divided into two election districts when all of our residents – Republican, Democrat and 3rd parties – agree and rely upon the fact that it is ONE, I Repeat – ONE voting district....to do otherwise is to force a division that is neither necessary nor of value.

In this context the BOC seems, if not intention to be focused on breaking apart the political values of a vibrant, political mature and unified place of living....regardless of our individual political leanings. It is as though the members of the current BOC are acting in the spirit of days gone by when territories, nations and regions were divided in order to infuse a kind of disintegration of the political and social values of integrated areas.

But I am certain that this BOC will not countenance such disintegration in Fearington or in any other part of the County. Our hope is with the enlightened aspect of your better spirit. Thank you.”

Cathy Markatos, 800 Rock Rest Road, Pittsboro, NC, stated that her precinct, the Hadley precinct, was the only precinct that had had two representatives so they had had the complication of two ballots so they knew about complications. Now, it would just be a matter of where the Commissioners came from, and she personally had looked at the maps and preferred Option 3. That option worked well for Hadley who were already used to some complications, and believed it also worked well for Siler City and Pittsboro. It would also work well for most other groups in the County.

Catherine Regula, 19206 Stone Brook, Chapel Hill, NC, stated that she lived in Governors Club and did not pretend to speak for 2,000 people in a very diverse community. She had lived many places but had never lived where there was such a diverse group of people. That was true of Fearington and any large community of people. If Governors Club was divided she did not feel it would be like putting up a Berlin Wall because it was just

redistricting. It was positive and refreshing to have some real change. Since they now had one half of a year of a new administration people should be more accepting of what went on, and it was natural that there would be opinions that were not their own. They had put up with it, and what went around would come around.

As far as redistricting she supported the Republican original Map 2 for many reasons. She did not think it was gerrymandered. If you wanted to see a gerrymandered district look at District 12 in the State. As far as people being confused about where they should or should not vote, give people credit because they would find out if they were voters.

Leonard Kreisman, 885 Fearington Post, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

“I am also the Secretary to the Fearington Homeowners Association which represents over 1100 households. For many years the Gathering Place has served as the voting site for the entire village as well as those in the surrounding area. As the Commissioners know many of our residents are elderly and many have given up driving. Having the polling place in the midst of the Village is a great convenience. Splitting the Village would serve as a hardship for many of our residents. We understand that only one of the suggested proposals splits the Village. We would urge the Commissioners to approve either one of the proposals that does not make it more difficult for our residents to exercise their Constitutional right to participate in the electoral process. Thank you in advance for considering this appeal.”

Commissioner Petty stated that although the map designs were a work in progress you see things that made sense, and some of the comments made tonight about the Fearington area did make sense. When they had set out their major goals were to give a balanced district for all five districts and to follow major corridors that were easy to follow and differentiate where the lines were so they had wanted to follow major roads and bodies of water. Siler City was accustomed to being split already, and they had tried making it more complete but anytime you moved a line even a little it had a huge impact on the remaining areas. The Fearington issues brought up tonight made sense, and he agreed with that.

Commissioner Petty stated it was practically impossible to match the Board of Education and Board of Commissioners' district, and in fact none of the three options accomplished that. Their goal was to provide a balanced district across the County and not for their Commissioners and not necessarily for their Board of Education. They also intended to keep all current Commissioners in their existing districts, but that could not be one of their goals and keep Board of Education members in their current districts because it was practically impossible to do both. He had found it more important to keep Commissioners in their existing districts.

Commissioner Petty stated that in his opinion after doing some studying and hearing the input, he did not believe that Option 1 was the best option after all, although all three maps did meet their goal and were within the percentage of deviation. He found that would you tallied up the percentage of deviation in Map 2 that it worked out to zero, and when you looked at all three averages it worked out to about 5 points in Map 3. Considering all of those points, Map 2 presented a more well-defined line and it would be his recommendation that the Board accept Map 2.

Commissioner Petty moved, seconded by Commissioner Stewart, to adopt **Resolution #2011-37 of the Chatham County Board of Commissioners Adopting a Map Redefining the Board of Commissioners Residency Districts to Make Them More Equal.**

Commissioner Kost stated she wanted to provide some history as to why she had requested a Map 3 be drawn. There were several reasons, with one being that this Board in late winter had said that they wanted to work with the Board of Education and have a map that protected the BOE districts so that they would have one map. There were four districts for the BOE, and Ms. McManus and Mr. Leonard shared one. In the third proposal that was exactly what they had again, because it was impossible to put all five BOE members in separate districts. Another objective was that she had wanted to keep the towns together, but agreed that it was impossible to keep Siler City together. But, she had tried to keep the Town

of Pittsboro and its ETJ together because they knew with the Preston Development that they would see growth in that area. The third reason was that in District 1, which was her district, the hottest issue if you were on the east side of the lake was Cary. She had tried to keep the Cary land use planning area together, which she had done, but Option 2 had taken that district more to the west. She had tried to go south as well and keep the area east of the lake, because that was the number one issue in her district.

Commissioner Kost stated that was what she was trying to accomplish. During the first public hearing someone had said she had gerrymandered, and there was absolutely no gerrymandering by looking if they went to district only voting which party had the most to gain. She had not done any of that and had not played politics; she had just done it from a very analytical standpoint working with their GIS director. That was the reason she had developed Option 3, and she believed it was confusing for the community when they had different BOE districts and Board of Commissioner districts. They may say that the BOE incumbents will not run, but no one could predict that.

