

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
JULY 16, 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 July 16, 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; Sandra B. Sublett, Clerk to the Board; and Lindsay Ray, Deputy Clerk to the Board

Work Session

1. **Public Input Session**
2. **Human Relations Committee:** Discuss the future of the Human Relations Committee
3. **Chatham County Water System Update:** Public Works Director, David Hughes, will give an update on the Chatham County Water System.
4. **Affordable Housing Advisory Committee:** Vote on a request to approve the recommended applicants to the Affordable Housing Advisory Committee
5. **Chatham County Affordable Housing:** Continuing discussion on the duties of the Affordable Housing Committee
6. **Courthouse Annex Building Renovations Alternatives:** The Public Works Director and Hobbs Architects will present the cost and other considerations of replacing the Chatham County Annex Building with a new building as it compares to the cost of renovation.
7. **OPC Advisory Board Appointments:** Discuss and vote on a request to appoint two citizens to the OPC Oversight/Advisory Board
8. **GBASE Committee:** Continuing discussion regarding the role of the GBASE Committee.
9. **Amendments to Section 12.3 Housing – Moderately Priced Dwellings of the Compact Communities Ordinance:** Vote on a request by the Chatham County Board of Commissioners to consider amendments to Section 12.3 Housing – Moderately Priced Dwellings of the Compact Communities Ordinance to provide a payment-in-lieu of providing lots for affordable housing option and use the funds to address the needs of low and moderate income residents

10. **Chatham County Draft 10-Year Solid Waste Management Plan Update:**
Presentation of a draft of the County's 10-year Solid Waste Management Plan update in order to receive feedback from the Board prior to a public input meeting in August by the Solid Waste & Recycling Division

CALL TO ORDER

The Chairman welcomed everyone in attendance and called the meeting to order at 2:01 PM.

PUBLIC INPUT SESSION

Tom Glendinning, 160 Eddie Perry Road, Pittsboro, NC, asked for clarification regarding the pipe that has been sitting by the river passage for the last year. He stated that he assumed it was for repair of the waterline, and as he understands it, the waterline never delivered water across that body of water. The installation was done in approximately 2006 and apparently that section did not work. He stated that he reviewed all of the waterline contracts and everything seemed to be in order.

HUMAN RELATIONS COMMITTEE

Chairman Bock stated that the Board would discuss for clarification some of the advisory boards. He stated that members of the Human Relations Committee resigned last year; vacancies have been advertised multiple times; one or two citizens have applied; and the Board of Commissioners will decide where they are going with that committee.

The Deputy Clerk stated that copies of applications from 2011-2012, including the bylaws, were distributed to the Board.

Commissioner Kost stated that she remembered the vacancies being advertised late last summer. She asked if they had been advertised since that time.

The Deputy Clerk stated that they were advertised the last time in late October.

Chairman Bock clarified the question, "If no one has applied or if we haven't nominated anyone or appointed anyone, what are we doing with the committee?"

Commissioner Kost stated, yes; however, she realizes without staff support, it is very difficult for this committee to do the work that the Board expects. She stated it was hard for her to recommend someone into a position in which she feels it would be difficult for them to serve. She stated that she had not tried to recruit individuals to serve on this board not knowing the Board of Commissioners' intentions.

Commissioner Cross agreed with Commissioner Kost stating that he was an earlier liaison to the board; it was basically without staff support; there was little that could get done; at the same time, and there was a discussion of having a staff director.

Commissioner Petty stated that he has spoken with two different people, one of which is retired from the school system; they expressed some interest, but did not follow through by filling out the application; and he is not seeing a lot of strong support or commitment in the committee.

Chairman Bock asked if the Board wanted to suspend the committee for now and revisit it at a later date.

Commissioner Stewart asked, without staff support, is it the nature of the committee and charges that they have which is basically making it impossible to have this committee without staff support. She asked if all committees have staff support.

Commissioner Kost stated that she feels this committee is different because they are dealing with issues of civil rights, legalities, and working with various other state agencies. It is highly technical and she feels it would be asking too much of volunteers to do it as it is a staff role rather than a volunteer role.

Chairman Bock stated that in looking through the duties, it seems that most is not very technical as it sounds more like a liaison.

Commissioner Kost stated that if a citizen comes with a complaint to an advisory board of the County, they are expecting something to be done with it as it is a vehicle through which a citizen can convey concerns. She stated that she does see it as highly technical and does not agree that it is just an advisory board.

Chairman Bock asked if they were being asked to solve the issue or be a liaison. He asked if there was not another organization at the State level which is designed to handle those types of issues.

Commissioner Stewart asked if they could be referred to the proper place where their issues could be handled or even brought back to the Board.

Chairman Bock stated that if there was no one applying to be on the committee, it is a bigger issue. If there is no one on the committee, he doesn't know if there is much more that can be done by the Board of Commissioners.

Commissioner Stewart asked how many serve on the committee.

Chairman Bock stated that according to the bylaws, he thought it was twelve members.

Commissioner Petty voiced concern with regard to the committee getting so large that they tend to lose focus and not get things done. He suggested scaling the committee down if they decide to keep it.

Commissioner Stewart asked if the two that have applied are still interested and if they could help recruit members.

Commissioner Petty asked what the Board of Commissioners could do with regard to issues that might be brought to them by this committee other than direct them to another department.

Commissioner Kost stated that they could raise awareness stating that the education component of this is huge. These are the types of issues that are shoved out-of-view.

Commissioner Stewart concurred that education is very important. She asked what is happening with issues that are occurring now.

Commissioner Petty stated that training classes are being offered by the Board of Health related to health.

Chairman Bock stated that he was looking for the technical part.

Commissioner Kost stated that the entire issue of employment law, housing, etc. are very technical in nature.

Commissioner Stewart asked if the committee would be addressing the issues and making decisions from a legal standpoint regarding the law.

Commissioner Petty stated that it would be more of a facilitator-type position as there would not be a lot they could do except refer them.

The County Manager explained that education is also carried out through the Leadership Academy with orientation and training. With technical expertise, if everything is going to be an internal investigation of a potential complaint, it could be any number of things and staff would be necessary; however, if it is more of a liaison of making contacts, it would be a different level of work.

Commissioner Stewart stated that she felt there would be value in having a liaison or group that people could go to get help to bring the issues forward.

Chairman Bock stated that in looking at their bylaws, he saw nothing that was investigative or technical in nature. It was all liaison or education.

Commissioner Petty stated that if the County employees in the different departments are having training with regard to dealing with these types of issues, why could every employee in every department not be a means to work back through the system.

The County Manager stated that they could be County employee ambassadors; however, in his view, the vast majority of the things that would come in would be external to Chatham County local government and would be things going on out in the community. He stated that he had not received any complaints so he is unaware of anything specific from which to give an example. It could range from someone from Cary to someone in Staley.

Commissioner Stewart asked who would hear about the complaints.

The County Manager stated that they would generally be specific to the department.

Chairman Bock reiterated that this still did not address the issue of no one applying to serve on the board. He stated that he didn't know that they could do anything since they did not have anyone who really wants to serve on the board.

Commissioner Petty suggested that it be tabled until there is more time to respond.

Commissioner Stewart suggested asking those who have applied if they are still interested.

Commissioner Kost stated that she would like to hear what the Board of Commissioners would like to do.

Chairman Bock stated that he doesn't think there are enough people interested to constitute the commission.

Commissioner Kost suggested that the committee be advertised one more time and see what happens.

Commissioner Stewart reiterated returning to those who have applied to see if they are interested. She stated that she felt the committee might need to be on a smaller scale, but she felt it would be better than totally eliminating it altogether.

Commissioner Kost asked that the information be shared with Paul Richardson, an applicant, who may also have some ideas.

CHATHAM COUNTY WATER SYSTEM

David Hughes, Chatham County Public Works Director, reviewed the water system map which is broken up into three districts.

Haw River Crossing:

Mr. Hughes explained that the line crossing the Haw River was installed around 2006, put into service, and carried water for a portion of time. He stated that he was

employed by the County in April 2007 at which time he began looking at the plans. It was determined that the line under the river was under size and the pressure grading was less than the line was actually seeing. The water pressure of 220-230 was higher than the line was rated at 160 psi. It was brought to the attention of Hobbs, Upchurch & Associates. Over an extended period of many months, a crew was sent out, the water was shut off to the line, a test pull was done to the line to see if the line could be moved. The line was messed up and it was determined that the line could not be moved. It was then shut down in approximately December 2009. He stated that they have been in various stages of discussions with Hobbs and their attorneys and boring contractors. A few months ago, Hobbs reached a settlement with their insurance company. They had funded some work for a boring contractor. The contractor pulled the old line out, put in a newer higher pressure rated line and then pulled off the job. He was there only to install the new line. A new line is under the river, but it is not connected on either end on each side of the river and the work remains to be done. In the meantime, the contractor has gotten into a dispute with Hobbs, Upchurch & Associates and their insurance company and has filed suit against them. The work has now stalled and the connection of the line remains.

