

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
NOVEMBER 21, 2005

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the Superior Courtroom, 1 Hillsboro Street, Pittsboro, North Carolina, at 6:00 PM on November 21, 2005.

Present: Chairman Bunkey Morgan; Vice Chair, Tommy Emerson; Commissioners Patrick Barnes and Mike Cross; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager, Renee Dickson; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

Absent: Commissioner Outz

The meeting was called to order by the Chairman at 6:08 PM.

PLEDGE OF ALLEGIANCE AND INVOCATION

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

AGENDA AND CONSENT AGENDA

The Chairman asked if there were additions, deletions, or corrections to the Agenda and Consent Agenda.

Chairman Morgan stated that Item #6, consideration of a request to approve a lease for the Chatham County Board of Elections will be considered by the Board at a later date; that Item #14, consideration of a request to appoint a member to the Recreation Advisory Board by Commissioner Barnes will be deferred until a later date; and that Item #10, public hearing to receive public comments on the submission of an amended community Development Block Grant (CDBG) application for economic development had changed to a public input session on the feasibility of getting a sewer line to Goldston.

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

CONSENT AGENDA

1. **Minutes:** Consideration of a request to approve Board minutes for regular meeting held November 07, 2005 and Work Session held November 07, 2005

The motion carried four (4) to zero (0).

2. **Road Names:** Consideration of a request from citizens to approve the naming of private roads in Chatham County as follows:

- A. Cash Hill Drive B. Wilson Hill Drive

The motion carried four (4) to zero (0).

3. **Tax Releases and Refunds:** Consideration of a request to approve tax releases and refunds, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

4. **Funds Acceptance for Protection of Cape Fear Shiner Habitat:** Consideration of a request to accept funding in the amount of \$10,000.00 for the protection of the Cape Fear Shiner habitat

The motion carried four (4) to zero (0).

5. **Resolution Honoring the Service of Mary Ann Perkins to Chatham County:** Consideration of a request to adopt **Resolution #2005-59 Honoring the Service of Mary Ann Perkins to Chatham County**, attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

- ~~6. **Board of Elections Lease:** Consideration of a request to approve a lease for the Chatham County Board of Elections~~

Action on this item was deferred until a later date.

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Sally Kost, 1101 New Hope Church Road, Apex, NC, stated that she would like to address two concerns; that the Mayor of Cary had noted that the Town of Cary and the Chatham County Board of Commissioners will meet to discuss eastern Chatham County; that she questioned why Chairman Morgan chose Commissioner Outz to accompany him to the meeting; that one of Commissioner Barnes' campaign issues is for open government, and this was a direct slap to that promise; that the recent \$133 million in capital projects is troubling because the process was not an open one to the voters; and that non-voter approved debt should be used sparingly.

Chairman Morgan stated that Commissioner Barnes and Commissioner Cross had previously had two meetings with Cary officials; that Commissioner Outz had not met with them concerning this matter; and that Commissioner Emerson had accompanied him to the last meeting discussing planning for eastern Chatham County.

Peter Theye, 1065 Boothe Hill Road, Chapel Hill, NC, stated that he wanted to share a couple of observations about the meeting with the Division of Water Quality; that the participants felt like they had made an impact; that it was unlike any other commissioner meeting he had been to in the last four years; that he doesn't know why he was missing time with his family when nothing he says matters; and that there is no connection between the Board and the citizens.

PLANNING AND ZONING

- *Public Hearings:*

Public Hearing on Revision to Existing Conditional Use Permit for Restricted B-1 Uses Off Highway #15-501 North: Public hearing to receive public comments on a request by Greg Isenhour, IS Development Company, LLC, on behalf of North Chatham Park, Lot #5, for a revision to the existing conditional use permit for restricted B-1 uses, on 5.63 acres, off Highway #15-501 North, Williams Township, condition #1, requesting a time extension

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

Public Hearing on Proposed Text Amendments to the Chatham County Zoning Ordinance: Public hearing to receive public comments to consider proposed text amendments to the Chatham County Zoning Ordinance to replace conditional use zoning with conditional zoning

Loyse Hurley, 16 Matchwood, Pittsboro, NC, stated that she is President of Chatham Citizens for Effective Communities (CCEC); that they have reviewed the Conditional Zoning Ordinance and finds some vulnerability for the County, its citizens and its future; that overall the ordinance doesn't distinguish a major development proposal from a minor one; that they are all treated the same; that a large commercial development proposal which will have a more significant fiscal, environmental and traffic impact on the County is identical to a one-house addition to a development; that there needs to be some limit, based on the number of houses or acreage, which triggers a different procedure; that conditional zoning replaces the five findings within a conditional Use Permit with a lesser standard of review criteria; that this is less protective for the County; that the Board is exposing itself to massive pressure from developers unless each and every development is approved with only the conditions they will accept; that essentially, the Board would be making all decisions on any development on an individual "developer's contractual" basis; that even the developers should want some rules and consistency so that one developer does not have an advantage over another; that it would be better protection for the County if there were restrictions like the five findings upon which the approval is based; that specific concerns on conditional zoning include: 1) Pre-submittal meeting – abutters must receive notice but that it's left to the developers to decide which, if any, other citizens who may be included; that they're back to that basic difference between that big development and that one little house; 2) The report on the preliminary meeting is one-sided; it omits a discussion of the issues not changed by the developers as a result of the property owner's requests; that it is possible that a developer can not meet these requests but the ordinance does not call for an explanation of why they can't meet them; that the ordinance also makes clear developers are not legally required to hold such meetings, since there are no legal consequences if they ignore this requirement; that this meeting could be waived entirely; that on the other hand, there is no requirement that the Board will attend this meeting; that such attendance should make it easier in the Board's dealings with citizens and developers alike; that the important points are that a representative of the citizens should be able to sign off on the developer's report of this meeting and the meeting allow for a free and open discussion of the concerns about the proposed development; 3) Section 5.10 allows the Planning Director to administratively approve an increase of 10% or 1,000 square feet for commercial but doesn't include any such authority for residential; that while this is intended for use as an administrative tool, this section does not limit the number of times the Planning Director can do this; that a development, theoretically, could be increased in 10% increments forever; that some limit is needed in this section; 4) There are numerous deficiencies in the County's ordinances which need to be in a place before conditional zoning is enacted in order to provide the County with adequate protection; that there is a "building block" process here and the "basement" is incomplete.

