

**MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
FEBRUARY 20, 2012**

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina met in the Agricultural Building Auditorium, 45 South Street, Pittsboro, North Carolina at 2:00 PM on February 20, 2012.

Present: Brian Bock, Chairman; Walter Petty, Vice Chair; Commissioners Mike Cross, Sally Kost, and Pamela Stewart

Staff Present: Charlie Horne, County Manager; Jep Rose, County Attorney; Renee Paschal, Assistant County Manager; Vicki McConnell, Finance Officer; and Lindsay Ray, Deputy Clerk to the Board

Work Session

1. **Public Input Session**
2. **Employee of the Month Presentation**
3. **Proposed Recreation/School Site:** Presentation by David Proper of the Trust for Public Land to discuss proposed recreation/school site off Lewter Shop Road
4. **Solid Waste Advisory Committee (SWAC) Annual Report**
5. **Tobacco Trust Fund Commission Grant:** Scott Bryant of B & B Farms request for Tobacco Trust Fund Commission Grant
6. **Zoning Ordinance and Countywide Lighting Ordinance Proposed Amendments:** Discuss and review Zoning Ordinance and Countywide Lighting Ordinance amendments based on direction from Board of Commissioners and schedule public hearing
7. **Subdivision Regulations Amendments:** Discuss and review proposed amendments to the Subdivision Regulations Section 7.7 – Conservation Subdivisions and schedule public hearing
8. **Presentation on funding options for the schools and jail**
9. **Community Center in Moncure:** Discussion and status update on work to date
10. **Closed Session to discuss Economic Development and matters of Attorney Client Privilege**

CALL TO ORDER

The Chairman welcomed everyone in attendance and called the Work Session to order at 2:02 PM.

PUBLIC INPUT SESSION

There was no one present who wished to make public comments.

EMPLOYEE OF THE MONTH

Carolyn Miller, Human Resources Director, explained that Joe Alston of the Chatham County Sheriff's Office, Detention Division, is the February 2012 Employee of the Month. She stated that Joe was good with people and had good conflict management skills in the transportation of prisoners, and has worked for the County over 23.5 years. An excerpt from his nomination form follows:

"I would like to nominate Sgt. Joe Alston. He is a very loyal and dedicated employee. He is all about the job and what is best for the agency. He put in many hours way and beyond his scheduled time. If something comes up that we in the detention need and someone moved as soon as possible, he will come. If the court system has writs all over the state, he makes sure the person is picked up within an ample amount of time no matter how late it puts him at home. He will be back at work the next day at normal time to continue to assure things go well.

Sgt. Alston is the backbone of our detention agency and a very valuable part of the court system. We need to recognize him as an outstanding employee who gives of himself unconditionally."

The Chairman congratulated Mr. Alston and thanked him for his service to the County.

Commissioner Cross stated that he had spoken with a couple of former "customers" of his and they say they had rather spend three nights in the Wake County Jail than one night in the Chatham County jail.

PRESENTATION BY DAVID PROPER OF THE TRUST FOR PUBLIC LAND USE

Chairman Bock introduced David Proper and the Trust for Public Land (TPL) stating that he had some ideas and concepts for a piece of property in Chatham County that he would like to present to the Board of Commissioners which involves parks and schools.

David Proper, State Director for the Trust for Public Land (TPL) in North Carolina, stated that TPL is the only national land conservation organization that focuses on conserving land for a very important species which is people. He stated that their mission is "land for people". They help communities to identify the most important lands for recreation, watershed protect, and habitat conservation. TPL has a thirteen year history in the State of North Carolina stating that they had probably protected close to eighteen thousand acres statewide. They work from the mountains to the coast with a lot of work being done in the Triangle and in the Charlotte Metro areas. The office in Raleigh has been involved with several major initiatives for open-space conservation, park development, and greenway development. They have worked closely with the City of Raleigh and six other conservations organizations to protect water supplies in the upper Neuse Basin and they have had the pleasure of working with a number of municipalities in creating parks for public use and are very proud of that work.

The purpose of his presentation, he stated, was simply to introduce a potential opportunity to Chatham County. That opportunity does concern a potential collaboration between the Town of Cary and Chatham County, a potential collaboration that could create a public facility that would support a public park and school complex. The site is a 76-acre

property located on the south side of Lewter Shop Road near the intersection of Ferrell Road West and Lewter Shop Road. The site is situated within approximately one half mile of the Chatham County line in eastern most Chatham County. Currently zoned residential/agriculture, it is subject to the watershed overlay requirements. It is a spectacular piece of land from the standpoint that it offers site attributes that would support the creation of a public park and a public school facility. It has ample acreage to support both uses. The site plan that they have brought to the Board of Commissioners is simply a concept. It is a concept with which they have worked closely with a local architect to develop. It has illustrative purpose to it to show what the site could support.

He stated that he was not in attendance to make the presentation on behalf of Cary stating that they would like to have the Board's feedback on the potential opportunity. If the feedback is positive, then he would recommend returning to the Town of Cary and work closely with staff and elected leadership to gauge their interest in the potential collaboration. He stated that they have taken a page out of the Joint Land Use Plan and the recommendations found therein recommended were, as the plan moves forward, opportunities for collaboration are explored for schools and parks in this area of the County. He stated that there are no parks and the schools are a good ways away from this particular location. The site offers an opportunity to place those types of facilities in that location with water and sewer available.

Commissioner Kost asked if Mr. Proper could talk about the mechanics of how this works.

Mr. Proper stated that the Town of Cary had worked closely with the Wake County Schools whereby the site was acquired and master planned jointly by the Town and the school system. There was a seamless and collaborative effort to develop the master plan, to site facilities, so that parking lots are conveniently located. The daytime users are the schools and park patrons use it after hours and weekends. They have incorporated greenways with adjoining development to provide walkable communities. There is a significant cost savings with the cost sharing of the design, infrastructure development, and common collector roads, parking lots, etc.

Chairman Bock stated that the concept is that Cary would develop the park and operate the park and pay for the operation and associated costs. He reiterated that we get a piece of property in Chatham County with a park that we don't pay for that also has the possibility for a school site. We would end up with a park in Chatham County that we are not paying for but get full use of. We also get a piece of property for an elementary school without paying for the land as well.

Mr. Proper stated that was reasonable. He stated that the details would have to be worked out through a memorandum of understanding with the town. Conceptually, he thinks that Chatham County has an opportunity to talk about the alignment of financial and administrative responsibilities to the park and to the school. It would stand to reason that the town would build and operate the park and the County would be responsible for construction of the school.

Commissioner Kost stated that there is some history to this particular parcel. She stated that about five years ago, it was requested to be annexed by the Town of Cary. The owner of the property, Mr. Mashburn, had requested annexation which was tabled by the town. It never resurfaced. The developer then came in and requested a subdivision under the Chatham County Subdivision Regulations. She asked the Planning Director if this particular authorization for the subdivision has expired.

Jason Sullivan, Planning Director, stated that he thought the approval had expired.

Commissioner Kost stated that it was zoned one house per acre. She stated that she assumed that they found enough suitable soils to house 76 house on the property. Water and sewer is about $\frac{3}{4}$ mile away as it does not come quite to the County line but up to Copper Leaf. She stated that she thinks that the town will expect CCC to do some cost-sharing and

she would not be surprised when they asked for help in building roads and infrastructure that the school would share with the park.

Mr. Proper stated that this site is within reach of the American Tobacco Trail. It would be close and viable.

Commissioner Stewart asked about the parcel size. Mr. Proper replied, 76 acres.

Commissioner Stewart asked how much was allocated for the school. Mr. Proper said that had not been determined.

Mr. Proper stated that this was a broad concept at a very high level. The plan could be subject to change. When public comment is collected, things could change drastically in terms of community needs. He stated that it is a very developable site. Most of the property offers excellent topography. It is picturesque with open meadows and a mixed stand of hardwoods in the wooded area, and could easily support a facility of this type.

