

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
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, 6:00 PM on July 16, 2012.

Present: Brian Bock, Chairman; Walter Petty, Vice Chairman;
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

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Cross delivered the invocation after which the Chairman invited everyone present to stand and recite the Pledge of Allegiance.

CALL TO ORDER

Chairman Bock welcomed those in attendance and called the meeting to order at 6:01 PM.

AGENDA AND CONSENT AGENDA

Commissioner Kost asked that the following items be removed from the Consent Agenda and placed on the Regular Agenda for discussion:

Item #7, EDC – Chatham County Incentive Policy Amendment
Item #17, Agriculture Advisory Committee Appointment by Commissioner Bock
Item #18, Agriculture Advisory Committee Appointment by Commissioner Bock
Item #19, Agriculture Advisory Committee by Commissioner Petty
Item #20, Agriculture Advisory Committee by Commissioner Petty
Item #21, Agriculture Advisory Committee by Commissioner Stewart
Item #22, Agriculture Advisory Committee by the full Board

Commissioner Cross moved, seconded by Commissioner Petty, to approve the Agenda and Consent Agenda with the noted requests as follows:

1. **Minutes:** Approval of Board Minutes for the Regular Session held on June 18, 2012, Work Session held June 18, 2012, and Special Meeting held on June 25, 2012

The motion carried five (5) to zero (0).

2. **Tax Releases and Refunds:** Vote on a request to approve the tax releases and refunds, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

3. **Naming of Private Road:** Vote on a request from citizens to approve the naming of private road in Chatham County as follows: Lalon Lane

The motion carried five (5) to zero (0).

4. **Resolution Honoring the OPC Mental Health Area Program:** Vote on a request to adopt a **Resolution #2012-36 Honoring the Orange-Person-Chatham Mental Health Area Program**, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

5. **Resolution for NCDOT Road Addition:** Vote on a request to adopt a **Resolution #2012-37 Approving the Addition of 0.776 miles of Ferguson Road, in the Broadlands Subdivision**, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

6. **Resolution for NCDOT Road Maintenance Abandonment:** Vote on a request to adopt a **Resolution #2012-38 Approving .10 miles of Road Maintenance Abandonment of SR2156, Woody Dam Road**, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

7. ~~**EDC — Chatham County Incentive Policy Amendment:** Vote to amend the Chatham County Incentive Policy to include retained jobs as well as new jobs for expansion projects~~

This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.

8. **Grant Funds Acceptance for Chatham County Public Health Department:** Vote on a request to accept \$43,916 in grant funds from NC Division of Social Services for the Chatham County Public Health Department

The motion carried five (5) to zero (0).

9. **CORA Lease Agreement:** Vote on a request to extend the lease with Chatham Outreach Alliance (CORA), Inc. guaranteeing CORA space for three additional years, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

10. **Conditional Use Permit Revision Request for “The Preserve”:** Vote on a request by Doug Piner on behalf of the Property Owner’s Association for “The Preserve” to approve a revision to the existing conditional use permit to add an additional amenity area for the purpose of boat and recreational vehicle storage on Parcel #80601, on approximately 1-2 acres of the 63 +/- acre common, open space lands within the subdivision, located at the end of Broad Leaf Court adjacent to the WWTP

As per the Planning Staff and Planning Board (by unanimous vote – 6 members present), approval of a revision to the existing conditional use permit was granted as submitted with the nine conditions and adoption of **Resolution #2012-39 Approving a Revision to a Conditional Use Permit Request by Doug Piner**, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

11. **Governors Village Commercial, LLC Conditional Use Permit Revision Request under the Governor’s Club PUD:** Vote on a request by GV Commercial, LLC to approve a revision to the existing conditional use permit under the Governor’s Club PUD to change the use of Parcel #76561 (GV Parcel B-3), approximately 1.213 acres from commercial use to residential use, to change the maximum number of residential units from 1,975 to 1,981, to allow three (3) residential units approved for

condominium or apartment units over retail and office uses to be used for residential condos on Parcel B-3, and to allow up to 15 residential condos on GV Parcel B-3

As per the Planning Staff and Planning Board (by unanimous vote – 6 members present) approval of a revision to the existing conditional use permit was granted with the ten conditions and adoption of **Resolution #2012-40 Approving a Revision to a Conditional Use Permit Request by GV Commercial, LLC**, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

12. **Enhanced Domestic Violence Grant Contracts:** Vote on a request to approve contracts as proposed by staff

The motion carried five (5) to zero (0).