Ms. Hurley stated that close to a year ago, the CCEC requested sufficient lead time to thoroughly review developers' submissions; that the current Conditional Use Permit procedure only gave about 15 days for citizen review, while the developer had months to prepare; that the current public hearing process did not include sufficient time for a professional and knowledgeable review by the citizens; that there are

professionals who are willing to help the county with their expertise and knowledge; that they are called “volunteers”; that they provide a competent review at no cost to the County; that County staff needs additional personnel to handle this growth the County is experiencing; that it’s not a case of anti-development or pro-development here; that professional reputations would be on the line; that one does not have any review of changes made by the developers during the process; that the Board is taking it on “blind faith” that the developers have absolutely no interest in the outcome and are supplying the Board with all the facts and the very best advice possible; that this defies credibility; that one of the benefits cited for conditional zoning is the idea that the Board would be able to discuss a proposed development, freely, and openly; that she wonders why two hearings cannot be held; that the first would be an informational, and the second hearing would be a quasi-judicial hearing that would come to the Board for a vote; that the vote would be based on the five findings along with the benefit of all the facts heard at the public hearing; that the information received at the public hearing would still be fresh in members’ minds and not months old; and that it would lengthen the process but it would also free the Board up to discuss proposals with anyone and would provide the best information upon which to make their decision.

Rita Spina, 12 Matchwood, Pittsboro, NC, stated that the current ordinances have served the County well: the protection of drinking water supply and the quasi-judicial nature of public hearings that reserve the rights of both citizens and the County; that she questioned the longer term impact on the entire County; that jurisdictions carefully planned ahead 10-20 years; that they knew where they were going and had a long range plan to get there; that good strategic planning is the base of success; that the County has been in the state of lack of strategic planning before; that the schools with their lack of infrastructure, the lack of water to the specific parts of the County who needed it, overworked County staff, and the lack of any good, successful economic development planning show the lack of strategic planning; that the County lacks any comprehensive strategic plan to attack the County’s infrastructure needs for the County over the next ten to twenty years; that the Land Use Plan has been deliberately ignored and doesn’t have a map showing where residential and commercial development should be located; that she understands that the Board wants to throw this plan aside and develop another one; that that would be a travesty and a total waste of effort when all that has to be done is a map added; that the Board has never officially passed the lighting ordinance, the premises sign ordinance, or developed the commercial corridor ordinance; that developers have been allowed to plan the County; that the proposed 10/70 Rule will not protect the watershed and conditional zoning will neither protect the citizens or the County; that a comprehensive, adequate economic development plan is needed; that it appears that the Board has a plan for its success based on high density development of the northeast section of the county with no strategic plan and rejection of all protections for the citizens; that the Board of Commissioners’ plan is perceived to be based on the questionable income from potential tax dollars of this density development in the northeast part of the County; that the development is placed on the mega developers who have taken over; that the plan they are seeing has been negligent in considering the longer range consequences of this type of piecemeal progression; that these variables that are being ignored today will haunt the County at every level over the years to come; that the County has experience resistance and disregard of any expert analysis of issues the community has raised at almost every meeting over the past two years; that neglect of the future impact on water supply, water quality, protection of the watershed, an increase in traffic congestion, protection from strip mall development along commercial corridors, invasion of the natural/rural aspects of the area that have brought so many to live here, and a work load on County departments that is overwhelming; that there has been no recognition of the need for future preparation for all that is already approved over the next 10-15 years; that the only thing that has been looked at has been the County’s rising economic debt that will fall on the shoulders of tomorrow’s citizens; that the request has been denied; that this lack of strategic planning will only lead to similar situations plus an increased demand from thousands of new residents in this part of the County; that this is not a view against residential and commercial development by the citizens; that it is a view that growth in and of itself is not enough; that it must be planned for well into the future; that it must take into consideration its assets and potential liabilities; that it must be looked at from every angle so as to protect what is good and what needs attention, build and

serve all in such a way that the look and feel of the specialness of the County is preserved; that there should be a hard look at the real dollar costs for preserving the necessities of safe and sufficient water, costs for retrofitting of outworn and inefficient systems, the movement of people and goods on the highways, the greenness of a healthy environment, school infrastructure, the safety and security of its citizens; conditional use zoning has protections for all; that there is no reason to change its intent; that it could be adjusted and modified to save time and money and to be more inclusive for citizens but does not need to change or lose its protections; and that she is an advocate for a moratorium for six months while the Board works out a strategic plan and looks closely at what the real needs of the County will be for years to come.

William Tessein, 758 The Preserve Trail, Chapel Hill, NC, stated that conditional zoning keeps citizens out of the process; that it meets the needs of the developers; that the conditional use process helps to protect the County; that citizens will have no protection against Commissioners who have no plan, do not care about environmental consequences, and do not worry about future tax increases; that the developer should prove, beyond a shadow of a doubt, that their request will not be harmful to the surrounding environment; that he has trouble with a political body making land use decisions that affect him, at the request of developers, without those developers being required to prove beyond any doubt that their request will not be harmful to the environment that surrounds them all; that he has trouble with the fact that a developer does not need to prove beyond expectations that their request is in harmony with the quality of life as now known; that it is worthwhile; that the conditional zoning will make it nearly impossible for citizens to have recourse; that the Board needs to promote change with the involvement of the citizens; that the proposed developers' conditional zoning will prohibit or make it practically impossible for the citizens of Chatham County to have any reasonable recourse when a decision on land use is made; that political decisions are hard to overturn; that the legal system presumes the vote is in the citizen's best interest; that he suggests improving the current conditional use permit process giving the public sufficient review time; that then, impact studies could be obtained, and any needed revisions to development proposals made before a decision is rendered; that allowing conditional zoning in a rural, growing county will make unrestricted growth the County's identity; and that the Commissioners need to promote change that ensures greater control by the voters. He asked that conditional zoning be unanimously denied.

Beverly Murdock, 11312 US #15-501, Suite 107-300, Chapel Hill, NC, stated that she is opposed to conditional zoning; that this process involves closed meetings behind closed doors; and that all citizens should have an opportunity to speak out about issues. She urged the Board to vote against conditional zoning;

Bob Murdock, 11312 US #15-501 Suite 107-300, Chapel Hill, NC, stated that he is opposed to the conditional zoning process; that the Board has already been following that process and it doesn't work well; that under the current process, developers do talk with Board members; that currently the Board can set conditions on the application but they do not; that he proposes some modification of the current process; that the period of notice should be extended; that the applicant should be required to live by the conditions set forth in the application; and that if the Board abuses the process now as it is, it will abuse it later.