Commissioner Petty asked how much work is it with regard to man-hours and/or time.

Mr. Hughes stated that it was probably not that much, a week's worth of work for a four-man crew stating that the hardest part is relaying the line.

Commissioner Kost asked if it was connected at one time and if any of the connections have to be retrofitted to the different sized pipe.

Mr. Hughes stated, yes. They will have to be remade. It is plastic pipe, it is fused, and it has to be welded and Hobbs is responsible for paying for it. He stated that they had agreed to do it. The contractor had quoted a price to perform a complete new bore. The contractor didn't have to do the complete bore. They reused the bore hole that was already there which saved them a considerable amount of money. The contractor wants to be paid for the full amount and the insurance company is not inclined to pay the full amount of the bore when they didn't actually perform a bore.

Commissioner Kost asked if that wasn't Mr. Hobbs' problem and between him and his insurance company and his subcontractor. He asked what the County has to do to get him to make the connections and finish the job.

Mr. Hughes stated that the County could sue Hobbs or complete the work and try and recoup the funds.

Commissioner Petty asked how much money we are talking about. Mr. Hughes stated that it would be approximately \$40-50,000 worth of work.

Jep Rose, County Attorney, explained that he had written a letter and got them started. They got the line in and at this time, there is a dispute with a lawsuit. He stated that he didn't know that a lawsuit by the County would move things along any quicker. He also stated that the County could do the work themselves and sue Hobbs for the amount we have to pay; however, it would be dragged out as long as the litigation takes.

Commissioner Kost stated that the reason for the line was to distribute water. She asked what the County loses without the line in place.

Mr. Hughes explained the position of the line crossing the Haw River. Not having the line, it makes it virtually impossible to transfer water from the plant. The 3M tank is being filled with water from Sanford which has been done from the beginning. When Chatham County did the western transmission and had the idea of moving water from the plant all the way to the southwest, this was part of the grand plan.

Chairman Bock asked if we saved money by doing so.

Mr. Hughes stated that it was a moot point for where we are at this time. We are using basically all of the water that we can produce in the north section. He stated that we did not need to be sending water to Asbury from the plant as we do not have it to send, especially during the summer months. He stated that if there is a line break on the line coming up from Sanford, that line could be put into service and water sent into Asbury.

Chairman Bock stated that he had little confidence that things with Hobbs would get fixed. He asked if we were waiting for the matter to make its way through the court. Mr. Hughes replied, yes.

Commissioner Kost asked if it would be beneficial to have the County Attorney write another letter telling Hobbs what needs to be done and give him a timeframe to get it done.

Mr. Rose stated that based on previous letters, conversations have gone back and forth. He stated that we could file a lawsuit; however, he is not sure how much faster that would move things along.

Commissioner Kost stated that maybe the letter needs to include all of the outstanding Hobbs, Upchurch & Associate issues dealing with this issue along with the Business Park issues.

Commissioner Petty stated that if we need the line, we have as good an opportunity to collect if we do it or if we wait for Hobbs to do it.

Commissioner Cross asked if the Southeast Water District has any money. Mr. Hughes replied, no.

Mr. Hughes stated that the insurance company indicated that they will pay for the work. The problem now is that they are in dispute with the contractor about the scope of the work.

Commissioner Kost asked what Staff thinks about performing the work, get it done, get the connectivity, and go after them for the money.

Mr. Hughes stated that he felt the County would end up spending a lot of legal fees to do it that way.

Mr. Rose stated that it would have to be designed and bid it if the County does the work. He stated that the litigation has just begun between the contractor and insurance company. The contractor says that they agreed to install the line for \$500,000; if it cost \$800,000, he could have only gotten the agreed upon amount; because the contractor got it through there quicker, their position is that they still are owed the \$500,000.

Commissioner Petty stated unless it was bid contingent upon having to drill the line and having given them a contract price, he should get his price.

Mr. Rose stated that the contract was complicated further because it was never signed.

Commissioner Petty stated that he believes if the insurance company has agreed to pay it, it will eventually get paid. He stated that we should talk with them about their paying the County that portion, and then take it out of what they owe him.

Mr. Rose stated that it could be approached that way. Their position, in the past, has been the reason that they do not want to pay because they want to get it wrapped up and get out of there.

Commissioner Petty stated that the contractor's contract was pulling the pipe, not making the connection; his part is done.

Mr. Hughes stated that the contractor had a subcontractor perform the bore. The main contractor was to return to make the connection.

Mr. Rose asked if the contract with Hobbs did not include the connection.

Mr. Hughes explained that it did include the connection.

Commissioner Kost stated that if the County performs the work and the contractor has a contract to do the work and is in litigation, she doesn't think that the County can step in and do it.

Mr. Rose stated that Hobbs has an obligation with the County to put in the pipe. It is not a simple matter. He asked how much it would take to get the work ready to bid.

Mr. Hughes replied a few thousand dollars.

Mr. Rose stated that if the Board thinks they would like to go in that direction, it would behoove the County to go ahead and bid it so that we can find out the cost so that we can tell Hobbs to finish it or we will do so and give him the estimate.

Commissioner Kost stated that she feels the Board should do that before any work in preparation for a bid. We should go to Fred Hobbs and say that the County wants the work done, we don't want to wait for the end of the lawsuit, what do you think if we do it.

Mr. Rose stated that he would say that he could get it done. He stated that he would approach Mr. Hobbs.

Commissioner Petty asked if there were legal repercussions to doing it. He suggested the Board have the work done and sue Hobbs, Upchurch & Associates for the money.

Mr. Rose reiterated that the Board might go ahead and bid it and get ready if they want to go in that direction.

Commissioner Petty stated it would cost more in legal fees to push him to do it. It would be an inexpensive leverage.

Commissioner Kost questioned whether the leverage was needed at this point.

Chairman Bock stated that he feels we need all the leverage we can get with him, every time.

Commissioner Petty suggested that it be put out for bid; find a way to get it done; and in the meantime, the County Attorney find out how we can collect it, if we go directly to the insurance company or back to Hobbs, or if we have to sue him to get it. He stated that it had been dragging on for three years.

Commissioner Kost stated that if Mr. Hobbs has a contract with this company to do the work, the County comes in and does it, she wants the attorney to really look at it before it is definitely decided it is what we are going to do because we may be getting ourselves involved in something that we do not want.

Commissioner Petty stated that surely there is a performance clause in the contract that would give the County an "out".

Chairman Bock reiterated that if there are no legal impediments, it would be ok to proceed.

Commissioner Kost agreed stating that she felt the first step would be dialogue and then based on the discussion, move forward.

Mr. Rose suggested that they get bids for the work and then we will know what it will cost.

Commissioner Cross asked if the pipe had been replaced, whose pipe is it that Paul McCoy, Mr. Glendinning, and others have been asking about. It is new or used pipe.

Mr. Hughes stated that the pipe had all been laid. The pipe is now in place in the bore.

Chairman Bock reiterated that the plan is to proceed and do whatever we need to do to get a bid, have a conversation, and make sure it is legal that if we want to follow through with having it done ourselves, we don't create a breach of contract. He stated that it would be discussed at an upcoming meeting.

Water System:

Mr. Hughes explained that the north system was running "full blast" when the weather was 105 degrees. It has backed off since the rains and the drop in temperature. We are now running approximately 2.2 MGD. The irrigation regulations have not been strictly enforced as the demand has not been running that high. When the temperatures skyrocketed, irrigations did also; irrigation rules were enforced, which immediately decreased the demand for water.

Commissioner Kost asked for capacity numbers.

Mr. Hughes explained that we have a 3 MGD plant; we are running about 2.2 MGD; when we peaked, we were running a day or so at 2.9 MGD; that doesn't include taking any water from Durham; however, we did start taking water from Durham as an insurance policy. There was approximately 40,000 gallons per day taken at that time in the Carolina Meadows area which is close to the connection.

He stated that the easements have been completed for Governors Club. They are getting ready to go to bid on the pump station and the main to the Governors Club tank which should be let within the next two months. It will take approximately a year to construct and will allow them to bring 3 MGD from Durham. It will be located outside the back gate to the maintenance area of Governors Club on the abandoned parcel.

