

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
NOVEMBER 17, 2008

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry Dunlap Building Classroom, 80 East Street, located in Pittsboro, North Carolina, at 1:00 PM on November 17, 2008.

Present: Chairman George Lucier; Vice Chair Mike Cross; Commissioners Patrick Barnes, Carl Thompson and Tom Vanderbeck; County Attorney Jep Rose; Assistant County Manager Renee Paschal; and Clerk to the Board Sandra B. Sublett

The Work Session was called to order by the Chairman at 1:03 PM.

Work Session

1. **Presentation of the 2035 Long Range Transportation Plan Preferred Option** for areas within the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization planning boundaries.
2. **Text Amendment to Chatham County Zoning Ordinance:** Consideration for a request to approve text amendments to the Chatham County Zoning Ordinance to provide the following new zoning districts: Neighborhood Business, Community Business, Regional Business, and Agricultural. Amendments also include the creation of a Table of Permitted Uses, revisions to Home Occupations that include reductions in accessory building sizes, environmental standards, and landscaping and buffering requirements for all non-residential developments.
3. **Text Amendments to the Chatham County Subdivision Regulations:** Consideration of a request to approve text amendments to the Chatham County Subdivision Regulations to amend the major subdivision process from three steps to four steps. The four steps are concept plan, first plat, construction plan, and final plat. The major subdivision process is proposed to include a community meeting, review by the Planning Board, Environmental Review Board, Appearance Commission, and School Board and the incorporation of environmental standards for development. The amendments also include a voluntary conservation subdivision option to allow for open space conservation and density bonuses, road network connectivity standards, view-shed and buffering standards, and increasing the percentage of work that must be completed before acceptance of a financial guarantee.
4. **Text Amendments to the Chatham County Watershed Protection Ordinance:** Consideration of a request to approve text amendments to the Chatham County Watershed Protection Ordinance to provide increases in density to accommodate conservation subdivision density bonuses in the Chatham County Subdivision Regulations.
5. **Text Amendments to the Chatham County Soil Erosion and Sedimentation Control Ordinance:** Consideration of a request for text amendments to the Chatham County Soil Erosion and Sedimentation Control Ordinance to reduce the minimum land disturbance requiring an erosion and sediment control permit from 1 acre to 20,000 square feet, require a residential lot disturbance permit for residential lots disturbing less than 20,000 square feet, and modify erosion and sediment control plan design standards. Amendments also include design standards for gradual slopes and moderate slopes and to prohibit development on steep slopes.

6. **Chatham County Stormwater Ordinance:** Consideration of a request for a Chatham County Stormwater Ordinance to establish minimum requirements and procedures to control the adverse effects of increased stormwater runoff and non-point and point source pollution associated with existing and new developments and redevelopments. The provisions of the ordinance apply to activities that cumulatively disturb more than 20,000 square feet. The ordinance provides design standards for stormwater control features, administrative responsibilities, stormwater management plan requirements, maintenance and inspections provisions, and enforcement provisions.

7. **Revaluation.**

Chairman Lucier stated that first they would consider the 2035 Long Range Transportation Plan, and the next few hours would be devoted to discussion of the various ordinances on the agenda, beginning with the Subdivision Ordinance, then the Zoning Ordinance, then Watershed, Sedimentation and Erosion Control, and then the Stormwater Ordinance. He stated that, if by chance, they did not finish all of those ordinances by about 4:30 PM, then the Board would meet again on November 24th to complete those discussions; and, that the plan was to enact the amended/new ordinances no later than December 1st, time to be established today, if necessary. Chairman Lucier stated that at about 4:30 PM, the Board would consider whether or not to delay the revaluation for one year.

2035 LONG RANGE TRANSPORTATION PLAN

Andy Henry, representing the Durham/Chapel Hill/Carrboro Metropolitan Planning Organization (MPO), provided a PowerPoint presentation on the 2035 Long Range Transportation Plan, as follows:

What are the Deficiencies?

- (2035 pop. & emp. Using today's transportation system)
- Color-coded map showing peak hour volume

What are the Transportation Options?

Options only vary by transit component (highway projects are the same)

- | | |
|-------------------------------|--|
| Bus Transit | -Local, express and regional bus expansion
-Mostly improved headways (time between bus arrivals at stops)
-No rail transit |
| Commuter Rail | -Commuter rail on mainline tracks – no other fixed guideway
-Four trains during each peak period – and one midday train
-Some local, express, and regional bus expansion |
| Rail Transit (DMU) | -Raleigh/Durham corridor (2019) – uses Diesel Multiple Unit (DMU) rail cars and Durham/Chapel Hill uses light rail cars (2025)
-Systems overlap and require passenger transfer between them
-Some local, express, and regional expansion
-Based on STAC recommendations |
| Light Rail Transit (Electric) | -Durham/Chapel Hill (2019) and Raleigh/Durham corridors (2025) use light rail cars, with deviation to NCCU stops
-One continuous system with no overlap or rail-to-rail passenger transfers
-Some local, express, and regional bus expansion
-Based on STAC recommendations |

Map of Bus Transit Options

Projects: Chatham County

- Express Bus Service (thick blue)
- Local Bus (thin blue)
- Improved bus headways (not shown)
 - Peak service improved: 10-15 minutes
 - Off-peak service improved: 20-30 minutes

Map of Highway Projects

Projects: Chatham County

- Lystra Rd.
- Jack Bennett Rd.
- Farrington Road
- Stagecoach Rd.
- NC 751
- O'Kelly Chapel Rd

Other Transportation Modes

Plan includes other modes (but these are mostly not itemized in the plan)

- Bicycle projects – bike lanes and wide outside lanes
- Sidewalks and pedestrian facilities
- Transportation Demand Management (TDM) – carpools, vanpools
- Transportation System Management (TSM) – intersection improvements, freeway and incident management, coordinated signal systems
- Intelligent Transportation Systems (ITS) – highway system monitoring, bus automated vehicle tracking

Financial Plan – Cost/Revenue Summary

- Costs exceed revenues
- Local revenue: ½ or ¼ cent sales tax and \$10 vehicle registration fee increase
- Possible Cost reductions: reduce highway and transit projects; delay implementation of rail transit projects

Next Steps in the LRTP Process

- Get public feedback on the Options
- Develop draft 2035 LRTP -- reduce projects and costs, and increase revenues to achieve fiscal constraint
- TAC approve 2035 LRTP (possibly as early as December 2008)
- Complete air quality conformity and federal/State approval process (by June 15, 2009)

What are your comments and preferences?

- Where should we invest our money, given the limited budget and projected areas of congestion?
- How should we increase revenues?
- Any preferences?

Chairman Lucier stated that on the Map of Bus Transit Options, the dark blue line on Farrington Road ran all the way down to US #64. Mr. Henry stated that was correct. Chairman Lucier stated the MPO jurisdiction only went down to where the dark gray line was shown on the map; that it did not go all the way to 64 and did not go all the way to Pittsboro; that area was covered by the Triangle Area Rural Planning Organization (TARPO); that there were at least two jurisdictions in Chatham County; and, that it was his understanding that TARPO was outside of the MPO jurisdiction. Mr. Henry stated they coordinated a lot with TJCOG staff, adding that to the east in Wake County was the Capital Area Metropolitan Planning Organization (CAMPO).

Chairman Lucier asked if Mr. Henry had with him a map of the bicycle projects in Chatham County. Mr. Henry replied yes and displayed the map, pointing out the on-road bicycle improvements on the various roadways.

Chairman Lucier stated that TAC approval of the 2035 LRTP had to be accomplished by January because federal funds would be lost otherwise. Mr. Henry stated they would not lose the funds, but the funds would cease to flow; and that they had to complete air quality conformity and federal/State approval processes by June 15, 2009, and if they did not approve the 2035

LRTP by December then it would be very difficult to meet the June 15, 2009 deadline and continue to receive funding.

Sally Kost, Planning Board Chair, asked in regards to local revenue, when would the planned quarter cent sales tax and the \$10 registration fee be enacted. Mr. Henry stated there was a proposed legislation for that and he believed it required a local referendum for approval; and, he was assuming that if approved, it would begin in 2011.

Commissioner Vanderbeck stated the US President-elect was offering an economic stimulus and investing in infrastructure, and asked did the NCDOT/State plan to ask for a part of that package. Mr. Henry responded he believed that NCDOT had already gone out to the local entities asking for projects. Commissioner Vanderbeck stated there was only so much you could get from local revenue sources if they got permission to do it, and asked what the County Commissioners could do to help raise the funds, such as asking their legislators to be a voice to take the plan further. Mr. Henry stated he knew that Durham had approached its legislators to get that legislation approved to give them the authority to make the decision.

Chairman Lucier noted that the MPO would be voting on the LRTP at its meeting on December 12th, and as the voting representative for Chatham County he would be attending. He asked that any comments or questions be transmitted to him prior to that meeting.

TEXT AMENDMENTS TO THE CHATHAM COUNTY SUBDIVISION REGULATIONS

Chairman Lucier suggested that Mr. Megginson summarize the new process for subdivision approval.

Keith Megginson, Planning Director, stated that at present they had a three step process: sketch, preliminary, and final; that the application would go to the Planning Board and then the Board of Commissioners; that Section 5, beginning on page 20 of the Ordinance, spelled out that process; that now an extra step was being added at the beginning called a concept step; that step would include more citizen input through a mandatory community meeting with the neighbors of the proposed project; that the concept plan would then be further refined; and, that it would then go to the Technical Review Committee made up of the County's development staff, DOT, Board of Education staff, the Appearance Commission, and the historical association if necessary.