Sally Erickson, 115 Blue Heron Farm Road, Pittsboro, NC, stated that she was here to speak for the priceless beauty of the landscape; that the 10/70 rule is a bad idea; that this County is creative and resourceful; that citizens can be better and smarter; that citizens can create meaningful work for people; that at some point, things have to stop growing; that she wants things to slow down; that she wants more planning and deliberation; that conditional zoning looks like a terrible idea as well; that this is the beginning of a working democracy; that the tide has turned; that people are not going to go away; that together people are learning what endless sprawl looks like; and that in the year 2020, life should still be sweet in Chatham County.

Jeffrey Starkweather, 590 Old Goldston Road, Pittsboro, NC, stated that the change in the approval

process for development reviews will drastically change the way process operates and standards by which conditions on development proposals can be imposed; that many are concerned that developers are driving the process and citizens are not given sufficient time to provide meaningful input or raise questions about proposed developments; that by the time the County Commissioners make decisions on conditional use permits, it has often been months since they have heard the quasi-judicial “factual” testimony upon which they are supposed to decide on the five findings of fact; that citizens also have reason to believe that developers and their attorney have access to private meetings with certain Commissioners that are not afforded to adjacent property owners and other affected residents; that last year, Chatham Citizens for Effective Communities (CCEC) formed a planning task force consisting of former Planning Board members, attorneys and small, local developers; that they came up with a suggestion to tweak the current planning review process to remedy most of these problems; that this would involve simply adding a public information meeting at the beginning of the process to be attended by Commissioners, Planning Board members, and citizens; that this hearing, all attending would learn the details of the development proposals, be able to ask questions of developers, as well as hear citizen concerns and their general opinion of the proposal; that there would be no sworn testimony; that CCEC was going to suggest that the official quasi-judicial hearing be delayed until after the planning department and board, with developer and citizen input, had reviewed the proposed development and made recommendations for changed or additional conditions and for approval or denial of the conditional use request; that the Commissioner could deliberate on what they had heard from all parties at this hearing and make their decision at a subsequent public meeting as they saw fit; that instead of making that proposal directly to the Commissioners, they thought the Board would be more receptive to the idea of forming an ad hoc planning review task force consisting of representatives of all the stakeholders in the process – citizens, Planning Board members, planning staff, developers, and attorneys; that the idea was to have them all come together and see if there was a process that they all could agree on that would work for each party; that it was obvious that this would require some compromise; that this proposal was presented to the Board informally through a Board member and was apparently ignored; that the Planning Director’s staff was assigned to coming up with a solution without the official input of any of other stakeholders parties, except the Planning Board when he formally presented it to them; that he provided the Planning Board with no alternatives; that he does not believe that the Planning Director’s proposed conditional zoning proposal solves the problems they raised, instead it exacerbates some of them as follows: 1) The proposed pre-submittal meeting held by the developer with adjacent property owners does not require inclusion of the general public and there is no required enforcement mechanism for use by citizens if they are deprived of an opportunity to attend the meeting. The report is controlled by the developers who will invariably use public relations techniques in reporting a positive and sanitized version of the meeting. 2) The hearing is still at the beginning of the process and citizens not invited to the pre-meeting with the developer will still be unprepared to seriously challenge or raise questions about the proposal. 3) For Commissioners who like a little privacy from time to time, when the proposal is adopted there will be inundated telephone calls and e-mails from developers and their attorney, adjacent property owners and their attorneys, and citizen groups and individual citizens and their attorneys. 4) Most of the jurisdictions that have implemented conditional zoning have been large cities and counties in metropolitan areas with large, experience planning staffs. 5) Ordinances have not been developed that were proposed by the Land Use Plan to help guide conditional zoning.

He stated that contract zoning will be essentially converted into a back-room negotiation between the developers and individual County staff and Commissioners; that he wants the Board to entertain CCEC’s suggestions made approximately one year ago; that they stand ready to sit down with other stakeholders including developers and their attorneys, to see how they can make their present review process more predictable, fair, and adequate; that they stand behind their proposal to make a slight adjustment in the current process by adding an informal hearing at the beginning of the process and moving the quasi-judicial process until the Planning Board review and just prior to the Commissioners’ decision on the proposal.

Allison Weakley, 311 Boothe Mountain Road, Chapel Hill, NC, stated that she is opposed to the conditional zoning proposal; that the proposal and process used in the Boothe Mountain subdivision was critical and allowed for sworn testimony and five findings; and that conditional zoning is completely subjective.

Nick Robinson, 4885 Manns Chapel Road, Chapel Hill, NC, stated that this is not a conspiracy on behalf of developers to make things easier; that citizens have recourse as it is now with the process; that with the conditional zoning process, there would be little to base court action on; that if the Board was to deem more time for citizen review, that more study could be done; that conditions should be based on size; that a higher density provision should be included for multi-family units; that eight weeks is too long to file an appeal with the court system; and that it draws the process out unnecessarily.

BREAK

The Chairman called for a ten-minute break.

The Chairman reopened the public hearing.

Elaine Chiosso, 1076 Rock Rest, Pittsboro, NC, stated that she was speaking on behalf of the Haw River Assembly; that they welcome changing the system to allow for more time for citizens to review the proposals; that the five findings are critical; that the current system is broken; that the way this process is being used is the problem; that the quasi-judicial process needs to remain intact; and that they have pushed the Division of Water Quality to have a public hearing on the water quality permit issued to Briar Chapel.

Katie Kenlan, 1076 Rock Rest, Pittsboro, NC, stated that she is disappointed in her local government; and that the text amendment is not a good idea because it would not force developers to abide by a set of findings.

William Sommers, 1067 Fearington Post, Pittsboro, NC, stated that the best part of this process is to initiate public discussion of development proposals at the beginning of the zoning/planning approval process; that currently the space for public input is constrained in both time and importance because it comes at the very end of the approval process when most of the details have already been agreed upon; that other aspects of the conditional zoning proposal imply a less defined and more loosely construed application of planning and zoning principles to development submissions which will reduce significantly the necessary protection of the public interest and will be damaging to the planned growth of the County; that one example is the elimination of the approval standards, i.e. the five findings requirement; that a better and simplified way to approach this proposal is to amend the current zoning ordinance by providing guidelines and direction for open public discussion of development proposals at the beginning of the approval process while leaving intact the remainder of the current zoning ordinance; that in this way, the zoning/planning process will be more transparent and encouraging to public participation while at the same time preserving those elements in the current zoning ordinance that are needed to protect the public interest and provide direction for the planned growth of Chatham County; that it should also be noted that most responsible developers are amenable to initial discussions with residents who may be impacted by a particular development and are, in general, willing to receive input from the whole of the community at this stage in the approval process; that efforts should be directed toward this end so that both the developers and the general public are able to share their concerns at the beginning of the process where they can exchange commentary for and against; that this is where agreed upon changes can be effected without the risk involved in costly revisions as would be true if substantial changes are recommended toward the conclusion of the approval process; that by relegating real public participation to the end of the process heightens incipient disagreements making for an unhealthy decision-making process; that with regard to the 10/70 amendments to the Watershed Protection Ordinance,

he feels that the practical results of the proposed amendment will be costly to Chatham County; and that Chatham County does not have an overall storm drainage master plan including a storm sewer system map, a control ordinance, and the development of an illicit discharge and detection/elimination plan. He requested that the Board put this amendment aside until a more detailed assessment of future costs, including its relation to the barest outline of a storm water master plan can be made to justify the adoption of the 10/70 rule.