Asbury District:

The contract has been let for the two pump stations so more water can be brought in from Sanford through the existing eight-inch line and will boost the capacity from 300,000 gallons per day to 1 MGD. It will be completed in approximately one year.

Commissioner Kost asked how much water from Sanford is being used.

Mr. Hughes replied approximately 150,000-200,000 gallons per day. When the Asbury work is done, it will bring capacity up to one million gallons per day. He stated that 3M is using less water due to the reuse system so their demand has dropped.

Commissioner Petty asked if the demand continues to increase on the north side, if it would be the avenue to obtain water from Sanford across the river up to the north side.

Mr. Hughes stated that they could send it down south, also, toward the lower part of the north district where the brick plants are located. This would alleviate some pressure off the capacity and gives more flexibility. They could also wield water from Sanford into the southwest once the pump station is complete. They are also building a tank next to the existing 3M tank. There is a 300,000 gallon tank there now which has the capacity of 150,000 gallons because we have to keep 150,000 gallons in it for fire protection for the 3M plant. It is not a very effective tank for us, so we are adding a 500,000 gallon tank adjacent to the existing tank.

Southwest District:

Mr. Hughes said that the sign-up have stalled in the Southwest District. He said that he reviewed the old preliminary engineering report that was done in 2004 and talked with the USDA who has confirmed that it would have to be redone in order to apply for any more loans for the Southwest District. The original report identified streets that had densities of twelve dwellings per mile which was the basis of their selection of those roads and streets in the original plan. He stated that he would expect to do something similar to that if they tried to put the plan back into action. We would have to have another preliminary engineering report, resurvey the streets, determine the densities, gauge how much interest is there, and reiterate that the expectation is that the folks will have to take the water to make it work.

Commissioner Stewart asked if that addressed the previous question of closing the loop where one stretch of the road had water but there was a section that did not have water and people were wanting to know if they could get water.

Mr. Hughes stated that he would have to look at the map; however, they would have to start over and do another survey to determine which areas had the density that could support it.

Commissioner Cross asked if the people who signed on had their money returned or if the County is holding it.

Mr. Hughes stated that no money was taken.

Commissioner Kost asked for an explanation of the relationship of the Southwest District with the Gulf Water District.

Mr. Hughes explained that the Gulf Water District has its own separate district and is not part of the Southwest District.

Commissioner Kost stated that she feels that there need to be better communication with the citizens as to where we are with this. She stated that people signed up five to six years ago for water and have not heard anything.

Mr. Hughes stated that he thinks most folks know that they didn't reach the level of commitment. He stated that they were probably unaware of the details that they will have to start all over again.

Commissioner Petty asked if Mr. Hughes would email maps of the water system to Board members. Mr. Hughes replied that he would.

Commissioner Kost stated that there was clearly a need in the southwest. She asked if the Board would like to have a community meeting there to hear from the citizens about this issue and to try to gauge community interest. This would allow the Board to see if it was worth starting over. She asked if there was Rural Development funds available.

Mr. Hughes replied that there is still Rural Development funds available.

Commissioner Stewart asked if there were plans to start the process over.

Mr. Hughes stated that they would have to engage an engineering company and start the process all over again.

Commissioner Petty stated that there were not many weeks that went by without someone asking him about water; however, the topic is soon dropped when they are told that they have to have thirteen customers per total mile and the tap-on fee is \$3,500.00.

Mr. Hughes stated that the original PER stated twelve hook-ups per mile. He stated that if we want to do this, the engineering report has to be done to determine the cost of

construction, look at the total number of customers and run a financial spreadsheet to determine if it would pay for itself.

The County Manager stated that the spreadsheet has to be done before the work is begun. Secondly, before we begin another study, we need to have the Board of Commissioners determine what it is going to determine the fee for the process. Customers have to think about the costs associated with the project plus the cost of running the line from the hook-up into their house which may be beyond their reach financially.

Commissioner Petty concurred that the associated costs were high when everything was considered.

Commissioner Cross stated that he had run three lines stating that if you do it yourself, it's not that expensive.

Chairman Bock stated that they also had a water bill each month which they do not now have and is a turn-off to some people.

Commissioner Kost asked if we were having a lot of well failures in that part of the County.

The County Manager stated that, so far, we have not heard that that is the case.

Mr. Hughes replied that was correct stating that they would have received a lot more telephone calls if that was the case.

Jordan Lake Partnership:

Mr. Hughes explained that Chatham County was in partnership with a lot of the neighboring jurisdictions. We have drafted a regional water supply plan for all the jurisdictions which was submitted to the Division of Water Resources for review. Our long-term allocation request was 12 MGD.

Commissioner Kost asked about the total allocation.

Mr. Hughes stated that when everyone was added, including Raleigh, it would tap out over 100 MGD which is the determined safe yield of the lake according to the rules that have been put in place. The Cape Fear and Neuse River models are being updated by the Division of Water Resources and will recalibrate the safe yields of the reservoirs to determine what they think they are.

The County Manager stated that the last he heard, the undesignated supply was approximately 48 MGD.

Mr. Hughes stated that 37 MGD was designated at this time; 63 MGD is designated either Level I or Level II; there are two classes of designation; if you are going to take the water within five years, they designate it as a Level I; if it will be taken after five years, it is a Level II which costs different amounts to reserve out of the lake; that amount has to be paid to the State, reimbursing the Army Corp of Engineers for the project. He stated that it would be a long, drawn-out process.

Commissioner Kost asked about the timeframe.

Mr. Hughes stated that the allocation process was probably going to take another two years. He stated that is why we have the contract to bring water from Durham to get us through the interim period.

Commissioner Cross asked about the old tanker sitting at the intersection of US Highway #1 and New Elam Church Road stating that at one time, the County tried to sell it. He asked if there were any poultry farmers that might be able to use the tanker.

Mr. Hughes stated that the County has several tanks that they have tried to sell, to no avail. They could take them down, but would incur an expense to dismantle them. He stated that he would see if they could again be put on the market to sell.

Commissioner Kost asked how many abandoned tanks we have.

Mr. Hughes replied that there was another one on Tank Road off the Pittsboro-Moncure Road.

AFFORDABLE HOUSING ADVISORY COMMITTEE

Affordable Housing Advisory Committee: Vote on a request to approve the recommended applicants to the Affordable Housing Advisory Committee as follows:

- Diane Stokes – Appointment
- Virginia Collins – Appointment
- Lee Bowman – Reappointment
- Joy Johnson-Turpin - Reappointment

Commissioner Petty moved, seconded by Commissioner Stewart, to approve the above appointments. The motion carried five (5) to zero (0).

COURTHOUSE ANNEX BUILDING RENOVATIONS ALTERNATIVE

Mr. Hughes explained the three options available from demolishing the existing annex building to renovating the building in different phases as follows:

	Option 1: East Quarter¹	Option 2: East & West Halves	Option 3: Rebuild Annex in New Location²
Construction	740,000.00	2,394,000.00	6,014,000.00
Design	126,400.00	263,000.00	560,100.00
Furnishings	74,000.00	239,400.00	560,100.00
Contingency	74,000.00	239,400.00	300,700.00
Cost Escalation	50,405.44	155,247.04	400,459.00
	1,014,400.00	3,135,800.00	7,835,359.00

Phase 1 (included in FY 2013 budget) 1,506,100.00
 Phase 2 1,629,700.00

¹Includes design cost for eastern half

²Includes cost to demo existing building and construct a "plaza" in place of existing building (\$425K)

Considerations:

- Option 2 with phased approach allows costs to be covered by fund balance
- Option 3 will require debt financing; the county currently does not have debt capacity

Register of Deeds and Tax need to remain in close proximity to the Clerk of Court

Chairman Bock asked if there was any interest from the Board after having learned the difference of approximately \$4 million in renovating and rebuilding.

Commissioner Kost stated that the reason this was brought up was because even after \$3.1 million is spent, we will still have a poorly designed building, not because of the architect, but because of what he has to work with. She stated that it would not be user-friendly; it will not be citizen friendly; it will still be unattractive on the outside; and it is not a good, functional building as far as the layout. The numbers include 10,000 square feet of

additional space so the \$3 to \$7.8 million cannot be compared because what is being built is much larger. She asked if land cost was included.

Mr. Hughes stated that there was no land cost included. He stated that they believe that the Tax Office and Register of Deeds Office would still need to be located in close proximity to the area which may require them to be in a separate building than the rebuilt annex.

Commissioner Kost stated if they ever build an agricultural building, the space could be renovated for those two functions.

Mr. Hughes stated that a smaller building could be built on site of the attorney's old building.