Chairman Lucier suggested adding a representative of affordable housing to that review committee. Mr. Megginson agreed to do so. He stated that once the Technical Review Committee met, feedback would be provided to the developer; that the neighborhood's input and the Committee's input would be used by the developer to produce a first draft, or sketch design; that the next step would be the first plat step; that at that point the applicant would gather various recommendations through presentations to the ERB, the Board of Education, the Appearance Commission if necessary, and the Planning Board and staff, reviewing the project jointly as the Technical Review Committee; that the Committee would then provide input as to specific requests for modifications to the project; that all of the input would be provided to the Planning Board; that a public hearing would be held; and, then the Board of Commissioners could take action on the project.

Chairman Lucier asked what the proposed language meant that said "CAC staff prepare agenda item." Mr. Megginson replied that referred to the Chatham Appearance Commission. Chairman Lucier asked why it was worded in that way.

Ms. Kost responded that the Planning staff did not make recommendations to the Appearance Commission, but in all other cases with the Environmental Review Board, the Planning Board and the Board of Education, the Planning staff would make a recommendation.

Chairman Lucier stated he did not understand the purpose of that wording, adding that the CAC was reviewing the project so why not just say that. Ms. Kost called attention to the three bars to left of the chart in that section of the Ordinance, noting that at the point the Appearance Commission reviewed the proposal, they would then provide input in the form of written recommendations.

Commissioner Vanderbeck stated then one was the staff and one was the Appearance Commission itself.

Chairman Lucier stated the language still made no sense to him. Mr. Megginson stated all of that referred to the staff meeting as the Technical Review Committee, and because the Appearance Commission had no staff it was not a part of that review and therefore offered its own recommendations directly to the Planning Board.

Chairman Lucier stated then staff would alert the Appearance Commission that it was time for them to meet and make recommendations on a project. Mr. Megginson replied that was correct. Chairman Lucier stated he believed that section could be worded differently to make it clearer, since what they were doing was requesting a recommendation from the Appearance Commission.

Ms. Kost stated the important thing to remember was that at present there was no public hearing for subdivisions, and after much discussion they had decided that the public hearing would be held at the Planning Board stage of the process.

Chairman Lucier asked why the language stated that the Appearance Commission review was a courtesy review. Ms. Kost replied that was a good point, and they would be more specific with that language.

Chairman Lucier stated that on the last step, which was the Board of Commissioners action, there may be some cases in which the Commissioners decide they did not want to see a project again. But, he stated, there may also be cases where new information came to light and the Commissioners might want to change their minds. Chairman Lucier stated there needed to be language in the Ordinance that would allow for that scenario, such as that the Commissioners reserved the right to look at subsequent steps provided that the Planning Board or Planning Department would give approval of those subsequent steps. Mr. Megginson stated he believed Chairman Lucier was saying that at the Board of Commissioner's meeting they would say they did not want to see a project again but later they changed their mind, and as long as the Board alerted the Planning Department before the project was acted on, then they would send it back to the Planning Board.

Ms. Kost stated she understood what was being requested, but they needed to consider the timing issue involved and the impacts that might cause.

Chairman Lucier stated he believed all that would be needed was language that specified that if the Board of Commissioners did want to see the project again, that the project would revert back to the timetable it would have had if the Board had indicated it wanted to see the project again. Ms. Kost stated the reason they had put the language that way was because under the concept stage that was not a something they did now, and what they had tried to do was put the planning up front of the process; that they had tried to build a time saver into the process for the developer because it could take years to get a subdivision approved in Chatham County; and, that this was an effort to try to save time at the front of the process. Ms. Kost added that at the time of submittal of the first plat, if an environmental assessment was required it would come with that submittal.

Chairman Lucier agreed that the changes would streamline the process, but there would be times when the Board of Commissioners and perhaps even the Planning Board would want to change their minds; that the Commissioners needed to reserve that right within the process; and that when that happened then they would revert back to the timetable that would have been in place if the Board had said up front that it wanted to see the project again.

Commissioner Vanderbeck stated in other words, the clock would reset appropriately at that time; and, that it would be the Board's time that was being used, not the developers.

Chairman Lucier agreed, stating that there would not be any change in the requirements of the application, only that the Commissioners wanted to see the project one more time.

Delcenia Turner, Planning Board Member, stated she would be interested in knowing how many times in the past the Board had wanted to take another look at projects. She stated she knew that in the past they had had environmental issues that triggered that.

Chairman Lucier stated he did not believe they would ever eliminate everything.

Commissioner Barnes stated that in the process, if a subdivision came forward that was undesirable and the Board did not want it, where in the process would that be communicated and the project die. Mr. Megginson stated that very early on, in the concept stage, the undesirable aspects of the project or property should be pointed out so that there could be a major rework of the project or abandonment altogether.

Commissioner Barnes stated if the Board wanted to stop a project, would they have that authority without having to face lawsuits. Mr. Megginson stated that part of the approval process was now incorporated into the Soil Erosion and Stormwater Control Ordinance, making the requirements more stringent. But, he added, he did not believe the Board could just say they did not want a project and would not approve it.

The County Manager stated if a project met the conditions of the Ordinance, then it would have to go forward.

Jep Rose, County Attorney, stated that the Board could not turn down a project simply because it did not like it or did not believe it was appropriate for whatever reason. He stated the Board could turn it down if it did not meet the requirements under the Ordinance.

Commissioner Barnes stated he believed that would likely come up at some time in the future, when a project came forward that the Board did not like for a multitude of reasons, and then they would be right back where they had been for the past four years.

Chairman Lucier stated once the Board adopted these ordinances, they would have regulations in place that dealt with steep slopes and the amounts of land that could be cleared at any one time, as well as some other issues that had caused problems in the past in terms of some developers who simply had not done what was right. He stated the idea was to get into the regulations the tools the Board would need, such as in the Soil Erosion and Sedimentation Control Ordinance, the Subdivision Ordinance, and to some extent the Stormwater Ordinance; that that was one reason why they had decided to bring all five ordinances together for discussion at one time to make sure that they did give the Board enough tools to guarantee as best they could that any development would be in the interest of the County and not a detriment to it; and, that if there were additional regulations that needed to be inserted to ensure that then they should do so.

Ms. Kost stated they had struggled with that as well and had tried to use judgment standards, but the problem they had run into was because only a portion of the County was zoned they could not use Conditional Use, which would have been the best tool that could have addressed such developments as Westfall which had steep slopes or other environmental issues.

Commissioner Vanderbeck stated he believed the new Ordinance was an improvement with the added concept step because it would make the odds better that those types of things would be addressed up front. Ms. Kost stated when they realized that legally there was nothing they could do, then they had decided to include in the process a way to force better plans from developers.

Chairman Lucier stated it was a major improvement to have all of that work done up front. He reiterated that they needed to include in the ordinance language that would reserve the right for the Board of Commissioners to change its mind, because without that right to change his mind he would tend to want to see the project again just to be certain the project was appropriate for the County.

By consensus, the Board agreed.

Commissioner Vanderbeck stated in Section 3 under Time Limits, typically they had 60 days to go through the process, which might be reset if the Board decided to exercise its right to look at a project again. But sometimes, he stated, that would fall short of the Board's meetings. He stated he would therefore like the Board to consider appropriate language to extend that 60 days to say "or to the next regularly scheduled Board meeting." Mr. Megginson stated they could replace that language to say that the Board would be provided a certain number of meetings to act rather than a particular number of days.

Ms. Kost stated they could look at language to address that, and suggested that perhaps the language could extend the time over three regular Board meetings.

Chairman Lucier stated Commissioner Vanderbeck was correct that there were times when the 60 days did not fit the Board's meeting schedule, particularly for a complicated development.

Chairman Lucier asked Mr. Megginson to continue with his summary. Mr. Megginson stated the construction plan was where the applicant would get the various technical reviews necessary for the project; that if the Commissioners decided sometime during the process that they wanted to see the project again it would then be submitted 23 days prior to the Planning Board meeting; that the Planning Board would review the project and make recommendations to the Board of Commissioners; and, then the project would come to the Board for final consideration. He stated that if the Board did not want to see the application again, then it would come back to the Technical Review Committee who would check to make sure all agency approvals were in place and if so, then the project could go forward to actual construction.

Chairman Lucier stated that approval would take place after the Board of Commissioners had approved the project and the Technical Review Committee had affirmed that all necessary approvals were in place. Ms. Kost stated then the yellow box in that section of the ordinance would need to be modified to include the language Chairman Lucier had suggested regarding the Board reserving the right to change its mind.

Ms. Harrelson called attention to page 29 where it listed the reasons an application could come back, and suggested that list could include "by BOC request for additional review."

Chairman Lucier stated that was fine, as long as it was abundantly clear that the Board reserved the right to change its mind.

Mr. Megginson stated the final step was in-house review by staff that everything necessary for approval was in place, or, it could come back to the Planning Board and the Board of Commissioners for additional consideration. He stated as it stood now, if 40% of the project was on the ground, developers could submit a financial guarantee to cover the rest of the costs; and, that would then be reviewed, the Board would act on it, it would be recorded, and the developers could begin selling lots. Mr. Megginson said that 40% was being revised to 75%, and they were doing away with the 100% financial guarantee. He stated if that plan as proposed was approved, staff could be reviewing and accepting the financial guarantees with no involvement by the Board of Commissioners.