Mark Barroso, 110 Persimmon Hill, Pittsboro, NC, stated that the developers must only invite immediate neighbors to the meetings, not all impacted parties; and that it must be used in good faith by the developers which seems unlikely.

Bob McConnaughey, 129 North Small Street, Pittsboro, NC, stated that Pittsboro has had the same problem and that only adjacent property owners must be notified unless it has caused problems.

Kate Dunlap, 1322 Mt. Olive Church Road, Pittsboro, NC, stated that her comments are relevant to the conditional zoning and the 10/70 rule; that she read the Land Use Plan only last week; that the five findings are subjective; that it is disingenuous to proclaim one has a viable Land Use Plan when it is subjective and there is no map. She stated that the Board should work to make notable history.

Liz Cullington, 290 Rocky Hills, Pittsboro, NC, stated that the current ordinance is broken, but that this is a serious change. She stated that she hopes that the Board is not in a hurry to make it.

Kathleen Hundley, 136 Rocky Road, Pittsboro, NC, stated that she is speaking on behalf of the Friends of the Rocky River; that the process should be conservative; that it would be useful for a citizens group directory; that at least 30 days prior to a hearing, a meeting would be held with the developer, not just adjacent property owners; that the developer should submit an impact study regarding those issues; that the current requested changes have been requested by developers for developers; and that the citizens and their elected leaders are not here to respond to developers.

Chairman Morgan stated that he agreed with everyone who spoke at the night's meeting; that he thinks that the plan which the County now has should be kept and improvements made; that the total concept should not be changed; that he thinks the five findings should be relied upon; and that the plan should be relied upon and expanded.

Commissioner Cross asked if the County keeps Conditional Use Zoning and adds the developer's citizen meeting required with conditional zoning thirty days prior, if this would be a satisfactory solution.

Those in attendance seemed to desire two public hearings, one up-front with the application and one toward the end just prior to the Board of Commissioners' decision.

Commissioner Cross asked that when the developer invites adjoining property owners to their meeting, would an invite to citizen's organizations to send one representative be satisfactory.

Those in attendance seemed to want any and all members to be allowed to attend.

Commissioner Cross asked that when the minutes of the meeting are prepared, would the group be able to select someone to sign minutes with the developer verifying that they actually represent what happened in the meeting.

Commissioner Cross was informed that three signatures are already required, which, he stated, is contrary to what he read.

Commissioner Barnes stated that he was delighted to see everyone in attendance; that he had made two notes during the meeting; that conditional zoning had received a “no”; that conditional use zoning had received a “yes” with time to process the open public discussion; that the five findings should be left; that the County has a Land Use Plan and it should be implemented; that the Strategic Use Plan has been adopted and should be used; that it is not quite that simple; that there are not enough people in the Planning Department; that the Planning Director is good, but that he is not a magician; that he welcomes everyone to continue to come back to the meetings; and that he recommends that citizens keep on pushing.

Commissioner Emerson stated that the Board didn’t need to be in a hurry to do anything; that they need to take their time with it; that if anything needs to be changed, it needs to be changed for the better; and that it needs to be returned to the Planning Board for their review.

Charles Eliason, Planning Board Chairman, stated that he agrees with the comments that have been made; and that the Planning Board will consider everything that has been said.

BOARD OF COMMISSIONERS’ MATTERS

Public Input:

Public Input Session on Submission of Amended Community Development Block Grant for American Moulding & Millwork: Public input session to receive public comments on the submission of an amended Community Development Block Grant (CDBG) Application for Economic Development. The County is requesting \$750,000 in CDBG assistance to serve American Moulding & Millwork which has recently filed Chapter 11.

Larry Miller, PO Box 11, Goldston, NC, stated that they need the help; that they have bad soil; that the school has been fined for sewage related problems; and that he is asking the County for help.

Ricky Beal, PO Box 314, Goldston, NC, stated that he has lived in Goldston his entire life; that he worked with Goldston-Gulf Sanitary District; that most of the soils will not support a septic system of any type; that the businesses in the area suffer; that this is a great opportunity for the people of Goldston and Gulf.

Mayor Tim Cunnup, 415 Rosemary Street, Goldston, NC, stated that he appreciated the people of Goldston attending; that they are very appreciative of any efforts the Board of Commissioners takes to help put sewer in Goldston; that without sewer there is no room for expansion; that they are at an economic standstill; that the soils are not good; that there are approximately 170 houses and commercial buildings in the city limits; that many of these septic systems break down on a consistent basis; that the smell of sewage is pervasive at times; that Goldston does not ask the County for help often; that they are confident that with the Board’s support they can take care of the other work to hook up residents to this line; and that Goldston believes in this project and hopes that the Board will see fit to support them in this effort.

Robert Eby, 19 East Madison, Pittsboro, NC, congratulated the Board on abandoning the CDBG grant application on behalf of American Moulding & Millwork; that 95% of the gallons allotted were to go to the citizens of Goldston anyway; that it is certainly a worthwhile effort; that it looks like another ad hoc project; that there is no plan for County sewer; that there is no long range economic development plan; and that he hopes this might be a step toward good long range planning;

Paul McCoy, 3557 Pea Ridge Road, New Hill, NC, stated that he appreciates the Board listening with regard to American Moulding & Millwork; that the Board should not abandon efforts to get sewer to Goldston; and that this opportunity should not be passed up.

Jeffrey Starkweather, 590 Old Goldston Road, Pittsboro, NC, stated that when the proposal was first made, he thought it was a good idea; that his concern was about wages; that the average manufacturing wage is \$245/week and below state average; that the employer should be at the state average; that the Chatham Coalition is supportive of sewer in Goldston; that the Land Use Plan calls for Goldston to be an economic center; that there are no land use controls in the Goldston area; and that the Land Use Plan refers to resisting strip commercial development.