Chairman Bock stated that he likes the idea of a park instead of 76 more houses. He asked if Mr. Proper wanted to know if the Board liked the idea. Mr. Proper replied, yes. It would be non-binding, just stating that it would be of interest to the Chatham County.

Commissioner Petty stated that he feels it merits more discussion.

Chairman Bock agreed stated that he felt the Board would be interested in the concept.

Mr. Proper stated that they would receive feedback back from the Town of Cary and let the Board of Commissioners know.

Commissioner Kost stated that she didn't think the entire school board has seen this stating that Mr. Proper met with the chair of the school board but she believes Mr. Hamm's response was positive.

PRESENTATION BY THE SOLID WASTE ADVISORY COMMITTEE (SWAC)

Chairman Bock introduced John McSween with the Solid Waste Advisory Committee.

John McSween, Solid Waste Advisory Committee (SWAC) chairman, stated that this would be his last official act as chairman. He stated that their mission has always been and will continue to develop and promote accessible and sustainable recycling and waste reduction programs founded upon principles of public health, environmental justice, resource stewardship, economic viability, and public acceptability through the implementation of a local comprehensive solid waste management plan; to provide a public forum for the evaluation of solid waste issues; and to act as an advisory committee for to the Chatham County Board of Commissioners and the Chatham County Division of Solid Waste and Recycling staff. He stated that their key goals are to increase recycling throughout the County, to secure a long-term disposal option for the County's solid waste, and to update the County's ten-year Comprehensive Waste Management Plan.

Mr. McSween stated that in order to secure a long-term disposal option for the County's solid waste which would provide the County with a more stable and cost-effective means of disposal and, at the same time, provide revenue for expanding our recycling and waste reduction programs, the Chatham County Solid Waste Advisory Committee (SWAC) worked on a landfill feasibility study and a landfill siting study and conducted public meetings regarding the proposed landfill. In order to more accurately target our recycling efforts, SWAC promoted an analysis of the waste stream by having a waste audit performed. To inform the public and promote recycling and waste reduction, SWAC took part in the "Let's Talk Trash Day" at the Central Carolina Community College, encouraged the Town of

Goldston to offer curbside collection of recyclables, and approved changing the hours of operation at the collection centers.

He stated the following barriers or challenges that made it difficult for the committee to achieve their goals or objectives were: 1) Not having a member of the Board of Commissioners regularly attend SWAC meetings in order to participate in the discussions and to be a conduit to the other Board members of the work SWAC is doing. 2) Limited public participation and interest in solid waste issues and SWAC proposals until late in the development process, which leads to social objections and "Not in my Backyard" (NIMBY) attitudes. 3) Finding an effective way to communicate with the citizens of Chatham County regarding solid waste issues. 4) Maintaining recommended program developments and momentum during periods of political change and Board of Commissioners makeup.

Chairman Bock stated that he sees the work that SWAC did on the landfill as a success stating that the public might not realize it and the Board may not have communicated it well, but they do appreciate all the work SWAC did.

Commissioner Kost asked when they were going to begin solid waste disposal options and what they are going to do. She asked if we have renewed our contract with Sampson County. Dan LaMontagne stated that the contract expires in 2014.

Commissioner Kost stated that she remembered that the contract was being revisited and they were concerned about losing that ability. Mr. McSween stated that it had been a one-year contract up to that point.

Commissioner Kost stated that the landfill issue has not gone away and that they have an obligation to address.

Commissioner Stewart stated that it was her understanding that the committee was still looking into alternatives or possibilities of a landfill.

Mr. McSween stated that they are. A landfill is still one of the cheapest ways to go.

Mr. LaMontagne stated that with the low volume of waste generated in Chatham County and the high capital and maintenance expenses, it would require more waste.

Commissioner Petty stated that he thinks that has an impact on the MURF facility that was being looked at for the County. It meant bringing other waste into the County because Chatham County did not generate enough waste. We recognize the fact that we need to deal with our own waste, but we didn't want to bring in other peoples' waste. He asked if Randolph County was close to completing their facility. Mr. LaMontagne replied that was correct.

Commissioner Petty replied that the obvious way to pay for a landfill was to bring in waste stating that if we get another regional landfill, it will create a competitive situation with a neighbor and may hurt us in doing so.

Mr. LaMontagne stated that they are watching to see how Randolph's progresses. Chatham will certainly want to be a customer, and it would be advantageous if it comes to be. He stated that they are hoping that Randolph will get their landfill permitted and start construction before Chatham's contract expires. He stated that we have a good contract with Sampson County and do not foresee any real issues with continuing year-to-year with them.

Commissioner Kost asked what Chatham is paying per ton. Mr. LaMontagne stated \$60 per ton.

Commissioner Kost asked if there was any escalation in that contract through 2014 and about the tipping fees. Mr. LaMontagne replied that we were holding steady except with the fuel surcharges. If Sampson County raises their tip fees on waste management, they would be passed along. He stated that was one of the disadvantages of working with Waste

Management. They do not own the landfill and are beholding to Waste Industries who owns the landfill. They charge Waste Management a tip fee.

Commissioner Kost asked the area of Randolph County's proposed site. Mr. LaMontagne stated that it was north of Asheboro.

Commissioner Cross stated that he would attend the SWAC meetings if they send the meeting schedule to him.

TOBACCO TRUST FUND COMMISSION GRANT REQUEST

Scott Bryant, B & B Farms Animal Service, explained that his family had been in business approximately forty years, the last five which he has owned. The purpose is to pick up deceased animals off farms. The animals are used for research. They work for NC State University. They no longer pick up cattle, approximately six million pounds per year. They cover about one hundred miles around Siler City. They are in the process of trying to compost; have designed and gotten blue prints on a forced air system; and are trying to get grant funds from the Tobacco Trust Fund to help work on this project. He stated that he would like to get the Board of Commissioners to write a letter of support which would make it faster to show the need and ask for help. The state regulations are asking for all farmers and ag industry to bury, incinerate, or landfill the animals. The landfills no longer want the animals. Incinerator costs are outrageous. They want to put in a compost facility to take things out of the landfills. The project will cost approximately 1.8 million dollars. They are trying to lessen the costs as much as possible. They have someone who will take the horses, hogs, and chickens as a rendering company. The cattle is a major issue. Randolph and Chatham Counties are leaders in the state for cattle production. He asked for a letter of support and requested contacting other county managers within a hundred mile radius for their support.

Commissioner Kost asked if his request included only a letter of support for the grant application.

Mr. Bryant stated that Mr. LaMontagne had been out to his facility and knows the importance of it. He stated they will request other grants. The end product will not be sold but will be used back on the farm as an added value product. He stated that the blueprints are ready and will be built in the southwestern part of Chatham County. He is hoping to get it turned over to NC State University as a research farm and facility for composting. He stated that he is a member of the US Compost Council and NC Compost Council and is certified to compost anywhere in the United States.

Commissioner Stewart asked if this would allow Mr. Bryant to start picking up the cattle again and the timeframe involved. Mr. Bryant stated yes, and that the application is due on March 5, 2012. It will be voted on in September, 2012, and will take a while to get everything going. He stated that they wanted to start small and work their way up to three phases.

Commissioner Petty asked about the timeline that the rendering plants would take the animals. Mr. Bryant stated that it was a narrow window. In the event of a disaster, they could go in, take care of the problem, and take the animals to their facility and compost them.

Commissioner Kost asked if the Tobacco Trust Fund was public money. Mr. Bryant stated that it was set aside in the tobacco buyout as part of the Golden Leaf.

Commissioner Kost asked if the private sector could bring animals in for disposal.