13. **Fiscal Year 2011-2012 Budget Amendments:** Vote on a request to approve budget amendments as proposed by staff, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

14. **Social Services Contract:** Vote on a request to approve the Northern Blue Contract for the Chatham County Department of Social Services, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

15. **Briar Chapel Park Project Ordinance:** Vote on a request to approve Project Ordinance, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

16. **Tax Collector's Annual Settlement and Order of Collection:** Vote on a request to approve the Settlement and Order of Collection, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

- ~~17. **Agriculture Advisory Committee:** Vote on a request to appoint Justin Brooks to a three year term by Commissioner Bock to the Agriculture Advisory Committee~~

~~This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.~~

- ~~18. **Agriculture Advisory Committee:** Vote on a request to appoint Bob Mowrey to a two year term by Commissioner Bock, to the Agriculture Advisory Committee~~

~~This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.~~

- ~~19. **Agriculture Advisory Committee:** Vote on a request to appoint Robbie Walters to a three year term by Commissioner Petty, to the Agriculture Advisory Committee~~

~~This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.~~

- ~~20. **Agriculture Advisory Committee:** Vote on a request to appoint Scott Bryant to a two year term by Commissioner Petty, to the Agriculture Advisory Committee~~

This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.

- ~~21. **Agriculture Advisory Committee:** Vote on a request to appoint Kevin Smith to a three-year term by Commissioner Stewart, to the Agriculture Advisory Committee~~

This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.

- ~~22. **Agriculture Advisory Committee:** Vote on a request to reappoint Richard Bradley to a one-year term by the full Board, to the Agriculture Advisory Committee~~

This item was removed from the Consent Agenda and placed on the Regular Agenda for discussion.

23. **Transportation Advisory Committee:** Vote on a request to approve the reappointment of Phil Bors to a three-year term by Commissioner Kost, to the Transportation Advisory Committee

The motion carried five (5) to zero (0).

24. **Transportation Advisory Committee:** Vote on a request to approve the appointment of Scott Evenson to a three-year term by Commissioner Bock, to the Transportation Advisory Committee

The motion carried five (5) to zero (0).

25. **Appointments to the Joint Committee on Nursing Homes and Adult Care Homes:** Vote on a request to appoint the following applicants to one-year terms, by the full Board:

- Jeanette Baird
- Nita Dukes
- Kathleen Meredith

The motion carried five (5) to zero (0).

26. **Resolution Authorizing Goldston Investment Rollover:** Vote on a request to adopt **Resolution #2012-41 Authorizing the Assistant County Manager and Finance Director to Purchase a Bond Anticipation Note Issued by the Town of Goldston, NC**, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Wade Barber, 27 Hillsboro Street, Pittsboro, NC, thanked the Board of Commissioners for their dedication for restoring the historic courthouse stating that it had been the centerpiece of Chatham County for a long time, the finest building in the County, and it is an exemplary example of the architecture of that period, and is very well designed.

He voiced concern that the reconstruction of the front of the courthouse so that the pediment and the base of the clock tower are cantilevered over the front columns is not happening. He explained that the back of the courthouse and all the way around it has pilasters and at the front, a colonnade; above the columns and colonnade is a cornice; above the cornice is a gable and then a pediment; from the back view, the pediment is on the same plane as the bricks below and the same for the front; where the name "Chatham County" is written is the horizontal cornice; above that, the pediment which is in the same plane as the cornice; above that is the base of the cupola; all of these are set back from the abacus.

He stated that a couple of weeks ago, he noticed the first beams being erected which were extending approximately a foot beyond the cornice. He asked the architect who stated that was the way it was designed. Upon further investigation of a photo of the courthouse made from East Street, he determined that it was incorrect. He again contacted the architect who assured him that it was correctly done. Later, he talked to others who are in agreement that the beams were incorrectly placed. It will cost less to correct it today than in the future.

Commissioner Kost asked if it had been designed like that or if it had been done by the installers.

Mr. Barber suggested that the Board consult an architect knowledgeable in historic preservation stating that he did not want the project to go forward without the Board being informed.

The County Manager stated that he would look into this matter.

Gary Cox, Chatham County Housing Authority Chairman, introduced JoAnn Davis, new executive director of the Chatham County Housing Authority.

Ms. Davis stated that it was a pleasure to be working in Chatham County and serving residents. She asked for patience in the forthcoming changes in order to better serve the residents.

The Clerk announced that she has written comments from Bob Knight which will be included in the official record and are available for Board Members at their request.

BOARD PRIORITIES

EDC –Chatham County Incentive Policy Amendment:

Commissioner Kost asked how the policy would work i.e. if there was an existing County employer that employs one hundred people; they have an expansion with a lot of new equipment; they will add only two more positions. She stated that under this policy, they can count the number of jobs as one hundred and two. She voiced concern with regard to consideration being given to a percentage threshold, either a percentage or minimum number of jobs as it seems that if they are going to be given credit for one hundred and two jobs, when they have added only two jobs.