Commissioner Kost stated that one point that had come out of this was that they knew that over the last ten years District 1 grew by 34% but the numbers were skewed a bit. District 5 actually had the highest number of population, but over the next ten years it would balance out because they knew that the growth pressure was in the east. As they moved west, you would see that the numbers were higher because they knew the east would grow more so it would stay balanced just a little bit longer.

Commissioner Kost stated those were the reasons she had developed Option 3. Comments made at the last meeting she could not agree with more were that this process should have been done completely different from the way they had done it. It should have been done by a citizens group and taken completely out of the hands of the politicians because as the League of Women Voters' stated it made the whole process suspect. She did not think they had done a good job working with the BOE members; they should have been at the table with the Commissioners.

Commissioner Kost stated she would not support Option 2, but she had felt it was necessary to explain what the reasons were behind Option 3.

Chairman Bock stated that when you looked at any of the options, regardless of what you did some of the shapes were odd. That was because they had to be drawn based on Census tracks. The point was that those odd shapes were not because of any gerrymandering, because some of the Census tracks were bigger than others and some were odd shaped. The idea was to get each district to have roughly the same amount of population, with a target of about 12,800 and getting within a couple of percentages of each. What they had tried to do was, as Commissioner Petty had said, was that where possible follow major roadways, follow township lines, and follow a natural break where possible but that was not always possible.

Chairman Bock stated that on the issue of the BOE, he did not know that they had ever said that they wanted to protect the Board of Education districts, but had said it would be great if the BOE districts were the same as the Board of Commissioners districts and he agreed with that still. The BOE would have to redraw their districts and he would encourage them to adopt this Board's same districts. The question was would they want to, because it would put some of their members in the same district, so they had to look at whether they were trying to draw a district that represented the population of the County or were they trying to protect current elected officials. He could not see redrawing lines just to protect a current elected BOE member. The reasons their districts were so off was because they had not been redrawn in a very long time, so they would have to change their districts completely. He would encourage the BOE to adopt the County's, although they were under no obligation to do so.

Commissioner Stewart stated just for the record, Judy Anderson was present at the BOE meeting that was held in June which was prior to the meeting when this Board had begun discussing this map. That meeting was on Friday, June 10 which was just prior to this Board's Monday, June 13 meeting when they had first brought up these maps. A lot of people had asked why the Board had not gone to the BOE and talked with them first, and actually even before that the BOE had unanimously approved the resolution asking the NC

General Assembly to grant the BOE authority to redraw the residency districts for School Board members after each federal Census. In other words, the BOE had already gone to the State and said that they were going to redraw their districts, so they had made the first move. She assumed that the BOE had felt that they had a lot of work to do, and they had even mentioned that they were going to have to redo their entire structure. If you were to ask why didn't the Board of Commissioners approach the BOE, obviously they had begun talking about this long before the Board of Commissioners had presented the first maps. So, on both sides neither party had taken the initiative to approach the other, and obviously the BOE already had something in mind or had plans on what they wanted to do.

Commissioner Stewart said as the Chairman had noted, the BOE districts were somewhat different. If you looked at where the individual BOE members were placed, they ran into a unique situation where they would have two members in one district depending on what they ultimately decided. If the Board of Commissioners followed the BOE districts, then it would skew everything for the County.

Commissioner Kost stated the BOE went to the General Assembly because right now they did not have the authority to redraw their districts, and when the Board had met in March they had talked about that. According to the minutes from that March meeting the Board had agreed that they would try to come up with the same districts. As Commissioner Bock had just said they should not be protecting elected officials, but they had done it on their side so why hadn't they done it on the BOE's side. That was a double standard.

Commissioner Stewart stated she did not know that they could protect both.

Commissioner Kost stated that was why she had come up with Option 3, because Option 3 at least did leave it as it was now. In Option 2 you had three current BOE incumbents in one district.

Chairman Bock stated that regardless of which map the Board adopted, the BOE would have an issue, and they would still encourage them to adopt the County's map so that their districts matched. If the BOE chose not to do that, then that was their choice. But, if the real concern was that they did not want to confuse people and wanted the same districts, then regardless of which map was chosen the BOE could do that.

Commissioner Petty stated it was amazing how much impact moving a line over one road or one street or whatever had on the numbers. It was a hard task to move a line and determine what it did to the population numbers and make the rest of the County work out. That was quite a task, and when you had so many goals to try to reach, it became even more difficult. He believed what was now proposed was the best option they had.

Commissioner Kost asked what about her comment about the Cary land use area and splitting it into two districts.

Chairman Bock stated he believed the Cary land use issue was a Chatham County issue and not just an issue for the people who lived in District 1 or District 2. Anything they did there would impact the entire County, and that had very little to do with Commissioner districts.

Commissioner Kost stated she had to disagree with that.

Commissioner Stewart stated then basically Commissioner Kost was saying that it was easier if you were in a district to represent the needs of those people that were in that district as if it was just district voting.

Commissioner Kost stated she felt like she represented all the people in the entire County, but still trying to keep things intrinsic. On the east side of the lake the Cary issue was the biggest issue and she felt they needed to keep the interests together because this was a very diverse County.