Commissioner Petty stated that assuming you could still use the same cost per square foot for a 21,000 square foot building as was done for the 30,000, there would be only two million dollars difference in a new building with the same square footage as opposed to remodeling the east and west halves of the Annex Building.

Commissioner Kost stated that would be backing out the additional square footage which she feels has to be done in order to make a fair comparison.

Commissioner Petty stated that if the building was built, it needed to be built large enough to accommodate growth; however, for comparison purposes, a 21,000 square foot building based on \$261.00 per square foot would be \$5.4 million as compared to \$3.1 million.

Chairman Bock asked where the building would be built.

Mr. Hughes stated that it might possibly be built in an area near the Central Carolina Community College.

Commissioner Kost asked how this could fit into the financial model for the debt service model.

Mr. Hughes stated that he did not think it was included in the financial model. The Finance Officer stated that it all depends on building the new high school.

He explained that, in the budget, renovations are to be made to the east wing half of the Annex Building. In December, when the Clerk of Court's Office moves to the new Judicial Center, that space will be available for use and it would be prudent to make it usable in some form or fashion.

Commissioner Petty asked if making it usable was meant to fit the need.

Mr. Hughes stated that if you go into the County Manager's Office, it is evident that they are overcrowded.

Chairman Bock stated that he feels the renovation does meet the needs; however, it is not attractive, not as nice as citizen friendly, but it is utilitarian and will get the job done. He stated that he would have trouble spending the extra money.

Commissioner Kost asked if the Option #2 renovations included additional insulation and making the building more energy efficient.

Mr. Hughes stated that the HVAC system would be more energy efficient; the windows would be replaced, etc.

Taylor Hobbs, architect, stated that Option #2 also includes capturing the central breezeway for interior space and making a centralized stairwell with a public lobby outside

the County Manager's Office. We would be gaining some space which would make it more user-friendly and safer.

Commissioner Kost stated that safety is a huge issue for staff. She asked if there would still be outside hallways on the old courthouse side.

Mr. Hobbs stated yes, there will be a small amount captured with the central atrium space but the exterior exits will remain.

Commissioner Kost asked if there would be controlled access into the building.

Mr. Hobbs explained that the plans had not been finalized; however, the far-east and mid-east quadrants will be connected by interior space similar to what has been done in the Finance Office. It will not be four separate buildings on the east half. It will feel more like one building.

Commissioner Kost asked if there were any other considerations with regard to exterior work stating that the building needs to be made more attractive.

Mr. Hobbs stated that the cowl over the centralized space will either be replaced with a new translucent panel or going back with a zinc roof similar to what is seen.

Commissioner Petty asked if Phase I and Phase II were equivalent to Option #1 and Option #2.

Mr. Hughes stated that the east and west halves were the phases for Option #2 which is broken up into two phases. He stated that Phase I of Option #2 is in the budget.

Chairman Bock stated that he didn't see any reason to change it.

Commissioner Stewart stated that they did not have the money and it was not budgeted.

Commissioner Petty asked what would be done with the current building. Chairman Bock stated that it would be torn down.

Commissioner Petty stated that he didn't feel that they could afford to build a new building now. Commissioner Cross concurred.

Commissioner Petty stated that he doesn't think they have a choice.

By consensus, the Board concurred with Phase I, Option #E2.

Commissioner Kost asked if the building outside the District Courtroom could be power-washed in the short term. Mr. Hughes stated they were making plans to do so; that they were basically waiting for the next budget year to begin as they were out of money.

OPC ADVISORY BOARD APPOINTMENTS

OPC Advisory Board Appointments: Discuss and vote on a request to appoint two citizens to the OPC Oversight/Advisory Board

Commissioner Kost stated that she would like to have the vacancies advertised and all applications sent to the Board of Commissioners prior to voting on them.

By consensus, the Board deferred action on this item until a later date.

PLANNING AND ZONING

Amendments to Section 12.3 Housing – Moderately Priced Dwellings of the Compact Communities Ordinance: Vote on a request by the Chatham County Board of Commissioners to consider amendments to Section 12.3 Housing – Moderately Priced Dwellings of the Compact Communities Ordinance to provide a payment-in-lieu of providing lots for affordable housing option and use the funds to address the needs of low and moderate income residents

Ben Howell, Planner, explained the specifics of the request as follows:

At their meeting on May 21, the Board of Commissioners held a public hearing for an amendment to the Compact Communities Ordinance (CCO) to include a provision in Section 12.3, Housing, to include an alternate option for moderately priced dwellings. Six people spoke at the public hearing; written comments from two of the speakers are posted on the Planning Department website with this item.

The CCO was adopted in 2004 to provide an additional option for a mixed use community to be developed in the zoned areas of the county and, as Section 3 states, to “provide greater environmental, economic, and social benefits to Chatham County when compared with conventional development.” Under the CCO, a developer can obtain increased density for a project, if they meet stringent regulatory standards that include provisions for affordable housing. The current provision requires the developer to dedicate lots for the provision of affordable housing. This amendment would allow for a payment-in-lieu option, instead of lots, which the Board of Commissioners could use to fund programs to address the needs of low and moderate income residents in the County.

Only one project, Briar Chapel, has been approved under these standards since the adoption of the CCO in 2004. At the time of adoption of the conditional use permit in 2005, a condition was added modifying the moderately priced dwellings section of the ordinance. Briar Chapel intended to provide 5%, or 120, of the lots for development as affordable housing to comply with the ordinance; however, the county and developer agreed to a condition allowing for a \$1.1 million payment-in-lieu for 60 of those lots. The condition further provided that the contribution represented the approximate value of 2.5% of the approved lots in the development, or \$18,333.33 per lot.

A portion of the remaining 60 lots are provided with each new phase of the development at the time of final plat approval, with 19 lots currently platted. Of the 19 lots, three have been transferred to the county and one has an affordable home that was constructed by Empowerment, Inc. Earlier this year, the Board of Commissioners approved the Community and Economic Development Coordinator to issue a request for proposals to allow affordable housing builders to submit proposals for constructing homes on the affordable lots. The Affordable Housing Advisory Committee reviewed the submittals and made a recommendation for a pilot program at the January 17th Commissioners meeting, but the Board has not acted on the recommendation.

At the public hearing Marcia Perritt, representing the Affordable Housing Advisory Committee (AHAC), urged commissioners not to adopt the proposed amendment as currently written. She stated that the CCO lays the groundwork for workforce housing in the Northern part of the county where it is needed for teachers, nurses, firefighters, etc. She also noted that the housing market has been abnormally slow in recent years, which has delayed developers of affordable housing and market rate developers alike. She stated the following issues: 1) The proposed language does not accurately reflect the history of affordable housing in Briar Chapel; 2) The proposed amendment does not guarantee the payment in lieu will be allocated to housing issues in the county 3) The language of the proposed amendment leaves many questions unanswered – for example, how will the funding from the payment in lieu be prioritized? Who will decide? According to what process? Who will oversee the expenditure of any such funding? 4) The proposed amendment calls for valuing a lot through open-ended negotiations between the developer and the Board of Commissioners. AHAC believes that

the exclusive use of a professional appraiser, certified in NC, makes better economic sense from the public's perspective and gives the public assurance that the process is fair.

She recommended the following: 1) review the AHAC's recommendation (delivered to the BOC on Jan 2012, per their request) and 2) allow more time to produce a plan with public participation.

Nick Robinson, attorney representing NNP-Briar Chapel LLC, addressed the Board and confirmed his client's commitment to fulfill the current obligation under the existing conditional use permit, which includes provision of 60 lots for affordable housing and payment of \$1,100,000 over the life of the development for ameliorating the housing needs in the county. He also stated the developer would be willing to consider a payment-in-lieu option for the affordable housing lots, if it was adopted. Four people spoke in favor of the existing ordinance provisions, including the prospective owner of the one affordable dwelling that has been constructed in Briar Chapel.

Unlike many of the adopted land use regulations in the county, the CCO is unique as a stand-alone ordinance that provides detailed standards for the development of a mixed use community that a developer voluntarily agrees to follow. The benefit to the developer is an increase in density, with a portion of those additional lots required to be dedicated for affordable housing. The Board needs to consider whether it is essential to maintain some minimum level of affordable housing within a compact community, or if a payment-in-lieu option addresses that concern. If the text amendment is not approved, the Board of Commissioners will need to work with staff to outline a strategy to ensure that an affordable housing program has the capacity to utilize the lots. Other issues to consider are whether a payment-in-lieu should be based on the fair market value of a lot or whether it should be negotiated between the developer and the county, and how the funds would be spent.