Commissioner Stewart stated that it was highly regulated in this particular case. There are the issues of water quality and disease control. She stated that because of the high number of regulations, it probably would not be feasible for the private sector.

Mr. Bryant stated that the cost would be for him to spend 1.8 million dollars; and that there are guidelines that give options; however, the regulations are very strict.

Commissioner Kost asked if Mr. Bryant was able to discount to farmers because, with the grant, he can do it more cheaply for the farm community. Mr. Bryant replied that they would be able to keep the costs down.

Commissioner Petty reiterated that Mr. Bryant said that he didn't care to own it which may have been misleading as he currently is already doing this. He asked if he cared if it was taken over by the state. Mr. Bryant stated that anyone could take it over.

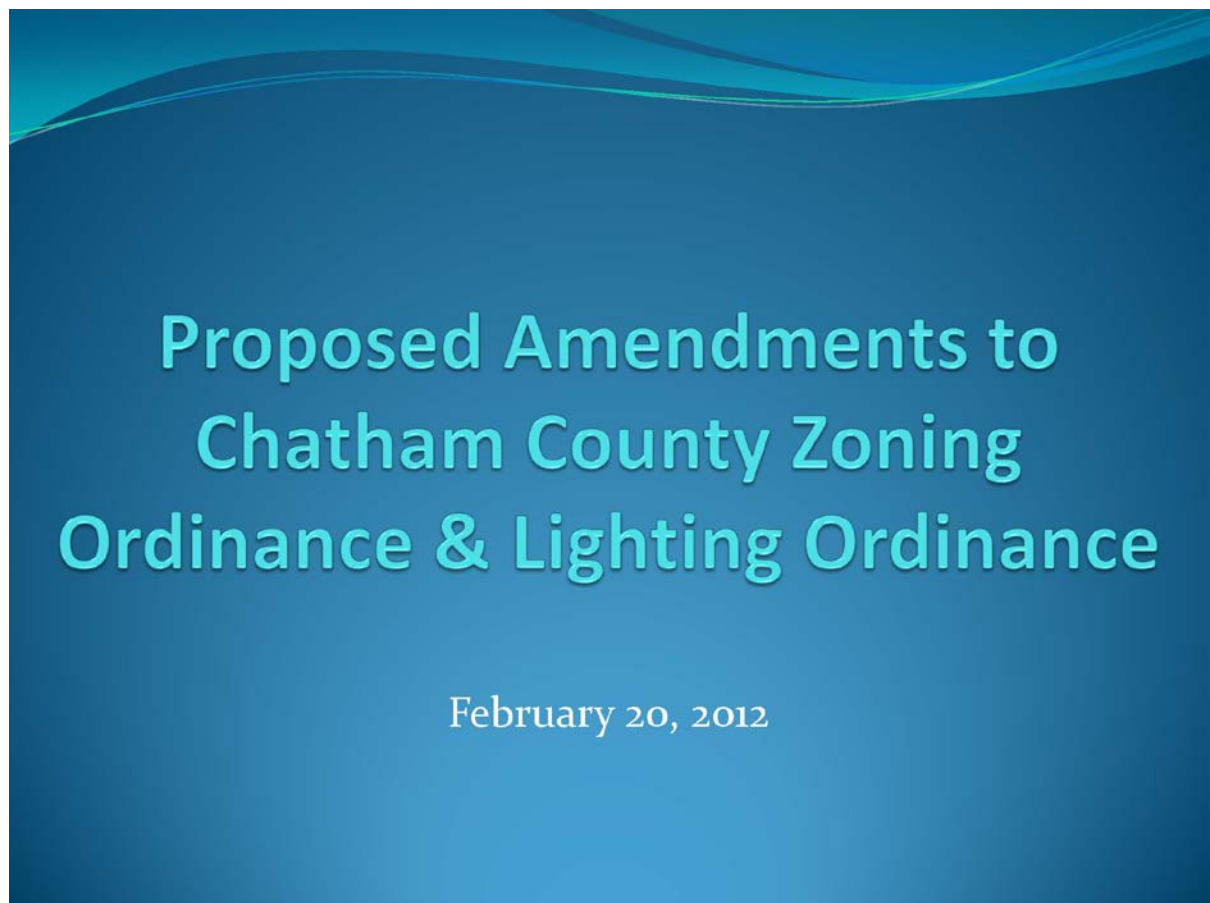
Chairman Bock asked if he had spoken with the other counties. Mr. Bryant replied, no, that he was starting in his home county and wanted to keep everything here if we can and employ Chatham County residents at the facility.

Chairman Bock asked if Mr. Bryant had a draft letter. Mr. Bryant replied, no, but he would be glad to help whoever writes it to make sure of the correct wording.

By consensus, the Board agreed.

ZONING ORDINANCE AND COUNTYWIDE LIGHTING ORDINANCE AMENDMENTS

Jason Sullivan, Planning Director, reviewed the proposed amendments to the Chatham County Zoning Ordinance & Lighting Ordinance in a PowerPoint as follows:





Overview of Major Changes

- Bona-Fide Farms
- Change Conditional Use Zoning to Conditional Zoning
- Increase number of Public Hearings per year
- Signs in right-of-way
- Zoning & Lighting Ordinance Changes:



Bona-Fide Farms

- Based on recent statutory changes, the following items are accepted as proof of Bona-Fide Farm status:
 - Farm sales tax exemption issued by NC Department of Revenue
 - Copy of property tax listing showing that property is eligible for Present Use Value program
 - Copy of Schedule F from most recent federal income tax return
 - Forest Management Plan
 - Farm Identification Number issued by US Dept. of Agriculture Farm Services Agency
 - Any use of farm property for non-farm uses still subject to Zoning Ordinance
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Conditional Zoning

- One Legislative Public Hearing; no Quasi-Judicial process
 - Revise Section 5 in Ordinance to include more specificity on application and process
 - Added Mixed Use Conditional Zoning District
 - Allow Zoning Administrator to approve minor modifications after approval
 - No significant impact on abutting properties or significant alteration to site plan
 - Allow for 10% or 5,000 square feet increase in intensity for non-residential uses
 - Revised Application Materials Requirements:
 - Only require a survey if property will be split-zoned; otherwise GIS map or existing plat map acceptable
 - Require cemeteries, historic features and structures to be shown on site plan
 - Include Environmental Impact Assessment requirement with Application
 - Allow Zoning Administrator to waive any application requirement if type of use or scale of proposal makes requirement unnecessary or impractical
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Conditional Zoning Process

- Prior to Submittal to Planning Department:
 - Community Meeting – mailed notice 14 days in advance to adjoining property owners; written report of meeting submitted with application
 - Appearance Commission review of landscaping and signage
 - Submittal to Planning Department 45 days prior to Public Hearing
 - Increased from 30 days; Allows for 15 day Sufficiency review
 - Formalized Technical Review Committee review prior to Public Hearing
 - Increased number of Public hearings from 6 per year to 10 per year
 - Public Hearings held every month except July and December
 - No change in Planning Board/BOC review after Public Hearing
 - Requests for expansion of existing Conditional Use District/CUP treated as new Conditional Zoning District
 - Approval of CZD will automatically terminate CUP
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Chairman Bock asked if there was a time limit associated with the Appearance Commission review before submittal. Mr. Sullivan explained that there was no written recommendation but could be included if needed as historically, it had not been a problem.

Chairman Bock asked that they look at including standards for the number of meetings for the Appearance Commission.

Commissioner Kost stated that it has been working effectively. A lot of times it is the applicant that is trying to be creative.

Chairman Bock stated that he was thinking in terms of not so many meetings, but a time frame.

Commissioner Kost asked how, since the requests for expansion of existing Conditional Use District/Conditional Use Permits (CUP) would be treated as a new Conditional Zoning District.