Commissioner Stewart stated in her case, if you looked at District 4 you went from one extreme of the County to the other extreme of that entire district. If you were looking at the needs or issues that addressed that then you had even more of a diverse group.

Commissioner Kost stated but the land was fairly similar as far as the use, because most of it was agricultural land.

Commissioner Stewart stated it was agriculture, but based on geography there was a difference in the needs of those people and understanding them. For her, that was one of the things that she did not wholly agree with.

Commissioner Cross stated in reference to representing the people in District 1 and 2, he believed it was a fact that they did have their communications lighted up more from the people in that area concerning the Cary events. It was a County problem, and 82% of the eastern boundary on Map 2 was in District 2. It split a piece of Three Rivers, and even though Moncure was not a municipality the Moncure/Moncure industrial area was a highly recognized community. He was accustomed to serving that population just as he had demonstrated a time or two tonight as others would in their districts if contacted by someone with an issue. As far as the percentages in Commissioner Kosts' district, it was about 60/40 compared to 82/18, and he believed there would be additional pressure from Apex and Fuquay Varina and possibly Holly Springs with more voluntary annexations especially with that new wastewater treatment plant in New Hill. He would prefer not to have his community split, and he would prefer not to have 82% of the eastern border in one district, so he would prefer Option 3.

Chairman Bock called the question on the motion to adopt Option 2. The motion carried three (3) to two (2) with Commissioners Cross and Kost opposing.

Additional comments were submitted for the record and are attached hereto and by reference made a part hereof.

Other Matters:

Human Relations Commission Presentation: Presentation by the Human Relations Commission

Norman Clark, Acting Chair of the Chatham County Human Relations Commission and a native of Chatham County, noted that he was also a past elected official, having served on the School Board for one term. He noted he was here today on behalf of the current members of the Chatham County Human Relations commission who are Ilana Dubester, Vice Chair, Marry Harris, Secretary, Roy Barnes, Patricia Learned, Rev. Jerry Powell, Ivan Remnitz and Rev. David Scotton. He presented his comments to the Board and provided them in their entirety for the record as follows:

“I would like to start by sharing a brief account of how and why the Chatham County Human Relations Commission was created. A goal of the HRC is to help prevent and resolve issues related to human relations involving all persons living, working or trading in Chatham County.

During the last decade of the 20th century, Chatham County experienced a big demographic shift with the arrival of immigrants from Latin America and other parts of the globe. This shift presented our County with both opportunities and challenges. One of the opportunities was a renewed focus on addressing issues of race relations. In the late 90s, Mr. Charlie Horne, Chatham County Manager, met with local community leaders, clergy and the Board of Commissioners to discuss how to improve relationships between residents in the County. As a result of those meetings, on April 2000, the board of commissioners voted unanimously to establish the first Chatham County Commission on Human Relations and appointed a diverse group of volunteers to serve as commissioners.

Fast forward to 2004 when the Human Relations Commission met with County and community leaders and identified several areas of concern, including:

- . Educational achievement gap between whites and students of color
- . Lack of opportunities and recreational facilities for youth
- . Inadequate opportunities for persons of different backgrounds to meet and socialize

- . Concerns over race relations (issues arising between new racial groups and old racial groups)
- . Persistence of institutional racism
- . Need to promote diversity in schools and communities
- . Minority representation in law enforcement, school personnel and government
- . Fair and affordable housing issues

The volunteer Commission operated without staff from 2000 until 2008. During those years, commission members, although well intentioned, had no authority or resources to effectively address any of the issues raised by the community. They continued to meet, but little actual work was accomplished.

During that time period, Chatham County suffered several hate incidents that attracted both regional and national media attention:

- . In May 1999, Chatham Central's yearbook was found to have published pictures of white male students posing with nooses around their necks.
- . In February 2000, a local chapter of the white-supremacist group called the National Alliance organized an anti-immigrant rally in front of Siler City's Town Hall and had as guest speaker David Duke of Louisiana, the former grand wizard of the KKK. During that incident, property at the Catholic Church was vandalized.
- . An audio recording of Chatham Central principal using racial epithets against African-American students was made public.
- . In 2007, then chair of the Chatham Board of Commissioners, Mr. Carl Thompson, had an explosive device detonated inside his mailbox and KKK spray-painted on his driveway.

In response to these growing manifestations of hate, the CCHRC advocated with the Board of Commissioners for the creation of an office of human relations with a full-time director. In May of 2007, Chatham Commissioners unanimously approved the position and, in 2008, Ms. Esther Coleman was hired as the first Director of the Office of Human Relations. The plan was for Ms. Coleman to be funded by the County for the first 3 years to establish the office and its programs, and then, secure grant funding from government and other entities to support this work.

I would like to highlight the latest data from the 2010 Census showing that nearly 30% of our county residents are minorities. Chatham County demographics are as follows:

African-Americans: 13% Hispanic/Latinos: 13%
Native Americans, Asians and multi-racial: 4% Non-Hispanic Whites: 71%

In contrast, Siler City is now a minority majority, and 70% of its population is people of color:

50% are Hispanic/Latinos 18% are African-Americans
2% are Asians and 30% Non-Hispanic whites

In our school system, minority children represent nearly 45% of our student body. One of the major challenges that our County faces is the disparity in academic achievement between whites and students of color. Narrowing the achievement gap was a major focus of the Office of Human Relations and the Human Relations Commission.

