

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JANUARY 22, 2008

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the District Courtroom, 12 East Street, located in Pittsboro, North Carolina, at 6:00 PM on January 22, 2008.

Present: Chairman George Lucier; Vice Chair, Mike Cross; Commissioners Patrick Barnes, Carl Thompson, and Tom Vanderbeck, County Manager, Charlie Horne; Assistant County Manager, Renee Paschal; County Attorney, Kevin Whiteheart; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

INVOCATION AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

The meeting was called to order by the Chairman at 6:02 PM.

AGENDA AND CONSENT AGENDA

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

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

1. **Minutes:** Consideration of a request for approval of Board Minutes for regular meeting held January 07, 2008, work session held January 07, 2008, and special CIP meeting held December 17, 2007

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

2. **Funds Acceptance by Chatham County Health Department:** Consideration of a request to accept Pandemic Influenza funds awarded to the Health Department in the amount of \$17,500.00 from the NC Division of Public Health

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

3. **Funds Acceptance by Chatham County Health Department:** Consideration of a request to accept Family Planning Funds awarded to the Health Department in the amount of \$833.00 from Women’s and Children’s Health/Women’s Health

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

4. **Renaming of Private Roads in Chatham County:** Consideration of a request to rename private roads in Chatham County as follows:

- A. Lucy Josey Lane
- B. Evie Lynn Road

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

5. **Naming of Private Roads in Chatham County:** Consideration of a request to name private roads in Chatham County as follows:

- A. Fern Creek Trail

B. Jordan Estate Lane

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

6. **Resolution for Addition of Street to North Carolina System of Secondary Roads:** Consideration of a request to adopt **Resolution #2008-01 for the Addition of Streets or Roads to the North Carolina System of Secondary Roads – Walser**, attached hereto and by reference made a part hereof.

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

7. **Grant Application Approval for Health Department:** Consideration of a request to approve grant application for Focus on Father's Program Expansion – Children's Trust Fund in the amount of \$69,701.88, copy attached hereto and by reference made a part hereof.

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

8. **Judicial Facility Project:** Consideration of a request to proceed with the Judicial Facility Project with architect firm Corley Redfoot Zack and enter into a Phase II contract with the firm

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

9. **Cost Per Copy Award:** Consideration of a request to award "Cost per Copy" contract, attached hereto and by reference made a part hereof.

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

10. **Grant Application Approval for Parks and Recreation:** Consideration of a request to approve NC Parks and Recreation Trust Fund (PARTF) 2007-2008 Basic Facts and Assurances Certification, copy attached hereto and by reference made a part hereof.

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

11. **Clean Water Management Trust Fund:** Consideration of a request to approve grant application and to adopt **Resolution #2008-02 to Accept a Clean Water Management Trust Fund Easement**, for conservation easement on 14.5 acres of the Northeast District Park in the amount of \$217,500.00, copy attached hereto and by reference made a part hereof.

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

12. **Jordan Lake Local Watershed Plan - Clean Water Management Trust Fund:** Consideration of a request to approve grant application and to adopt **Resolution #2008-03 to Accept a Clean Water Management Model Watershed Planning Project** to identify criteria for parcel acquisition, identify, and prioritize parcels for acquisition or conservation easements in the amount of \$53,333.00, copy attached hereto and by reference made a part hereof.

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

13. **Northeast Park Master Plan:** Consideration of a request to adopt the Northeast Park Master Plan, attached hereto and by reference made a part hereof.

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

14. **Resolution Amending the Chatham County Personnel Policy:** Consideration of a request to adopt **Resolution #2008-04 Amending the Chatham County Personnel Policy**, attached hereto and by reference made a part hereof.

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

15. **Amendment to the Triangle Area Rural Planning Organization:** Consideration of a request to amend the Triangle Area Rural Planning Organization

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

16. **Resolution Proclaiming “We Love Seniors Month”:** Consideration of a request to adopt **Resolution #2008-05 Proclaiming “We Love Seniors Month” February 2008**, attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

There was no one present who wished to make public comments.