Mr. Sullivan stated that provisions would cover this a little later. For Conditional Use Permits, if someone wants to amend a Conditional Use Permit, they will still have Conditional Use Permits in the ordinance. Someone can still apply for those if they are listed that way in the table of permitted uses. The underlying zoning district wouldn't change. If someone wants to amend their existing CUP, they could amend it through the quasi-judicial process. The complication that arises, if we are moving away from Conditional Use Districts, what would happen under this framework, they would terminate their Conditional Use Permit and apply for a Conditional Zoning District for the entire project area. So what is already in place would transfer to the new district. The new property would also be covered by the Conditional Zoning District and there would be one rezoning into a Conditional Zoning District.

Conditional Use Permits, Text Amendments, Map Amendments

- **Conditional Use Permits, citizen-initiated text and general use zoning map amendments follow Conditional Zoning process**
 - 10 Public Hearings per year; 45 day submittal deadline
 - Revisions to existing CUPs exempted from Community Meeting
 - Citizen-initiated text and map amendments exempted from Community Meeting and Appearance Commission review
- **County-initiated text or map amendments follow different process**
 - No limit on Public Hearings
 - 30 day submittal deadline
- **All general use zoning map amendments only require survey if split-zoning is proposed**
 - If proposing to rezone entire tract, GIS map or recorded plat sufficient

Other Changes

- **New Definitions: Conditional Zoning District, Multi-Family Dwelling**
- **New District Regulations**
 - CD-MU – Mixed Use Conditional Zoning District
 - Minimum Size of 50 Acres
 - Allows mix of R₁, O&I, NB, CB, RB and Ind-L uses
 - Minimum 20% of total land area must be non-residential uses but no more than residential
- **Remove “Reserved” references (i.e. AG district)**
- **Remove references to “Stop Work Order” – not allowed by statute**
- **Clarify fees will not be refunded if application withdrawn after notice of Public Hearing is given**
- **Allow for surrender of Conditional Use Permit by property owner**
 - **Cancellations can be accepted by Zoning Administrator**

Commissioner Kost stated that she was agreeable with the Zoning Administrator doing it, but she feels it needs to be reported back to the Board of Commissioners.

Other Changes

- **Zoning & Lighting Ordinance Changes:**
 - **Permit internally-illuminated signs in Zoning Ordinance & Countywide Lighting Ordinance**
 - **Remove Amortization requirement for Vehicular Canopy Lighting**
- **Specify that regulation and enforcement of signs in right-of-way is responsibility of NCDOT**

Commissioner Kost asked what was decided with regard to the wattage and brightness on internal illuminated signs.

Mr. Sullivan stated that they included some very generic language stating that internally illuminated signs are allowed as long as they have non-reflective surfaces. Alternate language can be provided if the Board would like to run it through the public hearing process.

Commissioner Kost asked why we didn't include it now. Mr. Sullivan stated that it was a question of how complicated it is to implement it, and if the Board wants to review it, it could be included.

Commissioner Petty stated he did not see a need to.

Commissioner Kost stated they would have to adhere to the Lighting Ordinance with regard to bleeding light, glare, etc. if the Board doesn't limit how bright they can be.

Mr. Sullivan stated that there were six or seven different items that can be included if the Board wants to run it through the public hearing process or have an alternate option.

Commissioner Kost asked where the amortization came from as it had not been discussed as a Board. Chairman Bock stated that it had been talked about.

Mr. Sullivan stated that if the Board did not want it included, it could be removed from the public hearing items.

Commissioner Kost stated that one of the reasons the Lighting Ordinance was passed was a safety issue.

Chairman Bock stated that is pretty expensive to change. If it already exists, then it should be grandfathered in. If they are replaced, then they must follow the ordinance.

Mr. Sullivan stated that George Ferrell (store located off Fearington Road) received a letter about an out-of-compliance canopy. He has since replaced the entire canopy and the new canopy had to come into compliance with the new lighting standards for the lighting underneath the canopy.

Commissioner Kost stated that five years was a short time frame and she agrees with it; however, to completely eliminate it, she doesn't know that she will support it.

Chairman Bock stated that he is concerned for folks out in the middle of nowhere who would be required to replace an entire canopy, it would be a big expense. He stated that he is not comfortable making people spend that kind of money.

Mr. Sullivan explained that if the lighting designer could retrofit and make the existing canopy work with lighting fixtures, it would be fine.

Commissioner Petty agreed with Chairman Bock stating that if he had made a purchase today which qualified and tomorrow someone told him that the rules had changed, he would not like that either stating that he doesn't feel it is fair. He stated that within ten years, better products and efficiency would dictate that it would happen.

Commissioner Kost stated that she is coming from a safety issue.

Commissioner Stewart asked if there was a study done on safety.

Commissioner Cross stated that they had some lighting numbers brought to them from Progress Energy.

Mr. Sullivan referenced the research done, described by Bob Henderson of Progress Energy on vehicular canopies and brightness of the lights when leaving the site.

Commissioner Kost voiced concern about the appearance of Chatham County due to trash of signs blown off on the side of road and off poles. She asked what other jurisdictions are doing with regard to enforcing signs in the rights-of-way.

Mr. Sullivan stated that it may be a legal question of whether they can now pick up the signs. If they can get an agreement with NCDOT, if they want to assume the

responsibility as a County stating that they would need direction from the Board of Commissioners.

Commissioner Kost stated that it is a noticeable difference within the last year and it looks bad.

Chairman Bock stated that he had driven around since they had had that conversation looking for the trash but didn't think it was worse than usual. Commissioner Kost stated that it had become worse during the last year.

Commissioner Petty stated that it could have something to do with the economy.

Commissioner Kost stated that they are not being picked up. They are there, blow over, and create a lot of trash.

Mr. Sullivan asked, for these sections, if the Board wants any language other than what was included or go to public hearing with what they have on these sections.

Chairman Bock stated that if it is in the DOT right-of-way, the DOT should enforce it.

Requests for Clarification from Staff

- Section 11.3 – Environmental Impact Assessment for Conditional Use Permits Only
 - Current Text: An Environmental Impact Assessment, as described in Section 6.2 of the Subdivision Regulations and related guidelines, shall be required for any proposed conditional use permit that involves two contiguous acres or more in extent that disturbs two or more acres. A project for which a detailed statement of the environmental impact of the project is required pursuant to N.C. Gen. Stat. § 113A-4(2) or 42 U.S.C. § 4332(C), or for which a functionally equivalent permitting process is required by federal or State law, regulation or rule, is exempt from the requirement of this Section 11.3. However, a copy of any such statement of environmental impact for the project shall be provided to the County.

Requests for Clarification from Staff

- **Section 11.3 – Environmental Impact Assessment for Conditional Use Permits Only**
 - Need to include conditional zoning districts in this section.
 - Need clarification about applicability to (1) new and/or amended CUP's and (2) whether to include residential CUP's.
 - Subdivision Regulations includes provision for all non-residential subdivisions disturbing more than two acres and residential with 50 or more lots.
 - Options for Amendments.
 - A: Require EIA for new and amendments to existing non-residential CUPs
 - B: Only require EIA for new non-residential CUPs and expansions to existing non-residential CUPs
 - C: Only require EIA for new non-residential CUPs
 - Alternate for each option is to include residential CUP's
 - Include conditional zoning districts, in addition to CUP's

Next Step

**Schedule Public Hearing for March 19,
2012 Board of Commissioners Meeting**

Mr. Sullivan asked for clarification on the three options for amendments:

- A) Require EIA for new and amendments to existing non-residential CUPs
- B) Only require EIA for new non-residential CUPs and expansions to existing non-residential CUPs
- C) Only require EIA for new non-residential CUPs

Commissioner Petty stated that he didn't feel they need to go through the review again.

Commissioner Kost stated that you could start with five acres and end up with one hundred and not done an assessment on the other ninety-five acres.