Chairman Lucier asked if the Commissioners were comfortable with that, and there was no objection from the Board. He stated he presumed that staff might in some circumstances ask for the Board's approval or input, but believed the Board was comfortable with the way the language was written; and, that staff could decide whether or not they needed the Board's approval.

By consensus, the Board agreed.

Conservation Subdivision:

Mr. Megginson stated that one of the bigger issues was whether or not to include floodplains in the conservation areas or in calculating the density; that up to this point they had always been subtracted out.

Chairman Lucier stated there were two types of calculations: one was in determining the area where density was allowed, and the other was when looking at what proportion of land needed to be kept as natural and open space. He stated they needed to talk about those two issues separately. Mr. Megginson stated that at present as far as calculating density, it was not counted; for example, if you had 125 acres of land with one acre per lot and 100 acres of it was floodplain, you could get only 25 lots, but if you counted the floodplain you could get 125 lots. He stated that would allow much greater use of typically unusable land than had ever been allowed before. Mr. Megginson stated that at present there were four different versions of recommendations.

Chairman Lucier asked what the options were. Ms. Harrelson responded that TJCOG had attended their meetings and had come up with a basic plan which did not separate natural versus open, but counted it all as conservation space. She stated for example, if you have 100 acres you could put 100 houses on it, but they were recommending that with a Conservation Subdivision that 50% of the development would be conservation land and not touched and for the other 50% the developer would receive a density bonus that would allow 110 homes on that 50 acres and they would be clustered. Ms. Harrelson stated their goal in recommending that was to encourage developers to preserve nice land with buffers and streams and keep away even further than just the required buffers.

Chairman Lucier asked if that would include the floodplain. Ms. Harrelson stated no, they had taken that out. Chairman Lucier stated for the purposes of the 100 acres, they had left in natural space and open space for the purpose of the density calculation. Ms. Harrelson stated for purposes of density calculations, floodplains would not be included, but buffers and steep slopes would be included.

Elaine Chiosso stated the ERB's recommendation was that it was very important not to allow density bonuses for land that was already regulated; that everyone would now have to conserve steep slopes and riparian buffers under the new ordinances, so they believed that should also be taken out of the area calculation. However, she stated, they had looked at many examples of how that would affect land and had believed that the fair way to do that was to reduce conservation space requirement from 50% to 40%, recognizing that a piece of land could have quite a bit of stream buffers and steep slopes.

Chairman Lucier stated under that scenario, with everyone agreeing that floodplain should be taken out, if there was 20% of that 100 acres that was steep slopes and buffers, that would leave 80 acres, and then the density bonus would be 10% which would allow 88 houses on that 80 acres.

Chris Hopper stated there were two issues being discussed here: one was determining the density calculation, but in determining density both approaches were the same. He stated you removed buffers, floodplains and steep slopes, and what was left over, such as 88 acres, in a traditional development you would get 88 units; in a Conservation development you would get 96 units.

Chairman Lucier stated if you had a 100 acre property after the floodplain, then 20 acres of steep slopes and buffers, you were left with 80 acres; that under the density bonus you would take 10% of that 80 acres which would then give you 8 more units for a total of 88 units on that 100 acres. Mr. Hopper responded he believed that was correct; that the only way to determine your density bonus was to know what your traditional density would have been, so you have to take the approach of removing all otherwise undevelopable land out of the equation.

Ms. Chiosso stated they would also remove all roads and utilities from that equation. Mr. Hopper agreed, noting all of that would have to be removed while planning the lot sizes. Ms. Chiosso stated it would be lot densities, not lot sizes.

Chairman Lucier stated he believed they would have to think about that in two ways: one was how did you determine the number of buildable acres that would allow you the number of houses, otherwise you could not add that 10% density bonus to it; the second question not yet discussed was how did you determine the requirement of acreage for open space and natural space, which could be different subtractions to get to that figure. He stated for example, you could say that for the number of allowable houses you were only going to subtract out the floodplain, as the Planning Board had done, which meant for that 100 acres you could build 110 houses. Chairman Lucier stated what the ERB was suggesting was to subtract out the buffers and steep slopes as well, so you would no longer have 100 acres but would have 80 acres, which would then allow only 88 houses including the 10% density bonus. He stated that under the Planning Board suggestion you would have 110 houses allowed, but under the ERB recommendation you would have only 88 houses.

Ms. Harrelson stated if you had a traditional development and did not do a Conservation development then you could build 100 houses on that 100 acres. She said what they had looked at was what the incentive was for a developer to do a Conservation subdivision, which they wanted to encourage developers to do whenever possible.

Mr. Megginson stated that under the current ordinance you did not count the road rights-of-way, stream buffers, or floodable areas in your density.

Chairman Lucier stated he believed they now had a starting point for discussion in density, and once that discussion took place they would need to then discuss open space and natural space as separate questions.

Ms. Chiosso stated with the density bonus more houses would be allowed than otherwise, so a developer should be required to conserve special lands.

Ms. Kost stated the other option which the Planning Board subcommittee had considered was to make the Conservation Subdivision the default, and then there would be no need for a density bonus.

Ms. Chiosso stated the Environmental Review Board (ERB) had not considered that, and in fact the ERB had never been that excited about the idea of a Conservation subdivision because they did not think it would affect enough development to really preserve what they were looking for, which was habitat and natural areas. She said they believed there may need to be future ordinances put in place to protect some of the more important areas in Chatham County, adding they did not believe developers should receive bonuses for protecting land.

Chairman Lucier asked as it stood now, what else would be subtracted out besides roadways, buffers, and floodplains. Mr. Megginson stated nothing other than those noted. Chairman Lucier stated then if you had 100 acres with 20 acres in buffers and roads leaving 80 acres, then you could put 80 units on that 80 acres. Mr. Megginson stated that was correct. Chairman Lucier stated then with the Conservation Subdivision plan the only thing added that would be subtracted out of that was the steep slopes, and with the density bonus added then 88 units would be allowed on that same 80 acres.

Mr. Hopper stated that was correct, adding that if half of 80 acres was set aside then you could build 88 houses on the 40 acres.

Ms. Chiosso stated if the Board adopted the Soil Erosion and Sedimentation Control Ordinance you would have to subtract during the planning process the steepest of the steep slopes, and you would now be allowing 5,000 square feet to be disturbed under very special rules. She stated that her point was that there were some other calculations that would need to take place that would reduce the acreage a little more.

Ms. Kost stated what the Planning Board had recommended was 50% open space, but under the ERB recommendations it was 40%.

Chairman Lucier stated that had no impact on what the Board was now considering. He asked the Board what they thought about how they subtracted land for determining allowable houses assuming 10% density bonuses, asking should they subtract just the floodplain or should they subtract floodplains, steep slopes, buffers, and roads.

Commissioner Barnes stated that was the purpose to start with.

Commissioner Thompson stated he was still considering it, but supposed he would agree with that.

Chairman Lucier stated he agreed with that as well.

Mr. Megginson stated that the roads typically did not count because once they were in they were not a part of the lot. He stated that currently under the planning and development part of the regulations, it said you either figured out what they would be or provided a blank percentage to take them out. Mr. Megginson stated he did not know how that would be done with a cluster subdivision because you would generally have much less length of road than in a typical subdivision, and you would not be able to easily assign that. So, he stated, he did not know if the Board would want to include roads in that.

Chairman Lucier stated the ERB recommendation was only for the three, not the roads, and suggested leaving it with buffers, floodplains and steep slopes. There as no objection from the Board.

Ms. Kost stated when the Planning Board subcommittee had reviewed that, they had started with 40% but because buffers were complicated to calculate and staff had said if they used 50% and included the buffers it would simplify the calculation. She said they had started at 40% if buffers were included.

Ms. Chiosso stated if you started with a piece of land with a lot of steep slopes and streams, you would be protecting more of it under the ERB's recommendation. She stated those very sensitive pieces of land would require taking out more acreage from the calculation, but even if you were clustering houses and had a sensitive piece of land with a lot of steep slopes and streams it would still receive a lot of environmental damage by having too many houses because they would have that higher calculation.

Chairman Lucier stated the second question would be what was the amount of acreage you would need to put houses on; that under the present scenario you would have 80 acres left, and if you used 50% of that left as open and natural space you would have to put those 88 houses on 40 acres; and, that if you used 40% you would be putting those 88 houses on 48 acres.

Ms. Chiosso stated the ERB had used 40% because they had believed that was a compromise for the amount of land a developer would have to protect, but believed the ERB would not oppose the use of the 50% figure.

Ms. Kost stated she believed the subcommittee of the Planning Board preferred the 40%, but after the full Planning Board discussion they had recommended 50%.

Commissioner Barnes stated Ms. Chiosso had made a good point, in that you would not want to have a difficult piece of property that would need to have a lot of area cut out for floodplains, steep slopes and buffers, and be left with a small parcel with heavy density because that would defeat the purpose. He stated using Westfall as an example, if you increased the density on something like that, you would be making it worse than if you did nothing, adding that high density could be a problem.

Tom Dunnigan, with Chatham Land Holdings, stated they had gone through some exercises last night using the recommendations; that they had used the conventional method, the 40% and the 50%; that at 40% they would be reduced to 2/10ths of an acre lot; that he did not believe such a lot would sell; that he believed there was a way to accomplish what the Board wanted to do using a sliding scale; that you may have a developer who could not develop a property at 40% but may be able to do it at 35%; that you may have a developer that may be able to get up to 50% but there was no incentive for him to do that beyond 40%; and, he believed if they could figure out a sliding scale there may be the opportunity for more success. He stated the incentive here would be to reduce infrastructure costs.