Dianne Reid, Chatham County Economic Development President, explained that there was no consideration to doing it any other way other than what was proposed which was counting both the existing and new jobs. When the policy was changed, a specific objective in doing so was with most incentive programs they are heavily biased toward businesses coming into an area; there has been a complaint of existing businesses in the State for years because it is looking at new jobs. She stated that the goal in modifying it is to honor the companies that have been here and have invested. If they had one hundred jobs, they would receive twelve points for that item; the threshold remains fifty to be considered for an incentive; the incentive is structured so that the investment is critical; and it was only on the new portion of property taxes that result from the expansion. She stated that the EDC Board felt this was a fair way of doing it.

Commissioner Kost asked if we give points for paid health insurance benefits, employee paid vacations, etc. and if they would be given credit for the existing one hundred jobs in those areas as well stating that if were already getting benefits, they would be counted twice.

Ms. Reid explained that it depends on where the employees come from and what benefits they offer. She stated that the focus would be on the new jobs for hires so it would not be looking at the existing labor force in terms of whether they are from the County.

She suggested one modification to the policy would be to add a note to the jobs count that all existing jobs must be retained before any new jobs are counted so that they are not laying off people in order to create new jobs.

Commissioner Kost stated that she feels retention is extremely important; however, she is struggling with no bottom threshold whether it is 10%, etc.

Commissioner Petty stated that another way to look at it as if they have the full benefit there. There still has to be a minimum of fifty in order to qualify.

Commissioner Petty moved, seconded by Commissioner Stewart, to adopt the Amended Chatham County Incentive Policy with the inclusion of Ms. Reids' suggestion of retaining the existing jobs in order to qualify.

Commissioner Kost stated that she was not comfortable without a threshold. Ms. Reid stated that she feels experience will help them get it exactly right and she feels this is better than it was. She stated that as they track it, they will report back to the Board of Commissioners.

Chairman Bock called the question. The motion carried five (5) to zero (0). The Amended Chatham County Incentive Policy is attached hereto and by reference made a part hereof.

Agriculture Advisory Committee Appointments:

Commissioner Kost stated that the appointments email referenced a transition plan for agriculture which was not shared with the full Board.

Commissioner Stewart stated that she had shared the information after meeting with Sam Groce and Charlie Bolton during which they had talked about how to make the transition for that many people who were coming off the board. It was more about what the group had decided of how they would handle "handing off" and knowledge transfer. It was just for that committee.

Commissioner Kost stated that she had never heard about the staggered terms. She stated that she agrees with the knowledge transfer issue and she made the same argument when she asked this Board to allow for transitions for the existing boards where there were members who had served for four years and were all going off the board. She stated that the Board would not accommodate her and it seems to her that they are picking and choosing which boards to which they apply their policy. She stated that she thinks they should be doing it fairly between all of their advisory boards.

Commissioner Stewart stated that all old board members were invited to attend the meetings; they have no vote; they are there to assist and offer information to fill in the blanks.

The Deputy Clerk offered that the terms were being staggered because there are sixteen appointments and only four people are currently serving stating that so many people are being replaced that it would be impractical to have each term expire at the same time.

Commissioner Kost stated that she understands that for new boards; however, they have had that on other boards as well and the terms were not staggered.

The Deputy Clerk stated that the Solid Waste Advisory Committee was also staggered and that they were looking to stagger the ERAC.

Commissioner Kost stated that she had some issues with the adopted Advisory Committee Policy as she thinks transfer of knowledge was an issue and continues to be so. She stated that if she finds an inconsistency in applying policies, she will point it out.

The Chairman asked Commissioner Kost if she would point out inconsistencies in the future. Commissioner Kost stated that she would do so.

Commissioner Petty moved, seconded by Commissioner Cross, to approve the appointments to the Agriculture Advisory Committee as follows:

Justin Brooks to a three-year term by Commissioner Bock
Bob Mowrey to a two-year term by Commissioner Bock
Robbie Walters to a three-year term by Commissioner Petty
Scott Bryant to a two-year term by Commissioner Petty
Kevin Smith to a three-year term by Commissioner Stewart
Richard Bradley to a one-year term by the full Board

The motion carried five (5) to zero (0).

Commissioner Kost asked if Staff would let the Board know of other vacancies by District.

Rural Operating Assistance Program Grant Public Hearing: Public hearing to receive public comments on the proposed Rural Operating Assistance Program (ROAP) application to be submitted to the North Carolina Department of Transportation no later than July 16, 2012 by the County of Chatham

Amber Wagner, Chatham Transit Executive Director, explained that county governments are the only eligible applicants for these funds. It is the responsibility of the County Commissioners to locate and distribute the funds to the appropriate local agencies as allowed within the program guidelines. The period of performance is July 1, 2012 to June 30, 2013. These funds are allocated to each county by formula.