Commissioner Petty stated that he would agree with the threshold. Chairman Bock agreed to go with Option B.

By consensus, the Board agreed.

Mr. Sullivan asked if there was a certain amount of acreage that the Board would want them to put in as a threshold. Chairman Bock stated he would like to focus in on Option B; and point out the questions they are not asking next time.

Mr. Sullivan asked about the threshold acreage to run through a public hearing.

Commissioner Cross stated five acres or 10%. Commissioner Kost stated a percentage of the original. Mr. Sullivan stated they do a percentage of or a minimum of the original.

Mr. Sullivan asked if the Board was ok with including Conditional Zoning Districts as well as Conditional Use Permits.

Chairman Bock stated he would think they would want to do so. Mr. Sullivan stated that they could still use it to negotiate to conditions if they would like to do. There would still be a use for it.

Mr. Sullivan asked, as far as the residential part of it is concerned, if the Board still wants to leave it with residential or remove it and make it for non-residential.

By consensus, the Board stated non-residential.

Mr. Sullivan asked if the Board wanted to schedule the public hearing for March 19, 2012 for the Zoning Ordinance Amendments. He stated that the public hearing for the County-wide Lighting Ordinance also still needed to be scheduled.

Chairman Bock stated that they needed to be scheduled. He asked if they are changing the permitted uses on any of the red-lined version.

Mr. Sullivan stated that they were only changing two permitted uses which are related to the bonafide farm exemption. There are two uses that deal with boarding stables. It has come up with a property where someone wants to open up some boarding stables. They have talked with the County Attorney. It is pretty clear with the new statutes they have the proper documentation and if one can get the proper documentation, then County provisions in the ordinance do not pass muster anymore legally. We are taking out our provisions because it is exempt from regulations so it is just those two permitted uses. Other than that, the permitted uses table is staying the same. They will address that later when they get into the more detailed section by section modifications to the regulations.

Chairman Bock asked, if someone wants to open a boarding stable, if we are making this easier by removing it or difficult by red-lining it out of here. Mr. Sullivan stated it was easier as it was exempt. If they provide one of the five documents as stated, the ordinance does not apply.

Commissioner Kost stated that she understands the deleting of the agriculture districts in Section 4, but what about the compact community. She asked why, Section 4, Page 5, is it being deleted as a district.

Mr. Sullivan stated that it was in a new place and re-added to the Mixed Use Districts on Page 7.

Chairman Bock asked that if our ordinance allows someone that lives within a zoned part of the County to request a rezoning of someone else's property within that same zoned part of the County. He stated he would like to know how long it has been there and if they can have it removed.

Mr. Sullivan stated that he could not say why it was in there. It has been there in every ordinance he has seen since the 1980s that he has seen in the office. He stated that it is an option in the ordinance.

Commissioner Stewart asked if she could ask that her neighbor's property be rezoned.

Mr. Sullivan stated that none in their office recall a situation where this has been used; however, they did receive an application on Friday for this scenario where a property owner who lives in the zoned area of the County has submitted an application on someone else's property to rezone that property, but it is not based on owner authorization.

Chairman Bock stated that he would like to see that redlined, as it seems odd.

Commissioner Kost stated that she would like to understand more from the planning community if other jurisdictions do it and why. There may be some reason it is there that the Board of Commissioners is not thinking of and she would like to know about it.

Chairman Bock stated that it would have to be a very high bar to allow someone to request a rezoning on someone else's property.

Mr. Sullivan stated he could provide some information. The Land Use Law Book from the School of Government has a couple of pages that deals with this.

Commissioner Kost stated that she would like to know if there is something that they are overlooking. She asked that it be put out on the List Serve for feedback from the other planning communities.

Chairman Bock stated that this would have to go to public hearing. What he does not want to do is come back to the whole public hearing and ordinance changes for that one change.

Commissioner Kost asked if Mr. Sullivan had talked with the former Planning Director. Mr. Sullivan stated that he would do so.

Mr. Sullivan asked if staff should proceed with amendments. Chairman Bock stated that he would like to do so. If they can't get any more information, then they can try it another time.

Commissioner Kost stated that there was a lot of information which needed to be distributed to citizens in a clear, concise way and it needs to be out as early as possible.

SUBDIVISION REGULATIONS AMENDMENTS



Overview of Changes

- Clarifications of Conservation Subdivision standards
 - Section 7.2 – clarify that private roads allowed in conservation subdivisions
 - Section 7.7
 - Conservation space includes features regulated through other regulations (i.e. riparian buffers and floodplain)
 - No minimum lot size
 - Provide a review and approval process for conservation subdivisions for 15 or fewer lots that is separate from the minor subdivision process

Next Step

Schedule Public Hearing for March 19, 2012 Board of Commissioners Meeting

Mr. Sullivan explained that Section 7.7 of the Subdivision Regulations include alternative standards for conservation subdivisions. This section specifies that if a subdivider sets aside at least 40% of the land they wish to subdivide as “Conservation Space,” the subdivision is allowed lot sizes smaller than the minimums specified in the Regulations, and the subdivider may be granted a density bonus for choosing a conservation design. Since this section was added to the Subdivision Regulations, there has not been an application submitted for a conservation subdivision. Staff has recently met with several developers who stated they are interested in developing a conservation subdivision. Through these discussions, staff has determined that several amendments are needed to this section to clarify the standards and process for conservation subdivisions. Some of the concerns include what can be included in the Conservation Space calculation, what standards any roads would have to be built to and whether a financial guarantee could be used, and clarification of the minor subdivision review procedure that is used for conservation subdivisions of 15 or fewer lots.

He stated that the amendments relating to standards for conservation subdivisions proposed by staff clarify that land required to be protected by other regulations can be included in the Conservation Space calculation and lot sizes may be below the minimum lot sizes specified in the Regulations, and specify that any proposed roads are required to meet the standards of the Subdivision Regulations. Staff is also proposing amendments to clarify the administrative review and approval procedure that is used for conservation subdivisions of fifteen lots or less.

Mr. Sullivan explained the changes in the items listed.

Commissioner Kost urged staff to go back and back and reread the Environmental Review Board's minutes on this, as she does not think what is listed is what came out of their review and what was approved.

Mr. Sullivan stated that their interpretation was based on the Design Guidelines. The ordinance or regulations are not clear on what is conservation space and what counts and doesn't count. In defaulting to Design Guidelines and looking at the fragmentation map that has to be developed, it is used for identifying the areas for preservation. If they need to revisit it with the Environmental Review Board, they will be glad to do so.

Commissioner Kost asked if when they are calculating allowed densities, are flood plains and buffers included. Mr. Sullivan stated no, it would not allow for someone to use to count toward the number of units. They are allocation for conservations based.

Commissioner Kost asked how the density was calculated. She stated that if one had forty acres, what we do now for regular subdivisions is net out the flood plain and the buffers; there are ten acres of that which leave thirty acres; it is R-1 so you could put thirty units on it; if it is a conservation subdivision, it would still allow the forty units. She stated that doing it this way she felt would still make it inconsistent.

Mr. Sullivan stated that the Conservation Subdivision Section clarifies it, stating that the base density for a conservation subdivision is determined by the underlying Land Use Regulations establishing otherwise for unit density minus any regulated any flood plain riparian buffers where building is prohibited under Chatham County ordinances in which the development parcel is located. He stated that the bigger question is what counts toward the conservation space.

Commissioner Kost asked if this was a question for the County Attorney to make sure there was no contradiction stating that what Mr. Sullivan said, is what she remembered.

Commissioner Petty reiterated that nothing is being undone, just clarified. Mr. Sullivan stated that was their intent.

Mr. Sullivan stated they would contact the County Attorney and make sure there are no inconsistencies.