Randolph Voller, 21 Randolph Court, Pittsboro, NC, stated that sewer and infrastructure for Goldston and Pittsboro are needed; that east and west Chatham should evaluate the wastewater situation in all areas; and that this project should be reconciled with all municipalities in the County

Tony Tucker, 118 West Street, Pittsboro, NC, President of the Economic Development Commission, stated that he is speaking on behalf of Goldston; that the Economic Development Commission Board supports this project; that they are trying to recruit a business that will help defray the cost and be attractive to the neighborhood; that the commitment from Sanford is still in place; and that the County should not let this opportunity pass by.

John Gray, 123 Cub Creek Extension, Chapel Hill, NC, stated that the Board has an opportunity to do something for the community and that he encourages them to take advantage of it; that they should be aware of the public health impact; that the Board should explore the possibility of Sanford increasing the capacity; that Goldston should make decisions on behalf of their citizens; and that he supports whatever it takes to make this happen.

Mark Barroso, 110 Persimmon Hill, Pittsboro, NC, stated that he helped start Chatham First; that he is happy to support this project; and that he encouraged those in his group to support their neighbors in Goldston.

Commissioner Emerson congratulated Goldston on their celebration honoring the veterans of Chatham County. He stated that Commissioner Cross did an excellent job with his presentation.

Commissioner Barnes stated that the Board had been discussing economic development for several years in the County; that good economic development is impossible without water and sewer; that water was discussed in the afternoon work session; that it is going to be a costly venture; that there is no problem with the sewer because it is non-existent; that with water comes sewer; that the problem that arises with this is payment; that it is an acceptable process; that he would be unable to vote for American Moulding & Millwork sewer unless there were conditions imposed; that these would include collateral (that the owner of the building would be responsible for picking up the tab if it folded) instead of the County; that if American Moulding & Millwork survived but did not meet the requirements, they would be liable for the funds the County invested; that if the County had to pay the money back, American Moulding & Millwork would be liable; that he would want something to show for their efforts; that Goldston needs sewer to survive; that someway, the County needs to find a way to pay for it; that Goldston needs jobs for economic development; that he doesn't see anything wrong with getting into the business; that the possibility must be looked at for using the building in another constructive way; and that sewer lines are needed over the entire County.

Chairman Morgan stated that Commissioner Outz was attending another meeting, but endorsed the idea of the sewer line coming from Sanford to Goldston.

BREAK

The Chairman called for a ten-minute break.

PLANNING AND ZONING

Public Hearing on Proposed Text Amendments to the Watershed Protection Ordinance: Public hearing to receive public comments to consider proposed text amendments to the Chatham County Watershed Protection Ordinance to include the 10/70 provision in the WS-IV Protected Area

Roland Siverson, 5560 Castle Rock Farm Road, Pittsboro, NC, urged the Board to vote “no” on this provision. He stated that the primary risk is to the watershed and the water supply to the County; that there are a large number of homes earmarked for development; that it will have an adverse affect on the environment; that many of the ordinances that would help with some of the issues that will arise do not exist; that there are resources that the citizens do not want to squander; and that it is a huge responsibility that has long term ramifications.

Sonny Keisler, 3006 River Forks Road, Sanford, NC, stated that he is representing Friends of the Rocky River; that they oppose the 10/70 rule unless the following conditions are met: 1) The rule must contain provisions that guarantee first class protection of the natural, social, aesthetic and economic environment of the County including especially streams, rivers, and lakes. 2) first class enforcement capabilities must first be put in place including hefty fines for violation of 10/70 provisions. 3) A broader land use policy has been developed that acknowledges the reality of climate change and related environmental problems and begins to prepare the County for the severe environmental, social, and economic disruptions that most likely will be occurring throughout this century. In this regard, a 10/70 rule must not be used as a means of implementing outdated 20th century development and population growth concepts that have guided the rapid growth of Raleigh, Charlotte, and Atlanta. In the 21st century these “Growth At Any Cost” concepts will end up costing Chatham County government and its citizens a lot more money than will 21st century concepts that emphasize high quality growth rather than rapid, large scale growth. 4) Existing communities are given the ability to influence County decisions and thereby protect their existing socioeconomic values (i.e. the right to call for impartial economic and environmental studies financed but not conducted by developers). 5) The County will not be forced to undertake costly environmental cleanup activities because the developers failed to meet their obligations. One such likelihood is the maintenance of stormwater retention facilities.

He stated that given the likelihood that the 21st century will be dealing with very unsettling climate change and related social issues including increases in terrorism, anything less than a first class 10/70 rule should be shelved.

Mary Lucas, 371 River Road, Pittsboro, NC, stated that despite concerns of citizens for planned development, the Board defies it; that the County is in danger of destroying all that is Chatham; that the local communities’ interests must be considered first; that local, non-polluting enterprises must be sought after to help enhance the community; that she urged the Board to think, plan and then rethink about decisions and their long-range implications.

Dianne Mattingly, 12 South Circle Drive, Chapel Hill, NC, stated that she feels deeply about the 10/70 rule and that she is afraid that the country sides will be replaced by big box commercial and strip development. She urged the Board to reject this proposal and all the side affects.

William Tessen, 258 The Preserve Trail, Chapel Hill, NC, stated that he and his wife moved to Chatham County because they were impressed with the beauty of the area; that without the 10/70 rule, the

developers would strip Chatham County; that the 10/70 rule un-protects that watershed that is already protected; that unless the oversight is strict, developers would take advantage of it; that the 10/70 rule, along with conditional zoning, takes away the checks and balances; and that this legislation threatens the fragile water supply for the entire County.