Under the leadership of the HRC director, the Office of Human Relations served as a liaison with the school system to address this important issue. The director was a key leader in the Raising Achievement and Closing the Gap Task Force; she established the Student Achievement Awards that lifted up students of color who showed great progress, and initiated a student essay contest to encourage all students to improve their writing skills and expand their awareness of social justice and diversity in our community.

The HRC office also engaged the community at large through its Community Service Awards. The purpose of these activities was to create safe spaces for diverse community members to interact and build harmonious relations. The Director also acted as a resource

and an advocate for those who needed help with unfair or unjust practices related to housing, employment discrimination and hate incidents and racial bias. As a Commission, members referred cases to Ms. Coleman for follow-up and assistance.

We want to take this opportunity to submit into the record the Director's Annual Report for the year 2010, which highlights activities and accomplishments of the office of human relations during the past 2 years. We also want to submit for the record a copy of "Issues Impacting People of Color in Chatham County," which was the first ever researched and documented report about the social and economic barriers that continue to disproportionately affect people of color in our community. I want to note pages 15 through 18 where you'll find recommendations on how to address these issues.

With the Director's help, the Human Relations Commission was finally on its way to accomplish its mission of actively promoting harmonious relations and mutual respect among all racial and ethnic groups within Chatham County and to discouraging all manner and manifestation of discriminatory practices toward such groups; thereby, promoting the general welfare of this community.

All these achievements and progress came to a halt on January 3rd, 2011, the majorities' first public meeting. On that morning, following a holiday weekend, in spite of the lack of notice regarding the real plans to eliminate 3 vital positions in our county, in a room too small to hold all residents who wanted to hear and comment, with over 50 people standing outside unable to participate in the proceedings, and in spite of the fact that most speakers present expressed strong support for the office of Human Relations – the majority voted to eliminate the only position in Chatham County focused on eliminating racial disparities and improving human relations.

This position, the only one of its kind in all of our County government, cost our County a mere one-tenth of 1% of our total budget. Furthermore, the Human Relations Director was well poised to secure outside sources of funding for the Office of Human Relations as planned, but she was not given that chance. She was not given that chance because the new majority never had any interest in keeping this position. She was not given that chance because this Board's majority well before being elected had already made up its mind and no measure of public outcry and no amount of real data would possibly matter in their decision making. This was not a thoughtful decision. It was not based on fact. It was not based on the real challenges facing our community.

Chairman Bock's and the majority's contention that the HRC can operate just as successfully as it did without staff and without a budget is ludicrous and short sighted.

We are here today to express our strong disapproval and our disappointment that Chatham County, home to 45% minority children in our school system, and home to 30% people of color in its general population, does not see fit to invest one-tenth of 1% of its budget on a position that would assist minorities overcome barriers and eliminate discriminatory practices in our community.

A volunteer commission does not possess the resources, the knowledge, the time or the authority to address resident's complaints or act on those complaints. The role of a volunteer commission is to provide direction, ideas and make recommendations, not to carry out the crucial work assigned to the Office of Human Relations. Do 30% of County residents only deserve volunteer justice?

The members of the Chatham Human Relations Commission were appointed to look out for the wellbeing of the residents of our County and that is what we were trying to do. Yet, this charge cannot be meaningfully accomplished without support from the County and the support of a dedicated and knowledgeable staff person."

Ivan Remnitz, 234 Gracestone and a resident of Chatham County since 1997, stated that he was a member of the Human Relations Commission prior to having a staff person to staff the HRC, and wanted to comment on what the HRC was like at that time. He had served two three-year terms on the HRC and during all of that time the members of the HRC only had an opportunity to talk and analyze all the problems that were facing the County. They talked and talked and made reports, but nothing was every accomplished. It was only

during the latter part of his second term that they were able to convince the then County Commissioners of the importance of having a professional Executive Director with a budget to be able to have some sort of significant resolution to the many problems that the County was facing. They had known for the longest time of the many disparities that were facing this diverse community, and they believed that diversity should be celebrated. One of the things they had been trying to achieve was resolving the problems.

Mr. Remnitz stated that he had had to leave the HRC when his two terms were served, but after being off over a year he was eligible to serve again and was reappointed for another three-year term. He had the opportunity to observe all the accomplishments that were being achieved with the new professional Executive Director who was able to address the problems and with a budget to be able to make an effective change. It was because of that that he had felt that progress was being made. When it was decided to completely eliminate that position, in effect it removed all teeth that the HRC could possibly have and nothing meaningful could then be achieved. After having been involved for so many years and seeing what could be accomplished and seeing the lack of decision to having this effective resolution continue for the welfare of the County, he felt that he had not recourse but to present his resignation.

Mr. Clark completed his comments to the Board and provided them in their entirety for the record as follows:

“We believe that if you had done the work of thoughtful and transparent governance and reviewed the 2010 annual report, and the report on the Issues Impacting People of Color in Chatham County, you could not have reached the conclusion that this position was expendable. Furthermore, this Board of Commissioners is also actively engaged in undoing the hard work of the HRC, exemplified by the rescission of the 2009 ICE Resolution.