The Planning Board discussed this item at their June 5 meeting and recommend approval of the amendment with the two conditions listed below. Their comments included that the funds could be used to support affordable housing elsewhere in the county, such as has been done with the fees paid by Newland Communities that have been used by Habitat for Humanity; that the requirement for affordable housing lots may be creating an artificial housing market; that the additional expenses, such as homeowner's association dues, associated with developments like Briar Chapel may cause problems for the affordable housing owners in the future. There was also a question whether there was information available about affordable housing needs specific to the county. Staff responded that the county conducted an affordable housing needs assessment update in 2008, which is available for download on the county website at <http://www.chathamnc.org/Index.aspx?page=878>.

The Planning Board voted unanimously (6 members present) in favor of this request with the following two (2) conditions:

1. Fair market value for lots shall be determined through an appraisal by an independent North Carolina appraiser to determine the payment in lieu fee.
2. All funds collected for the sale of said lots shall be set aside and prioritized to be used for affordable housing

The Affordable Housing Advisory Committee recommends denial of the amendment and requests the following:

1. Review the AHAC's recommendation delivered to the BOC in January, 2012.
2. Allow more time to produce a plan with public participation.

Commissioner Petty moved, seconded by Commissioner Stewart, to approve the text amendment as presented at the public hearing by the County Attorney.

Commissioner Kost asked if the County Attorney has determined whether the Chairman can vote on this since it is the subdivision in which he lives.

Jep Rose, County Attorney, stated that he had been asked to research the question. He stated that he addressed it as each Commissioner has a duty to vote; Commissioners are required to vote unless they are excused by a majority vote according to law; according to law, one can only be excused upon questions involving their own financial interests or official conduct or if they fall within a specific statute, which would not apply here. He stated that in order to find a financial interest, it has to be direct, it has to be substantial, and it has to be readily identifiable. In looking at this, he stated that he has a difficult time finding that the Chairman has a financial interest in this; he may not like affordable housing but this is not a zoning matter; it only relates to who may or may not live across the street from him in one particular case; if you want to assume that people who live in affordable housing are such that they will have a depreciation on the neighborhood, it may be that you get to that place; however, at least in Briar Chapel, the houses look the same, they are subject to a number of restrictions which other houses may not be subject to outside of Briar Chapel. He stated that he was having a difficult time finding that the Chairman has any specific financial interest involvement that would prevent him from voting.

Commissioner Kost stated that this had been brought up to her by several people and she felt an obligation to bring it up.

Commissioner Petty stated that he thought precedence had been set in earlier days where payment had already been accepted of the equal amount for housing by a different administration prior to Chairman Bock's involvement; what we are proposing to do has already been done; and is not new or part of this Board's ideas and options.

Commissioner Kost stated that this was taking the affordable units out of Briar Chapel.

Chairman Bock stated that it was talking about the option of doing that.

Mr. Rose stated that was correct; it was an option; and it returns to a Commissioner's own financial interest.

Commissioner Cross asked if this motion includes using the money for things other than housing.

Chairman Bock stated that the wording includes that it is up to the Board of Commissioners for housing and affordable housing causes.

Mr. Rose stated that this is an option; it would take the developer and the Board to agree on it and the terms. If there is no agreement between both, then the additional option does not come into play.

Chairman Bock stated that the intent is to use it for housing issues and needs.

Commissioner Cross stated that is the part on which he is unclear as there is no plan for any housing issues besides building houses of which he is aware.

Chairman Bock stated that is why then, when they get to the discussion, they will want the Affordable Housing Committee to advise the Board of Commissioners on that.

Commissioner Cross asked if Chairman Bock was considering that the money is obligated through ordinance for housing or property.

Chairman Bock stated that he was not; his thought, he stated, is that they have a report from Affordable Housing Advisory Committee that tells them they have an affordable housing problem in the County; that the affordable housing problem in the County is really a bigger problem for those on the lower end of the socio economic scale; that, for the most

part, has to do with rentals, has to do with the western part of the County; and he sees an opportunity to address an issue of people that cannot afford housing; that it addresses the issue of affordable housing; and that he is using the data that came from the Chatham County Housing Advisory Committee to arrive at that conclusion.

Commissioner Cross stated that he remembered having a discussion regarding if they are going to start chasing those other issues that they need funding and staff in order to do it. He stated that we do not have it, and this money was clearly charged to Briar Chapel for housing or property for housing stating that he is having a hard enough time to vote to remove this idea from Briar Chapel, but he has a real problem if it does not go directly to what it is collected for.

Chairman Bock asked, if in his mind, housing is building a house.

Commissioner Cross responded yes, or buying property to build future houses.

Chairman Bock stated that he thinks "housing" includes topics that gets people into a roof over their heads whether it is a rental house, paying for rent, or if it is an issue that keeps someone from having a roof over their heads. That is an affordable housing issue to him.

Commissioner Cross stated that he didn't disagree that it is an affordable housing issue; it is just separate from this pot of money. There would be no staff to run a rental office, staff to chase social service issues, and no money to put into it. If you want to start those programs, they have to be funded.

Chairman Bock stated that there is funding if this money is used.

Commissioner Kost stated that the Affordable Housing Advisory Committee's recommendations are the ones that the Board of Commissioners should support; therefore, she will be voting "no".

Chairman Bock stated that in December, the committee came to the Board with a report and talked about all of the problems that we have regarding people that do not have homes. He asked what they could do about it. He then realized that they have money or a possibility of money to build in Briar Chapel. If he looks at the causes of affordable housing, none of those causes are addressed by building a house in Briar Chapel. Seven years ago, the situation was different. He stated that he thinks if they broaden their flexibility with this money, it gives them a chance to address the issue. If they don't, next year the Affordable Housing Committee or someone on that topic will come to the Board with a presentation another report stating that they have six hundred homeless children; there are "X" numbers of single mothers that have to live on the street or in a shelter; they will all shake their heads and remark "What a shame!"; they will go away and the next year the same report will be given; no one will have done anything about it as there is no government funding for it; this is an opportunity, and maybe the only one available, to have some money to address the issue. He stated that he doesn't think the Board is right or wrong voting for or against it; however, those are his thoughts.

Commissioner Petty asked if they could define how it will be used later.

Commissioner Cross stated that the money now is for housing and/or land and that point does not need to be changed. He stated that was what the money was given to them for and it should be used for that purpose.

Commissioner Petty asked Commissioner Cross if there was an exception to that on which they could find common ground.

Commissioner Cross stated if money could be generated to support the other programs, they could talk about it. He stated that this problem has been identified. Now we should find another way to help them rather than tearing down one they are already helping.

Chairman Bock stated that he didn't think there was a need for these houses in Briar Chapel.

Commissioner Cross stated that he understands that it is not working in Briar Chapel. But if that money is pulled out and taken for anything at a later vote, then he is against doing that. If the money is to be dedicated to affordable housing by any affordable housing builder that wants to come into Chatham County, they can make a proposal to the Board and some of the money could be used for that project including Habitat, EmPOWERment, DHCS, etc. or if one needs land, they could purchase it now within the city limits of Pittsboro and/or Siler City/Goldston so that they have land with water and sewer available. You cannot build affordable housing without those items being available.

Chairman Bock stated that he did not want to limit it to EmPOWERment or Habitat.

Commissioner Cross stated that any affordable housing contractor can make a request to use some of those funds and make their proposal. It can then be decided if they want to invest in it.

Commissioner Stewart stated she can see both sides. It is not working in Briar Chapel and the money is sitting there that can be used. She stated that she does feel the money can be used in other places and it is right to take the money and put it into other into affordable housing somewhere else; that she is not opposed to what other form it is in as long as it give people who are in need, in that location, a place to live; that she thinks it is the right thing to do; that they are talking about the difference in either building a house or giving someone financing to be able to rent a house.

Commissioner Cross stated that he was not saying that they did not need this housing in Briar Chapel. He stated that he is agreeing that it is not working and is not going to work in Briar Chapel.

Chairman Bock stated that they could not agree to take it out of Briar Chapel unless there is a commitment on the other.

Commissioner Cross reiterated that it is affordable housing or property for affordable housing.

Commissioner Petty stated he keeps coming back to is an opportunity to address some of these issues. He stated that how it would be structured now, he doesn't know. He stated that he see an opportunity to address some of these issues in the report that would lessen the need for affordable housing.

Commissioner Cross stated that you can't run a program and chase the issues unless it is budgeted and staffed.

Chairman Bock stated that the wording now does not prevent them from doing that.