Chairman Lucier stated he believed that was similar to what Commissioner Barnes had said.

Commissioner Barnes stated he was not saying it was desirable, but said that at the Governor's Club where the land was flat and swampy and the lots cheaper, they did have 5,000 square feet per acre.

Mr. Dunnigan stated he agreed that was not desirable for the target market.

Ms Chiosso stated she believed they were developing some really good ordinances to protect every property to be developed in Chatham County, and that to make sense fiscally, a piece of land would have to not have a lot of steep slopes and streams, but on the other hand such things as beautiful stands of old trees could be protected.

Mr. Hopper stated they had run through these stipulations a number of times on several properties, and they had never come down to lot sizes less than two acres; however, a sellable product was of very real concern for developers. He stated he had spoken earlier today to the Orange County Environmental Director and Planning Director, who had said in Orange County

they did not allow subdivisions that were using septic, either individual or community, and that may be something to consider. Mr. Hopper stated he did not believe this process was intended for all properties, noting there were actually many properties where that would be the less desirable approach to follow, and disallowing septic was something to think about.

Chairman Lucier stated disallowing septic would virtually stop development in Chatham County. He stated what they had heard so far was that the ERB wanted to use 40%, but believed that 50% was acceptable; that the Planning Board had recommended 50% but if they had used the same subtraction just used they would have come up with 40%; and, that Mr. Dunnigan had said it was not workable at 40%, but was more workable at 35%.

Mr. Dunnigan stated what he had suggested was that a property be looked at with a sliding scale, noting he was not sure 35% would work in his case; that what he would like to see and what would be an incentive would be to have a regulation that would allow such a sliding scale.

Commissioner Thompson stated if 35% was workable, then he believed they should begin there and consider that, adding it would not make sense to go below that.

Chairman Lucier stated he believed what the Board would want to consider was did they want 40% or 35%.

Commissioner Barnes stated he would not want to go below 40%.

Commissioner Vanderbeck stated that just because a developer purchased a piece of land that was not desirable did not mean they should have the right to fill it full of houses. He stated the Board had been fighting that notion for the last four years.

Commissioner Barnes stated but that would apply only to a small fraction of what land was left.

Commissioner Vanderbeck stated all of the really desirable land was already developed, leaving them with land that was not as desirable.

Commissioner Barnes stated he was personally willing to give up 5% and not have the buffers, floodplains, and steep slopes.

Commissioner Thompson asked why the Planning Board did not want to go to 35%. Ms. Kost replied they would like to be able to take all of the requirements and apply them to a subdivision to see what would happen, but since they could not do that they had used 40% to get started since that was what had been suggested by literature, the consultant and the ERB. She said without actually being able to model it, she was not comfortable going below the 40%.

Commissioner Barnes stated you would be defeating the purpose if you went below 40%. Ms. Kost agreed.

Chairman Lucier asked had there been any kind of systematic review of any developments in the way that this was done in terms of workability of the different percentages. Mr. Megginson replied they had tried to do that with Westfall. Chairman Lucier stated there had been some proposal to simply take out the Conservation Subdivision from the Subdivision Ordinance until they could get some of the details worked out, but he did not agree with that; that he believed they should go with the 40% but at the same time they needed to do a study on it while realizing that 40% may be too protective and perhaps 35% was a better number; and, that he would be hesitant to do that until he saw an analysis that contained the different parameters so that they could determine how workable each would be for projects that the Board was familiar with that were already on the ground. Chairman Lucier stated then if there was reason to change it to 35%, they could do so; and, that obviously the Planning Board would be involved to offer recommendations based on those analyses. Mr. Megginson stated he believed that was a reasonable approach.

Mr. Hopper stated he believed it would be reasonable to go with 40% now and consider revising it once an analysis was done if it proved to be too restrictive. He stated alternatively, they may find it was not restrictive enough and revise it upward.

Commissioner Vanderbeck agreed that was a reasonable approach. Mr. Dunnigan stated they liked the concept of it, in order to end up with sellable land.

Natural versus Open Space:

Chairman Lucier stated the recommendation was 80/20. Ms. Chiosso agreed.

Ms. Harrelson stated the Planning Board had approved something different from what the ERB was recommending; that the 80/20 was the same but there were a few differences; that under Water, Septic, and Sewer Systems, the Planning Board recommended that any septic could be in open space, where the ERB recommended that only community septic could be in open space.

Mr. Dunnigan stated they were recommending that if you had a subsurface infiltration community system that it be included in the natural space, noting they did not see any effect on wildlife because it would be 18 inches down.

Ms. Harrelson stated in the Planning Board recommendations they had stated septic systems could be placed in the open space only if there was no other alternative.

Commissioner Barnes asked what they defined as open space, and did it include wetlands. Ms. Harrelson responded it did not include wetlands, noting the other ordinances would override that.

Ms. Chiosso stated the difference was that the ERB was allowing the use of open space; that ERB guidelines recognized that some site restraints may be too restrictive for the intended uses, for example septic fields, on some properties; and, that in those instances some of the required natural space may be used to satisfy those requirements. She then read a section of the ERB guidelines that outlined that in more detail.

Chairman Lucier asked how that was inconsistent with what the Planning Board was recommending, noting he believed that was an addition to what they had done but not inconsistent with what they had done. Ms. Harrelson stated that was correct.

Ms. Chiosso stated the other change to the guidelines was that they had taken out the primary natural areas and secondary natural areas, as well as steep slopes as the primary place to be conserved.

Ms. Harrelson stated based on what Chairman Lucier had suggested, which was a study and review, then speaking for herself having something more restrictive to start with would be the better way to go.

Chairman Lucier stated what he understood was that the ERB was providing more detail to what the Planning Board had done, and there was nothing that was inconsistent. Warren Glick, Vice-Chair of the Planning Board, stated at the last Planning Board meeting time did not allow them to come to a conclusion on the differences that were raised, and the Planning Board had therefore voted to remain with what was already in the document and hope that later on there would be time to bring the two sides together.

Chairman Lucier asked Ms. Chiosso to read again the ERB guidelines regarding the use of open space. Ms. Chiosso did so. Chairman Lucier remarked that those were not regulations, but were excellent guidelines. Ms. Chiosso stated there were a few minor changes suggested in the blue-line version to make some of the language a little more specific, and that blue-lined version had been submitted to the Commissioners.

Chairman Lucier asked did the Board agree with the changes noted in the ERB guidelines.

By consensus, the Board agreed.

Chairman Lucier stated that under the process for first plat approval on page 25, under C. it stated that the applicable County officials and groups would review the plans including but not

limited to Environmental and Health/Erosion Control. He stated those designations were different now, and that needed to be reflected in the language.

Chairman Lucier stated that on page 26, #3, under the Deadline for Submission of First Plat, it stated the Planning Board would up to two regular meetings put the case on the agenda in order to accommodate the meeting schedules, and asked what agenda did that refer to. Ms. Harrelson replied the Planning Board agenda. Chairman Lucier stated that needed to be clarified, and Ms. Harrelson and Ms. Kost agreed.

Mr. Rose agreed that paragraph was confusing, noting that at the time an application was complete there needed to be a set time that the applicant would get feedback from the approval or either a denial, but was not sure exactly what putting it on the agenda meant. Ms. Harrelson stated that at times the agenda became quite full, and that language was to give the Planning Board Chair an opportunity to place review on the second scheduled meeting agenda rather than the first one.

Commissioner Vanderbeck suggested it would be clearer to say that the Planning Board Chair would schedule review, rather than put it on the agenda.

Chairman Lucier stated he believed it was the right thing to do since the Planning Board agendas did fill quickly. He stated that on page 37 under Environmental Impact Assessment, it read that the County required a subdivider to submit an environmental assessment for 25 lots or more, and that other language had been taken out; and, that there were 10 different items that had to be addressed. Mr. Megginson stated those ten items had to be addressed only if it was less than 25 lots.

Chairman Lucier stated that if it was more than 25 lots, then it just sort of ended and as a developer he would not know what to do. Ms. Harrelson stated that it was suppose to be an environmental assessment following the guidelines, which they did not have yet, but had been assured that there would be guidelines in place very soon.

Chairman Lucier asked then where the guidelines were. Mr. Megginson stated that Tim Sullivan was working on them. Chairman Lucier asked when they would be done.

Mr. Rose stated they should be completed this week. Mr. Megginson agreed, noting that Fred Royal and the ERB had been working on them as well.

Ms. Chiosso stated they had been stopped in their work on those guidelines by the County's former attorney, so they had then concentrated on the other ordinance work. She stated that now that the ordinance work was completed, they were coming back to the guidelines and believed it would take until their December meeting to finalize those guidelines. Ms. Chiosso stated if they needed to be finished at their Thursday meeting this week, perhaps they could do so.

Chairman Lucier stated if they were not finished before the Board's December meeting, then changes would have to be made now. Mr. Rose agreed those guidelines had to be inserted before the Board acted.

Ms. Chiosso stated they had a draft they were working from, and if the Board needed them to finish them at its next meeting then they would do so.

Chairman Lucier stated the Board would be meeting again on Monday, which would be the last meeting before they enacted the new ordinances, and the Board needed to have those guidelines by that Monday meeting. Ms. Chiosso asked if Tim Sullivan, the environmental lawyer, could attend their meeting to provide advice, noting they had planned to do much of the work on Thursday and give it to the lawyer to look over in order to offer advice on what might need to be changed.