Mr. Sullivan stated that another question was to make sure there was no minimum lot size to allow the flexibility within the subdivision making certain they can use their allocations for their lots stating that with the Conservation Subdivision, the intent is to concentrate the lots into one area. This just clarifies the minimum lot sizes. They did include an entire section for the review and approval process. It is currently written that with fifteen or fewer lots, it can be processed with as a minor subdivision. The Minor Subdivision Section ends up in "loop holes" with the way it was written. They stripped out the minor subdivisions standards, put them in this section, and took out the "loop holes". With fifteen or fewer lots, you can work with staff to get through the process and there are no hiccups to feed one back into thinking that they cannot be processed that way.

Mr. Sullivan stated that a public hearing will be held on March 19, 2012 at the Board of Commissioners meeting contingent upon the meeting with the County Attorney. By consensus, the Board agreed.

BREAK

The Chairman called for a short break.

FUNDING OPTIONS FOR THE SCHOOLS AND JAILS

Chairman Bock stated that he had asked that this item be placed on the agenda.

The Finance Officer explained that Financing Options as follows:

General Obligation Bonds

Advantages:

- Usually lower interest rates due to strong revenue pledge and typical competitive sale.
- Strong market acceptance as a result of full-faith-and-credit general revenue pledge.
- Simple administrative procedures result in lower cost.
- Good structuring flexibility for principal maturities.
- No reserve fund nor trustee requirement
- Voter approval before debt issued.

Disadvantages:

- Voter approval is usually required, which can delay and sometimes block necessary capital financing.
- Limited flexibility is available for market timing.

Installment Purchase/COPS:

Advantages:

- Flexibility in issuance for market timing
- No voter approval required.
- Interest rates are more attractive in today's market. Rate is closer to the interest rate received on general obligation bonds.

Disadvantages:

- Interest rates are usually higher because they are secured by annual appropriation, rather than an unconditional pledge to raise taxes.
- More costly to issue. (underwriting charges, bond counsel, county attorney, trustee)
- Usually upsize the issue to cover non capital cost.

Payment from current income/savings –pay as you go - revenues earned during the current fiscal year are used to finance project or revenues earned in earlier fiscal years have been set aside, or reserved, and a sufficient amount has been accumulated to fund project.

Advantages:

- No interest or issuance cost

Disadvantages:

- Current funds not available to adequately fund project or project must be delayed until adequate funds are accumulated.

Issuing General Obligation Bonds:

- We have sufficient time to get the issue on the November ballot.
- If the bond referendum does not pass:
 - Call for another vote and hold another election on the same issue:
 - Six month waiting period for the school
 - No waiting period for the jail
 - Use another means of financing:
 - One to two year waiting period if circumstances did not change substantially.
 - For schools - an increase in student population would be considered a change in circumstances
 - For jail – substantial change in inmate population or directive from the state would be considered a substantial change in circumstances.

A possible change in circumstance regarding the jail is that we would have to house sentenced misdemeanants, significantly increasing our population. Right now, the Sheriff's Association has worked out a voluntary arrangement with DOC, but that could change if there aren't enough counties who volunteer to take the inmates.

The Finance Officer answered questions from the Board.

Commissioner Kost stated that this was talked about a couple of years ago and the Finance Officer told the Board then that it was a “wash” and she wanted to know what has changed.

The Finance Officer stated that nothing has changed. The economy is still such that the interest rate is the same and it is not going to cost any more.

Commissioner Kost stated that she understands the issuance costs. She asked on installment purchases, the money is drawn down as needed or if it is all borrowed so that some interest can be earned on it. The Finance Officer replied, yes.

Commissioner Kost asked if we can use that money to pay some of the issuance costs. The Finance Officer replied, yes. In the COPS case, more interest was made than it cost to issue.

Commissioner Kost stated that she did homework about what other jurisdictions do stating that Harnett and Randolph Counties have no GO bonds. They have all non-bonded debt; it appears that the bond referendums since counties were able to borrow the money through private placement/financing, that what is typically going out to the public are things like recreation and libraries, but mainly those bond issuances that you really want to get the sense of the community. Most of the jails (Guilford County) will be doing a theatre in November. For projects that you have to do, it’s looking like more and more jurisdictions are doing more private placement. Interesting, out of one hundred counties, ninety-nine counties have debt. Of those ninety-nine, fifty-nine had some general obligation (GO) debt. That is basically thirty counties have only private placement. It has been the way counties have gone about financing, especially since Chatham has a debt model and we have planned for this. She stated that she feels strongly that in a bond package, you have projects that benefit all areas or different segments of the community. There needs to be a reason to receive general support for it. If you put a high school on the referendum, you will not receive support for it. She talked to people in the Siler City area this week and they did not support the high school because they did not see how it would benefit them. A jail would fail unless they work really hard to promote it; then, if it fails, she asked what do they do?

Commissioner Cross stated that those are the reasons that the Boards on which he has served for seven years plus have not gone to voter referendums. Almost every project they have has been seen by many in the County as benefitting only one area. The counties that do the voter referendums, they put programs together like Commissioner Kost spoke about where there is something in it for different areas. These need to be done early in the CIP so if they do not pass, you are not left standing there the year the facility is needed with a failed bond referendum. Then you have basically extended the CIP another year or two beyond when it is needed.

Chairman Bock stated that the arguments about the other counties, is one of the reasons he is concerned. Because none of the other counties or even the state checks with its voters before they incur debt is not an argument for Chatham not doing it. The other argument is that if it fails, what then.

Commissioner Kost stated that she is always one to say that just because everyone else is doing it, isn’t a reason that they do. She stated that it is also a “pulse check” of other local governments because the GO route was the only option they had prior to 1993 or thereabouts.

Chairman Bock stated that it was the only option they had because, in the State Constitution, it states that if you are going to borrow a large amount of money using the general, full faith and credit of the municipality or the county, it had to go to the voters. For years, that was considered items for schools and libraries. Somewhere along the line, a court or politicians decided that they could get around it. Then, COPS an installment debt started getting more popular for those projects that didn’t have time to get them done. Now, a hundred percent of what everyone does, is on installment debt or COPS. He stated that he feels that goes against the intent of what the North Carolina Constitution has to say. It is

legal and he could see how the argument could be made; however, it bothers him knowing it and he is bringing it up because it bothered him during the campaign and the library probably should have been done on a GO bond, as it wasn't something that had to be done. We now have a lot of debt. On the CIP, there is a lot more debt coming. If they are not going to the voters, he wants to make sure they have had the discussion and they say it. The other argument about a bond package, is where he thinks differently. He stated that he did not want to borrow more money than is absolutely needed just so they can borrow the money that they do need. It goes against anything he would want to do. If we don't have a project in Goldston, he certainly doesn't want to add one there just so the people in Goldston would agree to something that they want to do northeast of the Governor's Club.

Commissioner Kost stated that was reality. The reality is that if you put high school on a bond on the ballot in November, it will be a difficult sell as it is a single project that would be seen as only benefiting one part of the County.

Commissioner Petty stated that he didn't think that was the intent.

Commissioner Kost stated that it looks like it.

Chairman Bock stated that he thinks that given the population disparity, the northeast could get it passed. If we are building a school out west, there might be a bigger issue. He stated that he is not ready to concede that a GO bond would not pass.

Commissioner Kost stated that professionally, she has worked on four bond referendum packages. Everyone she talked to with regard to financing, they said they you have to have general appeal throughout the community to get a successful bond.

She further stated that to bring it up now, after the Capital Improvement Plan and to talk about doing this when the school was supposed to originally be open in 2011, it looks like you are trying to kill the school.

Chairman Bock stated that it may look that way, but it is not. He stated that he was not sure that he wanted to go that way, as he just wants to have a discussion about it. He stated that he was not saying that he wanted to go that route. He stated that he was not going to not have a discussion about it just because there had not already been a discussion about it. He stated that he was glad that there was no school built to open in 2011 because it was not needed. In 2016, they probably will need a school there which he will support.