Commissioner Cross stated that he agrees with the Planning Board's recommendation that they be independently assessed and it be held for affordable housing.

Chairman Bock asked if they could get Commissioner Cross's support if they added the second condition stating that he doesn't think Briar Chapel would agree to that.

Commissioner Cross stated then they could turn it down and the Board could vote again.

Chairman Bock stated that he feels what is fair is the same type of arrangement that we had with the 1.1 million for Habitat.

Commissioner Petty stated that he felt there was room for discussion if they could keep their options open on how it is used, whether it be land or building, etc. and what path they use to get there.

Commissioner Cross stated that he didn't understand why anyone would have an objection as property values have probably gone down. He stated that if they buy property, they do not buy it based on what anyone says they have it assessed.

Chairman Bock stated that with that scenario, they were taking a risk of having even less money to deal with.

Commissioner Cross stated that was possible, but it was also the fairest thing to do.

Chairman Bock asked if it was fair to tell a developer to put in roads, put in water, plot the land, and increase the value of it and then give us the increased value stating that in essence, they are paying twice.

Commissioner Cross stated that these were "builder-ready" lots to begin with. They have not done anything that they didn't agree to do to start with.

Commissioner Petty asked if everyone could agree on Condition #2 that it be worded so that we can exercise many options.

Commissioner Cross asked if that was housing or land.

Chairman Bock asked if Commissioner Cross wanted to exclude rentals.

Commissioner Cross stated not if an affordable housing builder comes in and makes a proposal to build multi-family rental housing and the Board wants to use it for that and can agree as a board.

Mr. Howell reviewed the text amendment wording.

Commissioner Cross stated that the description was too broad for this money. He stated that if it is narrowed to "affordable housing and land for affordable housing".

Commissioner Kost stated that everything she has read regarding land use and planning and what we need to be doing talks about affordable housing and inclusionary of communities with various income levels. She stated that everything she has read tells her that what we now have in place is the best way to go. We have an Affordable Housing Task Force; many are experts in this field; and they have made a recommendation to slow this down to look at this with more citizen input. The public hearing required by law was held; however, the community has not been engaged in this discussion. With the changes, she stated that she agrees totally with Commissioner Cross as she feels he is right; she thinks that the issue of affordable housing in this community is along the 15-501 Corridor; and she would not support it.

Commissioner Petty stated that he supports it as it is, but would be willing, in order to get Commissioner Cross's support, to amend his motion to take the programs out of the wording.

Commissioner Cross asked if Commissioner Petty would state "affordable housing and property for affordable housing". Commissioner Petty concurred.

Commissioner Stewart also concurred stating that she would hate to lose out on funding they could be using for people.

Commissioner Kost stated that she thought the motion was to open it up to spend money for things other than affordable housing related.

Mr. Rose asked if the wording is sufficient stating “a county which provides payments to the county to be used to fund programs for affordable housing and land for affordable housing”.

Commissioner Cross stated that he wants it to state “for building affordable housing or land for affordable housing”.

Mr. Rose reiterated, “for building affordable housing and acquiring land for affordable housing” to address the needs of low and moderate income residents of Chatham.

Commissioner Kost stated that she did not want to pull it out of Briar Chapel. She stated that it hasn’t worked the way it should have worked, but it is working all over the country in other places; and we could make it work in Briar Chapel. She stated that she doesn’t agree with Commissioner Cross that it can’t be done because she feels that it can. She stated that she would like to see what the Affordable Housing Task Force thinks about the use for programs.

Chairman Bock stated that, as a board, they did not like the idea. He stated that he made the case for programs and the majority of those attending the meeting did not like it.

Commissioner Kost asked if knowing there are votes to remove it from Briar Chapel and under that scenario, would the board still feel the same way.

Bill Leroy, Affordable Housing Committee Chairman, stated that he did not want to speak for the board.

Chairman Bock stated that based on the last meeting he attended, they would prefer to keep it in Briar Chapel. If it’s not in Briar Chapel and if they changed the language to read as Commissioner Cross prefers, there were a lot more people who preferred it. They were concerned that the Board of Commissioners would take it and spend it on whatever. He stated he wanted to be able to use it for a social program if it helped the homeless. He stated that apparently, he was in the minority on that.

Commissioner Cross stated that, for the record, he is not in favor of pulling it out of Briar Chapel either; however, he has been working with this and it is not working in Briar Chapel. The EmPOWERment model was tried which still has not been sold. They have tried the land estate. They have discussed multi-family communities of which Briar Chapel staff is unfavorable. The economy has gone down. The prices and sizes of the housing in Briar Chapel are currently staying on the smaller scale of their overall plan. It simply is not working in Briar Chapel. He has had people tell him they would feel inferior living in the exclusive Briar Chapel neighborhood. Although they might qualify, they would not be interested in living there for that reason. There are lots of reasons that Briar Chapel is not working. The primary reason, he feels, is the economy. We need to do something with the money rather than sit on it and wait for Briar Chapel to build out, save it up, and then give it to the County. If they can build other affordable housing or buy land for building affordable housing, it is the only reason he is agreeing to vote to pull it out of Briar Chapel.

Chairman Bock stated that he agreed with the broader wording is because they get broader support.

Mr. Howell reiterated that the sentence would read, “to enter into a contract with the County which provides for payments to the County to be used to fund construction of affordable housing or land for construction of affordable housing”. He stated that it would be inserted in the two locations instead of “the programs to address the needs”.

Commissioner Petty moved to amend his motion to approve the Compact Community Ordinance Text Amendment as presented by the County Attorney, replacing the language “to fund programs” with “to fund construction of affordable housing or land for construction of affordable housing” in the Moderate Income Residents paragraph of Section 12.3 and Section 12.3(B)(1) and adding the language to Section 12.3(B)(2) and adopt **An Ordinance**

Amending the Chatham County Compact Communities Ordinance to Provide Improved Flexibility for Meeting the Moderately Priced Dwelling Requirements of the Ordinance. Commissioner Stewart seconded the amended motion. The motion carried four (4) to one (1) with Commissioner Kost opposing. The Ordinance is attached hereto and by reference made a part hereof.

The County Manager stated that he enquired of Ms. Bailey with regard to the EmPOWERment house status and did not receive a response.

SOLID WASTE MANAGEMENT

Chatham County Draft 10-Year Solid Waste Management Plan Update: Presentation of a draft of the County's 10-year Solid Waste Management Plan update in order to receive feedback from the Board prior to a public input meeting in August by the Solid Waste & Recycling Division

Dan LaMontagne explained the specifics of the request as follows:

The update to the 10-Year Solid Waste Management Plan for Chatham County (July 1-2012 – June 30, 2022) is being prepared in accordance with NC General Statute 1301-309.09A(b), which requires local governments to submit updates every three years to the Solid Waste Section of the NC Department of Environment and Natural Resources.

This plan update is developed in cooperation with Chatham County, Goldston, Pittsboro, and Siler city local governments, and the Solid Waste Advisory Committee, for the purpose of meeting local solid waste needs and protecting public health and the environment. The plan format corresponds to the required sections outlined by the Solid Waste Division of NC DENR.

The division would like to familiarize the Board of Commissioners with the plan and receive feedback to be considered for inclusion in the draft.

The division, in cooperation with the Solid Waste Advisory Committee, will schedule a public input meeting to receive comments on the draft plan on Wednesday, August 1, 2012. The meeting will include a PowerPoint presentation that outlines and explains the major elements of the 10-Year Plan and a discussion period. In addition, a public comment period will be open August 1-15, 2012.

The draft plan will be available at the Solid Waste & Recycling Division's Administrative Office, the Office of the County Manager, the three County libraries, each Town's administrative office, and on the Solid Waste & Recycling Division's website: www.chathamnc.org/recycle for all Chatham landowners and residents to review and provide comments.

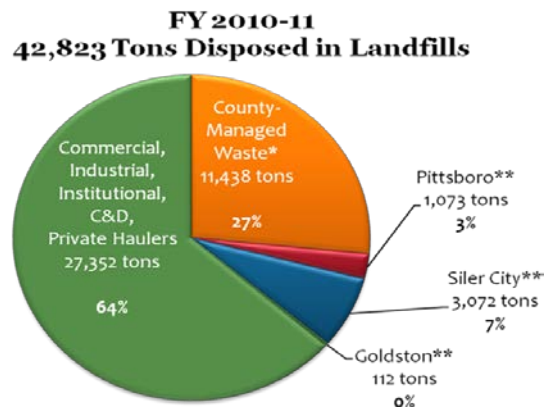
In October 2012, the plan will be presented to each local governing board along with a request for a resolution of acceptance and endorsement.