Chairman Lucier suggested having Mr. Sullivan attend the meeting and provide any feedback possible to make sure that the Board received the draft guidelines by Monday morning. Mr. Megginson stated he would contact Mr. Sullivan to make sure he was available on Thursday evening.

Chairman Lucier stated on page 38, there were two things taken out: alleviate negative impacts and three causes for disapproval. Mr. Rose commented that had been taken out because he believed it put too much discretion on the Board; that generally the Board could require certain things but could not just say they did not like a project. Chairman Lucier stated he understood that, but asked why the language could not just say that where potential negative impacts had been identified that the subdivider should provide plans and methods for how such impacts may be alleviated or minimized. Mr. Rose asked what would be potential negative impacts. Chairman Lucier stated it could be a steep slope with potential for erosion into a dry creek. Mr. Rose stated that the language for steep slopes would address that.

Ms. Kost stated that traffic could be a negative impact, noting there would always be something negative to be considered.

Chairman Lucier stated if it were something that was addressed in some other way, then a developer could reference that by saying he had already addressed it under his response to steep slopes, for example. He asked Mr. Rose to take another look at that and consider some alternative language. Chairman Lucier suggested taking all of #3 out, but the question was why they could not let the rest of it remain.

Chairman Lucier stated that on page 46, the language about blocks had been taken out by the Planning Board, and asked what remained. Mr. Glick stated what remained was the connectivity part, noting that rather than saying eight plus it now said more than eight, and where it said three plus it was changed to more than three, and so on.

Chairman Lucier stated he was concerned about that, noting that it seemed to him that the most effective way of designing the roads was to let the environmental concerns drive that, whether it was steep slopes or minimizing stream crossings or the like, and he did not see any benefit of imposing any kind of block structure per se. He stated that the connectivity aspect may be a different issue, but he did not see the benefit of that. Mr. Glick stated it was directed more towards business and office areas.

Jim Hinkley stated the major concern was interconnectivity and the lengths of cul-de-sacs, noting the issues were primarily safety and access. He stated that the other major issue was that if there was a County made up of many cul-de-sacs as this County was, when it came to providing for infrastructure that it be accessible to applying subdivisions. Mr. Hinkley said one issue that came up was the very long cul-de-sac at Carolina Meadows where there were 30 to 40 new units put in on one cul-de-sac that was about a half-mile long through rather rough terrain, and the situation was that access to emergency vehicles would have been extremely difficult if the cul-de-sac had been blocked by trees falling or a movement of land.

Chairman Lucier stated that Mr. Glick had indicated that was directed towards business, not residential. Mr. Glick stated that was another issue, but added that the issue at Carolina Meadows had been rectified because there was another access from Farrington Road.

Mr. Glick stated if you looked at item B, Connectivity, and C, Street Network, you would see that the Planning Board voted to remove those two sections.

Chairman Lucier stated it looked to him like everything on page 47, other than Figure 6, had been removed. Ms. Kost said she believed the Figure had been removed as well.

Chairman Lucier stated the only thing left then, was a category for Length and Width. Mr. Glick stated that was correct, noting there was 7.3.A, Length, and 7.3.B, Width.

BREAK

Chairman Lucier called for a short break.

RECONVENE

Chairman Lucier reconvened the meeting, noting they would continue to review pages 46, 47, and 48. He stated that part of the language read that cul-de-sacs were discouraged except where made necessary due to environmental conditions, and asked did that mean any cul-de-sac. Ms. Harrelson replied perhaps the language should say "long" cul-de-sacs were discouraged.

Ms. Kost stated the intent was to prevent long cul-de-sacs because of public safety issues.

Chairman Lucier asked if where it said "should" in some places were more of a guideline than a regulation, and also noted that when it said that cul-de-sacs were "discouraged" that was not a regulation. Ms. Harrelson stated their intention was not to allow a long cul-de-sac where it could pose a danger, but on the other hand they did not want to eliminate them.

Chairman Lucier stated that the language went back and forth between regulations and guidelines, making it confusing. He stated he did not believe that part of the ordinance was well written.

Commissioner Thompson asked could more specific legal language be included.

Chairman Lucier stated in any case that needed to be revisited and language added to make it clearer what was regulation and what was guideline.

Commissioner Vanderbeck asked would Chairman Lucier be amenable to allowing the language to stay in but that it be worked on to make those revisions after adoption.

Chairman Lucier stated in any case the word "long" needed to be added to cul-de-sacs. Commissioner Vanderbeck agreed.

Chairman Lucier asked the Board should they leave it in and ask the Planning Board to revisit it, or should it be taken out.

Commissioner Thompson stated he was willing to leave it in and revisit it. Commissioner Barnes agreed, as did Commissioner Cross.

Mr. Megginson stated that the language did require that cul-de-sacs have pedestrian access, and that would remain. But, he said, you did not typically have sidewalks, so you would be requiring access for pedestrians that might cross waterways or other obstacles which might prove to be somewhat complicated. He stated he believed it was designed where you would have the higher density which was why it had been tied into the language regarding blocks, and that it may not be applicable to the more rural 2-acre or three-acre type densities they typically had.

Chairman Lucier stated he believed that language was taken from a municipal ordinance but never revised to fit Chatham County. Ms. Harrelson stated it was taken from Town of Cary ordinance, but believed the language would still work in parts of the County, particularly in the northeast because of all the developments and shopping centers.

Chairman Lucier suggested that Mr. Megginson take another look at the language and make any other changes that would clarify some of the issues addressed today, and those be brought to the Board at its meeting on Monday. Mr. Megginson agreed.

Chairman Lucier said on page 52 regarding the Exaction under 2.A, he asked why they had removed the 1/35th of an acre, which gave the amount of the recreation exaction fee that had to be paid. Mr. Megginson said because that was not how they now calculated that exaction fee. He said they had one fee for one-half of the County and a different fee for the other half, so that all the neighborhoods were not divided out separately to get that fee. Mr. Megginson said the fee was around \$900 and \$500. Chairman Lucier said then it was independent of the size of the lot or the price of the lot. Mr. Megginson said that was correct. Chairman Lucier said the fee used to be graduated, so that someone in the Governor's Club would pay more than someone in a double-wide trailer park. Mr. Megginson said in the past they had used the tax records, noting there had been 42 different neighborhoods in the County. He stated the Board may remember they had the situation with Colvard Farms who were paying tremendously more than the neighborhood just to the south of them, so they had determined it was better to try to group them. So, he stated, the entire eastern part was averaged out as was the western part.

Ms. Kost asked was that laid out somewhere in some other ordinance or some other document, such as the budget. Mr. Megginson stated that fee was adopted by the Board in conjunction with the budget, and he supposed if they wanted to reference that in the ordinance they would reference the budget since that was adopted at the time of budget approval.

Chairman Lucier asked when that change was made. Renee Paschal responded it was changed in 2006. Chairman Lucier stated he had a fundamental problem with calculating it that way; that it was an impact fee of sorts, that at present with the educational impact fee they had to charge everyone the same thing; and, that they had a way in which they could graduate the recreation exaction fee, and they took it out. Mr. Megginson stated there was also the issue that the use of the money was supposed to be reflective of the benefit of the people who were paying the fee; that if the developers at Colony Farms were paying \$1,100, but the park was being put on the other side of the lake at Big Woods Road in an area where people may have been paying \$800, then take became a legal issue.

Chairman Lucier stated that would be the same as with the schools or anything else in the County. Mr. Megginson stated the difference was that this was authorized under the Subdivision statute, whereas the impact fees were separate. Chairman Lucier stated he would like to revisit that. Mr. Megginson suggested they do that at budget time.

Ms. Paschal stated she was concerned that it was not established in the budget ordinance that was adopted separately by the Board.

Chairman Lucier stated the Board needed to discuss that and decide what to do as soon as possible. He asked if the Board agreed to make this an item for an upcoming meeting.

Commissioner Vanderbeck suggested referencing it in the ordinance, and then once the Board discussed it and made a decision, the ordinance could be amended if necessary.

Mr. Megginson stated there were some provisions that Mr. Sullivan continued to look at concerning land unsuitable for building, and he would be getting back with them on that issue.

Chairman Lucier asked would all that be completed and ready for the Board on Monday. Mr. Megginson responded he believed that would be possible, reiterating that information would include subdivisions that had been applied for but not yet approved and what regulations new ones would come under. Chairman Lucier stated in other words, if someone applied today they would be covered under the old ordinance, but on December 2 and after they would be under the new ordinance.

Mr. Rose stated that was correct.

Ms. Harrelson asked if the section about clear cutting trees had been left in. Mr. Rose stated Mr. Sullivan had reworded it and it had been left in the draft. Ms. Harrelson stated that section stated that you could not willfully cut down trees and then turn the land into a subdivision; that the purpose of cutting the trees would be for timber harvest.

Chairman Lucier stated the rules for timbering were far more relaxed than those for subdivisions, so if someone wanted to get around the rules they could timber the land and then claim it to be a subdivision. In the meantime, he stated, you would have no buffers left, so the regulation was to prevent someone from timbering with the purpose of developing.