We refuse to participate in an ineffectual commission and perpetuate the myth that the majority on this Board cares about the welfare of minorities in our community. Mr. Bock, Mr. Petty and Ms. Stewart – you made a clear statement to us by eliminating the position of the Human Relations’ Director without the courtesy of a conversation with the members of our Commission; after much thought and consideration, our response is to resign in protest effective immediately.

We want to urge you to reconsider this decision and reinstate the office of human relations. This is not about special interest groups; this is about the prosperity and achievement for all who live, work and play in Chatham County. This is about your responsibility to serve all Chatham residents, not only those who look like you or voted for you. We were honored to serve on the Human Relations Commission and regret that these circumstances left us no choice but to resign.

Sincerely,

Norman Clark, Chair
Ilana Dubester, Vice-Chair
Marry Harris, Secretary
Roy Barnes
Patricia Learned
Ivan Remnitz
Rev. David Scott”

Mr. Clark stated for the reasons stated, all members of the Human Relations Commission hereby submit their resignations. They hoped that the Board would consider this and find volunteers they wanted to serve as an advisory board without any effective power.

Commissioner Kost stated she wanted to thank each member of the HRC for serving on the Commission. She had the privilege of working with Ms. Coleman and stated there had been a marked difference in communication in the County from six months ago to what they had now. The education efforts were gone. The HRC had no one to help them work through issues; if a problem came to them who would take the lead and get it done? She was sad that they were in the position that they had to resign, but certainly respected and

understood all of their positions and the reasons behind it. She reiterated her thanks for everything they had done for the community, and stated they could not continue to sweep the disparities and problems under the rug.

MANAGER' S REPORTS

The County Manager reported on the following:

Courthouse Renovations:

The County Manager stated that they anticipated doing the bids on that project on August 31. He had seen the design inside and it looked very good, and believed the Historical Association would be at the August 1 work session to lay out what their space would look like.

New Judicial System:

The County Manager stated that the new courthouse was about four weeks ahead of schedule, and the weather had been very good in that respect. They had poured the first portion of the basement wall today, so it was moving forward well.

Town of Pittsboro Water:

Chairman Bock stated the Town of Pittsboro Board of Commissioners had sent the County Board a letter basically outlining issues they had now with the sale of their water with the loss of Townsend. They had asked that the County purchase water from the Town of Pittsboro rather than from purchase from other sources, namely Sanford. He asked the County Manager to outline some of the issues associated with that request.

The County Manager stated that with the type of system the County now had the function of getting the water to places they would use it in the northeast was now served by the County's water plant. They did not have the dexterity to move it the southwest where the bulk of the Sanford water would be going, so at this time they did not believe that purchasing water from Pittsboro was a good option. One of the conversations that had apparently been had with the School system which they had heard about this afternoon was perhaps that if they purchased their water from Pittsboro they could do something about the bill. But, at this point they did not feel that they had a good elevation and flow process set up to where they could move the water to where it had to be in order to functionally serve the area needed to be served if they used Pittsboro's system.

The County Manager stated that secondly, the economy had changed the way Pittsboro was using water because Townsend was closing and consolidating, but by the same token the economy had slowed the County's expansion of the water system. So, they really had enough water to serve the County's needs for the foreseeable future. Those two reasons were behind the staff recommendation to not purchase water from Pittsboro at the present time.

The County Manager stated one proposal they had considered periodically in the past was merging the Town system and the County system, and believed that according to the letter received this was a part of that conversation.

Chairman Bock stated they were working to draft a letter to go back to the Pittsboro Commissioners that basically said what the County Manager had just outlined. It was unfortunately not feasible nor did they need the water.

Commissioner Kost asked what about all the water they were going to have to purchase from Durham. She would much rather buy their water from Pittsboro than from Durham or Sanford. She asked why not buy local?

Chairman Bock stated they had talked about that.

Commissioner Kost stated that they as a Board had not discussed that. The County Manager stated that they actually had the capacity and could get Durham water if they needed, but at this point they were not in need of Durham water.

Chairman Bock stated that right now they were using County water for the northeast for the most part. They were using Siler City water and Sanford water.

Commissioner Kost asked what their peak day was. The County Manager responded said currently this year it had been at 2.6 or 2.7 million gallons. They had various options to try to figure out a way to do that, but at this point they did not see how it would work.

Chairman Bock stated he believed they would all agree that if possible and feasible and affordable they would much prefer to purchase water from Siler City and Pittsboro than Durham and Sanford if they could do that at some point in the future. He liked the idea of merging the two systems if that created some efficiency and was possible to do. He would encourage staff to work with Pittsboro's staff to accomplish that. The County Manager stated if the Board gave that impetus to the draft letter then they would begin that conversation.

Commissioner Kost stated she really wished they could discuss this during the work session when they did not feel rushed to make a decision. She asked what it would take to retrofit their system to allow them to receive water from Pittsboro. One of the ideas was that they have interconnectivity so that if Pittsboro had a problem they could get water from the County and vice versa. She had thought that was being put into place, but now she was hearing they could not do that. The County Manager stated he had not meant to leave the impression that it could not be done; his response was that it would be difficult the way the system was currently operating. Commissioner Kost asked what they would have to do to make it work. The County Manager stated he would have to refer to the professionals about that.

