

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
JANUARY 19, 2010

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap Building Classroom, 80 South Street, located in Pittsboro, North Carolina, at 2:30 PM on January 19, 2010.

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

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

CALL TO ORDER

The Chair called the Work Session to order at 2:08 PM.

Agenda

1. **Operations Research and Education Laboratory (OREd) Report:** The Board of Commissioners will be reviewing a study completed by OREd Staff concerning projected student population rates in Chatham County.
2. **Finalizing the Legislative Agenda**
3. **Board of Commissioners Retreat Agenda** (Retreat to be held January 20, 21, 22, 2010, Camp Royal, 250 Bill Ash Road, Moncure, NC, beginning at 8:30 AM.)
4. **Proposed NCDOT designation of US #64 (bypass, 15-501 to Wake County) for use by twin trailer trucks:** NC DOT is proposing to allow dual trailers on portions of Chatham County NC DOT roadways. Public comment period for the proposal ends January 31. The Board of Commissioners is considering whether to submit comments and if so, the type of response to submit.
5. **Closed Session for an Update on the Business Park**

PLANNING AND ZONING

The Chair explained that there are two items on the night’s agenda dealing with Briar Chapel; that Staff has additional information for the Board; and that the Acting Planning Director will address those concerns.

Subdivision Final Plat Approval of “Briar Chapel, Phase 4, Section 4”: Approval of a request by Keith Hurand, Sr., Vice President on behalf of NNP Briar Chapel, LLC for subdivision final plat approval of “Briar Chapel, Phase 4, Section 4”, consisting of 37 lots on 13.13 acres located off Briar Chapel Parkway, Baldwin Township

Subdivision Final Plat Approval of “Briar Chapel, Phase 5, Section 1”: Approval of a request by Bill Mumford, Sr., Project Manager, on behalf of NNP Briar Chapel, LLC for

subdivision final plat approval of "Briar Chapel, Phase 5, Section 1", consisting of 28 lots on 5.11 acres, located off Briar Chapel Parkway, Baldwin Township

Jason Sullivan, Acting Planning Director, explained that there were two reasons which they requested that the items be removed from the Consent Agenda, questions about the wastewater treatment system and the spray irrigation system associated with it. Staff followed up with Briar Chapel to get them to provide them with information showing what was physically installed in the ground on the spray irrigation system and see if it was adequate for the number of lots that had been approved and are on the night's agenda. They found that they have actually installed in the ground, irrigation lines that can serve approximately 376 units, 327 lots have been approved for final plat and with the two additions, which will bring them up to 392. This leaves a 16 lot discrepancy. Staff believes that they need to have an additional condition added to each of those that they will increase their financial guarantee to cover the balance with which they have no problem. They are considering going ahead and increasing that financial guarantee substantially just to cover it for any future items.

Mr. Sullivan stated that they are not counting what they have installed on the park site yet. Although they have spray irrigation lines installed on the park site, they are not counting that toward what they have provided as far as what is installed in the ground because it is not yet connected to the reuse system. They hope to have that done by the end of this year as part of the road-widening associated with the middle schools. While they are disturbing the area for the road improvements, they will go ahead and run the line down Andrews Store Road and connect everything. Once they get that connected, it can take them up to potentially one thousand units of capacity.

Commissioner Lucier asked if the 392 homes included the new middle school which would probably require about 10,000 gallons per day.

Mr. Sullivan stated that the school sites had not been included in that calculation. He reiterated that Briar Chapel had stated that they were going to substantially increase the financial guarantee and that he would see that both schools sites were included in the financial guarantee.

Mr. Sullivan also pointed out that on the final plat submitted for approval, there are some changes between the overall master plan and what is submitted tonight for final plat approval. Phase 4, Section 4 appears to have two additional lots looking at the lot by lot layout on the overall master plan approved in 2004. He stated that the same goes for Phase 5, Section 1 as it looks like there is an additional two lots when looking at it lot by lot on the overall master plan; that he wanted to point it out to the Board since it has been an issue that has been brought up about the overall re-plating for Phase 4 in total; that it has already gone through the preliminary plat approval process which was not brought up by Staff at that time; and that he wanted to address it since it comes before the Board tonight and the Board will be looking at it lot by lot.

Mr. Sullivan stated that the other issue is that they have had some discussions with Briar Chapel about reconfiguring some lots in Phase 4 to the extent of 37-41 lots. They have also received an application for preliminary plat approval for Phase 5, Section 2. When you look at the overall master plan and what has been submitted for preliminary plat approval for that section, there is about a 20 lot increase, not just two lots. He wanted to bring up the difference of the two lots for each of the phases which will be up for Board consideration tonight. They have also received the preliminary plat for Phase 5, Section 1 with the increase of about 20 lots from what the overall master plan shows. He would like to talk with the Board at their February 1st work session to review a number of issues including re-platting to try to figure out the best process to handle the reconfigurations and changes in lot configurations as they move forward.

Chair Kost stated that they have agreed that the bottom line is 2,389 houses and are now reconfiguring lots to address marketing changes stating that they have also had a lot of interest in senior housing. She stated that this Board needs Staff guidance to see how they feel about it.