ZONING ORDINANCE

Chairman Lucier asked Mr. Megginson to highlight the issues the Board needed to discuss and make a decision on, noting he knew the agricultural district was one of the issues. Mr. Megginson stated the environmental assessment section needed to be discussed as well. Chairman Lucier stated they could not do much about that until they saw the information Mr. Sullivan would provide on Monday. Mr. Megginson stated that regarding the section on Sexually Oriented Businesses, as long as they did not have County-wide zoning, they did not have to accommodate for that legal use, and that would be something that would be brought back before the Board if and when the entire County was zoned. He stated that because that was not in the draft ordinance that went to public hearing, that entire section had been removed.

Commissioner Vanderbeck stated on page 48, Sexually Oriented Businesses were still listed in the chart. Mr. Megginson stated that was an error, and he would be sure to have it removed. He stated there was language in the ordinance that said that uses that were not listed as permitted uses were prohibited so they were still protected in that way.

Jim Hinkley asked how the Lighting section was applicable to the entire County, noting it was in the Zoning Ordinance at present. Mr. Megginson stated that was the only place that it applied.

Chairman Lucier stated he thought the Board had discussed having it apply County-wide. Mr. Megginson stated they had, but the Board had not officially done that as yet, which would have to be done with a stand-alone ordinance.

Commissioner Vanderbeck stated he thought they had decided to do that as well, and asked was there anything keeping a separate ordinance from being brought forward. Mr. Rose stated the idea was for that to be County wide, and since it was only in the Zoning Ordinance, it would apply only to the zoned areas of the County.

Mr. Megginson stated they would look to see if the towns wanted to apply it to their ETJ's or if they would have to under health, safety and welfare. Mr. Rose stated he believed it would apply only in the County's areas.

Chairman Lucier stated it was his impression that they had applied it to the entire County when they did it, but apparently not. Mr. Megginson stated that because they had extended the corridors and it applied along those corridors, they had gotten most of the area of concern because they were now zoned.

Commissioner Vanderbeck suggested that the minutes pertaining to that be referenced.

Ms. Kost stated what she recalled was that they had gone ahead and done it as an amendment to the Zoning Ordinance, and then made the recommendation that they go back and make it County wide, which was not yet done.

Ms. Turner stated she believed there was something in the statute that said if the Board enacted an ordinance that the County did not have to be completely zoned in order for the ordinance to apply. Mr. Rose stated that was correct, you did not have to zone the entire County.

Chairman Lucier agreed, stating for example the Hazardous Waste Ordinance was County wide, as was the Watershed Ordinance and the Noise Ordinance, but they had to go through the public hearing process in order to do that.

Agricultural District:

Chairman Lucier stated that this district had elicited the most comments at the public hearing, and a number of people had made some good points, one of which was the issue of the amount of land that could be used for a secondary business by a farmer. He stated it was absolutely essential for farmers to be able to have secondary businesses, so they needed to do everything possible to see that that was not prevented. Chairman Lucier stated at the public hearing they had discussed no more than 5% of a property used as a secondary business, but it had also been said by Charlie Bolton that that was too small, especially for small farms such as a 20-acre farm who would be able to use only one acre for a secondary business. He stated he had talked with several people who had attended the public hearing and they had indicated they would be far more comfortable with an approach of 5 acres or 5%, whichever was greater.

Mr. Hinkley stated that had been their intent. Mr. Glick stated that had been discussed and approved at the last Planning Board meeting. Ms. Harrelson agreed.

Chairman Lucier stated then with 5 acres or 5%, whichever was greater, if you had a 20 acre farm you could do five acres, and if you had a 100 acre farm you could do five acres.

Commissioner Vanderbeck stated that sounded good to him.

Chairman Lucier stated there had also been some concerns about confusion with the voluntary agricultural districts, which were not necessarily one and the same.

Commissioner Vanderbeck suggested calling it a farm district, just to get it away from the voluntary agricultural district.

Chairman Lucier stated another option would be to take it out of the ordinance entirely, which was what Mr. Megginson had recommended, and then ask the Agricultural Advisory Committee to provide some input. He asked how that would affect the ordinance as it now stood. Mr. Megginson stated they did not have that district now, and they would not be applying it to any land by that action, so it would not have any impact. Chairman Lucier stated then the two options would be to take it out and then ask for feedback from the Agricultural Advisory Committee which could go to the Planning Board, and then the Planning Board could develop a set of recommendations for the Board's consideration.

The County Manager stated just for information, they were also doing a study on the Farm Protection Plan, which may add some information. He stated the Board could leave in the option of 5% or 5 acres, whichever was greater, with the option of revising that after process outlined by Chairman Lucier was completed.

Chairman Lucier stated they also did not have information about what size operation farmers usually had as a secondary business. Mr. Hinkley stated they did not have that type of information, adding the size of an operation could greatly vary.

Mr. Glick stated one of the thoughts that had been very important to the subcommittee was that an agricultural area not be turned into an industrial area by having a business blossom to the point that 100 acres was being used for industry rather than for agriculture.

Chairman Lucier stated those abuses could occur, and believed they needed something to address that, but at the same time they wanted to make sure the farmers did not get shortchanged on businesses that were legitimate, helped pay their bills, and kept the farms going. He stated he worried that the figures they had come up with might be arbitrary.

Commissioner Cross stated his preference would be to take it out and get more information from the Agricultural Advisory Committee, and then consider amendments.

Commissioner Thompson stated that as a Board he believed they needed to decide whether it was critical to include that piece now, and if it was not critical then it made sense to wait for the input from the Agricultural Advisory Committee and then put it in place.

Commissioner Vanderbeck stated they could not revert back to the old language since it would no longer fit, so they could not use the old ordinance until the new one was in place.

Ms. Turner stated she had voted not to remove that language, and suggested not removing it now but revising it later if needed. She said the Agricultural Advisory Committee had been invited to meet with the subcommittee but had not done so and had not participated in the process even though they were well aware of what the subcommittee was doing.

Mr. Glick stated they had put a lot of time and effort into the ordinance; that the Agricultural Advisory Committee had come to only one meeting of the subcommittee and had only very brief involvement; that they had promised to come back; that they had promised to invite the subcommittee to one of its meetings; that they had then cancelled the meeting to which the subcommittee had been invited; that they had promised to invite the subcommittee to a subsequent meeting which they had never done; and, they had never attended any other meetings.

Commissioner Vanderbeck stated the potential impact was that it would only affect the areas that were zoned. So, he stated, how that would impact existing farms was the question. Mr. Megginson stated that the initial requirements that were addressed stated that you had to meet "one of the following," and then the wording got cumbersome. He stated a farm could have been in existence for 100 years and have preferential farm treatment through the Tax Office, but that was not even listed in the ordinance. Mr. Megginson stated whether or not anyone would even apply for that district was not something that was known, but you could be an active farmer but not qualify.

Chairman Lucier stated if the Board adopted that and there was a farmer in a zoned area of the County who had a business associated with his farm, could the nature of that business change legally.

Commissioner Barnes stated that farm should be grandfathered in, if the business was there before the farm was zoned.

Chairman Lucier stated his question was if you had one type of business but changed it to something else, would you be allowed to do that. Mr. Megginson stated they could treat that as a nonconforming use. Chairman Lucier stated if it was nonconforming, then only the existing business could be operated or expanded, and the business itself could not be changed. Mr. Megginson stated that was correct. Chairman Lucier stated then if the ordinance was passed and a farmer wanted to change the nature of his business, then that would not be allowed. Mr. Megginson stated if the language was passed, everything would have to go through the Conditional Use permit process.

Commissioner Barnes stated what was now in the ordinance needed to be totally rewritten.

Mr. Hinkley stated he did not believe their intent was 5 acres or 5%, it was a maximum of five acres regardless of the size of the farm. Mr. Megginson stated that was different from what Mr. Glick had just said.

Chairman Lucier stated it was also different from the scenario he had outlined, but with that aside the other issue was that he did not know that they had fully thought out the potential impacts on a farmer. He stated that a secondary business on a farm was a value added product, and the nature of that value added product might change as economic situations changed, and if they were limited as a nonconforming use that was a potential problem.

Ms. Kost asked if the Attorney agreed with that as a nonconforming use. She said for instance, if you had a farm that was not zoned you could request zoning and then use up to five acres for a secondary business. But, she stated, she had thought that the business did not always have to be the same. Mr. Rose stated if it was a nonconforming use then the nonconforming nature could not change, for example if you had a grading business you could not then open a machine shop. Ms. Kost stated the greater question was would it be a nonconforming use; that is, if the Zoning Ordinance said if you had a property zoned as agricultural and you wanted to use up to five acres or 5% for a business, was that a nonconforming use or just a business. Mr. Rose stated if that provision were adopted and the business was encompassed within the five acres, then you would be able to operate whatever business you choose and it would be a permitted use.

Ms. Kost agreed, stating her point was that if you had a grading business it did not always have to remain a grading business. Mr. Rose stated that was assuming that you met the Conditional Use requirements. Ms. Kost stated there would be no Conditional Use to it; that it was zoned agricultural and 5% could be used for whatever business the owner chose. Mr. Rose stated what Ms. Kost suggested was a permitted use.

Chairman Lucier stated that was what the intent was, but they had to make sure that was legal. Mr. Rose stated he believed the Board could mandate that. He asked if someone would have to live on the farm to avail themselves of the five acre provision. Ms. Kost stated she did not believe there was a residency requirement.

Jeffrey Starkweather stated that there was a section in 10.1.A. that described what the businesses were.

Mr. Megginson stated the last sentence in that section said that all other uses were allowed as conditional uses but must obtain a Conditional Use Permit. So, he stated, if you had something that fit a home occupation category you were okay, but others would have to qualify under the Conditional Use Permit process in order to change a business that was not already operating.

