

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**WORK SESSION**  
**JANUARY 26, 2009**

---

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Central Carolina Community College, Multipurpose Room, 764 West Street, located in Pittsboro, North Carolina, at 2:00 PM on January 26, 2009.

Present: Chairman George Lucier; Vice Chair, Sally Kost; Commissioners Mike Cross, Carl Thompson, and Tom Vanderbeck; County Manager, Charlie Horne; and Clerk to the Board, Sandra B. Sublett

*Work Session*

1. **Farmland Preservation** – Charlie Bolton and Philip Gottwals
2. **Affordable Housing Task Force Presentation and Recommendations**
3. **Tree Recognition Board:** Discussion of a request to establish and to appoint members to the Chatham County Tree Recognition Board
4. **Zoning of Business/Industry Properties Discussion:** Discussion and Board of Commissioners’ direction on zoning of business/industry properties along major corridors for public hearing
5. **Resolution to Support Town of Pittsboro Application for Congestion Mitigation and Air Quality Program Funds for Pedestrian Facilities on NC #87**
6. **Board of Equalization & Review discussion on numbers of terms members can serve**
7. **Sanford/Goldston Sewer Infrastructure Discussion of including the Goldston Sewer Infrastructure in the County’s list of “shovel-ready” projects for a response to a possible federal economic stimulus package**
8. **Tour of Performance Building, time permitting**

The meeting was called to order by the Chairman at 2:08 PM. Chairman Lucier indicated one change on the agenda, noting that Item 2, the Affordable Housing Task Force Presentation and Recommendations, would be delayed until later in the meeting to allow Task Force members to arrive.

**FARMLAND PRESERVATION**

Sam Groce, Agricultural Extension Livestock Agent, introduced Philip Gottwals who was the consultant hired last summer using a grant from the Department of Agriculture from their Farmland Preservation and Agricultural Development Trust Fund to create a farmland preservation plan for Chatham County. He stated the Agricultural Advisory Board had decided to hire Mr. Gottwals, who was with Agricultural and Community Development Services in Maryland to do the plan, adding he had prepared a plan for Alamance County and had done an outstanding job.

Philip Gottwals stated they were just starting on the process to develop an Agriculture and Farmland Protection Plan; counties were being encouraged by the State to do such plans;

that these plans were relatively new in North Carolina though other states in the mid-Atlantic, northeast and the west coast had been actively doing such plans for a some time; that the State wanted counties to plan for agriculture as a land use and as an economic use as well; that agriculture often existed in an almost conflicting land use pattern, whereas commercial and industrial development did not; and, the process would be looking at the economics of agriculture and the land use activities that surrounded agriculture and its viability within a community.

Mr. Gottwals stated they were in the beginning stages of that process now, having started about 10 days ago; that his firm was specialized and worked almost exclusively in resource-based industries in communities that supported those industries; that they would be talking to as many people as possible that were involved in agriculture, development, public works, community development, and a whole range of other issues that effected how communities functioned to get a feel for where agriculture was now, where it was going, and where the community was developing; and, they would do that at a fairly discreet level so that they could understand where the future of agriculture needed to be in order to be successful.

Mr. Gottwals stated that knowing that preservation was in large part for agriculture an issue of profitability and of land access, those things were sometimes in conflict and they would attempt to address those. He stated in Alamance County they had done something different than what the State had expected, in that they had looked at the economics of agriculture and its future, and developed a separate economic development strategy for it that was complementary with the farmland protection side of the land use plan so that the two could work in concert over time. He said that allowed the economic development officials to know what things had happened in what sequence for agriculture to be profitable, and then from a land planning standpoint to understand how that would all fit in to have a good prospect for a farming business 20 years now.

Mr. Gottwals stated their plan was to do something similar in Chatham County with two plans, but the expectation was they would look hard from the economic side where the gaps in the market were and what types of development activities needed to happen; that they would look at whether that would be direct marketing, specifically at where consumers were buying food and how they were buying food; that they would look at where consumers may be demanding more direct marketing access to products; and, that they would look specifically at adaptive reuses for facilities such as the Siler City poultry plant and how that might support changes in the economy to stabilize the agricultural base.

Mr. Gottwals stated one of the current discussions coming into play was Pilgrim Pride's cutback and Allen Family Farms cutback on poultry production, and what that meant for the entire agricultural infrastructure; and, that they were looking at potentially devastating effects from such cutbacks or wholesale closings in the industry. He stated that dealing with those types of structural changes would all be a part of what they looked at; that some of those responses would be of an economic nature but some would be land use and land preservation responses; that they were also talking to the communities themselves, townships and the development community, so that they were not leaving any particular group out of the discussions and that all interests were at the table so that they could understand how planning took place; and, that their goal was to write a plan that represented good ground-proven information that would be informative and useful for other plans whether they be land use plans or economic strategies.

Chairman Lucier asked if Mr. Gottwals had a timetable as to when a report with recommendations might be ready to be presented to the Board. Mr. Gottwals responded they hoped to have a report completed by the end of May, and if they could move more quickly they would. He stated that fed into the poultry issues as much as anything; that there was an economic restructuring and planning going on nationwide, and that particularly with the economic stimulus package that may be of some utility to them; and, that they would be trying to move fast enough so that they would have at least some interim recommendations that could be acted on or at least discussed more quickly.

Chairman Lucier stated that over the last couple of years the County had been working on a strategic plan for economic development, and that plan had recently been received by the Commissioners and the elected bodies of Pittsboro, Siler City, and Goldston; that it would be important to integrate that plan into the work Mr. Gottwals would do, because clearly the agricultural business was a critical component of Chatham County's past, present, and future in

economic development; and, that they wanted to make sure that Mr. Gottwals' report and plans were consistent in providing recommendations that allowed them to move forward in a positive way. Mr. Gottwals responded they would be using that plan and were in the process of looking at what had already been done to make sure they clearly understood and integrated with the process. He stated the other thing they were now doing other than beginning interviews was putting together a data book that included the history of agriculture in Chatham County over the last 20 years in terms of where the industry had gone and where the transitional forces were; that the data book would look a little more prospectively at what the future trends were particularly on the consumer side; and, that the data book would be updated to current information. Mr. Gottwals stated that the 2007 Agricultural Census was due out in about 10 days, so they would have the 2007 data in hand and would update all of that data so it would be current, and expected that within the next month they would have that entire data ready for the Board to review.

Chairman Lucier asked had they been working with the Agribusiness Council, the Agricultural Advisory Board, and the Triangle Land Conservancy. Mr. Gottwals replied they certainly had and would continue to. Chairman Lucier stated in Chatham County they had an opportunity to have an effective farmland preservation program and they wanted to get something in place that was doable and had the support of the agricultural community. Mr. Gottwals stated that North Carolina was very late in getting into land preservation when compared to other states in the region and in some ways that worked in their favor; that there had been a lot of things tried and tested and a lot of variations developed over the last 25 years; that one of the things they could offer was to be involved in the innovations that had occurred over the last few years in preservation programs; that discussions with farmers today would allow them to look at some of what the next generation would bring; and, that some of those things would include good cost effectiveness for the County and allow farmers better sets of tools to work with in terms of their own estate planning and farm management plans.

Commissioner Kost asked how Mr. Gottwals would ensure that he heard from everyone with a stake in the plan, asking would there be community meetings and how he would reach out to the community. Mr. Gottwals stated they were using what was known as a "snowball methodology"; that they had developed categories of the types of people they wanted to talk to at all levels in the community; that when they talked with people they were asked to write down the names of people they believed should be interviewed; and, that once they got a list together and had gone through it several times they were able to wash out the bias and make sure they were talking to the right people. Mr. Gottwals stated that methodology allowed them to get broad representation from the community and to keep bias out of the system, and also allowed people to ask questions.