The NCDOT Public Transportation Division ROAP formula has allocated a total of \$168,616 for FY12-13 to Chatham County. These numbers are projections and they are subject to change based on what the state's FY13 certified budget appropriates. There is an increase in the RGP dollars from the previous year which has increased the total funding from the previous year's amount of \$158,204. The FY12-13 funding for Chatham County is broken down in the following manner:

1. There is \$82,557 for Rural General Public (RGP) transportation. This includes both formula funds and additional funds. RGP funds can only be sub-allocated by the county to the Section 5311 Community Transportation Program which is the Chatham Transit Network (CTN). These funds require a 10% local match. The 10% match is provided by Chatham County.
2. Employment Transportation Assistance Program (EMPL) has been allocated \$18,063 in formula funds. These funds can be sub-allocated to Chatham Transit Network and/or the Department of Social Services. The funds have historically been allocated to Chatham Transit and are utilized to transport Chatham residents to their jobs.
3. The Elderly and Disabled Transportation Assistance Program (EDTAP) allocation for the county including supplemental funds this year is \$67,966. These funds may be sub-allocated to Human Service agencies and community transit systems with priority given to the Section 5311 Community Transportation Program. In an effort to reach all organizations that may have a need, CTN sent letters to 15 agencies calling for sub-recipient grant allocations. As a result the following recommendation is made for the allocation of EDTAP funds:

Chatham County Council on Aging \$50,000

Chatham Transit Network	\$17,996
Total	\$67,996

The allocation to Chatham Transit Network will be sub-allocated as follows:

Chatham Trades	\$4,458
CCCC	\$1,500
Group Homes	\$2,500

The grant will bring \$168,616 to Chatham County for transportation with no impact to budget.

Ms. Wagner answered questions from the Board.

The Chairman opened the floor for public comments.

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

The Chairman closed the floor for public comments.

Commissioner Cross moved, seconded by Commissioner Stewart, to approve the Certified Statement FY 2013 Rural Operating Assistance Program for County of Chatham, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Stormwater Ordinance Public Hearing: Public hearing to receive public comments on the proposed Stormwater Ordinance

Dan LaMontagne, Environmental Quality Director, explained that The *Jordan Lake Nutrient Management Strategy* is a set of individual rules (ie: new development, existing development, trading, agriculture, etc.) implemented by the N. C. General Assembly to reduce impacts caused by excess nutrients, specifically nitrogen and phosphorus, into Jordan Lake to reduce algal growth and other nutrient-related water quality problems. The requirements of the strategy are similar to those already in place in the Neuse and Tar-Pamlico River Basins. The rules require major sources of nutrients to reduce the nutrient load that makes its way to Jordan Lake to meet specific model-established percent reduction goals needed to restore water quality standards and full uses of the lake.

On December 1, 2008, Chatham County adopted a local Stormwater Ordinance and Program that applies throughout the county. It was amended on September 21, 2009. The purpose or intent of this ordinance is to protect the health, safety and welfare of the citizens, specifically by requiring water quality treatment and water quantity control (flood and runoff damage prevention) for new development in all watersheds of Chatham County.

The Jordan Lake Nutrient Management Strategy and Rules (JL Rules) require the county to comply with the minimum stormwater requirements for new development and existing development within the Jordan Lake Watershed pursuant to Session Laws 2009-216 and 2009-484 (modification to Rule .0265).

Our current ordinance does not meet these minimum JL Rules for nutrient loading rates from new development.

The JL Rules set the following nitrogen and phosphorus loading rate targets for new development:

Sub-watershed	Loading Rate Targets lbs/acre/yr	
	N	P
Upper New Hope	2.2	0.82
Lower new Hope	4.4	0.78
Haw	3.8	1.43

