

**MINUTES  
CHATHAM COUNTY BOARD OF COMMISSIONERS  
WORK SESSION  
DECEMBER 7, 2009**

---

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap Building Classroom, 80 East Street, located in Pittsboro, North Carolina, at 9:00 AM on December 7, 2009.

Present: George Lucier, Chairman; Sally Kost, Vice-Chair; Mike Cross, Carl Thompson, and Tom Vanderbeck, Commissioners

Staff Members Present: Charlie Horne, County Manager; Renee Paschal, Assistant County Manager; Vicki McConnell, Finance Officer; Sandra B. Sublett, Clerk to the Board; and Elizabeth Plata, Deputy Clerk to the Board

**CALL TO ORDER**

The Chairman called the meeting to order at 9:04 AM.

**AFFORDABLE HOUSING ADVISORY BOARD RECOMMENDATION**

Commissioner Kost stated that at their November 16, 2009 Work Session, the Board of Commissioners agreed that the Chair and Vice Chair would work through the outstanding issues regarding the Affordable Housing Advisory Board. The outstanding issues include:

- 1) Number of board members and type of appointments
- 2) Appointment of board members
- 3) Term of Appointment of Members - Four-year term and two-year term
- 4) Ex-Officio Members
- 5) Changes to the Proposed By-Laws

Recommendations:

The Chair and Vice Chair recommendations are shown below. The recommendations of the Selection Committee are shown for comparison.

1) Number of Board Members and Type of Appointments:

All appointments would be full-board appointments. Ex-Officio Members would be appointed by the board/organization in which they represent.

<b>Recommendation of Selection Committee</b>	<b>Recommendation of Chair and Vice Chair</b>
<b>Voting Members:</b>	<b>Voting Members:</b>
5 Citizen Members	7 Citizen Members
1 Real Estate Member	1 Real Estate Member
1 Developer Member	1 Developer Member
1 Underserved population and protected classes Member	1 Underserved population and protected classes Member
1 Legal Representative	1 Legal Representative
1 Rentals Member	<i>See Ex-Officio Below</i>
1 Social Service underserved population Member	---
2 Affordable Housing Non-Profit Members	<i>See Ex-Officio Below</i>
<b>Ex-Officio Members:</b>	<b>Ex-Officio Members:</b>
1 Town of Siler City Representative	1 Town of Siler City Representative
1 Town of Pittsboro Representative	1 Town of Pittsboro Representative
1 Town of Cary Representative	1 Town of Cary Representative
1 Town of Goldston Representative	1 Town of Goldston Representative

1 Chatham County Planning Board Representative	1 Chatham County Planning Board Representative
1 County Employee	
	3 Affordable Housing Non-Profit Representative (including Rentals)
	1 Chatham County Human Relations Commission Representative
Totals: 13 Voting Members; 6 Non Voting Members	Totals: 11 Voting Members; 9 Non-Voting Members

- 2) Appointment of Board Member
- 3) Term of Appointment of Members - Four-year and two-year terms
- 4) Ex-Officio Members

Recommendation of Selection Committee	Recommendation of Chair and Vice Chair	Term
<b>Voting Members:</b>	<b>Voting Members:</b>	
Citizens:	Citizens:	
Michael Dasher	Michael Dasher	4
Linda Lang	Linda Lang	4
Carlos Simpson	Carlos Simpson	4
Jeffrey Starkweather	Jeffrey Starkweather	2
William Leroy	William Leroy	4
	Miriam Hanner	2
	Margaret Wurth	2
Real Estate	Real Estate	
Lonnie West	Lonnie West	

A discussion ensued.

Commissioner Vanderbeck moved, seconded by Commissioner Kost, to approve the by-laws as written and adopt the revised appointment list and the explanation thereof. The motion carried five (5) to zero (0).

Bob Eby asked that everyone that applied for a position on the advisory board and didn't make the cut be notified. The Chairman explained that the Board had a policy of not placing a County employee on an advisory board and that everyone would be notified.

**EMPOWERMENT**

Delores Bailey gave a brief history of EmPOWERment, Inc. and updated the Board on Chatham County Affordable Housing in Briar Chapel. She explained the qualifications, buyer criteria, legalities, how the project will be financed and affordability maintained, and the marketing of homes.

A discussion ensued.

No action was taken on this item.

The Board asked Jason Sullivan, Acting Planning Director, that as the various phases come forth, to highlight the agenda item so that the Board can be certain that it has been addressed.