Commissioner Thompson asked if Mr. Gottwals would provide copies of the Alamance County plan to the Commissioners. Mr. Gottwals stated he would be happy to email copies to the Board.

Commissioner Kost stated she had received a copy and would be happy to share it with others during the dinner break this evening.

Commissioner Vanderbeck stated he believed other jurisdictions had actually zoned to achieve farmland preservation; that zoning was certainly on the table for consideration in Chatham County; that he believed zoning would help with farmland preservation and some of the tools Mr. Gottwals had mentioned could not work without that; that other boards in the County had indicated they believed that was the direction they should be going; and, that there would be a number of benefits that came with such zoning. Mr. Gottwals responded that whether they were looking at the preservation side or the land use side, you had to understand the issues and then put together the tools that worked best. He stated they did not discount the use of any tools when they began a project.

Chairman Lucier asked if it became possible to have Transfer of Development Rights (TDR) how would that play into that, noting that one of the legislative goals of the NC Association of County Commissioners was to give counties more flexibility in developing those types of programs. Mr. Gottwals stated you absolutely had to have flexibility and had to be actively managed on the government side; that there were well over 300 TDR programs in the US and they had stopped counting, but only a few had protected more than 1,000 acres; that three of those programs accounted for 80% of the acreage; that they had to keep in context that TDR programs were academically as simple and as free market as you could ever imagine, until

you tried to make it work; that the “devil was in the details” and it took a lot of presence of mind on an active and almost daily basis to keep a TDR program alive; and, that they would want to make sure that everyone had a full understanding of how those tools worked, noting that it would likely take two full education sessions to go through all the elements of a TDR program, how they could be applied, where they could be applied, and what action made the financial transaction work.

Mr. Gottwals said the issue with TDRs often was not the enabling legislation, it was the fact that the land development process made the value to the developer so far out in time that they had to seriously discount what they paid for the transfer of right when they bought it from the landowner, and in some cases that may be as much as 10 years. He said because of that, there was a whole time value of money calculation you had to look at relative to your development and subdivision process, because that had more impact on the ultimate price of a development right than did the underlying land economics of a parcel. Mr. Gottwals stated that was a good discussion to have as they moved forward in understanding the land development process, subdivision process and when platting occurred, to get a feel for what kind of value there would be in a TDR program. He stated they could also discuss if the transfer was to something other than a development right, which got into commercial and environmental applications of transfers.

Chairman Lucier asked if Mr. Gottwals had any specific recommendations that could be sent to their State legislators as to what should be contained in the enabling legislation. Mr. Gottwals stated the value came down to where the process occurred, which was a local process; that the enabling legislation only needed to be broad enough to allow elected bodies at the local level to back a program what would be able to move the development rights; and, that the key issue was the ability to get the transaction short enough that the developer and the seller could negotiate a price. He stated that his firm was an economic development firm that did some land use planning, and not a land use planning firm that did some economic development; that they spent a lot of time looking at those types of issues; and, that one of their specialties was doing post-mortems on TDR programs to determine why they had or had not worked.

Jim Hinkley, Planning Board Chair, asked if Alamance County had countywide zoning. Mr. Gottwals stated it did not. Mr. Hinkley stated that Chatham County had major corridor zoning, and asked if Alamance County had such zoning or any kind of zoning outside of town limits. Mr. Gottwals replied they did not have zoning, but used their Subdivision Code to act like zoning.

The County Manager stated that Mr. Groce was present and wanted to provide an update on the Cape Fear Poultry Cooperative as it related to Pilgrim’s Pride. Sam Groce stated that they were looking at a kick-off meeting for a farmland protection plan on February 17 at Best Foods at 7 p.m.

Chairman Lucier stated that now would be the time to provide the update. The County Manager stated that about 20 of the growers that had been associated with Pilgrim’s Pride had formed a cooperative called the Cape Fear Poultry Cooperative, and Mr. Woolard would provide an update on that.

Glen Woolard, County Cooperative Extension Service Director, stated that Dan Campo, the Area Poultry Agent, would be meeting with the Commissioners next Monday and would provide more detail. He stated that Congressman Bob Ethridge had asked the Extension to work with the cooperative and head up the project, and to put together a notebook which Commissioner Cross had a copy of. Mr. Woolard stated that there were 44 growers that had had their contracts cut off by Pilgrim’s Pride on January 1 of this year; that those farmers had about 150 chicken houses; that the mortgage debt on those 150 chicken houses was between \$14 and \$15 million; that Congressman Ethridge had asked the Extension Service to head up the efforts of this cooperative; that all the farm families had sent them pictures of themselves, their chicken houses, the specifications on those chicken houses, their age, feeders and equipment; that all of that information had been put together into the notebook as well as on a CD and on the Extension Service’s Web site; that the NC Poultry Federation was helping to distribute the notebooks and CDs to different industries, State leaders, key agricultural leaders, and the Farm Credit Service in hopes of getting some other companies to pick up some of those farmers; that they had received news last week that Allen Family Farms was cutting off some of the growers in this area and in Randolph County; that they had also received news last week that Pilgrim’s Pride was cutting off

additional growers in Cumberland County and in Scotland County; and, that they were working with the State Extension Poultry Department to possibly put all of that information on its Web site to provide one portal for the industry to go to and see what growers were available. Mr. Woolard stated as a last resort they were bringing in a group from NC State University, Dr. Blake Brown of the Agriculture Department on the Kannapolis campus, to consider the possibility of a feasibility study for forming a cooperative; that the process would take about 10 to 12 months to complete; and, that they were exploring other options with grocery chains in the area who may be looking to expand the purchase of local products.

Mr. Woolard stated they had reminded Congressman Ethridge that it would be difficult to replace the income those growers had lost; that a lot of the farmers had balloon payments that they were required to make; that there was a federal law that after 120 days if the farmers had not made payment they would be forced into foreclosure; and, that locally he had talked with NC Farm Credit representatives who would like to be more lenient and provide more time for payment, but they had an 80% guarantee through the Farmer's Home Administration so they could not afford to be more lenient. Mr. Woolard stated that resulted in many of those farmers potentially facing foreclosures, which would likely begin the first of May.

Chairman Lucier stated it was his understanding from the list provided that there were 13 farms in Chatham County with 35 chicken houses that were affected, and what Mr. Woolard was saying was that all 13 of those farms might be in difficulty. Mr. Woolard stated some that had older chicken houses may not have as much debt, and some may have family members who worked off the farm, so had a little better situation. He estimated that at least half of those 13 would be in serious financial situations very soon.

Mr. Woolard stated that Mr. Campo had met five or six times with this group, with another meeting tonight in Lee County; that members of Congressman Ethridge's staff attended each meeting, as well as representatives from the Cape Fear Farm Credit and the Carolina Farm Credit; and, that they were looking at setting up several alternative income workshops to help the farmers look to other methods of earning income.

Chairman Lucier stated they would be talking in more detail about the issue at the luncheon with the Extension Service, noting that Mr. Campo would be present at that time.

Commissioner Thompson asked if the formation of a cooperative was an experiment, or were there such cooperatives in existence now in the southeast. Mr. Woolard stated there had been one other that they had patterned their notebook after, but the circumstances were much different in that that cooperative had had a plan in place. He stated in this case the plan had pretty much been destroyed in Siler City.

Commissioner Thompson agreed, noting they were working against time in trying to put something together. Mr. Woolard stated they had an entirely different scenario in this instance, and it would take longer and a lot more investment. He stated that there had been a poultry plant opened in Siler City this year, and they wanted to process between 5,000 and 6,000 birds a week, so there was some opportunity for a small number of the growers to go back in to small scale production, but the opportunity was not enough for all the growers.