Loyse Hurley, 16 Matchwood, Pittsboro, NC, President of Chatham Citizens for Effective Communities (CCEC) stated that this proposal would allow for more dense development in this protected area of the watershed; that it calls for 10% of this section of the protected area of the watershed be allowed to be developed at up to 70% impervious surface; that this 70% impervious surface area of buildings, parking lots, streets, etc. would be allowed in the zoned portions only; that the watershed drains into Jordan Lake and parts of the Haw River, the source of drinking water for a large portion of the County; that first there is the question of exactly how much acreage would be allowed to be developed at this more dense level; that this entire area drains into the lake and river and includes what is already built, what is in the planning stages, and what is contemplated by the proposal; that wording in an ordinance doesn't always reflect the situation; that the whole area drains into the water; that this area is 134,380 acres; that 10% of that is 13,400 acres; that this is the acreage the County is using to calculate available acreage for denser development; that the ordinance now states that the denser development would only be allowed in the zoned section; that according to their calculations, the zoned portion amounts to 78,451 acres; that 10% of that is 7,845 acres; that she wonders why calculations are based on the entire area and not just the area that would be affected; that with regard to the impact of the proposal on the lake and river, the entire area drains into the water (current development, new development, pending development or a leaky crank case from a truck passing by); that water runs off from all these activities; that all development affects the quality of the drinking water supply and the water itself; that the current requirement of 24 or 36 percent impervious surface is fine; that if a developer wants to build a large commercial center in the WS-IV-PA area, he should acquire more acreage; that the Board has the authority to make this ordinance more restrictive than what the State recommends; that there are other things that will have an adverse effect on the County as follows: 1) An inventory of the property needs to be kept that is used under the 10/70 rule. 2) The proposal will require stormwater controls. These controls need an annual inspection. 3) It is likely that enacting the 10/70 rule will result in the County having to spend considerable more money in reducing the nitrogen and phosphate levels in Jordan Lake. 4) The County draws drinking water from Jordan Lake. There is a certain cost to treat this water before supplying County customers. 5) Dense development creates additional traffic. This will bring smog, air pollution, and additional pollution of the waterways. 6) It will have an impact on the agricultural operations in the County. There is an indirect impact from the eventual requirement to reduce the nitrogen and phosphate levels in Jordan Lake and the Haw River.

She stated that the agricultural community is trying to develop a program to preserve acreage in the County; that the 10/70 rule does not provide for the setting aside of any land in the same watershed area to preserve open space; that this is not the time to enact this rule for this area of the watershed. She asked the Board to stay with their current requirement and to stay focused instead on implementing the Land Use Plan.

Beverly Murdock 11312 US #15-501, Suite 107-300, Chapel Hill, stated that she is opposed to the 10/70 rule; that she is worried about the birds; that since she moved to Chatham County she has seen birds she has never seen before; that the quality of life here would be hurt with the passage of the 10/70 rule; and that everyone has something that is threatened by the 10/70 rule.

Bob Murdock, 11312 US #15-501, Suite 107-300, Chapel Hill, NC, stated that he is opposed to the 10/70 rule; that it is linked to Wal-Mart; that Wal-Mart is not a good corporate partner and would not be a good fit in the community; that the 15-501 corridor could be a big-box, strip mall development area where family businesses were sacrificed; that it would be nice for them to look back on this Board and say that they made a difference; and that the 10/70 is the path of least resistance.

Rich Hayes, 612 Oak Island Drive, Chapel Hill, NC, stated that he is deeply concerned about water quality; that he does not support the 10/70 provision; that it could backfire; that nothing discourages sprawl; that the 10/70 provision in its current form allows it to be used anywhere, for any type of development, as long as it lies within the zoned portion of the WS-IV watershed; that it could be used to build apartment complexes near the Jordan Lake critical area or strip mall development in previously rural area; that there is nothing in the proposed changes in the ordinance that discourages sprawl; that the 10/70 provision will end up further degrading the drinking water supply; that studies have conclusively shown that as the amount of impervious surface in a watershed increases, water quality decreases; that it is also an accepted fact that as water quality decreases, the cost of drinking water treatment increases; that this increased cost of treatment is a hidden tax on the citizens of the County who will be asked to pay it every time they turn on their tap for a glass of water; that an argument might be made that development subject to the 10/70 rule is subject to engineered stormwater controls; that while these controls do help mitigate the effects of large amounts of impervious surface, they do not eliminate all pollutants; that while he urges the Board to reject the 10/70 provisions, he would also like to offer a few suggestions on how it could be improved as follows: 1) Prohibit the storage and retail display of products harmful to water quality in parking lots and outdoor retail areas that are not protected from rainfall by a rooftop. This would include products such as fertilizer, pesticides, herbicides, lawn chemicals, and automotive products. 2) Require that a minimum of 25% of outdoor areas such as parking lots, sidewalks, and roadways be constructed of pervious material, such as pervious concrete or pervious concrete pavers. 3) Require a minimum 50-foot buffer for perennial streams that is already required. Stormwater control structures should not be permitted within this buffer. 4) A pollutant management plan should be included as a part of the operation and management plan. The pollutant management plan should include a list of constituents of concern. Constituents of concern would include things like heavy metals, volatile organic compounds, oil and grease, total suspended solids, nutrients, and fecal coliform. The pollutant management plan should address each of the listed constituents of concern and show how the proposed stormwater controls will reduce their release into receiving waters. 5) Require baseline water quality testing for constituents of concern in all receiving waters prior to any site disturbance. 6) Require the testing of all receiving waters monthly for the constituents of concern at each point where runoff from the facility enters jurisdictional waters and report the results to both Chatham County and the North Carolina Division of Water Quality. 7) Require that the pollutant management plan be updated and additional controls be implemented if the testing reveals that the existing plan is inadequate to protect water quality. 8) Encourage the use of bioremediation cells, constructed wetlands, and other equivalent systems to remove constituents of concern.

He stated that his final recommendation would be for the County to charge a Special Intensity Allocation Fee each time the 10/70 provision is used for non-governmental purposes; that this fee should be devoted solely to the preservation of open space in the watershed in which it was collected; that this is allowed under State rules; that this fee, if spent wisely, would provide badly needed funds to buy up development rights in critical areas and help to retain open space for future generations.

Tom Vanderbeck, Old Graham Road, Pittsboro, NC, stated that he is fearful that the 10/70 will seriously compromise the water quality in Jordan Lake and lead to ugly strip commercial development along Highway #15-501 and #64; that Jordan Lake is critical to Chatham's survival; that this proposal should have been stopped by the Planning Board; that they are here to appeal to common sense; and that development needs to be confined to the current ordinance. He urged the Board to stop this proposal and schedule time for a commercial corridor plan.

Jeffrey Starkweather, 590 Old Goldston Road, Pittsboro, NC, stated that he is not in favor of this ill-conceived proposal; that citizens are in favor of planned growth, smart growth, designated economic centers with defined boundaries, preserving rural character and environmental assets, and decisions on

developments based on a comprehensive plan and map; that he believes that the vast majority of Chatham citizens share these views and have a common goal for the future of Chatham County; that in November 2001 the Land Use Plan was approved; that the Land Use Plan is gathering dust; that the 28 recommendations have largely been ignored; that this plan would decimate water protections around Jordan Lake; that this is the wrong plan at the wrong time; that it will lead to further sprawl and help destroy the rural character and quality of life; that there are questions about direct and indirect impact on raising the property taxes; that it will require a significant increase in planning and stormwater review and monitoring staff; that allowing additional parking lots, shopping center, traffic, roads and other build-over areas in the watershed will be a risk to environmentally sensitive areas; that a Farm Land Conservation Program needs to be developed before the 10/70 provision is enacted; that approving the 10/70 proposal at this time would be a repudiation of the Land Use Plan. He asked that the Board reject this proposal and show citizens that the Land Use Plan is still in effect.