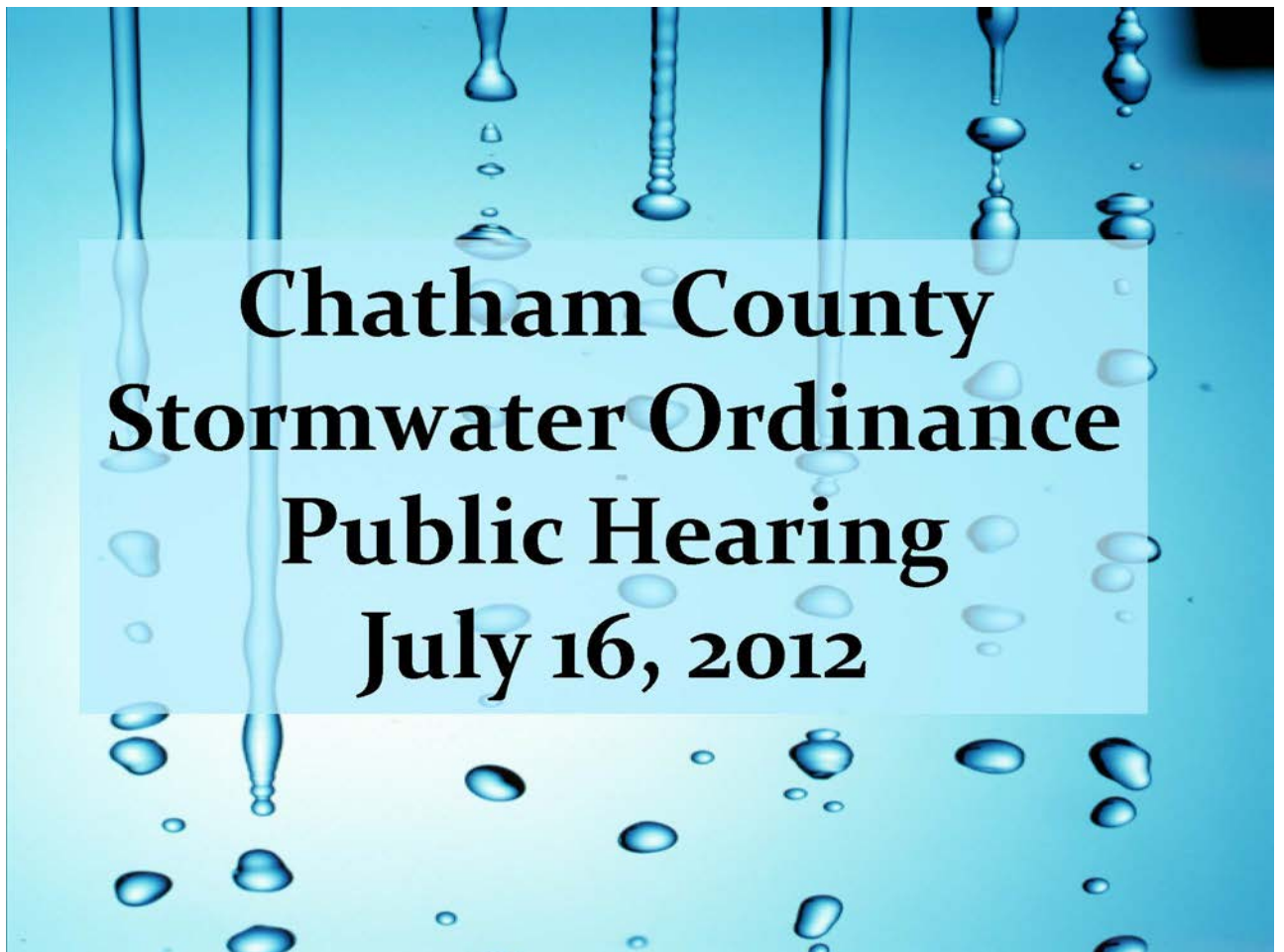
Section 400(5) has been added to the ordinance to meet these requirements and is based on language from the Model Ordinance provided by the NC Division of Water Quality (DWQ).

At the September 6, 2011 meeting, the Board of Commissioner's authorized the Environmental Quality director to submit the draft Stormwater Ordinance, meeting the minimum requirements of the JL Rules, to DWQ for their review and approval.

Chatham County submitted a draft Stormwater Ordinance (and Program) to DWQ in September 2011 for review and comment. The draft ordinance was then approved by the EMC in May 2012.

The draft ordinance includes minimum standards required to meet the JL Rules within the Jordan Lake Watershed. It does not lower any of the county's requirements currently in place. In addition to these minimum standards, the draft Ordinance addresses technical corrections, adds a process for appealing the decision of the Stormwater Administrator, and clarifies the process for variances from the ordinance.

Mr. LaMontagne presented a PowerPoint as follows:



Background

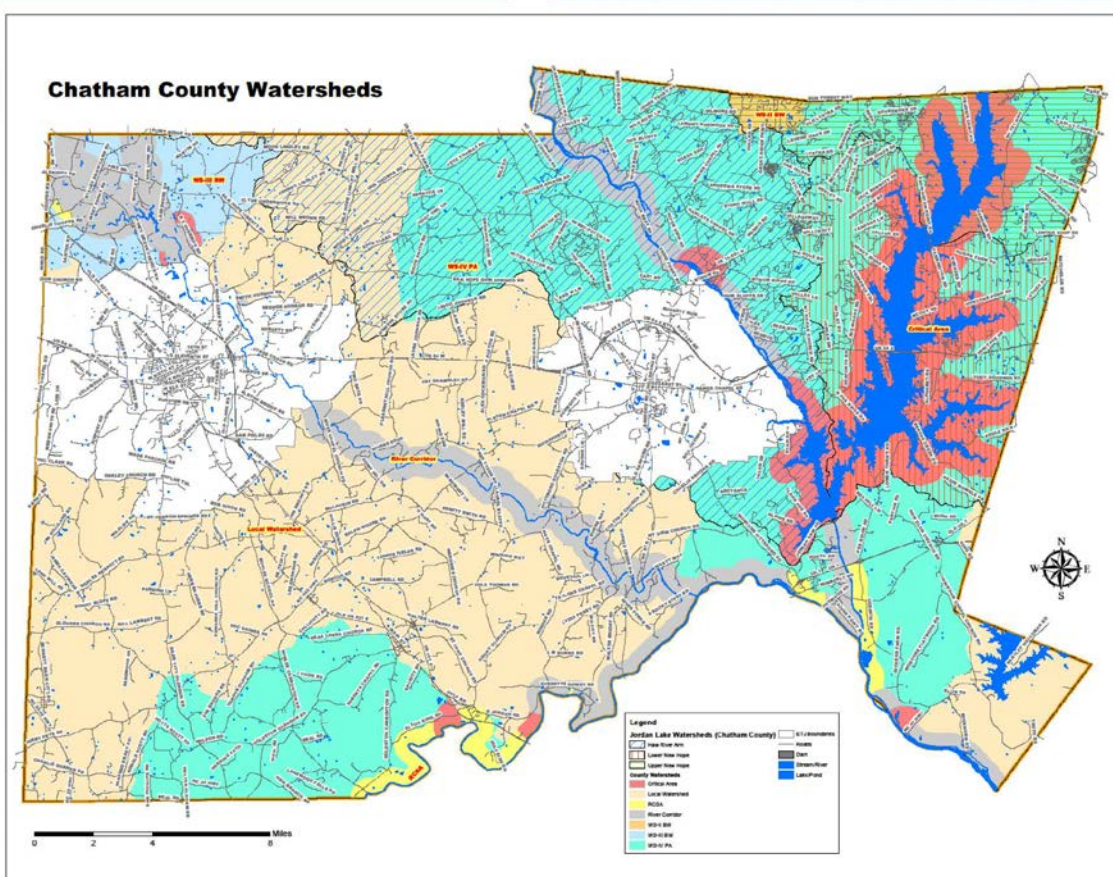
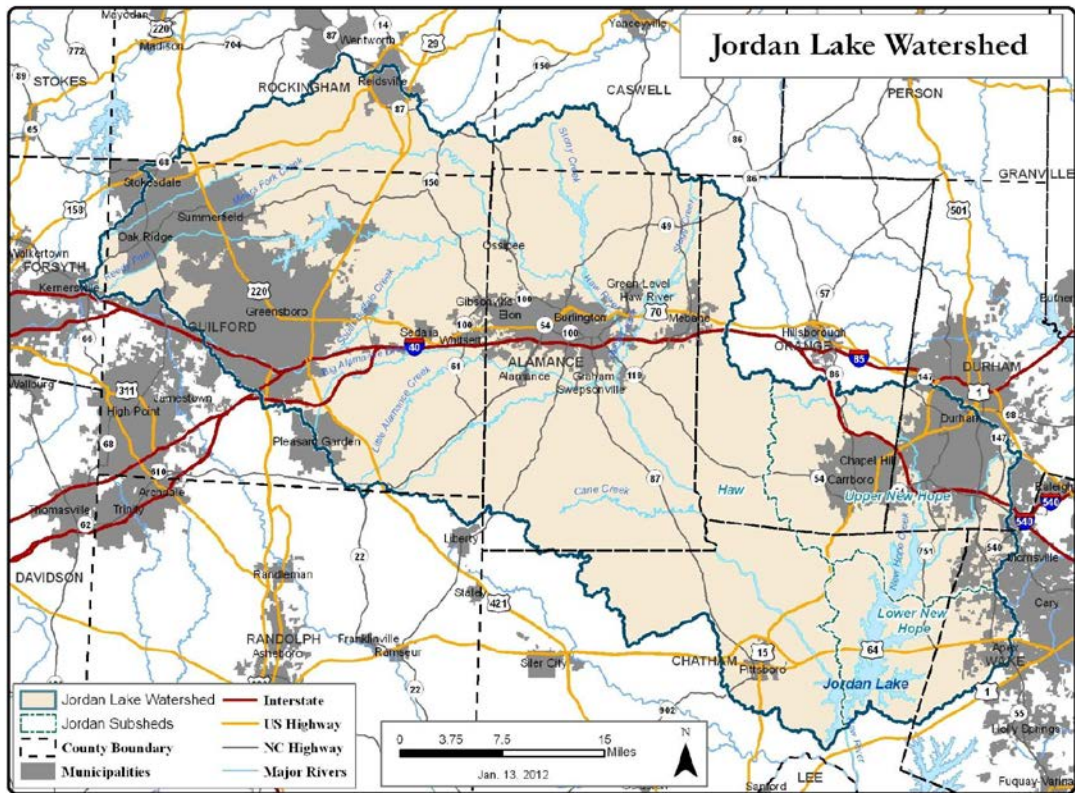
- The Draft Ordinance is being presented to comply with 15A NCAC 02B .0265 (Jordan Stormwater Rule).
- This is the draft that was presented to the BOC at the September 6, 2011 meeting and was submitted to the state for review and approval by the Environmental Management Commission (EMC).
- The EMC approved the Draft Ordinance in May.
- The Ordinance is to be adopted within three months of approval by EMC – August 2012.