Chairman Lucier thanked Mr. Woolard for his presentation, noting the Board would look forward to an update in the near future.

### **TREE RECOGNITION BOARD**

The County Manager introduced Al Cooke, the Agricultural Extension Agent working with the group asking that a Tree Recognition Board be formed. He noted that Stacy Gray would provide some additional information

Stacey Gray stated that they were asking the Commissioners to create an official Tree Recognition Board to administer a new program which would be named the Grand Trees of Chatham; that it would be a tree recognition and education program; that the idea for the program had been introduced at a workshop that the Triangle J Council of Governments had held last winter; that the program was modeled after the Capital Trees Program that Triangle J administered; that the program would have two major components, an awards recognition portion and an education portion; that the awards program would work through a nominations

process, with trees being nominated by anyone; that the trees would be placed in one of four categories – champion, historic, landmark, or meritorious; that the Grand Trees of Chatham would hold a minimum of four public workshops led by professionals and/or experienced educators and would target the broadest range of demographics possible, including children and families, homeowners, and professionals that worked with trees such as landscapers, developers, and the Public Works Department; and, that the Grand Trees of Chatham would also serve as a public resource by providing guidance and advice and information at community events, in public spaces, and on line about the benefits, values, and best management practices for trees.

Ms. Gray stated that the program was not intended to offer legal protection to any of the grand trees, noting that the mission of the program was to raise awareness and educate the public; and, that they hoped through that effort that citizens would have new or renewed appreciation and understanding of those large grand trees and realize that they were not replaceable.

Chairman Lucier asked had Ms. Gray talked with any of the municipal governments about this program. Ms. Gray stated they had approached Siler City, Pittsboro, and Goldston, and while they had not received any negative feedback they had not received any positive feedback either.

Chairman Lucier stated obviously such a program was important, noting they had seen some trees go down in Pittsboro recently that a lot of people were sorry to see go. He stated a lot of the activity would be in the jurisdictions of the local governments, maybe more so than in the County, so it was important that those local governments were involved in the program so that it would be effective in providing protection for trees when developments came in. Chairman Lucier stated it was proposed that the County establish a board to administer the program, and it had been suggested that the board be comprised of 7 to 15 members. He stated it would be best if those members came from both the municipal and County governments, and believed it was a good idea to come up with a proposal that would involve those local governments as well as the County government, and that the members be chosen in order to provide good geographical representation. Ms. Gray asked if they should nominate board members. Chairman Lucier stated that the board members would need to be selected in some way, and it might be a good idea to have that membership cut across County and local government; and, that some members be selected by Chatham County, and others by Pittsboro, Siler City, and Goldston.

Commissioner Vanderbeck agreed that would be a good way to form the membership. He asked if Ms. Gray had any experience with tree ordinances that actually provided legal protection for trees. Ms. Gray responded no, but that was not the purpose of the board. Commissioner Vanderbeck stated the board might help create the awareness, but the next step for the Commissioners might be to identify options in order to put some teeth into an ordinance to preserve such trees.

Chairman Lucier stated at the present time the intent was to create a board that raised awareness and identified trees as significant, and then to develop educational programs. He stated they had a draft ordinance for consideration tonight that included the makeup of the board, and believed it would be best to get feedback from the Commissioners, then revise the ordinance based on that feedback.

Commissioner Kost agreed, noting she had a couple of questions that did not need to be answered now but perhaps Ms. Gray would respond at a later time. She said she did believe they needed to determine the board makeup, and wondered how the board would be supported. She asked would it be supported by County staff, and if so who would that be. Commissioner Kost stated her other question was if any sort of proposed budget had been considered, noting they may want to look at that being a shared cost with the municipalities. Ms. Gray stated the program cost would be very little, noting they were in the process of applying for a grant with the NC Urban and Community Forestry Program, and believed they had a good chance to receive that grant. She stated as far as support staff, the main staff they would need from the County would be a small amount of staff time that would come in the form of counsel. Ms. Gray stated all other costs would hopefully be covered by the grant.

Commissioner Kost asked if they were looking at eventually becoming a non-profit organization. Ms. Gray responded they had not considered that because they believed it would be a little more involved than the program needed. She said a program as they had proposed

could be administered more simply through the County as opposed to the federal government. Commissioner Kost stated she supported the concept of the program, adding she believed it was a great idea.

Commissioner Thompson stated in the narrative under Organizational Support it said they would be soliciting money from private citizens, companies and so forth, so they may want to consider the non-profit avenue. He stated he also believed the Commissioners would want the group to suggest names of people who had the needed expertise to serve on the board. Ms. Gray agreed to do that.

Chairman Lucier stated when Ms. Gray came back with a recommendation for the board makeup, that based on today's discussion she should also come back with some recommended names to fill those positions.

Commissioner Cross stated he had met with Ms. Gray last January, and had asked her and Mr. Cooke to take this project on. He stated they had made a good start, and offered them his thanks.

Walton Haywood stated there was a need to maintain the quality of life in the County because they were becoming increasingly urbanized. He stated it was also important to understand that this group would be coming from an aesthetic point of view.

Chairman Lucier stated he believed the Commissioners supported the concept of forming a Tree Recognition Board, and supported both the educational aspects of it as well as the tree identification aspect to raise the level of awareness in order to protect the County's grand trees. He stated those trees were often not preserved because no one thought about it, so he believed the Board would form the board in cooperation with the municipal governments.

Commissioner Kost noted they did have a small piece of Cary in Chatham County, so that might need to be considered.

Sharon Garbutt stated that they had contacted the Mayors of Goldston and Pittsboro, and had tried to contact the Mayor of Siler City. She said they hoped to receive feedback from them soon.

Chairman Lucier thanked Mr. Cooke and Ms. Gray for their presentation, noting the Board hoped to hear back from them soon.

### **ZONING OF BUSINESS/INDUSTRY PROPERTIES DISCUSSION**

Chairman Lucier stated there were still several issues remaining regarding properties along the major corridors that were zoned.

Jason Sullivan, Assistant Planner, after providing the Board with a handout, stated that today's discussion was a continuation from the last work session; that the handout contained some changes to the worksheets that were provided in the larger packet at the last meeting; that the changes were those made as a Board and had been reflected in the GIS data; and, that there were nine properties discussed at the last meeting, which were outlined beginning on page 3.

Mr. Sullivan stated regarding the Vaughn property on page 3, the owner had submitted a request showing that he was working with Environmental Health about the location of a septic area, and revisions had been made based on the Board's comments at the last meeting.

Chairman Lucier stated that the total acreage of the Vaughn property was .81 acres for both overlapping parcels. Mr. Sullivan stated the .81 was for parcels 8 and 10, and about another acre had been added on. Chairman Lucier stated then the total was about 1.81 acres. Mr. Sullivan said that was correct, noting the corrected sheet now reflected what had been decided at the last meeting.

Mr. Sullivan stated that page 4 was American Self Storage, and there had been discussion about adjusting the zoning boundary line to about 50 feet away from the cell tower to provide a setback, and that had now been reflected. He stated after the last work session staff had contacted the nine property owners who had some differences between what the Board was

recommending and what the owners had requested; that page 8 was the Patterson property, and the Board had recommended zoning the bottom portion of that property, but after staff had contacted him Mr. Patterson had indicated he wanted to reduce that further; that the sheet now reflected that request, noting there was only about a acre that covered where the existing building was located that Mr. Patterson had wanted to include, so that was actually a reduction.

Commissioner Kost asked were they okay with not recommending changing the zoning of the driveway. Mr. Sullivan stated that was an issue that the Board had wanted further clarification on, and staff had determined there was no problem with leaving that zoning unchanged all the way to the public road.