Jim Hinkley, Planning Board Member, asked for packets outlining the affordable housing lots be made available to the Planning Board.

**CHATHAM COUNTY GREENHOUSE GAS EMISSIONS**

Cynthia Van Der Wiele, Sustainable Communities Director, gave a brief overview of the beginnings of the greenhouse gas emissions work ongoing in Chatham County.

Betsy McCorkle, Masters Candidate at Duke University, stated that she had worked since September to develop a baseline inventory for greenhouse gasses in the County. She presented a PowerPoint to the Board and suggested a five-step process for understanding and reducing greenhouse gasses as follows:

- 1) Conduct a baseline emissions inventory and forecast
- 2) Adopt an emissions reduction target for the forecast year
- 3) Develop a Local Climate Action Plan (with community input)
- 4) Implement policies and measures
- 5) Monitor and verify results

She stated that using ICLEI's Clean Air Climate Protection (CACP) software, she will continue her research through the Spring semester.

Ms. McCorkle answered questions from the Board and citizens.

The Chairman praised Ms. McCorkle's efforts and suggested that she meet with the Green Building Task Force stating that they generate a lot of recommendations for the Board of Commissioners to consider.

Ms. Van Der Wiele asked for direction from the Board with regard to continued work on this project and where it is to go in the future.

The Chairman stated that would like for them to continue, reiterating that there are a number of issues to which they need to respond as they think about how to move forward.

Commissioner Cross stated that he would like to see good emphasis on the Moncure industrial area as there are a lot of pollutants there.

Commissioner Vanderbeck welcomed a continuation of the project and asked that the PowerPoint to be sent to the Clerk for distribution to the Board.

Ms. McCorkle stated that the Environmental Review Board has a keen interest in this; that they have a climate change sub-committee; and that she will be making a presentation next week.

### **CHATHAM COUNTY SIGN ORDINANCE OPTIONS**

Jason Sullivan, Acting Planning Director, reviewed the proposed amendments to the sign regulations in the Zoning Ordinance, Off-Premise Sign Ordinance, and Lighting Ordinance, emphasizing changes to the temporary signs, non-conforming provisions, and internally illuminated signs.

The Board asked that this matter be placed on the December 14, 2009 Board of Commissioners' agenda for discussion to set a public hearing date on the sign ordinance in March, 2010.

Mr. Sullivan reiterated the following sign requirements changes as follows:

- A. Off-Premises Sign Ordinance - no change
- B. Lighting Ordinance - no change
- C. Zoning Ordinance -
  - a. Section 15.5(8) - Do not delete the provision for church, community, or public building signs.
  - b. Section 15.5(11) - Refer the election signs discussion to the County Attorney for further input.
  - c. Section 15.6(B) - Reduce the sign height in O&I district from 30' to 10'
  - d. Section 15.6(D) - Reduce the sign size in O&I district from 100 square feet to 50 square feet
  - e. Section 15.10(C) - Include the wording in italic "All other temporary signs shall *be on-premise and shall not be erected for more than 24 30 calendar days per year...*"
  - f. Section 15.10(D) - Include the wording in italic "Banner signs shall be permitted as *on-premise temporary signs...*"

## **BREAK**

The Chairman called for a short break.

## **DATES FOR LEGISLATIVE AND SUMMIT MEETINGS**

By consensus, the Board set January 20, 2010, January 21, 2010, and the morning of January 22, 2010, if needed, to begin at 9:00 AM.

Staff is to work on alternative meeting locations at which to hold the retreat, including the Jordan Lake Visitor Center, Maranatha Springs, Visitor Center at Jordan Dam, etc.

The County Manager is to check on available dates with the Legislators for the Legislative Delegation Meeting.

## **PROPOSED CAPITAL IMPROVEMENTS PROJECTS**

Chairman Lucier explained that the Board will receive the Capital Improvements Program at today's meeting, a public hearing would be held at their December 14, 2009 Board of Commissioners' meeting, and consideration given at their January 20, 21, and 22 (if needed) summit.

Renee Paschal, Assistant County Manager, reviewed the proposed Capital Improvements Program (CIP) for the County.

Commissioner Thompson left the meeting at 11:55 AM.

## **LUNCH**

### **911 Emergency Operations**

Tony Tucker, Emergency Operations Director, explained the eligible 911 fee expenditures stating that the State sets the land line and cell line fees at \$ .70; that the funds are restricted as to how they can be used; and all the money goes to the State and is overseen by the 911 Board; that then the funds are distributed; that 53% goes back to the telephone companies, 47% goes back to the counties; that of the 47%, 50% of that is based on county population and the other 50% is given to all public safety answering points across the State.