Mr. Starkweather stated that if it was related to farming, you did not need a Conditional Use permit. Mr. Megginson stated if it was only farming you would not need anything at all because that was exempt.

Commissioner Barnes stated if you operated a business on a farm, you would be allowed to use up to five acres for that business. He stated that economics and times may change, and

that might require that some other type of business be conducted on that property and you should have the right to change that business without going through the whole process. Mr. Megginson stated if you did not fit the home occupation category you would have to go through the Conditional Use process, under the new ordinance.

Mr. Rose stated they could revise the ordinance however the Board decided, but they were using scenarios under the new ordinance.

Mr. Knight stated he believed the Board needed to back up and look at that again, noting they were talking about people living in the county who were continually strangled with regulations.

Commissioner Barnes stated he was advocating making it so if a farmer wanted to change his secondary business he could do so without going through the whole process of rezoning.

Chairman Lucier stated after listening to the discussion, he proposed that the Board take the language out and have the Agricultural Advisory Committee look at it, then have the Board discuss it again. He stated he understood what had been said about the Agricultural Advisory Committee not attending the subcommittee meetings, but he believed they should be formally asked to review this. Mr. Hinkley stated they had been adamant about being involved in the process, but their interest seemed to fade away.

Commissioner Barnes stated that the language should simplify the process for the farming community, and not make it more complicated; that he owned land that had been a farm for several hundred years, and it had not been his choice to put most of it under Jordan Lake; that he had been forced to change to something that would actually help sustain agriculture, which was a construction business, but since he had begun that business before the ordinance he was grandfathered in; that if he wanted to change that business to something that would better fit the economic times, then he should be able to do that without going through the total zoning process which was expensive and lengthy; and, having to do that was a deterrent to agriculture in the County.

Mr. Hinkley stated there was a provision in the General Statutes that defined a bona fide farm, which stated that the Zoning Ordinance should in no way regulate, restrict, or prohibit or otherwise deter or affect bona fide farms, but any use of a farm property for non-farm purposes would be subject to the regulations of the Zoning Ordinance. So, he stated, when a farmer wanted to use five acres for a concrete plant that five acres would immediately become subject to the Zoning Ordinance even though his farm, per se, was not subject to zoning at all.

Chairman Lucier asked what was thought about his proposal to take the language out, formally asking the Agricultural Advisory Committee for its advice, having that advice given to the Planning Board and the Board of Commissioners, that the Planning Board offering a set of recommendations to the Board of Commissioners based on that input and its own deliberations, and then the Board could consider taking action.

Mr. Hinkley stated he hoped that the Agricultural Advisory Committee understood that what they were trying to accomplish was to make it easier for a farmer to be in a business that was ancillary to the farm.

Chairman Lucier agreed, noting that the formal request should include that point.

Loyse Hurley suggested taking the language out and reserving the section so that if language was put back in the entire Ordinance would not have to be renumbered.

Ms. Kost stated that would also act as a teaser to remind them to consider that language.

Chairman Lucier stated he had also received a comment from someone about the definition of a bona fide farm, which was that State statute said noting about monies generated from farms, and that needed to be looked at as well. Mr. Megginson stated it was \$1,000.

Mr. Hinkley asked where that \$1,000 figure had come from. Mr. Megginson stated that had come from the Tax Code.

Chairman Lucier asked if the Board was in agreement to take out the language but reserve the section.

Commissioner Thompson agreed, as did Commissioner Vanderbeck, who added that all the people who had worked so hard on the ordinance should be thanked and hoped they understood that more work was needed.

Chairman Lucier stated he believed that was understood, and believed there would not be any harm in delaying action on that section for a few months. He asked Mr. Megginson if there were other issues that needed to be highlighted. Mr. Megginson stated that for the B district in the ordinance, or business districts, it was suggested that it be a legacy district because it no longer existed. He stated since the Board had not yet decided what to do with properties in the corridors, to zone them either business or industry, they had left that in the ordinance.

Mr. Hinkley stated that needed to be corrected because the B district would continue to exist; it was just that B.1 would not be created as a legacy. Mr. Megginson stated he was saying they could not do that if the Board did not act on the business districts until after they held a public hearing later on, so they could possibly be creating more business districts. He stated after that, they may want to phase it out. Mr. Hinkley stated their recommendation was to phase it out as a legacy at adoption of the new ordinance, and then not create any B.1 districts from that point forward.

Chairman Lucier stated they had to honor their commitments to the businesses about working through what they would be zoned and going through the public hearing process, so that would have to take precedent over that recommendations. Mr. Hinkley stated they had three new districts that were being proposed. Chairman Lucier stated he understood that, but at this point he would not tell him that the Board would want to do that in terms of B.1.

Mr. Glick stated if you kept to B.1, you would also be keeping the other districts that were being recommended in the new language. Mr. Megginson stated with the other three business districts, anyone else coming in to apply would be recommended to apply for one of those three rather than the general business, but the people in the corridors would be able to apply for general business instead of having to choose.

Chairman Lucier stated in essence, those businesses in the corridors had applied to have a change based on the fact that the Board had made their businesses nonconforming by changing the district, and a moral application process had begun and they needed to carry through on that.

Mr. Megginson stated another issue to be considered was related to parking in Section 14.2, noting there were provisions now that only 30% of the parking in a Neighborhood Commercial or Community Business district could be in the front. He stated they had not identified a reason for that to be there, so they were recommending that the language be removed.

Chairman Lucier stated that did not appear to be much of an issue.

Mr. Megginson said on pages 54 and 55 they had included an actual chart of the planting guide that showed different scenarios of plantings as well as rates of so many trees or bushes per linear foot.

Mr. Glick stated what had been added in A. was that minimum spacing would be no wider than 20 feet between tree trunks, and that evergreen shrub spacing would be no wider than five feet on center. He stated in B. it was a minimum of 30 feet for trees and 5 to 8 feet for shrubs and in C. it was a minimum of 40 feet for trees and 20 feet for shrubs.

Mr. Megginson stated they had added the rate to make it clear how many trees and bushes were required to be planted per linear foot, so that someone developing a landscaping plan would have a clear understanding of the requirements. He stated that Mr. Sullivan had worked on language regarding land that was timbered before someone came in for a zoning request, and had added language that clarified that.

Commissioner Cross asked what if someone cleared a farm and then turned around and sold it to a developer, then the developer came in with a proposal. Mr. Megginson stated that

was where the language would come in, that if the land was timbered on purpose then the permits could be withheld for three years. Commissioner Cross asked how you would prove that. Mr. Megginson stated if someone had come in and asked the County staff about it before it was done, but went ahead and timbered anyway, then it would be known that the person knew the rules. He stated if no inquiry was every made and they just timbered the land, the County could then, with the help of legal counsel, attempt to hold up the permits for three to five years.

Mr. Rose stated he believed the County could do that if such a situation arose, noting he did not believe one person could timber land and then sell it to someone else to develop.

Jason Sullivan stated there was no precedent that had been set since the statute was adopted in 2005, but many jurisdictions were using the language.

Commissioner Cross stated he had been involved with some purchases of timbered land, and most people who owned timbered land would timber it before they sold it. He stated the purchaser then had to figure out what they would do with it.

Mr. Sullivan stated you may have a case where timber rights had been established and recorded.

Mr. Megginson stated there had been a case with the high school on Lystra Church Road who had provisions to sell the timber prior to development as a school site. But, he stated, he was only pointing out that the language had been changed from what had previously been in the ordinance.

Commissioner Vanderbeck asked what the section number was for the change in timbering. Mr. Megginson responded Section 12 on page 52, which reflected the old language now but Mr. Sullivan had emailed the new language to him today to be inserted.

Chairman Lucier asked about the nonconforming language on page 24 under Section 9.4. He stated that it appeared that some of the statements were inconsistent, for example, the first statement read that "except as specifically provided by this subsection it shall be unlawful for any person to engage in any activity that causes an increase in the extent of nonconformity of a nonconforming situation." He said in the same section, it read that "a nonconforming situation may be changed if the change amounted only to the degree of activity rather than changes in kind and no other violations occur." Chairman Lucier stated those statements seemed to be awkward wording and perhaps misleading to the reader.

Mr. Hinkley suggested adding language that said "except as specifically provided in paragraph four below, it shall be unlawful..."

Chairman Lucier stated the other language seemed to take care of it, in that you could not change the nature of what you were doing, but he believed #1 under that needed to be rewritten.

Mr. Starkweather asked was it possible that #1 was referring to increasing the size of the use, not the nature of the use.

Commissioner Barnes stated you could not increase to the extent of nonconformity when you already had a nonconforming situation.

Chairman Lucier stated if you increased the size then the nonconforming use could be extended to that expanded size under Section 9.4.

Mr. Rose stated that language was pretty liberal.

Mr. Megginson stated they would reword that language under #1.

Chairman Lucier stated he believed the intent was simple, in that you could expand an existing nonconforming use but you could not change the nature of the nonconforming use. Mr. Rose stated that was correct. Chairman Lucier stated he believed the wording could be simplified to be more understandable. Mr. Megginson stated they would propose some clarifying language and have it ready for Monday.

Chairman Lucier stated that the Planning Board had discussed page 33 regarding language that said “no building within this district shall exceed 40,000 square feet; total building square foot shall not exceed 160,000 square feet for a neighborhood business.” He stated then there was language regarding the Community Business district where you could go up to 320,000 square feet with no building to exceed 80,000 square feet.