Sally Kost, 1101 New Hope Church Road, Apex, NC, stated that we should be talking about our vision for this County; that a commercial corridor ordinance is needed first; that appearance standards are seriously lacking; and that the issue is that there is no plan.

Judith Ferster, 228 Carolina Meadows Villa, Chapel Hill, NC, chair of the Conservation Committee of the Orange Chatham Group of the Sierra Club, speaking on behalf of the club stated that they appreciate the care with which the proposed 10/70 ordinance meets state requirements for handling storm water, trying to prevent or slow run-off from the impervious surfaces that it would allow; that if the County wanted to apply 10/70 now, it could also ask builders to pay fees with which to purchase extra land to compensate for the additional development allowed in some areas; that even with such safeguards, they don't think that this is the right time to invite more pavement and roofing into Watershed IV-PA or protected area; that it is now clear that Jordan Lake, into which this watershed drains and from which everyone drinks, is impaired by excess nutrients-too much nitrogen and too much phosphorus, leading to too much algae and too many fish kills; that as mandated by the PEA, the Environmental Management Commission of North Carolina is drafting new rules to reduce the nutrient load of the lake; that Debates and negotiations will ensue before the rules are finalized and implemented; that according to the current calendar, the draft will not be released until January and the public comment period will last until April; that the EMC could not finalize new rules until at least September; and that the earliest the General Assembly could approve them is early 2007. She stated that it is not the right time to open this sensitive part of the watershed to more hard surfaces; that there are plans for many new residential developments that will all fertilize their lawns and golf courses and spray their treated wastewater on open fields, contributing to the nutrients flowing toward Jordan Lake; that wastewater treatment plants are responsible for some of the nutrients and will probably have to be retrofitted; that 68% of the nitrogen and 84% of the phosphorus come from sources that can not be so easily identified-runoff from land that has not absorbed the water, including impervious surfaces; that before decreasing the protection of Protected Area IV by invoking 10/70, it is better to wait until it is learned what will be necessary to repair the degraded source of drinking water; that the Orange Chatham Group of the Sierra Club would enthusiastically support this effort.

Allison Weakley, 311 Boothe Mountain Road, Chapel Hill, NC, stated that she is a biologist with a great interest in its environmental resources; that Jordan Lake is impaired; that she questioned why the County would enact regulations that would further endanger Jordan Lake; that the requirements fall short of that required to protect our water resources; and that the creeks at the Chatham Downs development have been compromised. She presented a map of an unnamed tributary just downstream from The Homestead which is attached hereto and by reference made a part hereof.

Jean Handy, 5103 Castle Rock Farm Road, Pittsboro, NC, stated that thought the 10/70 rule was typical for cities; that it is to transfer the decision making process to the developers; that she has been

interested in preserving land under conservation easements and that good planning is necessary in order for this to work properly.

Christie Boyce, 23 Belmont Road, Pittsboro, NC, stated that those in Chatham County are lucky to be here because they have a chance to shape the future; that the mistakes neighboring counties have made can be seen by residents of Chatham who can choose not to repeat them; that the question becomes how to manage the growth that is at the doorstep to allow for shopping convenience and higher tax revenue without also acquiring the traffic headaches and destroying the history and natural beauty that presently defines the County; that opportunities for growth are coming; that each business will choose the most economically feasible choice; that if it is cheaper and easier to plow over the existing landscape and start from scratch, they will do so; that if it is cheaper to locate within the towns' boundaries, they will; that it is up to the Board to make their choice easy. She asked that the Board not allow the change in 10/70 zoning and not rob the towns of revenue by encouraging massive growth outside of the towns' boundaries where they will suffer all the traffic issues and reap none of the tax revenue. She stated that the towns will be what defines Chatham County; that this is not a growth versus no growth decision; that the businesses, builders, and industries want to be here and that it is the Board's job to point them in the direction of the towns. She asked that the Board vote to not change the present zoning plan stating that the change would only encourage growth in one area of the County while hurting other already needy areas and balance is where the focus needs to be in order to be different and prosperous.

Nick Robinson 4885 Manns Chapel Road, Chapel Hill, NC, delivered four points in support of the proposed 10/70 amendment to the Watershed Protection Ordinance as follows: 1) The current ordinance, as it relates to the WSIV Protected Area, increases commercial sprawl; that under the current ordinance, a proponent of a commercial development is allowed to use up to 36% of its land for impervious surfaces; that the developer is required to acquire almost twice as much property as is needed for the commercial use and to leave 64% of the land undeveloped; that this requirement to tie up 64% of the land guarantees that when the property adjoining the first commercial development is ultimately developed for commercial purposes, it will inherently be that much further down the road; that this, in turn increases the likelihood of more and longer trips into and out of the highways, more fueled expenditure, more pollution and guarantees the failure of any plan to install mass transit; that with each subsequent development, the sprawling continues on down the highway and into the side streets and neighborhoods; that many more people will be living in the WSIV Protected Area watershed in the coming years; that businesses necessary to serve these folks will locate themselves nearby; that if the rule stays as it is, the likelihood is that such developments will take up more space and will stretch further up and down the highways and further into the side streets and neighborhoods. 2) The 10/70 Rule imposed stormwater management standards that are more strict than currently required. Thus, in order to qualify for this exception, a developer will have to prove that all of the required stormwater structures and enhanced buffers are installed. So there is little risk and great reward to the County by allowing reasonable commercial uses to be concentrated in places where they make sense. 3) The State Division of Water Quality's model ordinance contemplates use of the 10/70 Rule in WS IV Protected Areas. That is, the Environmental Management Commission recognized that with certain increases in stormwater control standards, use of a 10/70 rule is a moderate approach. In fact, the model ordinance allows 100% of a watershed district to be developed with up to 70% impervious so long as certain practices and safeguards are implemented. Implementing the 10/70 rule can be good, sound stewardship when one knows that commercial development is coming. 4) A huge percentage of the County already has the 10/70 rule. Those who own land in the WS-IV watershed should rightfully ask why their land should be treated so differently. He stated that he believes that the 10/70 rule is a measured, sensible, reasonable step to take given the County's fortunate position in the Triangle Area.