By consensus, the Board wants to proceed with plans for the Judicial Building, but has concerns about the cost. The architect will be asked to attend the January 04, 2010 Board of Commissioners' meeting.

## **WELDON RIDGE ZONING AMENDMENTS**

By consensus, the Board agreed to add Weldon Ridge Zoning Amendments to the December 14, 2009 Board of Commissioners' meeting.

## **STORMWATER STAGE ONE JOINT PROGRAM MANAGEMENT**

Fred Royal stated that the Jordan Lake Rules require Stage 1 adaptive nutrient management for existing development. The proposal is due to the Division of Water Quality (DWQ) on December 31, 2009. This proposal is a joint proposal between Chatham County and the Town of Pittsboro.

This item will be returned to the Board for consideration at their December 14, 2009 meeting.

### **CHATHAM COUNTY CONSTRUCTION AND DEMOLITION (C&D) ORDINANCE**

Bob Holden explained the specifics of the Chatham County Construction and Demolition Recycling Program Ordinance which requires that those who create mixed construction and demolition debris from a construction project 1,000 square feet or greater transport it off-site using a permitted private construction and demolition hauler who will take it to a registered facility that can process and divert a minimum of 30% annually (excluding inert debris) of the material generated from construction, demolition or remodeling projects from a landfill.

The Green Building Task Force has worked diligently in developing a C&D Recycling Program / Ordinance. The key writers of this ordinance are Sybil Tate with the Managers Office, Taylor Hobbs and Laura Lauffer with the Green Building Task Force. This ordinance is based on the Orange County ordinance. The intent of this ordinance is to recycle at a minimum 30% of the construction and demolition waste generated in our county. This ordinance was endorsed by the Green Building Task Force and the SWAC. This ordinance requires those who generate mixed C&D waste on construction projects of 1,000 sq. ft. or larger to transport the material via a permitted C&D hauler to a registered facility that can process and divert an annual average of 30% minimum of the material they receive. There is the opportunity for those wishing to segregate recyclables on-site to do so; however, they must complete a pre-construction waste estimate and a post-construction diversion calculation, as well as furnish weight tickets at the end of the project. ALL building/renovation/demolition permit applicants (projects 1,000 sq.ft. or larger) must complete a C&D Recycling Document (CDRD) when applying for their building permit.

The Waste Management Office will be responsible for:

- Approving the applications filed by disposal sites desiring to become “registered facilities.” Currently, we are aware of three sites that meet the 30% minimum diversion rate.
- We will also be responsible for permitting the “Private C&D haulers” which is very similar to permitting the private waste haulers who pick up MSW throughout the county.
- We will be responsible for maintaining a current list of both haulers and facilities on our website and passing this information along to Central Permitting.
- We will coordinate with Central Permitting in performing the enforcement of this ordinance.
- We will compile a file of all the CDRD forms and weight tickets
- Lastly, the Waste Management staff will provide an annual report to the SWAC, GBAB and CP as well as other stakeholders on the impact of this ordinance.
  
- Central Permitting (CP) will be responsible for:
  - Educating the building permit applicants about the C&D Recycling Ordinance.
  - CP technician will scan and email the CDRD to the Environmental Enforcement Officer (EEO).
  - At the end of the project, the CP technician will scan and email the weight tickets to the EEO.

Although this ordinance allows for penalty enforcement, once it is approved and implemented, for the first 6 months we will focus on educating the builders.

Commissioner Kost moved, seconded by Commissioner Vanderbeck, to set the public hearing for the Construction and Demolition (C&D) Recycling Ordinance for January 19, 2010. The motion carried four (4) to zero (0).

### **CHATHAM COUNTY ENERGY REBATE POLICY**

Laura Lauffer, Green Building Task Force Chair, reviewed the Chatham County Green Building Permit Rebate Policy as follows:

## **Introduction**

Chatham County will rebate part or all of related permit fees for selected new and existing residential green building certifications and techniques.