Commissioner Kost stated they could go ahead and send the letter but she would like to address this issue at a future work session and talk about it more thoroughly. The County Manager stated it had been their intention to bring it forward at the work session but they had run out of time. There was really no rush to get something done, but the letter had been received from Pittsboro and they felt the need to respond. Commissioner Kost asked could they respond that the Board of Commissioners would be taking this up at its August 1 work session and talk about what it would take to accomplish it. She would like to have staff available at that work session to respond to question. She asked was Pittsboro's rate any better than what they were paying now.

Chairman Bock stated that the rate quoted in Mayor Voller's letter was \$2.70, and they were currently paying \$2.20.

Commissioner Kost asked what they were paying Durham.

Chairman Bock stated they were not purchasing water from Durham.

Commissioner Kost stated she understood that, but they were putting in pipes and changing systems so that they could purchase from Durham. That was the plan until they got the regional intake done. The response to Pittsboro could be that the Board of Commissioners would take up the issue at its August 1 meeting if they felt that they needed to respond immediately. The County Manager stated he would talk to the Pittsboro Town Manager to let him know the Board of Commissioners would be doing that.

Chairman Bock stated that was fine, but he would still want to have the conversation about merging the two systems. He asked the County Manager to mention that to the Town Manager as well.

COMMISSIONERS' REPORTS

International Green Energy Council:

Commissioner Petty they had an opportunity to have a guest speak from Washington come to their joint elected officials meeting on Thursday evening, and he would then be spending some time on Friday and Saturday traveling the County and doing an assessment of the resources they had here in the County. This gentleman was representing a nonprofit organization called the International Green Energy Council and his services did not cost anything unless he was hired at some point to act as a consultant. Based on the organization's nonprofit status part of what they did was to encourage counties and municipalities to look at their energy issues. This person's expertise was quite broad, from waste energy to landfill issues to remediation control to Biofuels. He had had the opportunity to work with this gentleman in the past, and provided some details of his background and previous work and awards.

Commissioner Petty stated the gentleman was well connected and had traveled the world promoting green initiatives issues. He had a common sense approach to green technology and had the ability to promote and tie complementing industries together. He also had a broad base of membership so that once he did an assessment he could put together a proposal similar to a bid that would go out to all his contacts that said here are the resources available and here it what the county or municipality was doing, and then see what ideas those contacts might have and if they were interested in looking at Chatham County.

Commissioner Petty stated that hopefully that might spark some interest for them and perhaps even give local businesses the opportunity to expand or move in a different direction as they capitalized on technology opportunities. He wanted to make the Board aware of what they were working on and believed they were very fortunate to get a person of this caliber to come to Chatham County and see what they had to offer in terms of resources including the workforce, and put feelers out about what might be available in terms of technology and if there were people in industry who might want to come here and utilize those resources.

Bookmobile:

Commissioner Kost stated that as local elected officials they all made mistakes, and sometimes the public was forgiving and other times they were not. When they did make a mistake and it could be corrected, the right thing for them to do was to admit it and then to fix it. Last year she had called the bookmobile a "traveling dinosaur", and it seemed that with e-books and other ways to deliver the service that moving books up and down the road just made little sense. But then she had learned about the people who used the bookmobile, the young children at day care centers, the older residents who were not comfortable or were not able to drive the distance to the nearest library. And then she had realized that it may look like a waste of money at first, but to the many residents who depended on the service it was indeed a bargain.

Commissioner Kost stated that because they had not all had the opportunity to visit the bookmobile, she would like to share a short video with the Board and the public. The video showed first hand and answered questions she had heard about what the users of the services were like.

Commissioner Kost stated they had said as a Board that education was one of their top priorities, and she considered the library and the bookmobile education and therefore a cut that they should not make. She realized that last year she had supported eliminating the bookmobile, and as she had said they all made mistakes and this was a mistake that she had made. Once she had heard from so many that depended on the service she realized how important it was to their community. Last January with no public discussion this Board voted to eliminate the bookmobile. The very next day the Board did realize that this was no way to do their business and had reversed that vote. But were minds made up then?

Commissioner Kost then shared a short video with the Board and the public.

Commissioner Kost stated that what the video told them was who was using the bookmobile and that was the real value of it and its importance to the day care community as well as to the seniors. One correction to something that was said during the argument about eliminating the bookmobile was that Carolina Meadows brought by bus people to the Pittsboro library and that was simply not true. Carolina Meadows had gone one time to the library when they were doing a tour of the County. Carolina Meadows and Galloway Ridge

were undergoing major expansions. Galloway Ridge was the fourth largest taxpayer in the County and Carolina Meadows ranked fifth. Combined they made up for about \$117 million of their tax base, and those were significant users of the bookmobile.

Commissioner Kost stated that what she was disappointed in with this Board was that they had not looked at any other solutions or at any other alternatives. They had simply eliminated the service. They had talked about having a nonprofit take over the service but on such short notice how realistic was that? They had not looked for sponsorships. They did not look at adjusting the schedule or reducing the cost. They did not have a Plan B before they eliminated the service. They only Plan B was to ask people to drive to a brick and mortar library.

Commissioner Kost stated what she was asking tonight was that they reinstate the bookmobile service at least through June 30 of the current fiscal year on a reduced schedule at a total cost of \$25,000. Between now and June 30 they should evaluate other options, and if the other options were determined to be a better solution then she could support eliminating the bookmobile. But, she felt that they should have planned before they eliminated this really important service.