Ken Tunnell, 282 Moore Mountain Road, Pittsboro, NC, representing the Haw River Assembly, stated that they believe it would be detrimental to water quality in Jordan Lake and the Haw River to allow

use of the 10/70 “built-upon” option for this watershed; that allowing 70% impervious surface area for 10% of properties would increase polluted runoff into nearby streams; that research has shown repeatedly that greater than 10% impervious surfaces degrade receiving streams; that the current limit of 36% density is already far higher than that; that this rule would allow 13,438 acres to be developed at 70%; that this proposal comes at a time when Chatham County should be finding new ways to reduce polluted runoff from storm events; that Jordan Lake has been listed by North Carolina as “impaired” by excessive algae growth due to nutrient pollution; that there will soon be new rules passed by the state under EPA mandate to reduce this pollution from all sources-including residential, industrial and agricultural-in all counties and cities that are part of this watershed; that these are the same kind of rules that are in effect on the Neuse and Tar-Pamlico Rivers to reduce nutrient pollution in those watersheds; that in addition, the NC Rules Review Commission has finally approved the original EMC Phase II Stormwater Regulations that include Chatham County as one of the rapidly “urbanizing” counties; that there will be new requirements for best management of stormwater running off impervious surfaces to slow down its destructive impact on streams; that this is not the time to be adding new sources of pollution by increasing the percentage of impervious surfaces in this already troubled watershed; that the natural resources are too important to all for drinking water, recreation, and a place where everyone wants to live with their families. He urged the Board to deny adoption of the 10/70 option.

Randolph Voller, 21 Randolph Court, Pittsboro, NC, stated that growth is not an “if” question, but a question of “how”; that the 10/70 rule will be difficult to manage; that this would require hiring extra employees; that the first duty is to the small business owner; that there are still a lot of businesses that have 2-25 employees; and that small businesses will be here for a lot longer than the bigger box stores. He urged cooperation between all the boards.

William Sommers, 1027 Fearrington Post, Pittsboro, NC, stated that the practical results of the 10/70 will be costly; that stormwater run-off will be increased; that Chatham County must manage stormwater runoff under Phase 2 guidelines; that Chatham County has no stormwater ordinance; and that there is no urgent necessity for this plan at this time.

Mark Barroso, 110 Persimmon Hill, Pittsboro, NC, stated that he represents Chatham First; that it is confusing why the Board would rush into a proposal of this nature; that the County does not have a plan for well-placed density; that present and future citizens should know where the large commercial development should be; and that the County does not want the problems of Durham, Cary and Raleigh in North Chatham.

Pete Crawford, 1152 Gallup Road, Chapel Hill, NC, stated that he was uncertain of the logic of saying that it was better to have a solid mass of block development rather than a buffer; that the streams that drain into the Jordan Lake watershed are severely impacted by the extreme upgrade in impervious surface that is allowed by 10/70; that allowing for the proposed increase of impervious construction would increase the two-year storm flow by over 300%; that this would be a huge impact to the streams; that because typical stormwater controls, if implemented at all, are limited to a fraction of a two-year storm event this would have little impact in reducing the surge on the streams; that it is clear that such impact would cause severe stream erosion in order of thousands of tons of sediment flowing annually down streams; and that this would be a long term impact that is difficult and very expensive to repair, if it could be repaired at all, leaving aquatic habitats destroyed and impacting the lake in terms of sediment and pollution. He recommended that the Board take the time to research and consider this decision carefully.

Liz Cullington, 390 Rocky Hills Road, Pittsboro, NC, stated that consideration to adopt the 10/70 rule with the WS IV Protected Area should be considered separately from any specific development proposal. She asked the Board to not apply this rule to the watershed and to not revisit it at the request of a specific applicant.

Gerald L. Featherstone, 117 Penna, Pittsboro, NC, stated that he is worried about degrading streams in one of the major watersheds in the State of North Carolina. He stated that there are already serious problems at Jordan Lake. He urged the Board to think about the legacy they are leaving stating that the protection of drinking water is one of the top interests of the public; that the Board needs to be mindful of run off from all streams into the watersheds; that problems the County has need to be solved; and that the Land Use Plan needs to be utilized; and that the western part of the County needs to be thought about.

PLANNING AND ZONING

Zoning and Ordinance Amendments:

Request for B-1 Conditional Use District with Conditional Use Permit for Veterinary Clinics:

Consideration of a request by Sandy Pond Enterprises, LLC for a B-1 Conditional Use District with a Conditional Use Permit for veterinary clinics and hospitals with dog runs or equivalent facilities and for a dog boarding facility, on approximately four acres, located on the north east corner of US Highway #15-501 and Vickers Road, SR #1719 in Williams Township

Commissioner Emerson moved, seconded by Commissioner Cross, to adopt **An Ordinance Amending the Zoning Ordinance of Chatham County**, attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

Commissioner Emerson moved, seconded by Commissioner Barnes, to adopt **Resolution #2005-60 Approving an Application for a Conditional Use Permit for a Request by Sandy Pond Enterprises, LLC**, attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

BOARDS AND COMMITTEES

- **Human Relations Commission:** Consideration of a request to appoint a member to the Human Relations Commission by Commissioner Emerson (1)

Commissioner Emerson moved, seconded by Chairman Morgan, to appoint Jennifer Scotton, 131-A Fletcher Siler Road, Siler City, NC, to the Human Relations Commission. The motion carried four (4) to zero (0).

Chatham County Fair Association: Consideration of a request to appoint a Commissioner to the Chatham County Fair Association

This item was deferred until a later date.

Recreation Advisory Board: Consideration of a request to appoint a member to the Recreation Advisory Board by Commissioner Barnes

This item was deferred until a later date.

MANAGER' S REPORTS

The County Manager stated that he would e-mail the Board several dates from which to choose a mutually agreeable annual summit date.

COMMISSIONERS' REPORTS

Chairman Morgan stated that he and Commissioner Emerson had gone to talk with the Town of Cary; that they had a keen sense of working together; that staff has been challenged by the County and Town Managers to come up with ideas of how to address this issue; that there will be public meetings; that everyone will represent the Board not just Commissioner Barnes; that staff will return to the Commissioners at which time they will be challenged with what they would like to see; that two public meetings will be held; that a joint public hearing will probably be held with Cary; that public hearings will be held on both sides; that there are no time limits, but he hoped that this will come to fruition by summertime.

ADJOURNMENT

Chairman Emerson moved, seconded by Commissioner Cross, to adjourn the regular meeting. The motion carried four (4) to zero (0), and the meeting was adjourned at 11:37 PM.

Bunkey Morgan, Chairman

ATTEST:

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