What is Changing?

- The draft ordinance does not lower any of the county's current requirements and remains more stringent than the state minimum requirements.
- The Jordan Rule sets the following nitrogen (N) and phosphorus (P) loading rate targets for new development:

Subwatershed	Loading Rate Targets lbs/acre/yr	
	N	P
Upper New Hope	2.2	0.82
Lower New Hope	4.4	0.78
Haw	3.8	1.43

- Section 400(5) has been added to the ordinance to meet these requirements within the Jordan watershed and is based on language from the Model Ordinance provided by the NC Division of Water Quality.
- Also addresses technical corrections, adds an appeal process, and clarifies variance procedure.





Pending Legislation

- There are two bills to amend various environmental laws (S229 and H953) that were ratified and presented to the Governor on July 3, 2012.
- Both bills have identical amendments to the Jordan Stormwater Rule that postpone the required date of adoption until August 10, 2014.
- The Governor has until August 2, 2012 to sign or veto the bills before they become law.

The Chairman opened the floor for public comments.

Gerald Featherstone, 117 Penna, Pittsboro, NC, President of the Haw River Assembly, urged the Board on behalf of the Assembly to pass their resolution. He stated that the extension is due to Greensboro not getting their job done with regard to getting their ordinance together. From his speaking with other folks up river, he stated that they had their ordinances ready to go. He pointed out that when Wake County was told by their county attorney that they had a choice of extending two years or going ahead with it, most commissioners voiced approval of the idea to get it in place so that their people had a chance to deal with it. Their developers, businessmen, and those who had to work with the ordinances need time to adjust to it. They are working in two watersheds, Jordan Lake and Falls Lake. He encouraged the Board to adopt the resolution in order to be in sync with everyone else. He stated that they feel the penalties are too fuzzy. They think that someone could build large structures there while the lawyers argued in court. They would like to see them strengthened some and see some enforcement agencies described so that they will have a director and a stated staff. He stated that he is working with a water quality committee for agriculture in the Jordan Lake Watershed and is impressed with the agriculture sector. They have done their job of getting the management plans in place with regard to doing their share. The three components are wastewater treatment plants, stormwater management, and the agriculture segment. He thanked the Board for their time.

The Chairman closed the floor for public comments.

Commissioner Kost asked if the Stormwater Ordinance would go to the Environmental Review Committee. Mr. LaMontagne stated that he is to meet with them this week to discuss the legislation.

Legislative Public Hearing:

Public Hearing to Rezone Pittsboro Moncure Road Parcel: Public hearing to receive public comments on a request by Derry & Cathy Smith to rezone approximately 2.003 acres, Parcel #85396, located on the Pittsboro Moncure Road, Haw River Township, from Residential (R1) to Conditional Use Neighborhood Business (CU-NB)

Angela Birchett, Land Use Administrator II, explained the specifics of the request.

The Chairman opened the floor for public comments.

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

The Chairman closed the floor for public comments.

Quasi-Judicial Public Hearing:

Public Hearing to Construct Automobile Service on Pittsboro Moncure Road:
Public hearing to receive public comments on a request by Derry & Cathy Smith for a conditional use permit to construct an automobile service specifically for manual washing and detailing of vehicles on approximately 2.003 acres, Parcel #85396, located on the Pittsboro Moncure Road, Haw River Township

Angela Birchett, Land Use Administrator II, explained the specifics of the request.

The Chairman opened the floor for public comments.

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

The Chairman closed the floor for public comments.

MANAGER' S REPORTS

The County Manager had no reports.

COMMISSIONERS' REPORTS

Staggered Appointment Terms:

Commissioner Kost stated that she had a chance to double-check, with regard to specific Board appointments, the Environmental Review Committee, was a committee that had two members who were on the board continuing their service. There was a complete turnover of board members.

NC Association of County Commissioners' Goals:

Commissioner Cross explained that the NC Association of County Commissioners would like the Board of Commissioners to have their legislative goals in before September 17th so that they can be distributed to the subcommittees. He stated that he thinks it should be placed on an upcoming agenda for discussion.