Chairman Lucier stated he believed that was what Mr. Patterson had originally proposed at the first meeting. He stated that the remainder of the property would remain RA-40. Mr. Sullivan stated that was correct, which was a reduction of about an acre. He stated he assumed the Board was okay with that, and that had been included on the sheet.

Commissioner Cross asked had they had any contact with Dennis Farr. Mr. Sullivan stated he was one of the nine that was contacted, but they had not heard any additional information from him; and, that Mr. Farr had wanted to proceed with his request to have part of his property zoned Light Industrial with a Conditional Use Permit, but it had been explained that the Board had wanted to proceed with B-1 zoning.

Chairman Lucier agreed that was what the Board had indicated they wanted, rather than having a mixed zoning.

Commissioner Cross stated Mr. Farr did have the opportunity to request Light Industrial on the whole parcel. Mr. Sullivan stated that Mr. Farr would have to submit an application on his own, pay the fees, and go through the process. He stated that Mr. Farr's property had been recommended for B-1 zoning at the beginning based on what he had obtained vested rights on and based on the uses on the plan that had gone to Soil Erosion and Control.

Chairman Lucier stated he believed B-1 was the appropriate zoning and was what Mr. Farr had put on his affidavit originally. Mr. Sullivan agreed that was correct.

Commissioner Vanderbeck stated on the adjacent property, parcel 89706, they were supposed to meet with that landowner. Mr. Sullivan stated that was Mr. Schultz's property, and staff had met with him about two weeks ago and provided him with some maps; and, that Mr. Schultz had wanted to get additional information from the Tax Office and also to talk to an attorney about some issues regarding trying to proceed with what he wanted to do long term on the property. He stated they had talked with Mr. Schultz about a number of things, including that the Board wanted to proceed with the zoning in the next couple of weeks, and he had not yet gotten back in touch. Mr. Sullivan stated that he had called Mr. Schultz on Friday but had not received a call back.

Chairman Lucier stated that until Mr. Schultz brought back a request then the property would remain nonconforming. Mr. Sullivan stated yes, unless the Board wanted to do something different. Chairman Lucier stated he believed they should wait to hear from Mr. Schultz and proceed with the schedule to accommodate that, but time was running short and people were getting impatient about what was going to happen. He stated the Board needed to make decisions and move on, so he thought at this point they needed to leave Mr. Schultz's property as nonconforming until further information was received. By consensus, the Board agreed.

Mr. Sullivan stated the last piece of information he had handed out was a letter that noted that Attorney Wade Barber was representing 3M; and, that they had met with Mr. Barber last week and he had provided that letter, which included that 3M was okay with what the Board had recommended, which was to zone their property frontage along US 15-501 South as Industrial, and then leaving the portion along Pittsboro/Moncure Road zoned as residential. He stated the one caveat to that was that 3M wanted the ability to have road access to existing operations on the Pittsboro/Moncure Road if it was needed in the future. Mr. Sullivan stated that Jep Rose had not seen the letter, but based on the information they had received from Mr. Rose on the Patterson property it appeared that what 3M was requesting would fall under that same decision, but he would like to get further clarification from Mr. Rose.

Chairman Lucier stated that the property on Pittsboro/Moncure Road could remain as RA-40, and still be used as an entrance or exit. Mr. Sullivan replied that was correct.

Commissioner Kost stated that was something they had discussed at length in the major corridor committee, that the access roads had to be zoned according to the use. Mr. Sullivan stated that had been their understanding as well, but Mr. Rose had indicated that was not the case. Commissioner Kost stated if that was what their attorney said, then she was okay with it, but it did contradict what had been said previously. Mr. Sullivan stated it was different from what the Board had heard before, but when Mr. Rose had looked at the Patterson property he had said that the road to serve the property did not have to be zoned the same as the property; but, he would like to have Mr. Rose look at this parcel as well to make sure the same determination was appropriate.

Chairman Lucier stated that traffic could potentially be greater, and did not know if that quantitative difference was important. He agreed that Mr. Rose needed to provide clarification, and based on his advice the Board could then decide what to do.

Commissioner Kost stated there could potentially be heavy truck traffic near that residential area, so that should be considered.

Chairman Lucier stated that Mr. Patterson had a fairly small business with some truck traffic, but certainly not the heavy trucks that would access the 3M property.

Commissioner Thompson asked what acreage they were talking about that abutted US #15-501 and Pittsboro/Moncure Road. Mr. Sullivan stated the property ran between the two roads and was continuous, noting it was listed on page 48. He stated the entire acreage was 1,959 acres.

Commissioner Vanderbeck stated with the cross section of US 15-501 included it was certainly a lot less than that.

Chairman Lucier agreed it was a lot less, but the frontage on Pittsboro/Moncure Road still had room for access. Mr. Sullivan agreed, noting that 3M owned additional tracks along Pittsboro/Moncure Road that were smaller tracts. Chairman Lucier stated that once Mr. Rose offered his opinion, the Board would make a decision.

Mr. Sullivan stated that one of the landowners, Mr. Foushee, was present and wanted to address the Board.

Chairman Lucier asked Mr. Sullivan about how they would schedule the public hearing. Mr. Sullivan stated he had talked with the Planning Director last week and he had indicated that the end of April would be best for staff. He stated that was a good ways off, but there would be about 60 properties that they would have to get the legal notices together for and would need to mail individualized notices to each property owner, as well as post the properties, and they wanted to make sure they had adequate time to do that.

Chairman Lucier stated the Board had regularly scheduled meetings on April 6 and April 20, but believed this public hearing would need to be a stand alone meeting because it would likely require more time. He asked the Board if April 27 would work, noting it had been mentioned at the last meeting as a tentative date. Mr. Sullivan stated that would give staff enough time to do what was necessary. There was no objection from the Board to make that public hearing a stand alone meeting on April 27.

Chairman Lucier stated they would need to decide how to package the meeting, noting that clearly anything remaining nonconforming did not need a public hearing ; but, there were a number of properties that everyone seemed to be in agreement on in terms of what and how much the recommended zoning classification should be . He stated there were a few parcels where perhaps there were issues, and did not know if it would make more sense to package the properties according to the road they were on and as a block. Chairman Lucier stated he would like to get staff's recommendation on what would work most efficiently without it taking more than the one hearing. Mr. Sullivan stated that they had talked with Mr. Rose about that, and he had said it was fine to group rezoning requests into one public hearing, and what he had talked about was looking at roadway segments, such as 421 South being one grouping, 421 North as a

grouping, and so forth; and, having six public hearings on that night on the different roadway segments. He said of the nine properties that they had outstanding issues on he believed that could be whittled down to seven individual public hearings.

Chairman Lucier said then they might have 15 public hearings scheduled for that meeting. Mr. Sullivan stated yes, noting they had drafted a preliminary legal ad for Mr. Rose to review and he had provided some feedback on that last week, so they would make some changes to that based on Mr. Rose's comments.

Frank Foushee, landowner, stated that tract 5971 was about 3 acres; that when he had leased property to the gas company he had leased 10 acres; that the gas company had the right to use the entire 10-acre tract; that he had asked that all the property be zoned together because there was an access easement situation that did not make the other lots accessible under current planning regulations or subdivision regulations; that in addition there was a prevention of having another driveway to access either one of the lots of 100 feet minimum; that because of the accesses on each side the two back parcels, 70612 and 70614, he had requested that they be included in the Industrial Heavy zone; and, that in checking with the Tax Office the property above the RA-40 area was being taxed as Commercial or Industrial Heavy already. Mr. Foushee stated he had wanted to address the Board and let them know it would create problems for him if the property was zoned in that way; and, that he had talked to Mr. Sullivan and believed that unless it was adjusted prior to the public hearing that it would not be able to be changed after the public hearing.