## **Eligible Projects**

The following green building certifications and techniques are eligible:

### **Green Building Certification**

Tier 1 (\$100

\*Energy Star for Homes

Tier 2 (\$250 Rebate)

\*NC Healthy built Home\*

\*Green Home Builders of the Triangle Program\*

\*Earthcraft House Program\*

\*LEED for Homes Program\*

\*NAHB National Green Building Program\*

### **Green Building Techniques (\$100 Rebate)**

\*Geo Thermal Installation

\*Solar electric and/or solar hot water

\*Passive solar (these requirements are the same as the State tax credit)

To qualify for a passive solar energy permit rebate, a building must include all of the following:

\*A solar collection surface with required shading

\*thermal storage elements

\*control and distribution elements

\*A ratio of south facing glass area to room floor area (where glass is located) of at least 7% and a maximum of 12%; or

\*If the building is sun-tempered, a ratio of at least 5% and a maximum of 7%

There are two exceptions to the requirement for thermal storage:

\*A sun-tempered building of limited solar collection area may qualify without thermal storage by using the contents of the house instead of building integrated thermal mass as the thermal storage element

\*A thermosiphoning collector can qualify without thermal storage

## **Procedures**

1. The owner/builder purchases a permit. On the permit application, the builder will note whether they intend to pursue a rebate.

2. The owner/builder must submit required rebate documentation along with the building permit application.

3. Upon approval of documentation, Central Permitting will issue the rebate within 60 days after Certificate of Occupancy (CD) is issued and certification is received. As stated in limitations under Procedures, Section 3.

## **Required Documentation**

1. Green building certifications
  - a. Certification documents
2. Green building techniques
  - a. Geothermal and Solar: Inspection and verification from Chatham Central Permitting inspectors
  - b. Passive Solar: Inspection and submission of North Carolina tax credit form (NC-478G)

3. Copy of CO and certification forms
4. Copy of receipts(s) for fees paid

### **Limitations**

1. The owner/builder is limited to \$450 per home for up to \$1,000/year maximum
2. Owner/builder is eligible for the rebate once the CO is issued and certification is received.
  - a. Funds are limited and rebates are available on a first-come, first-serve basis during the fiscal year (July-June). Noting intent to apply for a rebate on the building permit, does not guarantee a rebate.

### **Reporting**

Central Permitting will provide an annual report to the Green Building Task Force on the impact of this ordinance. This report will include total number, type and costs of rebates granted and any changes that should be made to improve the ordinance.

Commissioner Vanderbeck moved, seconded by Commissioner Cross, to approve the Chatham County Green Building Permit Rebate Policy, effective January 01, 2010. The motion carried four (4) to zero (0).

### **GRANT APPLICATION FOR US DEPARTMENT OF ENERGY ARRA COMPETITIVE SOLICITATION**

Sybil Tate, Performance Manager, explained that this is a federal ARRA grant under the Energy Efficiency and Conservation Block Grants. DOE is seeking applications which: 1) leverage the participation and support of multiple local jurisdictions, regional planning agencies, and state energy offices; 2) prioritize energy efficiency and/or energy conservation as first in the loading order before investments are made in new generation; however, DOE is interested in applications that integrate cost-effective renewables with efficiency; 3) move beyond the planning stage and ready for implementation; 4) clearly articulate and demonstrate the ability to achieve measurable stretch goals that have the potential to make an impact at the regional or national level and 5) maximize the creation and/or retention of jobs in the United States.

Because the grant encourages partnership, this grant proposal comprises a partnership between TJCOG, a bank (preferably Self-Help), Advanced Energy, UNC's Environmental Finance Center, Central Carolina Community Center (CCCC), Chatham County, Orange County, Durham County, and possibly the City of Sanford. The objective of the project is to create a revolving loan directed at weatherization and energy efficiency retrofits for private residences.

A discussion ensued. Commissioner Vanderbeck asked that a reference be made to the number of jobs created since ARRA monies require a case for jobs.

Commissioner Kost moved, seconded by Commissioner Cross, to approve Chatham County's participation in the grant and authorize the Chairman's signature on the letter of support. The motion carried four (4) to zero (0).

### **911 Funds:**

The Finance Officer explained that 53% of what is collected goes to the telephone companies, 47% goes to the counties (50% of the 47% is distributed to the counties based on population, and the other 50% of the 47% is divided and distributed equally to all counties).

### **Housing Rehabilitation Funds:**

The County Manager asked that the Board approve a request to apply for \$75,000 in additional Housing Rehabilitation Funds.

Commissioner Cross moved, seconded by Commissioner Kost, to apply for the Housing Rehabilitation Funds. Commissioner Kost seconded the motion.

**ADJOURNMENT**

Commissioner Cross moved, seconded by Commissioner Kost, to adjourn the meeting. The motion carried four (4) to zero (0), and the meeting was adjourned at 3:34 PM.

---

George Lucier, Chairman

ATTEST:

---

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