

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
JANUARY 05, 2004

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Auditorium Building, 45 South Street, located in Pittsboro,

North Carolina, at 10:30 AM on January 05, 2004.

Present: Chairman Tommy Emerson; Vice Chair Carl Outz; Commissioners Margaret Pollard, Bob Atwater, and Bunkey Morgan; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager Renee Dickson; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

The Chairman called the Work Session to order at 10:31 AM.

Work Session Agenda

1. Solid Waste Issues
2. Water Update
3. ABC Board Request
4. Compact Communities Ordinance Review

SOLID WASTE ISSUES

Bob Holden, Chatham County Solid Waste Manager, reviewed fee options for solid waste disposal as follows:

- 1) The current fee structure is a household fee of \$81 charged to the unincorporated with a private hauler and a household fee of \$115 charged to the unincorporated without a private hauler which should generate \$2,111,925 through fees. Fees would have to be adjusted annually to maintain the current program.
- 2) Option 1 is a household fee of \$94 charged to households in the unincorporated area with a private hauler and a household fee of \$130 charged to residents in the unincorporated area without a private hauler. The revenue generated through these fees should be \$2,394,735. No fee adjustments should need to be made before fiscal year 2010.
- 3) Option 2 is a household fee of \$125 charged to the unincorporated with a private hauler and a household fee of \$125 charged to the unincorporated without a private hauler. Revenue generated through these fees should be \$2,407,009. No fee adjustments should need to be made before fiscal year 2010.

- 4) Option 3 is a household fee of \$30 plus “Unit Based Pricing” or “Pay- As-You-Throw” charged to the unincorporated area with a private hauler and a household fee of \$30 plus Unit Based Pricing or Pay As You Throw charged to the unincorporated area without a private hauler. The revenue generated from these fees should be \$2,458,345. No fee adjustments should need to be made before fiscal year 2011 as long as the County does not reduce its waste by more than 20%.

Mr. Holden also mentioned services provided by the County that are not specifically tied to the Solid Waste Fees charged to residents as follows:

- 1) Environmental Enforcement; 2) Education Programs; 3) Household Hazardous Waste; 4) Yard Waste Management; 5) County Office Waste & Recycling Program; 6) School Recycling; 7) Pesticide Container Recycling; 8) Small Business Recycling Program; 9) Electronics Recycling and also a list of special collection services provided at the Collection Centers such as Wet Cell Batteries, used motor oil, tires, white goods, and bulky items

The discussion between County Staff, Solid Waste Advisory Committee and the Board of Commissioners spurred the question, “What direction does the Solid Waste Advisory Committee need to take now?”

The Board set Tuesday, January 13, 2004 at 9:00 AM as the date on which to hold a joint meeting with the Solid Waste Committee to further discuss solid waste issues.

ABC BOARD REQUEST

- This item was withdrawn from the Agenda to be revisited at a later date.

LUNCH RECESS

- The Chairman called for a lunch recess with the meeting to be reconvened at 1:00 PM.

COMPACT COMMUNITIES ORDINANCE REVIEW

A discussion of the County’s proposed Compact Communities Ordinance ensued as Board members exchanged opinions regarding the proposed changes recommended in December by the County Attorney, Bob Gunn and law partner, Paul Messick.

Commissioner Atwater strongly objected to the Board of Commissioners giving any credence and respect to Draft B stating that the draft makes a mockery of an eighteen month public process, which was continuously subject to legal review by County staff and attorneys from the Institute of Government, which provided valuable discussion and debate provided by an appointed and dedicated citizens committee, the Board of Commissioners, the Planning Board, as well as a joint Board of Commissioners/Planning Board meeting and public hearing, and finally stating that Draft B is inappropriate as it is currently before the Board in a procedurally flawed manner.

Attorney Messick reviewed the Compact Communities Ordinance stating that he feels that “Draft B” will be more enforceable and defensible. He stated that he has serious concerns regarding some of the language in the earlier “Draft A”.

The Chairman asked if Draft A was a defensible document, at which time Attorney Messick replied that it was defensible but not likely enforceable as written.

Several unidentified residents objected to the revisions.

George Lucier, Chatham County Planning Board Chairman, explained that the Planning Board has not had an opportunity to review "Draft B" which makes significant changes to that which has been considered by the Planning Board; that some of the changes go beyond legal issues such as density requirement and stream buffer recommendations; that they are substantial in material. He stated that he and the Planning Board would review the attorney's proposed changes.

After further discussion, Commissioner Morgan moved to hold a public hearing on "Draft A" only at the January 20, 2004 Board of Commissioners' meeting. Commissioner Atwater seconded the motion.

After additional discussion, Commissioner Morgan withdrew his motion.

Attorney Messick continued with the review of "Draft A". He agreed to make corrections to the draft as per the day's discussion to be reviewed at a joint meeting with the Planning Board on January 27, 2004 as follows:

1. Section 7.2 (ours) The general design standards for wastewater treatment: In general, (as per Chairman Emerson's comments), mention existing choices, as well as possible future choices of treatment systems. This can be accomplished by deleting the second article "the" in the first clause and by putting the three options back in the text. As long as it is understood that the State permits wastewater systems it does not make any difference how many options there are.
2. Concern was expressed with regard to reserve capacity which is in the same section as above (although not separately numbered). Since it was unclear who/what was the antecedent of "consider" in the Planning Board draft, it was suggested that the County "consider" alternatives to increase reserve capacity, but only in connection with its determination of "adequacy".
3. Due to the entire "performance bond" provision deletion (in the same section) and because it is redundant and there were misconceptions raised, it was changed to say that a bond may be required if a final plat is requested prior to completion of subdivision improvements in accordance with the subdivision regulations.
4. Ephemeral stream buffers are to be put back in the text in Section 9.1 (ours).
5. Section 11.1 (ours), shall state that the County be able to select the consultant to review the assessments.
6. Section 12.3 (ours), Moderately Priced Dwellings, "C" had been deleted but is now to be included as alternative "D".

By consensus, the Board directed the return of the Compact Communities Ordinance to the Planning Board for further review. Following the review, the proposed ordinance will be further considered and a new date will be set on which to hold a public hearing.

WATER UPDATE

- A water update will come before the Board at their January 20, 2004 Board of Commissioners' work session to begin at 2:00 PM.

ADJOURNMENT

Commissioner Atwater moved, seconded by Commissioner Morgan, 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 3:13 PM.

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Thomas J. Emerson, Chairman

ATTEST:

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