

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
JUNE 03, 2002

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the Henry H. Dunlap, Jr. Building Classroom, located in Pittsboro, North Carolina, at 12:00 PM on June 03, 2002.

Present: Chairman Gary Phillips; Vice Chair Margaret Pollard; Commissioners Bob Atwater, Rick Givens, and Carl Outz; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager, Paul Spruill; and Clerk to the Board, Sandra B. Sublett

The Chairman reconvened the work session at 1:02 PM.

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Work Session Agenda

- 1.) **Wildlife – Deer Season Discussion**
- 2.) **Land Use Implementation**
- 3.) **Solid Waste Feasibility Update**

WILDLIFE

Mr. Scott Osborne, with the Wildlife Commission, updated the Board on the changes of seasons and regulations which include increasing the maximum for doe harvest and reducing the buck limit from four to two. He stated that they have seen some stabilization in their deer populations; that is primarily due to increasing more liberal doe seasons; that this is the way density is regulated; that a lot of the problems citizens are experiencing is due to the growth in the County; that as the County continues to grow, the situation is aggravated; that their density of deer in Chatham County, based on their estimates, is probably lower than it has been in the last ten years; that there are, however, higher net densities in certain pockets; that deer is an important resource to the Wildlife Commission; that deer and deer hunting contribute approximately \$249 million dollars daily to North Carolina's economy; that this is based on income from people who are leasing land to deer hunters, people who are running country stores, who are selling gear and equipment; that \$33 million of the \$249 million is directly linked to the tax base; that it is a big industry; that a lot of people are down on deer, but it is a very important natural resource that the Wildlife Commission manages and is proud of; that it is a big challenge as to how they deal with deer in suburban/urban settings; that the problem is not confined to just Chatham County; that they still feel like their most important tools are the hunters and hunting season; that not only is it their most cost efficient method of regulating density, but it does provide income and recreation associated with it; that some of the other alternatives and techniques to managing numbers are not feasible or palatable with local people; that all alternatives are taken into consideration when they look at concerns of the public has with regard to the status of deer.

Mr. Osborne answered questions from the Board. He stated that State law does allow owners to

protect their property; that it is legal for any landowners to shoot a deer at any time when it is in the act of damaging their property; that with a depredation permit, they would take the entire property into consideration and would allow harvest of the animals and the meat would be allowed to be utilized.

LAND USE IMPLEMENTATION

The County Manager explained that the purpose of the meeting was to give direction to the Land Use Plan Implementation Committee and asked Larry Hicks, Ray Greenlaw, and Howard Stier, all members of the Strategic Planning Committee, to come forward.

Larry Hicks stated that their intent was to undertake the task of ordinance and/or policy development on specific areas of land use regulation in order to better prepare the Board of Commissioners for implementing the vision of the recently adopted Land Use Plan.

The following recommendations establishing the Land Use Plan Implementation Committee (LUPIC) were reviewed:

1. The appropriate size and membership of the LUPIC
2. Representation of certain appointed Boards on the LUPIC
3. Board of Commissioners Appointment and Charge to the LUPIC and the other appointed Boards associated with the LUPIC's objectives
4. List of objectives generated from the adopted Land Use Plan and provided for review and comments so as to set priorities for the LUPIC
5. Recommendation that the LUPIC's first objective be a draft of ordinances, standards, and/or policy options for the development of Compact Communities and Economic Centers located within and around Compact Communities
6. Discussion of necessary outside resources to accomplish the first objective

The Board discussed the appropriate size, membership, makeup, and quorum of the LUPIC.

Commissioner Atwater stated that he was concerned about the provision for a quorum stating that the Board expected those serving on the committee to be highly motivated and to be present at the meetings, but that there is no provision to protect that a relatively few people would be developing the policy.

Charlie Horne, County Manager, stated that this is the basic idea; that if there is that commitment to make sure that one person, or small group of people, is not acting on behalf of the entire board then some minimal attendance is required for the work; that the other thing that is required is that if the time line is as presented, everyone will have to be there to make it work.

Commissioner Outz asked about someone from the Chamber of Commerce or a businessman be on the committee.

Chairman Phillips stated that Economic Development Corporation was represented, but that the Board might want to have a builder on the committee.

The County Manager stated that the committee could be huge, but the process of thinning it out for a core group, while may not have a direct link would certainly have an indirect link, i.e. Economic Development would be industry and business.

Commissioner Pollard stated that she had thought about a builder and also someone from the JOCCA

Board to represent the interests of poor people in the County.

Commissioner Atwater stated that, as a matter of principle, the Board would want all of the stakeholders represented due to the nature of the work and what is going to affect the entire County.

Commissioner Atwater clarified “builder” previously mentioned to mean “developer”.

Chairman Phillips stated that he talked with Landco Realty owner, Eric Swartz, about the possibility of being involved with this committee, either as an outside consultant or as an inside member. He stated that Mr. Swartz stated that he had too many family responsibilities at this time to be involved with this endeavor. Chairman Phillips suggested that Greg Isenhour would be a good addition to the committee as he has done both residential and commercial building.

Chairman Phillips stated that one of his goals for this committee, especially from the Compact Communities Ordinance and other ordinances, would be to develop a process that is transparent enough that it is of benefit to people who develop in the County because they can see at the beginning what the end process is going to be; that many of the complaints that he hears is that when one starts out building that they do not know the end result will be.

Commissioner Atwater suggested that a good public-minded civil engineer would be good addition to the committee.

The County Manager stated that the core group would be in charge of getting the committee up and running; that the next piece of it would be “farming out” different pieces of it to get feedback from different people like the developers, realtors, etc.

Commissioner Givens voiced concern that the committee not focus on only one idea. He stated that he would like for the committee to be open to everything.