Commissioner Kost moved, seconded by Commissioner Cross, to increase the library budget by \$25,000 to reinstate the bookmobile at a reduced schedule.

Commissioner Stewart asked what the reduced schedule was; that is, what stops would be cut out?

Commissioner Kost stated that would likely be left up to the Library Director to look at the data.

Chairman Bock stated then she did not have a reduced schedule?

Commissioner Kost asked why she would have a revised schedule.

Commissioner Stewart stated she thought that since there were a number of people speaking out about the bookmobile that perhaps someone had come up with a proposal.

Commissioner Kost stated that all she was asking was that they reinstate the bookmobile and give themselves some time to find some solutions to the issue. She believed developing a reduced schedule should be left up to the Library Director.

Commissioner Cross stated if the Board decided to approve the motion, it would be his wish that instead of visiting every site each week that it visit each site every two weeks so that everyone would still be served, just not as often.

Commissioner Petty asked what the list was of consistent stops for the bookmobile.

Commissioner Cross stated it went to Moncure and Cole Park Plaza, as well as Fearrington, Carolina Meadows.

Commissioner Stewart stated it went to Cole Park every Thursday, and it went to Carolina Meadows and Galloway Ridge.

Chairman Bock stated that one thing he kept coming back to and caused him frustration was with the majority of the taxpayers and the majority of the people that would use a branch library, why didn't they build a branch library in the northeast where those people were living instead of a million dollars a year on a LEED Gold certified central library that the books smelled so bad that people could not read them. He did not understand why they had put that money into a central library that was centrally located that nobody could use.

Commissioner Kost stated she could not use the current library because the odor bothered her.

Chairman Bock stated then what did they get for their money.

Commissioner Kost stated they had gotten a new community college library as well by consolidating with the community college.

Chairman Bock stated it seemed that some research should have been done to say that a branch library was needed in the northeast and who cared if someone gave them some property somewhere else. Why did they not build a small, less services, branch system throughout the County. But, they had not done that and the decision was made. The question now was did they support the library system, and he believed the money they spent on library systems said yes.

Commissioner Petty asked had Commissioner Kost approached the Library Director about a reduced schedule and if so what her response was.

Commissioner Kost stated there had been some discussion with members of the public.

Chairman Bock stated he had talked with the Library Director and she did not support it because it did not help what she was trying to accomplish. If he was going to spend \$25,000 more on the library, he would say to put it in the central library and expand the hours on Saturday and or Sunday. That seemed to make more sense to him.

Commissioner Kost stated she believed what they had heard today was that many people who had worked really hard to raise an enormous amount of money through the Friends for the new library said that they had supported the new library but had done so because they understood they had the branch library in the northeast for the avid readers. The bookmobile was invaluable to the day care centers, and those children would not have access to books unless they could get the materials to them.

Chairman Bock stated that most parents had automobiles and could get their children to the library.

Commissioner Kost stated not in all cases.

Chairman Bock stated they would again have to agree to disagree. He did not disagree that the bookmobile was a great service.

Commissioner Petty stated they had asked each department to participate in the budget cut process, and eliminating the bookmobile was what the Library Director had proposed.

Chairman Bock stated she had proposed that elimination the year before as well.

Commissioner Petty agreed, but it had been reinstated. Evidently, there was some consistent concern about its cost or effectiveness or something else that had prompted the Library Director to recommend elimination.

Commissioner Kost stated then why didn't they know that? If they were doing their due diligence why wouldn't they have known? She was frankly quite surprised that they had a Library Director for the County that did not advocate for everything and every penny that she could to promote reading for the community, whether it was the bookmobile or whatever. She was really surprised by that.

Commissioner Stewart stated that if we were to leave \$25,000 in the budget, she would not advocate for spending it on a reduced bookmobile schedule, but would rather see the hours of operation for the library extended to the weekend. Chairman Bock said that would be micromanaging the library budget which the Board had said it would not do.

Commissioner Stewart asked if anyone knew how much had been privately raised to begin the bookmobile service. Someone from the audience indicated it was about \$3,000.

Commissioner Petty asked was it possible to sell ad space on a County vehicle. Mr. Rose responded that it was done in other places. Commissioner Petty stated doing that would

open up a whole bunch of issues about free speech, and they would end up trying to determine what was right and wrong.

Commissioner Kost stated her reaction when watching the video was what a sense of community and nostalgia that brought forth, but then she heard what did it matter and the Library Director felt a certain way and so forth. She believed that the bookmobile really did promote community and promoted reading and promoted education, and the money was available in the budget. She stated she was confident she could find an additional \$25,000 somewhere in the budget, noting today they had learned of \$200,000 they were saving on the law enforcement center. Of all the issues she had had as a County Commissioner, this was the one she had heard the most passionate pleas about. She had been the one to call the bookmobile a traveling dinosaur, but once they had received the input from citizens and once they really understood the issue, she was convinced that this service was not one they should eliminate.

Commissioner Petty stated and he would respond that eliminating the bookmobile was that department's recommendation in response to the Board's request to identify cuts. He respected that decision, and also respected the passion and energy that had been put into trying to save it. It was not a bad or undesirable service; it was simply the choice that had been identified to cut the Library's budget. If there was a way to fund it privately, then he would encourage it. But, if they put back into the budget everything they had taken out, they would be back where they started.