PLANNING AND ZONING

Public Hearings:

Public Hearing Request for a Revision to the Chatham County Ordinance Establishing a Planning Board: Public hearing to receive public comments on a request by the Chatham County Board of Commissioners for a revision to the following sections of the Chatham County Ordinance Establishing a Planning Board: Section 1.B to change the date for Planning Board member appointments and make technical correction; Section 2.A to specify that the procedure for electing the Chair and Vice Chair is defined in the Planning Board Rules of Procedure

Sally Kost, 1101 New Hope Church Road, Apex, NC, Vice Chair of the Chatham County Planning Board, stated that in February, 2006, the Board of Commissioners amended the Ordinance Establishing a Planning Board; that among other things, the Board changed the individual Commissioner Planning Board appointments to line up with the term of office of each Commissioner with the exception of the 11th at-large member of the Planning Board whose term is determined by the Commissioners; that the changes that the board made to the Ordinance Establishing a Planning Board made it necessary for the Planning Board to review and make changes to both the Rules of Procedures and to their Code of Ethics; that they adopted these changes in November, and at that time, identified the changes necessary in the Ordinance Establishing a Planning Board; that so that the Rules of Procedures and the ordinance are consistent, they are asking that the commissioners make the following three changes to the ordinance:

1. In Section 1, Paragraph B – Appointment and Compensation, they ask that instead of an appointment expiring with the appointing Commissioner, which would be the first Monday in December, that the appointment be effective through the end of the month.

The current ordinance, as amended, reads: “All appointments, except those necessary to fill an unexpired term, shall be for a term which expires on the date that the term of the appointing Commissioner expires.”

They ask that this language be replaced with: “All appointments, except those necessary to fill an unexpired term, shall be for a term that begins in January following the election of the appointing Commissioner and expires on the 31st of the December following the expiration of the term of the appointing Commissioner.”

2. In the same section, for clarification, they ask that language stating that ex-officio members to the Planning Board do not have voting power on the board.

3. In Section 2, Paragraph A – They ask that the Board strike this language which spells out when the elections of Chair and Vice Chair be held.

Ms. Kost stated that the current ordinance reads: “At its first meeting after the first Monday in December of each year, the Planning Board shall meet and elect a Chairman and

Vice Chairman and create and fill other offices as it may determine. The term of the Chairman and Vice Chairman shall be for one year, with eligibility for re-election for one additional term.”

She asked that this language be replaced and simply read: “The procedure for such elections shall be defined in the Chatham County Planning Board Rules of Procedures.” She stated in their Rules of Procedures, they have outlined the time line for elections, which are to be held at their regular meeting in February and have limited the term of office two terms; that the information included in the agenda packet shows the new language but does not show the old language as stricken; that this old language in Section 2, Paragraph A needs to be stricken; that the changes the Planning Board made to their Rules and to their Code of Ethics have made both documents stronger and more clear; and that the revisions are not yet up on the County website, but she believes, that when the Board sees them, they will agree that they are much improved documents.

The Chairman closed the public hearing.

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to approve the revision to the following sections of the Chatham County Ordinance Establishing a Planning Board: Section 1.B to change the date for Planning Board member appointments and make technical correction; Section 2.A to specify that the procedure for electing the Chair and Vice Chair is defined in the Planning Board Rules of Procedure. The motion carried five (5) to zero (0).

Public Hearing Request to Rezone Acreage on Old US #1 at Moncure: Public hearing to receive public comments on a request by Chatham County to rezone property located at 1310 Old US #1, Moncure, NC, a portion of Parcel #62655 (1 acre), Haw River Township, owned by Thomas C. Lewis, from Business (B-1) to Residential/Agricultural (RA-40)

There was no one present who wished to make public comments.

The Chairman closed the public hearing.

Public Hearing Request to Rezone Acreage on Old US #1 at Moncure: Public hearing to receive public comments on a request by Chatham County to rezone properties located at 1334 and 1352 Old US #1, Moncure, NC, Parcel #11554 (.25 acres), a portion of 11531 (2 acres), and a portion of 11557 (.49 acres), Haw River township, owned by James & Rachel Brady, from Business (B-1) to Residential/Agricultural (RA-40)

There was no one present who wished to make public comments.

The Chairman closed the public hearing.

Public Hearing Request to Rezone Acreage on Lassiter Homestead Road: Public hearing to receive public comments on a request by New City Design on behalf of CRCED Treatment, Inc. to rezone approximately 8.73 acres from Residential/Agricultural (RA-40) and 1.41 acres from Conditional Use B-1 to Conditional Use Office & Institutional (O&I), Parcel #73288, 10.14 acres located at 176 Lassiter Homestead Road, Williams Township

Jonathan Wright, 1304 Hillsborough Street, Raleigh, NC, expressed appreciation to the Board for taking the time to review the application. He stated that they had an existing treatment center on 10.14 acres for women with eating disorders that currently is operating in the RA-40 district with a limitation of six beds; that they have recognized an immediate need for an increase in this number as they have a waiting list that they cannot accommodate; that they have been in contact with the DFS and the Orange County authority in charge of licensing it; that they have already been issued rule waivers to allow them up to twelve beds, pending they meet all building code and zoning requirements; that the current zoning RA-40 is limited with six beds; that the Conditional Use Office and Institutional (O&I) will all them to bring it up to meet the need of the twelve beds; that the existing facility is large enough to accommodate with enough bedrooms, beds, and current water supply; that they have received an approval on sanitary septic system upgrade; that they are currently completing engineering drawings to get that portion of the work done to bring the septic system up-to-grade to

accommodate the twelve as well as the process of getting design permitting or a sprinkler system before the existing structure which is another point of the building code requirements needed to accommodate the additional residents; and that the existing structure is going to remain the same residential in nature.