Commissioner Stewart stated that she felt that there was a larger underlying issue here. They are talking people not approving it. If it is something that is generally needed and is important to have, maybe they have to do a better job of helping people understand the need for it stating, ultimately, who is paying for it. Whichever way they go, education is needed.

Commissioner Kost stated that she was standing in line one day to get a building permit and heard a lady, who lived in Bennett, talking about the swimming pool at Northwood High School. It is admirable to want to educate everyone, but people are going to come in with preconceived notions about what it is. Education is important and we have done improvements to schools throughout Chatham County. This is one large project that is going to be seen as benefitting only one part of the County, and has a strong possibility of not passing.

Chairman Bock stated that he feels the Board needs a policy on when they are going to use GO bonds and when they are going to use installment debt. He stated that one hundred percent of the County's debt since 2005 has been non-voter approved.

Commissioner Kost stated that she thinks that those projects that are not necessities (theatres, libraries, etc.) it would make sense to be up for voter approval as they are asking the voters if they want the additional facility.

Commissioner Cross stated that Commissioner Kost is saying if it is not mandated for the County to provide, then we could go for the bond.

Commissioner Petty stated that he agrees with Commissioner Kost stating that the time to have talked about this would have been during the CIP. A lot of these things were already in motion. You assume that you continue what you have always done. Sometimes, you have to stop and look back and ask if they are doing it right. The discussion may not necessarily mean to change what they are now doing. He stated that he agrees with Chairman Bock that we need some well-defined guidelines. He stated that he would not agree with trying to put something in a package bond to satisfy everyone.

Commissioner Kost stated that the way that is done is to look at an entire capital project plan. The bond referendum that she worked on professionally, they were community initiated with large committee meetings where they talked with the community about what they wanted before the package was put forward.

Commissioner Petty stated that there are things you have to do that may not get voter support and the Board will be forced to do it. When we can, we should give the voters an opportunity to have their voice. They say they see the hard times, are having trouble making ends meet, and they see the Board spending money "like there is no tomorrow". They ask why they don't have a say in how their money is being spent.

Commissioner Kost stated that she hopes Commissioner Petty told the citizens he spoke with how much money was saved by building the much-needed facilities at a time when interest rates were low and the financial position of the County was very strong. We saved a lot of money doing what we did.

Commissioner Petty stated that they did. A lot of times you hear conversations of people who do not have all the facts. Sometime, even though it is not as timely as we'd like to have it, he thinks they need to hold the conversations.

Commissioner Kost stated that the other time that she had seen bonds go on was when the actual principal and interest payments would cause a tax increase. If you are asking the voters for three new schools and stating there will be a six cents tax increase, that is the way it goes out. She stated she would be willing to put that into the criteria as well.

Chairman Bock asked the Assistant County Manager, Renee Paschal, if the Board didn't vote on anything, do they continue as they are in the approved CIP. He also asked if that was ever to change, at what point would you have to have a decision to change to a GO type of financing to get the school opened in 2016.

Ms. Paschal stated that in order to open the school in August 2016, they will have to start the next phase planning soon. Schematic design for the school is done. The next phase of planning is design development. That would need to be started this fall. She stated that they had had that discussion and could proceed with design development; however, the school takes two years to get through construction drawings. You don't want to spend money that you don't have to spend. If you wanted to hold the bond referendum, it would be better to hold it and then do design development rather than do design development first.

Chairman Bock asked if his perception is that they are going to get the school open in 2016 and he thinks that a bond referendum would pass, the soonest it could be done is November, 2012. Could it be held November 2013 or would you need something between then?

Ms. Paschal stated that she couldn't think of a reason that you have to have it this November. She stated that she thinks the Board could wait until next year.

Commissioner Petty asked if these discussions could be furthered during the next CIP discussion during the next budget cycle.

Chairman Bock asked who they could get to come up with a policy stating that Orange County has a policy and the School of Government should be contacted. He stated that he was going on the assumption that the school is opening in 2016. He stated that he feels staff should work under the assumption that they will be using installment debt.

Commissioner Kost asked if they operate under the assumption that the school will open in 2016, decide to take it to a vote of the people, it does not pass, what do they do? She stated that they would have to raise taxes an enormous amount to pay as you go.

Chairman Bock stated that he liked the idea that the interest rates are pretty much on par with each other. That is a big deal because over the life of a loan, it can get very expensive. He stated that that is one of his problems with installment debt. The fact that they are now even is a good thing.

Commissioner Petty asked if their needs were still on target.

Commissioner Kost stated that is also what she needs to know because this is a very big issue for the area of the County that she represents.

Chairman Bock stated that unless they hear other rationale that is not right for 2016, they should assume that is when it will open. He stated that he would follow up with staff on this matter.

Jail:

Chairman Bock stated that the jail discussion is slightly different than the school in the sense that it is the operating costs of the jail that are bothering him more so than the debt portion of the jail. During the CIP discussions, they talked about building the jail on schedule next year, we would have approximately 1.7 million in operating costs. The amount was confirmed.

Commissioner Cross asked if that was including both the jail and the judicial center.

The County Manager stated that would be the jail only.

Chairman Bock stated that seems high. Commissioner Kost stated that it did to her also.

Commissioner Petty stated that this is a well-defined area, as the jail is needed. The timing is terrible. Building it is not as big an issue as staffing and operating it. Both are reoccurring costs. He asked what we can do about the operating costs.

Commissioner Kost stated that it could have been built downtown and would have helped with transportation costs. Commissioner Petty stated that was miniscule.

Ms. Paschal stated that the transportation costs (fuel costs) is affected but the staff is not because they had planned to have those three transportation officers be the detention officers in the new justice center. We will need three because there are three holding cells on each of the courtroom floors. She suggested that the Manager's Office work with the Sheriff's Office to see if they can come up with some options for the operating costs.

Chairman Bock stated that there had to be a way to reduce it significantly from 1.7 million. If there isn't, an option might be to ship prisoners to another county, and they could ship a lot of prisoners for that amount of money.

Commissioner Petty asked if they want to proceed or put it on hold until they get it resolved. He asked how long it would take to negotiate operating costs with the Sheriff's Office.

Ms. Pascal stated that we are spending money for planning. She stated that staff will get back with the Board in a week or so.

The County Manager asked what is palatable. He stated that because the judicial center is new and larger, there will be more coverage requirements by all kinds of regulations.

Chairman Bock stated that he suspects that if they ask what is palatable, that is the answer that will come back.

The County Manager stated that he was not asking for a number.

Commissioner Kost asked if the discussion was to put this to a vote to the citizens in November.

Chairman Bock stated that they are talking about keeping the jail on the current schedule knowing that there will be 1.7 million in operating costs.

Commissioner Kost stated that it was important to realize that they saved a lot of money building at the time that they built. She asked if they were going to lose that threshold with the jail which needs to be considered. Chairman Bock concurred.

Chairman Bock stated that everyone keeps reminding him that one pot of money doesn't seem to affect the other. If it cost a little more to build, it doesn't help on the operating costs. The operating costs are paid for out of property taxes.

Commissioner Kost stated that they had a lot of catching up to do and the jail is one of them. Chairman Bock concurred stating he thinks we need a jail and a school. He is trying to figure out how not to spend the money.

Chairman Bock asked staff to work on options to see if there is a palatable number.

Commissioner Petty stated to remind that department that they had provided no help in the last two budgets.

MONCURE COMMUNITY CENTER

Chairman Bock explained that when the wastewater pipeline that Apex put through Moncure, part of the deal included \$500,000 to upgrade the Moncure Community Center.