Chairman Lucier stated that at the public hearing the Board could do something less, but not more without calling another public hearing. Mr. Foushee stated that since he was asking for more, he had wanted to come today and at least address it and ask the Board would reconsider.

Commissioner Kost stated the challenge for the Board was that the property was surrounded by predominately residential, and so to have an industrial use there meant it was basically in a neighborhood. Mr. Foushee stated he understood, but that situation existed all over the County. Commissioner Kost stated unfortunately that was true, but that her concern was the gas tanks in a residential area and the safety issues associated with that. Mr. Foushee asked what concerns she had about the public safety and the gas tanks. Commissioner Kost stated an example would be the recent Apex fire. Mr. Foushee replied that fire was not a gas fire, but stored chemicals. He stated gas was not a liquid but a gas, so it just went into the atmosphere.

Chairman Lucier stated there were two streams that ran through the property at the back of the pond, and asked if those were perennial or intermittent streams. Mr. Foushee replied they were intermittent streams. Chairman Lucier stated he could always provide access to that lot at the back of the pond through the part that was zoned Heavy Industrial. Mr. Foushee stated the problem was that he had to be a certain distance from the other access going down each side, and because the lagoon was there, there was no way to work around it. He stated that lagoon belonged to the Department of Agriculture, and he did not believe they would be willing to remove it.

Commissioner Kost stated she did not understand what Mr. Foushee was saying. Mr. Foushee stated there was a pond on that site that was at one time a lagoon for chickens, and although it was no longer used it was still listed as such with the State and it had to be left as is unless it was completely pumped out and all sludge removed from the bottom. He stated that would be a very expensive proposition.

Chairman Lucier asked how large that lagoon was. Mr. Foushee replied it was less than 2 acres. He stated the topography of that area at the top was very steep, but it dropped down as it got to his property and it was not conducive to offer an access; in other words, the pond dam was about 8 to 10 feet high. Chairman Lucier asked how far the lagoon was from the intermittent stream. Mr. Sullivan responded at least 150 feet. Chairman Lucier stated that was always a potential problem if the lagoon failed because it was loaded with nutrients. Mr. Foushee stated the pond was under supervision by the State because of that. Chairman Lucier stated he believed they should come back and take another look at this.

Commissioner Vanderbeck agreed, noting he would like for Mr. Rose to take a look at the issues and offer some comments on those issues, as well as staff.

Chairman Lucier asked Mr. Sullivan to work with Mr. Foushee to put in writing what the issues were that he had presented, adding that would provide a framework for Mr. Rose to look at and for the Board to comment on further. Mr. Sullivan agreed to do so.

Chairman Lucier stated that the Board would plan to take another look at this at its next meeting.

### **BOARD OF EQUALIZATION AND REVIEW**

Chairman Lucier stated that the Board had discussed this at its last meeting, in that the original resolution that was adopted establishing the Board of Equalization and Review indicated only two terms would be allowed for each member. He stated several people had brought to his attention that if they adhered to that replacement process then the only member with any experience with re-evaluation would be leaving and this was not a good time for that to occur. Chairman Lucier stated it would be his recommendation that the Board remove the restriction on the number of terms that each member could serve, and there was a resolution to that effect in the packet.

Commissioner Kost moved, seconded by Commissioner Thompson, to adopt the revised **Resolution #2009-03 Amending the Establishment of the Chatham County Board of Equalization and Review**, which removes term limits of Board of Equalization and Review members, attached hereto and by reference made a part hereof.

Commissioner Cross stated that Section 1.C stated that two alternates would be appointed by the Board.

Chairman Lucier stated that section would remain the same.

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

#### **Board of Equalization and Review Appointment:**

Chairman Lucier moved, seconded by Commissioner Cross, to reappoint Colonel Gerald Totten to the Chatham County Board of Equalization and Review. The motion carried five (5) to zero (0).

### **BREAK**

The Chairman called for a short break.

### **AFFORDABLE HOUSING TASK FORCE PRESENTATION**

Commissioner Vanderbeck introduced Bob Eby who had been involved in the activities of the Affordable Housing Task Force, noting the report had been completed in the last few weeks and the Chair of that Task Force, Amy Powell, had been unable to attend today but had been in full support of the activities.

Bob Eby stated that he had been the Secretary of the Task Force, and with him was Bill Leroy who was the Vice President; that they would be providing highlights of the report the Board had recently received; that he wanted to recognize Commissioner Mike Cross as the founding father of the Task Force, noting it was his foresight that had led to the creation of the Task Force and getting support from the Commissioners to authorize it; that the Task Force had members with a broad range of skills and interests, many who were present today; and, that the Task Force included affordable housing leaders, government planning officials, elected government officials, builders, developers, realtors, and interested citizens.

Mr. Eby stated they had been working on the issue for three years; that they had been charged with developing a recommended ordinance regarding affordable housing for the Board of Commissioners to consider; that that had been tougher than they had thought, particularly considering issues of inclusionary zoning; that they had held regular monthly meetings; that they had received presentations by affordable housing leaders in the Triangle regarding successes and problems; that they had visited affordable housing sites from Siler City to Raleigh, including rentals and ownership; that they had participated in a luncheon with a presentation to the County

of \$100,000 from Newland Properties; that they had conducted discussions with builders and developers who had expressed a wide range of opinions; and, that they had studied affordable housing ordinances elsewhere in the State and the nation.

Mr. Eby stated that they had obtained an updated "County Housing Needs Assessment" from Wooten Company; that they had received legal opinions on options from UNC law students; that last April they had conducted a County-wide forum on affordable housing; that they were struggling with the issue of how to provide affordable housing in a county that was only partially zoned; that they had facilitated meetings to define Values, Principles, Goals, and Solutions; and, that today's report was a result of a consensus of the larger group. Mr. Eby stated he wanted to provide recognition of Sherwin Rodin, noting the County was poorer for his passing, and well as recognition of the work of Amy Powell.

Bill Leroy, Vice President of the Affordable Housing Task Force, provided the following PowerPoint presentation and comments:

#### Goal/Core Vision

- To help lead the County's effort to attain a balanced mix of owner-occupied and rental housing that is safe, decent, and available to residents of all levels of income, regardless of geographic location, age, gender, national origin and disability.
- To achieve that by 2020.

#### Values and Principles

- Comprehensive planning to encourage density development in appropriate locations, smart growth, and affordable housing in rationally chosen areas.
- Design of homes and communities with a mix of housing types and land uses within walking distances of schools, shopping, recreational areas, etc., and connected to public transportation; encouraging energy efficiency, lower living costs, and flexible design to accommodate seniors and households with disabilities.
- Shared public and private responsibilities to plan and finance development of affordable housing.
- Strong government role in affordable housing.
- Encouraging preservation of the rural character of the County including existing farm land, housing stock and neighborhoods, open space, etc.
- Importance of rental housing, especially within the context of preservation and as a compliment to new construction.

#### Facts and Findings

- Definition of affordable housing misunderstood - 52% of Chatham households qualify.
- In 2007, a family of 4 (earning \$50K/yr) could buy a house up to \$164K or rent for \$1,150/mo.
- Need for owner-occupied affordable housing grew 27% from 2002-2007.
- Large need for rental housing (many mobile homes are sub-standard).
- County's starting salary in 2007 for a teacher or Deputy Sheriff was \$30K/yr.
- Habitat for Humanity only provider of homes <\$100K for families earning <\$30K.

#### Successful Economic Development Requires:

- Balanced variety of owner-occupied and rental units.
- Mix of household incomes, ages, and housing types.
- Infrastructure to permit dense development.