In November 2012, the Division will make a request to the Chatham County Board of Commissioners for final approval.

The approved plan with all local government resolutions will be submitted to the State in December 2012.

Mr. LaMontagne presented a PowerPoint as follows:

Solid Waste Disposal by Generator

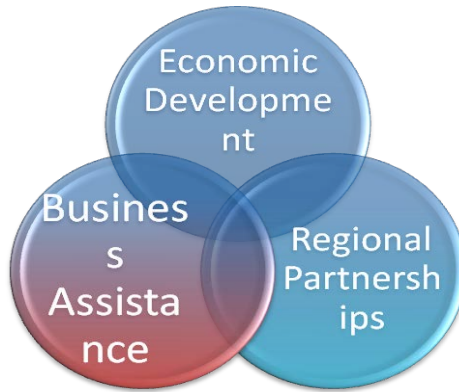


NORTH CAROLINA GOAL
0.65 tons
 per person, per year
 (=40% reduction from State's original per capita rate of 1.08 tons)

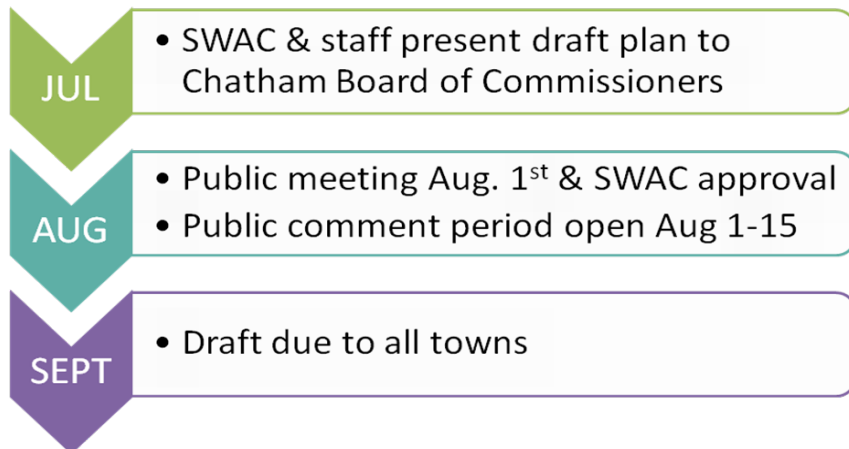
CHATHAM COUNTY GOAL
0.50 tons
 per person, per year
 (=40% reduction from Chatham's original per capita rate of 0.84 tons)

Town of Siler City Waste Reduction Strategies
<ul style="list-style-type: none"> • Partner with the county to develop a more comprehensive solid waste plan.
<ul style="list-style-type: none"> • Hold an annual electronics drop-off event in partnership with Waste Management, Inc., beginning in 2012.
<ul style="list-style-type: none"> • Consider providing a separate bag to volunteers for the collection of recyclables (cans & bottles) during Adopt-a-Street clean-up efforts.
<ul style="list-style-type: none"> • Obtain assistance from the county's Solid Waste & Recycling Division and Purchasing staff to develop a formal "buy-recycled" policy.
<ul style="list-style-type: none"> • Consider cost-sharing with County for an Environmental Educator position if budgets allow.

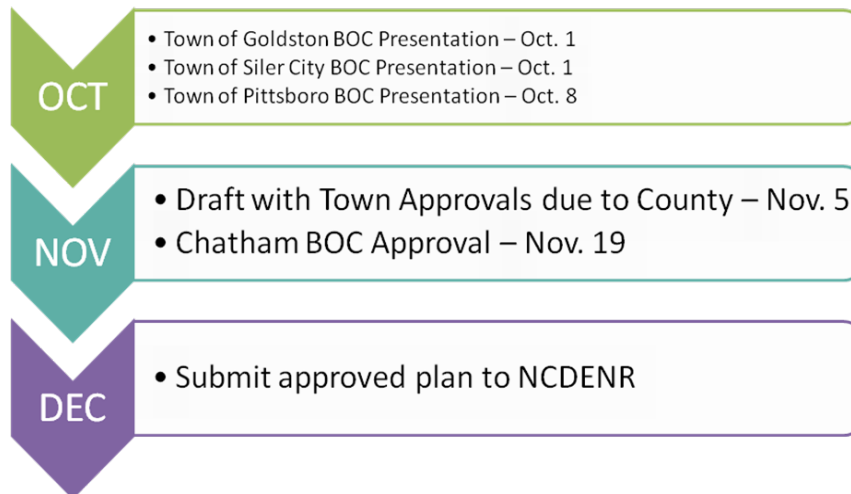




REMAINING TIMELINE



REMAINING TIMELINE



Commissioner Kost asked if raw tonnage numbers were available and how much waste there is at each collection site.

Mr. LaMontagne responded yes, that he would provide it by site for the last two years. He stated that this full year would probably not yet be available.

BREAK

The Chairman called for a short break

AFFORDABLE HOUSING ADVISORY COMMITTEE

Chairman Bock stated that he had hoped that they could get the Chatham County Affordable Housing Committee to advise the Board of Commissioners on the best way to use that money; however, now they have said how they will use the money. He asked the role of the Advisory Committee.

Commissioner Cross stated that they could work with the municipalities in finding out if there is any property in the area that the County could acquire or if there is a town that could donate some land.

Commissioner Petty asked who reviews the applications for affordable housing.

Commissioner Cross stated that the only operational one is Habitat for Humanity. He stated that all has been used that is coming out of that money for the lots that they gave up.

Chairman Bock stated that the Board of Commissioners could ask the municipalities for donations.

Commissioner Cross asked if the Board wants them to continue to look into the issues that had been identified if the Board is going to look at where that money is coming from.

Chairman Bock stated that he did not have a lot of interest in getting another report to talk about the number of homeless children we have or the people who cannot afford the rent unless someone gives him a suggestion on what to do with it.

Commissioner Cross stated that would only be a good idea if we are going to identify revenue to fund it.

Bill Leroy, Chairman of the Affordable Housing Advisory Committee, stated that the Advisory Committee came out of the Task Force; the idea from the Task Force was to have a committee with some staff support that could provide the Commissioners with a sense of the overall scope of the need, but more importantly, to bring together not only the municipalities,

but the other non-profits that serve as ex-officio members on the committee; homelessness is one with which the Board of Commissioners is concerned; there are two non-profits or government agencies that sit down every month and will have a report on homelessness; they will talking about solutions, not problems; the problems have been identified; that is something in which the Board is very interested; and it addresses one segment of the affordable housing need in Chatham County. He stated that they are working with two groups that are working on renovation programs, a new non-profit coming into the County; they are helping that non-profit plug into other agencies and departments that currently have programs; Community Development Block Grant (CDBG) money is used to renovate housing in Siler City; it provides a coordination function; one of the important roles that they initially thought was going to be helpful to the Board was to provide the Commissioners with information on affordable housing to educate; they have people who are experts in different aspects of affordable housing; and that is a third role that the Advisory Committee could play.

The County Manager stated that one item for consideration is funds for affordable housing and there are none at this point. If the Board decides what it wants to do, there are no funds available. There is time to figure out what the Board wants to do.

Commissioner Kost asked if Briar Chapel was going to sell the lots.

Chairman Bock stated that he was unsure if they would take the option that they just came up with. They may want to continue what they are doing if they don't agree on an amount of money. He asked, based on that, would the Board want to make them a task force, wait until there is a task, and then task them.

Commissioner Petty stated without a task, he would think they would act as some type of facilitator for putting the groups of people together.

Commissioner Kost asked if the Board is questioning the need to have an Affordable Housing Advisory Committee.

Chairman Bock asked what they would do.

Commissioner Kost asked if the Board needs them; and that would be based on what the Board of Commissioners wants them to do.

Chairman Bock asked if they need to be a standing committee or a task force stating that maybe their first task be to tell the Board that answer.

Commissioner Kost stated that she felt Chairman Bock was right.

Chairman Bock asked that when they talk about the coordination between the different non-profits, what they are doing.

Mr. Leroy stated that they wanted to make sure there is no duplication, to try to draw out potential funding sources, stating that if one non-profit is successful in one area, maybe they can help another non-profit or governmental entity. He stated that one of the areas of tremendous interest to them is of tremendous interest to them is renovations and protecting the existing housing in Chatham County; that is where the affordable housing is and is market driven; that they have to make sure that that housing stock is cared for and doesn't dilapidate; there are funds and programs in place to make sure that there is continuing renovations and how to best use the CDBG money; now it goes over to a consultant who works in Siler City; they have a process where they annually select six or eight houses; and there are people on their committee that can be helpful in providing guidance and direction.