Larry Hicks stated that current guiding principals that they have are the approved Land Use Development Plan; and that he hoped that they would stick within the intent of the document.

The County Manager stated that the Board had asked the committee to give them options.

Chairman Phillips stated that George Lucier and others have been accumulating Compact Communities Ordinances from other places; that Apex has a newly developed one; that several people have told him how good it is; that he is encouraged that Sharon LaPalme has asked to be included in the process; and that Ron Siler is also a strong person from a variety of relationships that would be useful on the committee.

Commissioner Pollard asked how they were going to relate to the public schools.

Chairman Phillips stated that he felt that they really wanted to ask administration to review potential impact on school construction and how it will be factored in. He stated that the committee might want to ask the Agricultural Advisory Board if they want to be involved in the creation in the Compact Communities Ordinance, not automatically involve them; that the Appearance Commission and Economic Development Commission make good sense in being on the committee; that

It was reiterated that in order to be successful and provide expediency, all appointed boards and committee represented on the LUPIC, as well as other appointed boards and committees of the County, must

be willing to fully participate and offer input, advice, and counsel as requested by the LUPIC.

The County Manager asked if the Board was comfortable with the nine-member group, the quorum process with the ways the committee intends to receive feedback to give the Board options for final recommendations, the charge as it was looked at, and timetable the Board wish to direct new boards to confirm appointees.

By consensus, the Board agreed and directed staff to send letters to appointed boards, committees, and citizen expert members stating that the LUPIC Board is being formed; that their board needs to have a member; that an appointment needs to be made at the earliest opportunity (as we understand that your board's next meeting is [fill in date and time]; and stating that the Board will expect to hear from them within five days of that as to which member of their board is going to participate on the committee.

Howard Stier, stated that he did not know with what frequency each board meets, but if it is one or two months away, it will not be sufficient.

Commissioner Atwater stated that he would like for the end product to be recognizing that economic development is not only necessary but good and to continue to facilitate how to develop a compact community. He stated that he does not want it to be negatively charged.

Chairman Phillips summarized this conversation by stating that he views the Compact Communities Ordinance as a positive ordinance not a negative ordinance.

The County Manager reported to the Board a summary of the conversations between the Strategic Steering Team Members, staff, and Triangle J Staff concerning Triangle J's three-tiered proposal to provide consulting and support services to the newly appointed board. The County Manager explained the most intensive level of service would require funding of an estimated \$49,000 from the County to Triangle J. The Manager asked the Board to make a motion to appropriate funding for Triangle J consultation not to exceed \$49,000 based on discussions with Triangle J about an appropriate level of service.

Commissioner Atwater moved, seconded by Commissioner Pollard, to utilize the Triangle J COG and fund the \$49,000. The motion carried four (4) to one (1) with Commissioner Outz opposing.

MORATORIUM ON ORDINANCE/REGULATION TEXT CHANGE

The Board discussed holding a public hearing on a proposed moratorium on conditional use residential requests which also require an ordinance/regulation text change at their June 17, 2002 Board meeting.

Commissioner Pollard moved, seconded by Commissioner Atwater, to advertise for and hold a public hearing with the parameters as set by the Planning Director. The motion carried five (5) to zero (0).

Commissioner Atwater moved, seconded by Commissioner Pollard, that the nine appointed boards that each have a seat on the LUPIC should self-appoint a representative from their membership to fill the appointed seat on the new LUPIC Board. The motion carried five (5) to zero (0).

SOLID WASTE FEASIBILITY UPDATE

Ed Shuffler, with HDR Engineering, informed the Board of the status of the Solid Waste Feasibility Study.

The following disposal options were discussed:

- MSW Composting Facility (County controlled & All County MSW)
- County Subtitle D Landfill
- Regional Subtitle D Landfill (Surrounding Counties)
- Regional Waste-To-Energy Facility
- Mass Burn Facility
- Gasification Plant
- Current Option (Out of County Disposal)

The Board was presented with a summary of key issues (All disposal options require a landfill somewhere; Cost increase for some options must be offered by: Tax Increase, Increased User Fee, Reduction in Services, and Analysis of options based on Impacts to Chatham County only) that the County faces concerning solid waste management. HDR Engineering discussed the different disposal options and gave the Board a brief overview of each option. HDR informed the Board of the System Costs and Revenues involved for each disposal option. Based on the results of a system alternative ranking done by HDR with weighting factors provided by the Solid Waste Advisory Committee, a recommendation was made to the Board of Commissioners that a MSW Composting Facility would be the first option for Chatham County to investigate. HDR made the recommendation of preparing a Request for Proposal for continued Out-of-County MSW disposal for the immediate future and the interim of a long-term disposal option. HDR strongly recommended the County secure long-term landfill capacity, suggesting a landfill within the County's borders.

By consensus, the Board The Board of Commissioners made the decision for the Solid Waste Management Staff to go forward with an RFP for continued Out-of-County MSW disposal at this time.

By consensus, the Board endorsed the Request for Proposals (RFP) for continued out-of-county MSW disposal.

SPORTS ARENA

The Board discussed the on-going problems associated with the Sports Arena located on Highway #421 confirming that nearby neighbors are still complaining about loud noise, littering, and unsanitary conditions with regard to the entertainment facility.

The Board asked the County Manager to address the issue with the Sheriff to make certain that the business is operating within the parameters of the law.

Commissioner Givens agreed to visit the establishment one more time as a concerned citizen to see if anything can be done.

ADJOURNMENT

Commissioner Givens moved, seconded by Commissioner Atwater, that there being no further business to come before the Board, the meeting be adjourned. The motion carried five (5) to zero (0), and the meeting was adjourned at 3:59 PM.

Gary Phillips, Chairman

ATTEST:

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