#### Chatham County Affordable Housing Needs

- More owner-occupied affordable housing homes, documented at 854 by the Wooten study.
- More market rate and affordable housing rental units, documented at 560 by other studies.
- Staff to support affordable housing.
- Funding to support affordable housing.
- County ordinances to promote affordable housing.
- Enhanced infrastructure to encourage density development.
- Coordinated program for affordable housing between the County and towns.

#### Recommendations

1. Form an Affordable Housing Advisory Board including three separate work groups:
  - a. Ordinance Writing Work Group.
  - b. Rental Program Work Group.
  - c. Establish a County structure to sustain affordable housing.
2. Institute a mandatory 10% affordable housing requirement for all major new or modified residential or mixed use developments that would require a Conditional Use Permit.
3. Hire an affordable housing professional to operate within the newly formed Community Development Office.
4. Support County-wide zoning with the objective to encourage density development and affordable housing while promoting smart rather than scattered growth.
5. Affordable housing Inter-Governmental Agreement.
6. Form County/Towns Affordable Housing Council to identify common problems and solutions, to prepare a comprehensive County-wide affordable housing strategy, and to support affordable housing program and project implementation.
7. Establish affordable housing rental program to protect the existing supply of rental housing while attracting outside funding for new and existing rental housing.
8. Adopt County-wide Housing Code regulations to protect the existing supply of all forms of affordable housing.
9. Utilize subdivision scorecard or review process, possibly offering incentives to developers including density bonuses, the expediting of permits, fee waivers, etc.

Budget Request: FY 2009-2010

Operating Expenses:	\$15,000
New AH Professional:	<u>\$60,000</u>
Total:	\$75,000

Timing

- Affordable housing professional hired in FY 2009.
- Most recommendations:
  - Complete in next 18 months.
- Exceptions: Start in approximately 18 months.
  - County Housing Code.
  - Subdivision scorecard.

Request to the Board of Commissioners

- Approve Report from the Task Force.
- Establish an Affordable Housing Advisory Board (replaces Task Force), with the three work groups as noted.
- Include funding in the FY 2009-2010 budget for Advisory Board support and the hiring of an affordable housing professional.
- Proactively support establishment of affordable housing programs as recommended.

Mr. Leroy stated that Chatham County would eventually return to the rapid development that was experienced during the past six years, regardless of what actions were taken now by the federal government; that he understood that 3,545 units had already been approved and platted, awaiting the next turnaround in the economy before building permits were drawn; that most of those lots were in the northeast quadrant of the County, targeting a higher-end market; that currently there was another 6,000 to 7,000 units in the works for Chatham County; that those were housing developments that had yet to be presented to the Planning Board or the Commissioners for approval; and, that today that pause in development might best be viewed by all as an opportunity because it provided time to require land use and infrastructure planning, and time to work through the staffing, organization, and enforcement instruments called for in their report.

Mr. Leroy stated that those were actions called for today, actions that most certainly would be required going forward in order to institutionalize affordable housing as a part of the orderly future development in the County.

Chairman Lucier stated the Commissioners appreciated all the work the Task Force had done, which had begun in 2006; that affordable housing was clearly a high priority for Chatham County; that over the last couple of years new home prices in the County had soared to \$400,000 and that was not affordable for many people; that while a Planning Board member he had worked to get an affordable housing component included in the Compact Communities

ordinance in 2004; that he remained disappointed that they had been unable to implement that in any meaningful way after five years; and, it was important to move forward and get affordable units on the ground which would include implementing policies and processes. He stated that the County would grow and they needed to do that in a balanced way, and the Task Force's report would help them do that.

Chairman Lucier stated last year the Board had formed a new Community Development Department, and they were now changing the name to the Sustainable Development Department; that contained within that department was Environmental Resources, the Planning Department, permitting functions, the Environmental Review Board, the Green Building Task Force, the Affordable Housing Task Force, and the soon to be formed Transportation Advisory Board; and, that the job of the Sustainable Development Director would be to coordinate all of those activities in a meaningful way. Chairman Lucier stated it would be quite a job to integrate all of those activities, but it would be the key to the future of Chatham County and how they developed and managed their growth; and, how they dealt with all the associated problems that would emerge and turned them into successes rather than failures.

Chairman Lucier stated that the Task Force's report in that sense was consistent with the Board's establishment of the new department, and they were currently in the process of recruiting a director and expected to have someone in place within the next four to five months. He stated because of that, some of the recommendations would best be delayed until that new director was hired in order to allow that person to be involved in the implementation of the recommendations. Chairman Lucier stated he also believed, if the Board agreed, that the Task Force should be morphed into the Affordable Housing Advisory Board.

Commissioner Vanderbeck stated that would be his recommendation, to ask the Task Force to remain as a group for however long it took to develop the structure of the new Advisory Board; that the new structure would include how members were appointed, the length of terms, the bylaws, and other structuring; that that would allow them to be up to speed with the Advisory Board and to talk about some of the issues spelled out in the report before the new director was in place; and, he recommended that the Board approve the report and acknowledge the work that had gone into it. Commissioner Vanderbeck stated the recommendations did need to dovetail with the hiring of the new director and how they structured the new budget coming up.

Chairman Lucier stated that the Board would be having a summit in early February to begin the budget process, and they actually had in the last budget two additional positions to deal with the three new activities in the new department, and those would need to be revisited; those positions were related to green building, affordable housing, and transportation; and, in essence, that part of the recommendations was approved months ago but the Board had chosen to wait until a director was hired to implement that.

Commissioner Vanderbeck stated he would make a motion to approve the Task Force's report, noting that there had been some funding already approved and the Board at least agreed in concept that there had been some funding available to the Task Force in the form of staff time and funding to cover printing needs and other expenses; and, that he believed those should stay in place to cover any needs in the near future. Commissioner Vanderbeck stated that it may appear to some to be some redundancies regarding a checklist and other things that the Chairman was instrumental in getting included in the new Subdivision Ordinance, and the point needed to be made that that had already been done, but in order to get to where they needed to be all the boards had to coordinate to make sure they were not at odds. He stated one of the duties of the new director would be to integrate and coordinate all the different duties and responsibilities into a cohesive unit.

Commissioner Kost stated there was a requirement in the Compact Communities Ordinance for a percentage for affordable housing, but when the Subdivision Ordinance was revised that requirement had not been included because they were waiting until the Task Force completed its study and made its recommendations.

Chairman Lucier stated that even though they had adopted significant ordinances changes in December the Green Building Task Force was currently working on potential amendments to speak to green building issues, and they needed to do the same thing with affordable housing. He stated his view would be that those amendments would be included in the next round of amendments to the Subdivision Ordinance, and the Task Force's report would be a basis to do

that. Chairman Lucier reiterated that they wanted to make sure that it was all coordinated in such a way that was not confusing but actually an effort to have an affordable housing doctrine for the County. He stated there was a scorecard in the guidelines of the Subdivision Ordinance, put together by the Green Building Task Force, as well as a checklist that was put together by the Environmental Review Board; that what they needed to do as they looked to the future was to use those checklists; that he suggested that the Task Force look at the one prepared by the Green Building Task Force because some of it was relevant to affordable housing issues; and, they might use that checklist to see what might need to be included so that one comprehensive checklist could be used to provide to applicants to help them guide their development.

Commissioner Vanderbeck stated he was the new liaison to the Green Building Task Force, and at the last meeting it was brought up that a couple of the members from each of those boards should get together, perhaps before the new director came on board, to work through the issues that may have some commonality. He asked that be considered.