Commissioner Cross introduced five board members: Pam Fletcher, Co-chair; Kenny Ellis, Treasurer; and Members Paul McCoy, Armentha Davis, and Kenny Jeffries. He explained that Patrick Barnes was the general contractor. There has been an assessment of the building done and primarily a new metal roof, gutters, site utilities, termite control, electric; plumbing fixtures, regionalized heating and air conditioning system, concrete slabs, and a minor amount of demolition will be needed. He stated that the bathroom, showers, and kitchen floors are plumbed and ready to be poured. Kitchen equipment, metal doors and hardware frames, ceiling tiles, resilient flooring, sport court flooring, basketball goals, steel and wood framing, masonry mill work, windows, building cleaning, painting, gravel paving, landscaping, and furnishings total \$480,000.00. Out of the \$500,000, the County Attorney has been working with the Secretary of State's Office for a name change. The center's new name is "Sprott Youth Center, Inc.". They are trying to get a new, non-profit separate from the church from the IRS. They have the paperwork and they expect to get approval within the next two weeks. Once that is done, the County Attorney will deal with the two remaining heirs of the Sprott Family who are in western North Carolina who have promised they will remove some deed restrictions so it will make it easier for the separate non-profit to receive grant money from other places besides the County. After that, there will be a contract drawn up between Chatham County and the Sprott Youth Center Board of Directors and a contract between Mr. Barnes and the board. Any contractor on a county contract would normally charge an average of 18% overhead and profit. Mr. Barnes is doing the job and providing his

equipment. He will need to hire some labor to help him. They have to replace the septic system. They need to build a driveway with some piping involved. The labor that he needs, fuel charges, and materials (pipe, septic boxes) will be reimbursed; however, Mr. Barnes' labor and the use of his equipment will be free-of-charge. This normally cost \$81,000 for the contractor. He stated that approximately \$60,000 of that amount will be used in the building which he feels is a very generous contribution. In the meantime, the board has invited other churches to send representation. They increased the board size last Thursday by four or five members which now make approximately nine board members.

He stated that they have completed the manager's job description, the bylaws, written rules and regulations, and are now working on programs. They have had a major clean-out of the building. They have a contribution form for anyone who wishes to give money or materials and can receive an IRS deduction for it. The property was surveyed. The County put in an updated water meter. The duplex was burned and is ready to be flattened. The paperwork for the IRS, Secretary of State, and Sprott Family has taken so much time, they have stopped until the paperwork is completed. Mr. Barnes will return when the paperwork is complete. He will then present a bill to be paid by the treasurer, and he (Commissioner Cross) will bring the financial reporting back to the Finance Officer for the County records.

He further explained that during nice weather, they hold a monthly clean-up day. Everyone is invited to help mow and clean up. What is now a one-car path will, due to a 60' road right-of-way, be turned into a two-way drive and a 60' clear easement which will allow visual clearance from the road to the gymnasium. The property that the building sits on next to the gym has a tax value of \$125,000 which he doubts is correct due to age and not being used. At this time, funds are not available to purchase it. The grounds look bad now, but are typical overgrown winter vegetation which they are looking forward to cleaning up.

Commissioner Kost asked how much has been spent to date.

Commissioner Cross stated only the legal fees and he is uncertain as to what they are. Everything that has been done to date has been done by volunteers and donations.

Commissioner Kost stated that the building looks like it is in rough shape and asked if the foundation was solid. She asked if they could build a new facility cheaper than repairing the old one.

Commissioner Cross stated that it had been determined that they can fix the building for less than they can build a new one. He stated that once they get started, he hopes that the community and other churches will become interested in helping because they will want to use the center. He stated that once they have a stronger board, they will approach industry in the area for sponsorship.

Commissioner Kost asked if there are cost over-runs, will they look to the community to help with funds.

Commissioner Cross replied, yes, but there shouldn't be any cost over-runs. They have a list of priorities to follow.

Commissioner Petty thanked Patrick Barnes for his contribution.

Armentha Davis requested that the Board of Commissioners come to Moncure to walk the neighborhood with them and see some of the things they are going to be up against in the Moncure area.

Paul McCoy stated that the first thing he thought about when the \$500,000 was received, that they definitely need to get all of the property in front of the gymnasium to where it can be taken down and destroyed stating it is one of the most awful sites he has ever seen. It is not fair to spend that amount of money when it is conducive to gangs loitering around the facility like there has been for years. Everyone knows that there is a problem. He asked that the Board go to the site to see what he is talking about. He stated that more

County funds will be needed to do it right. He stated that the Board has the power of condemnation. He stated that he believes that the property around the building is more important than the building stating that he can visualize cleaning up the place, seeding grass, proper landscaping, and taking what money is left to repair the building until more money is received. He stated that it doesn't make sense to spend a half million dollars on a facility that looks like a jungle to start with. He stated that most of the people have been treated right with regard to the sewer line and paid the amount they felt they were due most of the people have been treated right with regard to the sewer line and paid the amount they felt they were due for the sewer line. He applauded having the board of directors and for making it a non-profit. He stated that he likes the people and wants to work with the people at the Sprott Center stating that it has been a hard effort for them for years to try to make Moncure what it used to be when he was growing up. It was a beautiful village, clean, and something to be proud of. Now it is full of gangs and is a bad place to be stating that they need to try to put something that is a focal center that will make the people have pride in the area. A lot of things have been done in Moncure that have never been told; however, the people of Moncure know about it. They know the waterline under the Haw River is broken and no water has been under it for two years. The pipes are sitting on the ground waiting to be redone. They say it is going to cost \$500,000 to replace the pipes. He asked if the Board knew it and what they were going to do about it. He stated that the time was going to run out and the taxpayers of Chatham County were going to end up paying for it.

Commissioner Petty stated that some of the discussions that take place with the waterline, to which Mr. McCoy referred, have to take place in Closed Session. That is the reason no one knows what is going on.

Mr. McCoy stated that there are thousands of dollars of pipes there, lying on the ground, and we are buying water instead of producing our own water for our own people. He stated the Board should be attending weekly meetings instead of monthly meetings to learn what is going on. He stated that everyone felt that the new jail, to be built at the landfill, was not a proper thing to do, but he was sure it would be done anyway. There should be a jail built close to the judicial center.

Patrick Barnes stated that the look of the Sprott Center and the property will change drastically once the work begins. He stated that he volunteered to do this using his time and equipment; that his reputation is on the line and he doesn't want it to be damaged. There will be no over-run of the 500K. That doesn't mean that they will accomplish everything that they want to do; however, his services are free and Hobbs Architects fees will be close to free. They will go through the building and prioritize what the building actually needs. It will need a new roof, doors, and windows, and outside of that, there is nothing sacred. They will spend what they have on the best part of the list. The foundation is good. They will do the ones that will allow the building to be used for recreation and meetings including plumbing, bathrooms, kitchen, and heating will be the top priorities. The right-of-way is 60' wide. Volunteers have already done a lot of clearing, which is not apparent unless you saw it before they started. When he clears a 60' swath, the entrance will be done to NCDOT code and will be poured in concrete. From there inward, it will be gravel. It will be ditched and cleaned up. The building has been cleaned around, the old building was torn down, and the foundation will be buried. There has already been a lot of work done. The appearance will improve drastically once they begin work.

Commissioner Cross stated that he has a key and will be happy to meet anyone who would like to see it.

Pam Fletcher, director of the board, stated that this is a great, wonderfully built, building. There are some problems in Moncure, as there are elsewhere; however, she feels that this building will change things. The kids don't have a place to go or anything to do in Moncure and this will be great for this community.

Chairman Bock thanked everyone for their comments.

CLOSED SESSION

Commissioner Cross moved, seconded by Commissioner Petty, to go out of Regular Session and convene in Closed Session for the purpose of discussing economic development and 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).

WORK SESSION

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

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Petty, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 5:25 PM.

Brian Bock, Chairman

ATTEST:

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