Corey Bates, 1304 Hillsborough Street, Raleigh, NC, stated that he concurred with Mr. Wright and that he was available for questions from the Board.

Ray Lassiter, 309 Lassiter Homestead Road, Pittsboro, NC, asked what type of impact would occur on the residents while using Lassiter Homestead Road. He also expressed concern with regard to lowering the speed limit due to the increased traffic on the road. He also asked if this request would increase his taxes.

The Planning Director stated that his taxes should not be impacted as his land will remain residential/agricultural. Commissioner Vanderbeck suggested that he contact the Tax Office.

The Chairman closed the public hearing.

Evidentiary Public Hearing:

Public Hearing Request for a Conditional Use Permit: Public hearing to receive public comments on a request by New City Design on behalf of CRCED Treatment, Inc. for a Conditional Use Permit to accommodate congregate care facilities, family care homes, hospital, health and welfare centers, and nursing homes and/or convalescent homes located on 10.14 acres and to remove the Conditional Use Permit on 1.41 acres on Parcel #73288 at 176 Lassiter Homestead Road, Williams Township

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

Jonathan Wright, 1304 Hillsborough Street, Raleigh, NC, addressed the five findings and answered questions from the Board of Commissioners, Planning Board members, and citizens.

The Chairman closed the public hearing.

MANAGER' S REPORTS

The County Manager reported on the following:

Legislative Delegation Issues:

The County Manager offered February 21, 2008 as a possible date for meeting with the Legislators stating that that date was the best date for the Speaker of the House, Joe Hackney.

The Chairman, hearing no opposition to the date, asked the County Manager to contact Mr. Hackney and Senator Bob Atwater to schedule the date and time.

Commissioner Thompson asked if the public would be allowed to ask questions and give comments.

Commissioner Cross stated that there was a long list of items for the Board to cover.

The Chairman suggested that comments be allowed at either the beginning or end of the meeting.

Commissioner Vanderbeck commented that it might be more helpful if the meeting was held later in the day if the Board wanted to get more public input as opposed to a morning meeting.

The County Manager stated that he would contact the Legislators and inform the Board as soon as possible.

COMMISSIONERS' REPORTS

Commissioner Thompson stated that in April the Board is supposed to receive a final report from the Center for Comparative Economies that is performing the feasibility study in the County; that the Board has expressed on many occasions that small business development in Chatham County is critical to the overall economic development initiative; that in many places, small business incubators play an important role in spurring the development of small businesses in particular areas; that before the report is returned, he would like to get the ball rolling and look at the possibility of starting a small business incubator in Chatham County; that he visited a very successful one located in Harnett County; that there is also one in Chapel Hill and one in Orange County that are very successful; that he would like to start a serious discussion with regard to the possibility of having one in Chatham County by inviting a representative of one of the incubators to come to the next work session to talk about the benefits, advantages, and possible disadvantages of starting one in the County; that it is critical, if the Board is serious about increasing the number of small businesses in Chatham County, and that there is some mechanism put in place for doing that.

He stated that his second request is that, in conjunction with the small business incubator and inspiring the development of small businesses in Chatham County, the revolving loan fund which has been in existence for a couple of years, move a little faster in getting it in place so that some businesses could be helped in getting started by developing a financing package. He suggested that Diane Reid, Economic Development President, be invited to the next meeting.

Commissioner Vanderbeck stated that he is supportive of this initiative.

Chairman Lucier expressed his support stating that the success of Chatham County's economic development will depend upon their ability to develop, help grow, and foster development of small businesses. He stated that that the Economic Development Corporation needs to be involved and as many members of the Economic Development Board should attend.

Commissioner Barnes stated that the Economic Development Commission is working on the small business loans and that it is a work in progress.

Commissioner Cross stated that there is a loan panel in existence that has been in place for at least two years; that as soon as everyone found out that the money had to be paid back, there weren't any requests for loans.

State of the County Address:

Chairman Lucier stated that Ms. Henzey had sent the Chair and Vice Chair a list of proposed topics that could be covered at the State of the County address which will be given at the February 18, 2008 Board of Commissioners' address; and that it will be discussed at the February 04, 2008 Board of Commissioners' meeting for Commissioner input.

ADJOURNMENT

Commissioner Vanderbeck moved, seconded by Commissioner Thompson, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 6:51 PM.

George Lucier, Chairman

ATTEST:

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