Commissioner Thompson stated he agreed that the Task Force had done a fantastic job on the report, and it was obvious that from an economic development standpoint that they needed to increase the amount of affordable housing in the County. He stated that one question he had was that when you talked about affordable housing, did that term include people that were in law enforcement, fire protection, teachers, and others. Commissioner Thompson said that term did include those with even lower incomes, and he believed you had to have an income at a certain level to buy a home, given the average price of homes in the County. He asked was there significant discussion about the problem of housing for the elderly and for the poor and how to generate some type of affordable housing for them, through subsidized housing, increasing the number of apartments, and the like.

Mr. Eby stated there were two areas that the Task Force had identified, one being the Habitat model that worked for people that were generally earning 50% or less than the median, which was about \$30,000 or less. He stated the area identified was affordable rentals, noting that Cardinal Chase Apartments outside of Siler City was a good example; that those apartments had been built by DHIC out of Raleigh, using tax credits to buy the land which subsidized the cost; that many elderly persons lived there and it had some subsidized units for persons with disabilities; and, it was an attractive complex that was well maintained, had a manager on site and a small club house. Mr. Eby stated he believed there was someone trying to do something similar in Pittsboro out by Lowe's.

Mr. Leroy stated the Task Force had not placed a lot of attention on senior housing, which perhaps they should have, and that the idea of forming a rental study group was really the bridge to trying to address the question of how to identify housing for very low income earners.

Commissioner Vanderbeck stated the Task Force had touched on housing for the elderly, but the scope of the Task Force was to be inclusive and not discriminate against any particular group; that in regards to the elderly, that was where the universal concept had come into their discussions, in that they should be building all units with universal access to them so that people could age in place; and, that it tied in transportation so that they could be closer to services and public transportation.

Mr. Leroy stated Commissioner Vanderbeck made an excellent point, noting he had been trying to address the low income senior housing which was probably more project-oriented as opposed to the idea of trying to keep people in their houses.

Commissioner Vanderbeck stated people needed to be able to stay in their houses and not be isolated, and to be a part of the community. He stated that needed to be kept in the forefront; that is, that they wanted to build community and that lent itself to the new Sustainable Community Director position. Commissioner Thompson stated it was important to do that, but you consider one region of the County where you had a majority of the people mentioned in the report that were earning below \$60,000, and below \$40,000, and even below \$30,000, and a majority of those lived in the western portion of the County. He said he also suspected that the elderly that lived in that area were in the low-income range as well, so if they were to include the County as a whole then there would have to be some discussion about how to deal with that situation and still be inclusive. Commissioner Thompson stated that to him affordable housing covered the whole gamut, adding that he believed a significant portion of the population did not

earn \$60,000. Mr. Leroy stated that according to their research 29% of households in Chatham County earned under \$30,000 a year.

Commissioner Thompson stated they could not just say that those people could not afford to own a home so therefore they would not be included, adding that there had to be some significant discussion on how they could include them.

Chairman Lucier stated his point was a good one and he agreed with it. He stated one thing they should address would be that when the Advisory Board was constructed to make sure that they had appropriate geographic representation and to make sure that other diversities were appropriately represented. Chairman Lucier stated the Commissioners needed to give that some thought as they began forming that Advisory Board, and then out of that some recommendations could grow that addressed concerns. He stated Pittsboro Mayor Randy Voller had raised the point about an intergovernmental council that would involve all the municipal governments in the County, and he believed that was an outstanding idea and they should move forward on establishing that. Chairman Lucier stated that too often the municipal governments and the County government did not work together, and this was a real opportunity to do so.

Randy Voller, Pittsboro Mayor, stated he was an advocate for cooperation between municipalities and the County as well as regionally, but they were all keenly aware that that was only one viewpoint and there were other viewpoints on that issue. He stated clearly for such a cooperative to be successful there would have to be some education done for people who lived in the various towns to understand why it was imperative for them to be invested in the process and what it meant. Mayor Voller stated he had been recruited to serve on the Task Force by Mr. Eby before he became an elected official, so he had seen it evolve to where it was today. He stated that clearly people needed affordable housing, and one of the issues was the price of land, access fees and other fees, and the cost those added to a home. Mayor Voller said there would need to be some education so that people understood the fee structure visa vie making housing affordable, and that was exclusive of the County's purview because those were not the County's fees.

Chairman Lucier stated that clearly a lot of the places where affordable housing should go were in the towns, because that was where denser development was more appropriate and where transportation would be as well as other resources that would be important to sustain affordable housing.

Mayor Voller stated that it would not work unless the towns were invested in the idea and they had Interlocal agreements in place that would assure that they all worked together to address the issues.

Chairman Lucier agreed that was true. He stated an important first step would be to form the Affordable Housing Advisory Board so that they could come back with some recommendations that reflected some of the issues talked about including how to achieve a geographical balance, but also start thinking about how best to form an intergovernmental council as Mayor Voller had suggested that would represent the municipal governments as well as County government and how to best structure that. Chairman Lucier stated that should be a top priority, because you would not want to get too far without making sure the other local governments were on board.

Mr. Eby stated that Mayor Voller and Pittsboro Planner David Monroe had been on the Task Force from the beginning, and it was important to retain people like that. He stated they had tried to include Siler City by keeping them informed and had also had a realtor from Siler City serve on the Task Force. Mr. Eby stated the challenge would be getting broad governmental support from the two municipalities.

Chairman Lucier agreed, reiterating it should be a high priority to determine how to best do that, and agreed with Mayor Voller that they could be only marginally successful without that type of cooperation.

Jeffrey Starkweather stated that he wanted to follow up on Commissioner Thompson's comment regarding when you talked about affordable housing, did that term include people that were in law enforcement, fire protection, teachers, and others. He stated he believed that there was a perception that citizens tended to have that affordable housing was just for poor people;

that most people who had lived in Chatham County all their lives could not afford to buy a home in Chatham County; that part of the challenge would be to get past that perception; that one of the problems with new developments was that they were single use/single price, and it was hard to have a development of \$800,000 homes and provide a home for someone earning \$50,000; that the idea of comprehensive planning would be to have much more integrated communities where you had apartments rather than all the emphasis placed on homeownership; that another issue was when funds were received for renovating homes or retrofitting for energy, should they be doing that out in the country or should those funds be concentrated in the towns where senior citizens and low income people could walk; that he believed that was a priority issue that had not been considered in the past; and, that they needed to think more strategically about taking care of people where they could actually walk to work, to shop, and to access needed resources.

Commissioner Kost stated that was particularly important for seniors as they lost mobility and the ability to drive.

Commissioner Vanderbeck agreed, noting they were playing “catch up” with Chatham Transit Network in trying to serve people all over the County and the periphery because those people had no other connection to access services.

Mr. Starkweather stated the biggest factor when talking about land use and price was density; that density cut down on the cost of housing; that that was why it was so important that all the towns be involved with the County; and, that that would likely be the next step when the Affordable Housing Advisory Board was formed.

Commissioner Kost stated as she had read the Task Force’s report it had become clear that they had to revise the Land Conservation and Development Plan, because you had to decide where in the County it made sense to have high density and where it did not. She stated that also brought up the issue of infrastructure.

Mr. Leroy stated implementation was the key, and that the vision they had for the Affordable Housing Advisory Board was to create these three work groups who would be the groups that would organize around the implementation of enforcement language for the 10% mandatory set-aside for affordable housing. He stated the work groups would look at how to organize around the goal of creating, financing, and sustaining an affordable housing program, and they saw that as the next step in the process. Mr. Leroy stated they had a tentative meeting scheduled for February 6, and would like to keep the momentum by starting the new advisory board and creating the bylaws.