Mr. Glick stated there were some discrepancies in the figures, but they were to be modified to conform to the Major Corridor ordinance.

Chairman Lucier stated that referred only the ground floor, so then you could have a business with 160,000 square feet but with two stories. Mr. Glick stated yes, as long as that business occupied that space. Mr. Megginson stated that was the current language, and it had been changed to say the building, not the floor.

Chairman Lucier asked should they be more explicit, saying there could be 40,000 square feet on the first floor and 40,000 square feet on the second floor, for a total business space of 80,000 square feet. Mr. Hinkley responded he thought that would be appropriate.

Chairman Lucier asked if everyone was comfortable with those sizes. There was no objection from the Board.

Mr. Hinkley stated he, for one on the Planning Board, was not comfortable with the 320,000 square feet for the Community Business district. He stated he believed that 40,000 square feet in a neighborhood was an acre, and could not imagine a 320,000 square foot business in a neighborhood. Mr. Hinkley stated his concept of a neighborhood business was something like a dry cleaners, a barber shop, or perhaps a coffee shop, and that square footage would allow for many other things. He stated the space allotted was based on the corridor situation.

Chairman Lucier asked how large the Food Lion was. Mr. Hinkley stated it was about an acre and a half, or about 60,000 square feet. Chairman Lucier stated that 40,000 still was quite a bit smaller than that. Mr. Hinkley stated he just did not see a supermarket in a neighborhood.

Mr. Rose asked what the cumulative square footage applied to; that is, what was the area, one per lot or a district.

Chairman Lucier stated that all the businesses combined in a district could not exceed 160,000 square feet for a Neighborhood district, or 320,000 square feet in the Community district. Mr. Megginson reiterated that this had been related to the corridor zoning. Chairman Lucier stated that this was taken from the corridor language, so if anything was changed about the major corridor they would at the same time have to change this language. Mr. Megginson stated that was correct.

Home Occupations:

Commissioner Vanderbeck stated that Section 16.1.6 had been revised to go from 750 square feet to 1,000 square feet for home occupations. Mr. Glick stated that had been revised just to provide more room.

Mr. Megginson stated that it was still reduced from the 1,500 that was allowed for accessory buildings, noting that if someone wanted to convert their home over to a home occupation this section would allow for that but if left at 750 the whole building could not be used.

Chairman Lucier asked if anyone had a problem with 1,000 feet.

Commissioner Barnes stated that 1,000 square feet was not much.

Commissioner Cross agreed that was somewhat small. Mr. Megginson stated to remember there were two categories of home occupations, both neighborhood and rural, and with rural you could have up to 2,500 square feet.

Commissioner Vanderbeck stated it had been mentioned in the agenda materials that there would be a digital map produced, and asked would the Board have a map to look at on

Monday. Mr. Megginson stated the map was on-line now, and they could zoom in to a particular area or parcel. He stated they could provide a printout that would give a good idea of where districts were located.

Chairman Lucier stated on page 89 on the Board of Adjustment, Section 18.1, it read that "The Board of Adjustment was hereby established and the Board of Commissioners shall appoint the membership and provide for its organization." He stated that previously the Commissioners had appointed itself as the Board of Adjustment. Mr. Megginson stated that was correct, noting this would not affect any new action.

Mr. Hinkley stated other counties had separate Boards of Adjustment.

Chairman Lucier stated at some point the Board might want to consider that, but for now they would leave it as is. Mr. Rose stated the only action needed would be for the Commissioners to appoint themselves.

Ms. Kost suggested that should be done annually.

Chairman Lucier stated that should be put on the agenda to be done on December 1. Mr. Megginson suggested that it could be done when the new Commissioners took the oath, and whoever was conducting the swearing in could also swear in the entire Board as the Board of Adjustment. Chairman Lucier agreed that would be appropriate.

Mr. Hinkley stated he was in a quandary about the height of buildings in residential districts, calling attention to pages 28, 29, and 30. He stated that in each of those districts the maximum height was 60 feet, and it was hard for him to understand having a height of 60 feet in a residential subdivision unless they were high-rise apartments.

Ms. Kost stated she believed Galloway Ridge at Farrington was close to 60 feet in height.

Mr. Hinkley stated that was townhomes, not a single-family neighborhood.

Chairman Lucier stated his home was 35 feet tall, with only two stories. But, he stated, that was something the Board could think about in the future.

Ms. Paschal stated she had an issue related to the Subdivision Ordinance, in that they needed not to make the changes shown in the draft because the recreation exaction fee was based on 1/35th of a acre. She said they were advised by the County Attorney at that time that they could do the calculation in-house, so they had been basing it on the neighborhood values but had administratively changed that to average it across the district. Ms. Paschal stated that would be discussed at a later time, but the ordinance needed to stay as written, based on 1/35th of an acre and equivalent to the post-development value. So, she stated, the language needed to be restored.

Chairman Lucier thanked Ms. Paschal for taking the time to get the correct information and alerting the Board.

REVALUATION

Chairman Lucier stated that Ms. Stone had provided a summary of the pros and cons of delaying the revaluation, with a more detailed list of the cost; that the impact of delaying in taxes lost would be about 83% of sales assessment ratio, or \$150,000; that the number had grown considerably based on the more up-to-date information from the Department of Revenue, which was now estimated at 88% or \$261,000; that additionally, Siler City and Pittsboro would suffer lost revenue as well as some of the fire districts, for a total loss in County revenues of just under \$300,000; that the majority of what the County lost, about 60%, would come from Progress Energy at about \$153,000; that there were other costs to the County in staff costs of about \$100,000 including any additional contracts that would have to be redone; that the total cost to the County now was now about \$400,000; and, that when the Board had originally voted on delaying the revaluation they had believed the cost would be about \$100,000.

Chairman Lucier stated that \$400,000 was a lot of money, and the fact was that the money had to come from somewhere, noting it was just over ½ cent on the tax rate. He stated if

they were talking about \$100,000 he would vote to delay the revaluation because he believed going forward would cause an increase in the number of appeals. Chairman Lucier stated that if the values in the eastern part of the County had gone up faster in the last four years than they had in the western part of the County, and that would be a reasonable assumption, then to get that \$400,000 back the western part of the County would have to pay disproportionately more by delaying the revaluation. Ms. Stone agreed that was correct.

Chairman Lucier stated taking all of that information into consideration he believed they should go forward with the revaluation as scheduled.

Commissioner Thompson asked if the Board proceeded with the revaluation and he were to appeal the value of his property, would the standard used to determine that be the current market value at the time of the appeal. Ms. Stone responded they would consider all economic factors. Commissioner Thompson stated then you could possibly award some relief to those whose values were too high.

Commissioner Cross stated with the upside down market they were experiencing now, he would prefer to put the valuation off a year.

Commissioner Vanderbeck moved to adopt the Schedule of Values and proceed with the revaluation. Commissioner Thompson seconded.

The County Manager stated that procedurally, he believed they would need to rescind the resolution now in effect.

Commissioner Thompson asked did that mean they would need to rescind that earlier motion to delay the revaluation. Mr. Rose responded that was correct.

Commissioner Thompson moved, seconded by Commissioner Vanderbeck, to rescind the motion made at a prior Board of Commissioners meeting to delay the revaluation until next year.

Commissioner Barnes stated if they went forward with this they would have to explain to the citizens of the County the reason for the action. He stated there would likely be misconceptions of the pros and cons of delaying or going forward, and at minimum an article needed to be placed in the newspaper to explain the Board's actions and the reasons behind them, as well as some radio announcements. Commissioner Barnes stated the lack of communication was the primary issue that this Board was criticized for, and therefore the explanation should be detailed.

Commissioner Vanderbeck agreed, noting that people did not understand revaluation and in the past there had been an aftershock after an election year due to revaluation. He stated he believed it could be explained in a way that it could be understood.

Commissioner Barnes stated he had tried to explain the nuances to people over the last week with little success, adding the explanation should also be broadcast on the radio.

Chairman Lucier agreed that obviously they needed to do a press release that clearly explained all the factors considered by the Board, to include that not just the homeowners would be affected but the other towns as well as the fire districts.

Commissioner Thompson stated that Chairman Lucier may want to do a one-on-one interview for the newspaper to lay out the information and explain the Board's actions, adding that people would read an article before they would a press release.

Commissioner Vanderbeck reiterated it needed to be on the radio as well.

Chairman Lucier called the question on the motion to rescind. The motion carried five (5) to zero (0).

Commissioner Vanderbeck restated the motion to adopt the Schedule of Values and to proceed with the revaluation. Commissioner Thompson seconded the motion. The motion carried five (5) to zero (0).

The County Manager asked if the Board wanted to set the time for their meeting on November 24th.

Chairman Lucier stated they had discussed having it in the evening, but he believed they needed to do it in the morning. He estimated that meeting would take about three hours.

Chairman Lucier asked the County Manager if he wanted to hold the agenda review meeting afterward that meeting. The County Manager responded yes.

Chairman Lucier stated then the meeting on the 24th would begin at 9:00 AM. He asked about the November 20th meeting on the major corridors. Commissioner Vanderbeck replied it was at 7:00 PM at the Agricultural Building.

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

RECESS

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to recess to the meeting to the County Manager's Conference Room for dinner at 4:51 PM.

The Board discussed general topics of interest during dinner.

ADJOURNMENT

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

George Lucier, Chairman

ATTEST:

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