Commissioner Petty stated that one of their tasks could be taking inventory of the housing that needs renovation and then finding funding or grants for them.

Mr. Leroy stated that would be a great example; however, the point is well-taken that there is no money to do that. Perhaps, if they had a little staff support, they might be able to find some money. He stated that Sybil Tate was terrific and he hasn't worked with the new person.

Chairman Bock stated that there are lots of non-profits that do the same thing. He asked if Mr. Leroy had had an instance where he was able to tell two different organizations that they are duplicating their efforts and he wished they would do something different and they changed. He stated that his experience is that non-profits exist with a purpose and they don't really care if there is another non-profit doing the same thing. They are raising money for their own purpose.

Mr. Leroy stated that Habitat for Humanity is not just building houses; their focus is on helping to build communities so that when you talk about communities, you talk about neighborhoods and neighborhood revitalization; neighborhood revitalization is something that can be a part of the Affordable Housing Advisory Committee; the executive director comes to their meeting every month and listens to other members of the committee that are working in other parts of community development in Chatham County; and they will meet during the month and hopefully come up with the kinds of answers that the Board is asking him. He stated that their committee doesn't necessarily come up with the answers, but they hopefully put people together that can come up with the answers.

Commissioner Cross stated that the other problem that will come up is when you are taking taxpayer's money and applying it to renovate someone's personal home outside of the affordable housing market. He stated that he feels it sets a wrong precedent. We have to make sure that any rehab work that is approved, falls somewhere within the guise of EmPOWERment and other affordable housing builders do. He stated that he does not think that a "slum lord" could ask for taxpayer's dollars to fix his houses to make them more acceptable. There would never be enough money to keep up with the requests.

Chairman Bock asked who decided where the CDBG money goes.

The County Manager stated that they are very specifically oriented to income and other types of items. He stated that the County has a consultant to help administer the process, and that some of the regulatory requirements from the State or federal government are not going to be co-mingled very easily.

Mr. Leroy stated that CDBG monies are always co-mingled private/public. He stated that there is approximately \$360,000 that comes through the County every year to the CDBG program.

Chairman Bock stated that the Affordable Housing Advisory Committee might want to discuss and put a finer point on some of those things at their next meeting.

Mr. Leroy stated that their committee would come up with a report on recommendations as to why they should exist.

Chairman Bock stated that if they receive too much information from the advisory board, the Board of Commissioners may or may not take them all, and it has no reflection on the value of the Affordable Housing Advisory Committee's work.

GREEN BUILDING AND SUSTAINABLE ENERGY (GBASE) COMMITTEE

Chairman Bock explained that he had heard that the Green Building and Sustainable Energy (GBASE) Committee was going to dissolve itself due to lack of a mission. Then he heard that they wanted to do something else.

Jenifer Everage explained she is the staff liaison to the GBASE Committee. She stated that they have one more meeting to which they have committed. There are eleven members on this board. At the end of the fiscal year, five members went off the board; one member resigned and four members' terms expired; at the last meeting, even with the

expiring members, the present members decided that they would like to ask the Board of Commissioners to appoint new members to the GBASE.

Chairman Bock asked what the GBASE Committee did.

Ms. Everage responded that she told the committee that was the first thing the Board of Commissioners would ask. She stated that a GBASE Committee representative would email the Board with the information about the committee.

Commissioner Stewart stated that the committee was there for education awareness of technology and policies for the County in letting people know about green building and sustainability, etc.

Chairman Bock stated that this committee seems like a committee that could be suspended.

Ms. Everage stated that she had the same feeling that the committee was looking for direction from the Board of Commissioners as they did not completely understand what they were to be doing.

Commissioner Cross stated that a lot of this started with the first increments of green building; that he doesn't think there is a builder in Chatham County that is not a green builder anymore; and their task was to encourage that and to make sure all of the building community was aware of energy efficiency. He stated that from what he sees, they are doing that.

Commissioner Stewart stated that there are incentives out there and have passed. She stated that she didn't know that there is a lot for them to be doing.

Chairman Bock concurred. He asked if they could say they didn't need to appoint any new members now and dissolve the committee. He stated that if it was decided that it was needed in the future, it could be reconstituted at a later date.

Commissioner Kost stated that it would be nice to know what the committee's thoughts are. She stated that having attended a committee meeting, they were throwing out ideas, but she was not comfortable reporting their ideas to the Board.

Commissioner Cross suggested that they return to the Board and tell them what they might be helpful in doing.

Ms. Everage stated that the things the committee approved through an email was that they advised the Board of Commissioners on green building and sustainable energy policies and procedures, they raised public awareness on green building, they provide guidance to the Board of Commissioners on cost reduction options, they advise the Board of Commissioners on innovative energy technologies and legislation to build a 21st century economy base for Chatham County. She stated that they had also been talking about the proposed Duke/Progress Energy rate hike legislation on which they were going to ask the Board to oppose.

Chairman Bock asked how an energy rate hike falls within the purview of green building advisory. He stated that he thought it was odd that they were discussing it and wanted the Board to pass a resolution on it as it didn't seem to be a green building issue.

Commissioner Stewart asked if they had reported their charge back to the Board of Commissioners regarding new legislation.

Ms. Everage stated this was what they were going to send to the Clerk to the Board.

Chairman Bock asked if they would be better as an advisory committee to the Economic Development Commission rather than the Board of Commissioners.

Chairman Bock reiterated that he felt that this committee was not needed.

Commissioner Petty stated that he feels when it comes to technology and funding that most of the building contractors already know what the technologies are and what the funding sources are and are trying to build construction that will qualify them for that. He stated that he didn't see a huge need there.

Commissioner Stewart stated that when the Board talked about renovating the Agriculture Building, they talked about energy efficiency. She stated that she thought that would have been something they would have jumped on had they wanted to report back to the Commissioners.

Commissioner Cross stated that when a builder or renovator is not into this type of thing, they are not working. The Board concurred.

Commissioner Kost stated that one of the things they talked about at the meeting is when this Board deleted building County facilities to the LEED standard. They talked about other standards that could be used. There are other criteria for building and should this committee be looking at identifying what the other standards are stating that they needed directions from the Board of Commissioners on that.

Commissioner Stewart stated that the builders are the ones who bring those to the Board's attention.

Chairman Bock asked if a GBASE Committee is needed.

Commissioner Kost stated that she would like to hear from the committee.

Commissioner Petty stated that he sees no immediate need.

Commissioner Cross and Commissioner Stewart concurred to hear from the committee.

Chairman Bock stated that a short, written report would suffice.

GOLDSTON RESCUE SQUAD

The County Manager explained that the squad, for a number of months, has been vacillating from being insured to not being insured. They kept telling the insurer that they would pay the premium, that to date, has not been paid. If they have not paid it by Thursday morning, 12:01 AM, the insurance will be cancelled. Those duties will most likely need to be transferred to the Goldston Fire Department.

Tom Bender, Fire Marshall, explained that he normally did not do a lot of work with the rescue squads; however, he works closely with Cloyce Anders with Volunteer Fireman's Insurance Services of North Carolina (VFIS). He received notice of the cancellations effective July 19th; he has forwarded them to the County Manager; and he will talk with the Goldston Fire Chief and confirm that they can perform the same duties of the Goldston Rescue Squad.

The County Manager stated that the Board needed to be aware of this issue, but that no action needs to be taken at this time. An update will follow at the next Board of Commissioners' meeting.

Commissioner Petty asked the level of service they provide.

The County Manager replied some transportation, First Responder, and extraction from vehicle accidents.

Commissioner Petty asked if it would be easy for the fire department to assume those duties.

Commissioner Cross asked if this would be a consolidation rather than a takeover with a merging of the two.

The County Manager replied, yes, that they have some concern with all of the rescue squads because of technology, training, and lack of personnel.

CSX

The County Manager explained that CSX has issued a cease and desist for Moncure Plywood. Moncure Plywood has a log yard adjacent to the railroad tracks; CSX has given Moncure Plywood permission to cross the tracks to store the logs; part of the requirement for the logs is that they stay damp, as part of their production process, which is accomplished by a sprinkler system; the sprinkler system is working; however, the water is pooling up around the tracks which is undermining the railroad; if they can't operate the sprinkler system, they cannot operate the plant; and staff has heard that they have been given an extension, as long as they are trying to eradicate the problem, then they can continue to operate.

ADJOURNMENT

The Chairman adjourned the Work Session at 4:52 PM.

Brian Bock, Chairman

ATTEST:

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