Chairman Lucier suggested that the Board accept the report of the Task Force; that they move forward and ask the Task Force to create bylaws and a plan to become the Affordable Housing Advisory Board, including the structure of the work groups; that he believed that would allow them to retain the momentum; that other issues such as the suggestion for a scorecard could be looked at in terms of what had already been done and using that to bring in an affordable housing emphasis; that County government had already been reorganized to accommodate an emphasis on affordable housing as well as other related activities including green building initiatives, transportation and others; that Commissioner Kost’s comment about updating the Land Use Plan could also be done through the Planning Department and the Planning Board; that they would not be able to do everything needed until the new position was filled so that support could be provided to the Affordable Housing Advisory Board; and, that some things could be started now and it would be important to produce a plan for the Interlocal agreements and the intergovernmental council that would deal with them; and, that that would be quite a bit of work for the new advisory board and would certainly keep the momentum going.

Commissioner Vanderbeck moved to approve the report and continue with the Task Force until the tasks were further along.

Commissioner Kost asked if they approved the report were they approving everything that was in it, or should they accept the report rather than approve it. She stated she had some questions about some of the finer details of the report that should be worked out, such as the 10% mandatory requirement.

Commissioner Vanderbeck accepted the friendly amendment and moved to accept the report. Commissioner Kost seconded the motion.

Commissioner Thompson stated that he hoped his earlier comments were not taken as a “swipe” at the work the Task Force had done, because he believed they had done an outstanding job. He stated he wanted to make the point that as they moved forward, they wanted to give just consideration to that part of the community, and he was sure they would.

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

Mayor Voller stated regarding setting up the new department, he believed the Commissioners had been wise to do that; that in the 3½ years he had worked on this, it was imperative that the issues were understood in totality, meaning that they were all linked; that when that new department was up and running and the new director came on board it was important that the new director understood that the issues were not mutually exclusive fiefdoms that were parallel but were in fact interwoven; and, that it was important to get that on the record because it had become evident to the Task Force that the more you delved into affordable housing the more the issues, whether it was energy efficiency, living wages, transportation, inclusionary zoning, effective planning, or community-wide cooperation, they were all linked and would not work unless they were in concert.

Chairman Lucier agreed, noting that was the reason for the formation of the new department. He stated clearly what the Commissioners had discussed when creating the new department was that the intent was to have the whole greater than the sum of the individual parts.

Mr. Eby stated that most of the discussion and focus in the presentation had been looking ahead to new development and new communities; that they had also recognized that there were people living in the County now who had difficulty staying in their homes and keeping them affordable; that that was evidenced by the number of mobile home parks; and, those people could not be ignored and that needed to be integrated into their plan.

Chairman Lucier agreed, and noted the job of the Task Force now was to determine how they would morph into the Affordable Housing Advisory Board, including the subcommittees or work groups that had been proposed, how members would be selected, and how they wanted to structure the intergovernmental council. He stated those things should be included in the recommendations when the Task Force came back to the Commissioners.

Commissioner Cross stated he agreed with Commissioner Thompson that most everyone with an income of \$30,000 or less did live in the western portion of the County; that he wanted to thank everyone who had been involved with the Task Force, including staff, for their work; and, that he was very proud of what had been accomplished and it had started them on a new road that would continue.

Chairman Lucier and the Commissioners added their thanks as well by applauding the Task Force members and staff.

**RESOLUTION IN SUPPORT OF THE TOWN OF PITTSBORO APPLICATION FOR 2009 CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM FUNDS FOR PEDESTRIAN FACILITIES ON NC 87**

Chairman Lucier stated the Board had discussed this issue at length at a previous meeting, and today they had a resolution before them that he believed everyone was satisfied with and that could be adopted today. He stated he understood there was a deadline at the end of January for getting the grant submitted, and asked what they needed to do to make that happen.

Ben Howell, Planner, stated that could be accomplished by the Board’s adoption of the resolution. He stated that they had met with DOT staff two weeks ago to go over some items that they had questions about, and from that meeting they had determined that it appeared that all the costs, including design and engineering, would be covered by the grant and it appeared that the County nor the Town of Pittsboro would need to put forth any funds. Mr. Howell stated they had also talked with the DOT administrator for this program, and she seemed to think the project was viable and that they had no competition in their RPO for the funds. He stated everything looked very promising and they now had all the cost estimates needed, and that adoption of the resolution was the last piece needed to allow submittal of the grant application.

Mr. Howell stated another piece of information they had received was that if they did have the money appropriated by the federal government in September they would actually have four years to use the funds. He stated they had been concerned that if the funds were received they would not be able to use it in the time allotted, but that was no longer a concern.

Chairman Lucier stated the current plan, with the financial markets the way they were, was to go ahead and begin the community college campus this summer. Mr. Howell stated that was correct, noting that DOT had multiple timelines which had been of concern but that was no longer an issue.

Commissioner Kost stated that those timelines had been the Board's major concern, and that all of what Mr. Howell had related was good news.

Commissioner Vanderbeck moved, seconded by Commissioner Thompson, to adopt **Resolution #2009-04 in Support of the Town of Pittsboro Application for 2009 Congestion Mitigation and Air Quality Improvement Program Funds for Pedestrian Facilities on NC 87**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Vanderbeck proposed that since Pittsboro would not have to spend the Powell Bill funds they had believed would be necessary for this project, that they come up with some creative way that Pittsboro could invest those funds in the County.

### **CHATHAM COUNTY "SHOVEL READY" PROJECTS**

The County Manager distributed a list of the shovel ready projects; that the Board had asked that several be added and those had been added on the bottom of the last page; that those included the Water – Goldston Sewer Line at about \$4.2 million, and Wireless Broadband at about \$1 million; and, that notes had been added to provide detail on those projects.

Chairman Lucier stated those were the projects the Board had wanted added, and that they understood that the cost for the Broadband project had a degree of uncertainty. The County Manager stated that the \$1 million estimate was the best that could be determined at this time.

Commissioner Thompson asked had anyone contacted Sanford regarding the possibility of sewer being provided to Goldston. The County Manager stated they had talked with Sanford off and on about that project for some time, and they were still on board with it.

Chairman Lucier stated he had talked in late summer with Speaker Hackney about it, and at that point Speaker Hackney had just talked with Sanford and they were still interested, but did not know if there had been any contact since that time. The County Manager stated they continued to be in staff-to-staff discussions with Sanford.

Commissioner Kost asked if the locker replacement at SAGE Academy was on the previous list. The County Manager stated he did not believe anything had substantially changed on the list other than the two added items.

Chairman Lucier stated there had actually been three lists, and he did not know if that item had been on the first one but knew that it had been listed on the second one. He stated he believed there had been a couple of other school-related issues that had not been on the first list as well, but did not remember which ones.

### **BOARD OF COMMISSIONERS' MATTERS**

#### **Moncure Strike:**

The County Manager stated the Board had asked staff to make contact regarding the Moncure strike, and they had done that; and, that they had indicated they appreciated the County's offer but they were working with their people to make something happen.

#### **Summit Agenda:**

Chairman Lucier asked when the Board would receive its Summit agenda. The County Manager indicated the Board would receive that tonight.

**State-of-the-County Address:**

Chairman Lucier stated that the State-of-the-County Address was scheduled for March 16, and Departments had been asked to provide highlights that might be included in the Address. He stated that the Sheriff's Department, the Departments of Health and Social Services should be highlighted more this year. The Board agreed by consensus.

**RECESS**

The Chairman recessed the Work Session meeting to the County Manager's Conference Room for dinner at 4:48 PM.

The Board discussed the Moncure Coal Plant and "green coal" during dinner.

**ADJOURNMENT**

Commissioner Kost moved, seconded by Commissioner Thompson, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 5:38 PM.

---

George Lucier, Chairman

ATTEST:

---

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