Commissioner Lucier stated that he had no problem with the interior reconfiguration of the property but not if it borders up against adjoining property owners that are not part of Briar Chapel.

Mr. Sullivan explained that Newland developers will be in attendance at the February 1st work session; that it appears that with the conditional use permit, the conditions allow enough flexibility for the changes to come through as part of the subdivision process; and that is what they want to review with the Board with regard to the conditions and overall layout.

The County Attorney suggested that the Planning Director might want to require them to update the master plan as they move along.

Mr. Sullivan distributed a letter from Gray Styers regarding subdivision final plat approvals and amendments for Briar Chapel.

LEGISLATIVE AGENDA

The Board reviewed the Legislative Agenda, making minor edits to language, discussing revenue option wording, additional seats on the Central Carolina Community College (CCCC) Board of Trustees, and adding an issue addressing the Board of Education's request of redistricting and making it more general.

OPERATIONS RESEARCH AND EDUCATION LABORATORY (OREd) REPORT

Chair Kost welcomed Jeffrey Tsai and thanked him for coming to present the report on "Integrated Planning for School and Community.

Mr. Tsai's PowerPoint included Month-one ADM data analysis, Cohort Survival Ratio Analyses, Forecast Comparisons, Out-of-Capacity Worksheet, and Attendance Boundary Scenarios.

Chairman Lucier questioned the number of students included in the Chatham County Schools Month-One ADM History. Mr. Tsai agreed to get the information for the Board.

Mr. Tsai continued by reviewing Chatham County Resident Live Births, Enrollment History by Grade Levels, Enrollment History by Grade Level Distributions, Cohort Survival Ratio Analysis, Enrollment Forecast Comparisons, and High School Enrollment Comparisons.

Commissioner Lucier noted discrepancies in totals. Chair Kost stated that it would be helpful to have the data by schools as opposed to seeing it combined.

Chair Kost reiterated that individual data for high schools must be reviewed. She thanked Mr. Tsai for his presentation but restated that his numbers were questionable.

BREAK

The Chair called for a five minute break.

LEGISLATIVE AGENDA (continued)

The Board continued their review of the Legislative Agenda, including adding additional language to the transfer of development rights, tweaking the revolving loan legislation, making the language in the enabling legislation consistent with federal legislation with regard to the Civil Rights Ordinance, discussion of Siler City's tier designation, asking that the funding for the school system not be cut, discussion of the State capital expense funding, and issues from Orange/Person/Chatham Area Mental Health Services.

Chair Kost explained that she would like to ask the Legislature to form a study committee to look at the barriers that keep the County from using local vendors which enhance the local economy by providing as many opportunities as possible for local vendors to obtain local government contracts.

Commissioner Vanderbeck explained that House Bill 1242 essentially blocks local governments from forming public or public/private partnerships to provide gaps in high speed internet access.

By consensus, the Board supports legislation that gives local governments' latitude to provide broadband to areas not otherwise served by the private sector. Options might include public- private partnerships and local governments acting as the provider, if necessary.

Chair Kost will finalize the agenda and distribute a draft for final Board approval.

The Legislative Delegation meeting will be held on Thursday, January 28, 2010 in the Henry H. Dunlap Building Classroom at 8:30 AM.

RETREAT

Chair Kost reviewed the three-day agenda and added that a resolution honoring Dr. Noah Wilson will be added to the retreat agenda.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DESIGNATION

Melissa Guilbeau explained that the North Carolina Department of Transportation (NCDOT) is in the process of designation US #64 from US #15-501 in Chatham County to US #1 in Wake County for use by trucks with twin trailers. If the Department designates this route for use by these vehicles, public hearings, or the opportunity for such, will be provided in each of the affected counties. The North Carolina Board of Transportation will render a final decision on designation at a later date.

Rita Spina stated that she lives just off Highway #15-501. One of the things that they have noticed along the 15-501 corridor, coming from the bridge north, is the tremendous increase of traffic in two areas: 1) The entrance from Fearington onto Highway #15-501; 2) Mann's Chapel Road and Highway #15-501. She asked if a determination could be made on the number of accidents including the number of people killed at these intersections.

After considerable discussion, the Board decided to express their concerns to the NCDOT with regard to the wear and tear on the roads, the issues of stopping distances and turning radiuses and consistency with Chatham's Land Use Plan.

Ms. Guilbeau was directed to write a letter to the NCDOT expressing the Board's concerns.

CLOSED SESSION

Commissioner Vanderbeck moved, seconded by Commissioner Thompson, to go out of Regular Session and convene in Closed Session for the purpose of consulting with the County Attorney on matters within the attorney/client privilege under GS 143-318 11(a) (3) and matters related to personnel. The motion carried five (5) to zero (0).

REGULAR SESSION

Commissioner Cross moved, seconded by Commissioner Vanderbeck, to adjourn the Closed Session and reconvene in Regular Session. The motion carried five (5) to zero (0).

RECESS

Commissioner Lucier moved, seconded by Commissioner Vanderbeck, to recess to the meeting to the County Manager's Conference Room for dinner at 4:55 PM.

The Board discussed matters of interest in the County.

ADJOURNMENT

Commissioner Lucier moved, seconded by Commissioner Vanderbeck, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 5:46 PM.

Sally Kost, Chairman

ATTEST:

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