Advisory Boards:

Chairman Bock stated that he was deciding as to whether he wanted to make comments on the advisory boards at the last meeting. There was a lot discussion about who the Board appoints and who it doesn't appoint and if the Board honors particular Commissioners nominations. He stated that the item received a lot of attention. He stated that when he is going to appoint someone to an advisory committee or vote to approve an appointment, he is looking for someone who will help the Board accomplish the overall strategy that the Board of Commissioners has set. If he thinks that someone will not work toward that goal, then his obligation would be to vote "no". He doesn't think, as a Commissioner, he has an obligation to support another Commissioner's appointment just because they have nominated them stating that everyone's vote is their own. He stated that he didn't think it was unusual and not unprecedented that a board or members of a board would want folks on an advisory board that would advise them on how to get whatever job they are trying to get done accomplished. Because this particular appointment was former Commissioner Lucier, he probably received more attention than others with people confirming his qualifications and no one was saying that he was not, people said that he let politics override his decision on a vote. He stated that he looked back at the February, 2007 minutes on the Chatham County Planning Board. In that meeting, the sitting Board, was trying to implement the Land Use Plan. Evidently, the Planning Board at that time had a different philosophy. The Commissioners put together a list of what they wanted the new planning board to do. Chairman Bock read from Commissioner Lucier's statement in the

February 2007 Planning Board Minutes as the Board was trying to implement a Land Use Plan and the Planning Board at that time had a different philosophy. The Commissioner put together a list of what they wanted the new Planning Board to do. Mr. Lucier's statement is as follows:

"These elements, along with others, are explicit responsibilities that were assigned to the Planning Board in the ordinance that established it. However, the former Planning Board had a different philosophy. Therefore, the Board of Commissioners felt it necessary to make substantial changes in the membership of the board. Moreover, the Commissioners need to rely heavily on the recommendations of the Planning Board so they need to have a Planning Board in place that shares their stated intent to implement the Land Use Plan."

Chairman Bock continued by stating that there is nothing wrong with that. He stated that is what an advisory board should do. At that same time, the amendment allowed the Commissioners to replace a board member with or without cause. In other words, they could replace the entire Planning Board. That's what they did and that's when Commissioner Kost was appointed. There was no transfer of knowledge, there was a "we want to get this done", and we are going to appoint the people that will help us get that done. There was no outrage and there shouldn't have been. He stated that he feels that is the kind of job that they should have been doing. He stated that when they came into office, the advisory boards were something that received a lot of attention because they thought the advisory boards needed more balance. They do need various points of view and opinions on these boards. He has not had a chance to go through every advisory board, but he did look at the Planning Board, the Environmental Review Board, and the Transportation Advisory Board. He found that in all of those boards, there was one Republican on the board. The rest were Democrats and a few Independents. Since that time, this Board has appointed/reappointed twenty-four Democrats, twelve Republicans, and eighteen unaffiliated. To him, that is a balance that they are trying to establish. They have not fired anyone off a board to replace them. As they come up, they are trying to get a balance of different points-of-view. In those changes and registrations, it was not done intentionally. It just happened that there were twenty-four Democrats and twelve Republicans which were proportionally the same of the County voter registration. There are approximately twice as many Democrats as there are Republicans. It came out on accident the correct way because they were not looking at that. He stated that he thinks they have brought balance and various points-of-view. There is another thought, in that if one person that is qualified that is not appointed, the next person that is appointed may have gotten appointed because they were not qualified. This is not true. He stated that he had gone through and has looked at the appointments and everyone has been qualified. For every qualified person that they have for a board, there will be a hundred more that are qualified as well. The outrage, the emails, and blogs that talk about how unfair the Board was and how they are putting politics over appointments does not bear out when one looks at the facts.

He stated that he wanted to put that out to the public. And for the record, he stated that he feels they have done a good job of making sure that there is a balance on the advisory boards.

Commissioner Kost stated that the way they achieve that balance is that each of them has appointments. Because the Chairman, Commissioner Stewart, and Commissioner Petty could make their appointments and bring that balance, they would still have the overruling majority. The way she brings balance is with her appointment or with her nomination for her appointment along with Commissioner Cross. She stated that she hears what Chairman Bock is saying about the balance; however, it is contrary to what they might think. Since she has been following this Board for the last nine years, this has not happened. The Board has always honored each other's appointments and nominations. She stated that she hears what is being said, but she thinks the balance could be achieved and the majority could still have control, but it would have offered them a more highly, qualified scientist who would have provided an enormous resource. She stated that she did not feel any better about it.

Chairman Bock stated that he did not expect Commissioner Kost to feel better; however, he did want it on the record. Again, he stated that no one had a debate with regard

to Mr. Lucier's qualifications. He stated that he did not know if one person was the most qualified which is something that could be discussed with no right answer. He returned to Mr. Lucier's words stating "replace the Planning Board because they had a different philosophy". He stated that Commissioner Kost was not upset about that and the crowd was not upset because the Board had similar thoughts. They didn't worry about who was and was not the majority. He stated that he doesn't see anything necessarily wrong with that statement. He stated that is what boards do. They put the advisory committees in there to help them achieve what they are trying to achieve. He stated that he doesn't feel that he has an obligation to honor any Commissioner's nomination if he truly feels that person will not do so. He stated that he is one vote saying that it is not unprecedented, it has happened, it is on the record, and hopefully citizens will listen to that.

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Stewart, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 6:57 PM.

Brian Bock, Chairman

ATTEST:

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