Commissioner Kost stated she understood that it was the Library Director's recommendation so they were cutting it, but staff recommended against giving the Christmas bonuses but the Board had done it anyway, and that was \$605,000. This was a policy decision and was the Board's decision, not the Library Director's or the County Manager's.

Commissioner Petty stated that was designated money for that specific purpose.

Commissioner Stewart stated that if they were going to put money back into the budget she wanted to see the Pittsboro library opened on Sunday when families could utilize it, because that was a critical issue. If any funds were added to the Library budget she wanted to see it go towards expanding its hours of operation so more people would have access to it. The first time she had visited the new library it had been closed, and an elderly couple walking up had commented that they could not believe they had spent all that money on a library that they could not afford to keep open.

Commissioner Kost stated the Board had cut the hours of operation in the budget.

Commissioner Stewart stated that was her point; if they were going to put additional funds into the Library budget then they needed to expand the hours of operation on the weekends when people or families could enjoy all types of programs.

Commissioner Kost stated then perhaps they should consider cutting the hours of the Goldston and Siler City libraries to increase the main library's hours and keep the bookmobile.

Commissioner Stewart stated they should not be taking away from the rural areas those hours of operation.

Commissioner Kost stated but they were taking away from the people living in the northeast by taking away the bookmobile.

Commissioner Stewart stated the people in the northeast were more affluent than those in the southern end. The people in Galloway Ridge and Fearington and Carolina Meadows and Governors Club were a lot more affluent than most of the people she was aware of in the western part of the County. She stated she had thought that Carolina Meadows had a library.

Commissioner Kost stated they did, but they did not have the resources of the various books and materials. She had heard from Carolina Meadows residents and they utilized the library but did not drive. It was an equity issue, but 54% of the tax base was in the northeast.

Chairman Bock stated and 100% of the County had access to the Pittsboro library. You could not say that because those living in the northeast paid 54% of the tax base that they should be treated differently. To him that was a hollow argument, because they were not paying more per person, they just had more people

Commissioner Kost stated they were paying more because their values were higher in the east.

Chairman Bock stated that was a choice you made when you purchased a more expensive house.

Chairman Bock called the question. The motion failed two (2) to three (3) with Commissioners Bock, Petty, and Stewart opposing.

American Tobacco Trail Parking:

Commissioner Kost stated that she had told the County Manager several times and she wanted it to happen and she wanted the Board to help her support it, but they had got to tackle the issue of parking along the American Tobacco Trail. It was an issue and they had to work with the Town of Cary because it was a huge problem. She heard from citizens a least twice a week about it.

Chatham-Cary Subcommittee Meeting:

Commissioner Kost stated that tomorrow was the Chatham-Cary Subcommittee meeting, and as they knew a member of the Cary Board was now serving on the Wake County Board of Commissioners. They left two members of that subcommittee that needed to be replaced. When she had brought up the issue in the past there seemed to have been some agreement that Chatham would cut back to two members. She asked had that been discussed.

Chairman Bock stated he did not believe there had been any discussion or agreement, and did not know why Chatham would want to reduce its membership just because Cary had done so.

Commissioner Kost stated they had talked about this when she had brought it up before and the Board had all agreed.

Chairman Bock stated he had not meant to imply that he agreed with that. He asked why they would want to cut their representation just because Cary had done so.

Commissioner Kost stated the reason their membership had been increased to three was because Cary had three so it made the representation even. So, using that same logic, if Cary decreased its membership by one then Chatham should do so as well.

Chairman Bock stated the logic was that Cary had more members than Chatham, and since it was Chatham County land they should at the least have equal members. He was actually more in favor of more members of Chatham County on that committee.

Commissioner Kost stated it was not a very compelling plea by the Chair to add her to the committee, so she was not sure he would support her membership on that committee. Was it her understanding that all three of Chatham's representatives would attend the meeting tomorrow, noting there had been some issues with attendance.

Chairman Bock stated it was their intention to attend.

Forestry Land on New Hope Church Road:

Commissioner Kost stated she had received 11 complains in the past two weeks about an issue in the County and she would need the County Attorney to look into it. There was a property owner who forested 15 acres of land, but for the last four months the owner had been hauling dirt at about 200 truckloads a day. The dirt now on the land was about ten to twenty feet high according to one of the neighbors, and the concern was that they did not

know where the dirt was coming from and if it could contaminate their wells. Since the land was in forestry, were there any regulations within the County that would regulate that. It was also adjacent to a blue line stream which one of the neighbors had said that during a recent rain event that the stream which was a half-mile from the lake was running red.

Chairman Bock asked where the property was located.

Commissioner Kost stated it was on New Hope Church Road, just down from New Hope Church. They had regulations to protect water quality, so what could be done in this case to protect that area.

Chairman Bock stated he believed the place to start would be to determine if the dirt was impairing the water quality.

Commissioner Kost stated there was also the issue of 200 trucks a day and where the dirt was coming from, which she believed was somewhere in Wake County. One question was why that dirt was being dumped in Chatham County rather than Wake County.

Land Banking:

Commissioner Kost stated that she had mentioned today that she would like the Board to put on a work session, perhaps in August, on the whole process of land banking and what they could do. She believed there would be some pressure to find land for an elementary school. She would like the Board to discuss some of the issues and problems with what they were doing currently.

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 9:55 PM.

Brian Bock, Chairman

ATTEST:

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