

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JULY 18, 2006

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the District Courtroom, 12 East Street, located in Pittsboro, North Carolina, at 6:00 PM on July 18, 2006.

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

The Chairman called the meeting to order at 6:05 PM.

PLANNING AND ZONING

Keith Megginson, Planning Director, explained that the following items have been withdrawn by the developer and that they do not anticipate them returning to the Board anytime in the near future:

Public Hearing for a Conditional Use Permit for a Planned Unit Development: Public hearing to receive public comments on a request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for a Conditional Use Permit for a Planned Unit Development (Farrington North) on 40 acres, to consist of 24 clustered single-family homes and 9 single-family lots, 33 total residential units, located off SR #1718, Villageway and SR #1785, Beechmast, Williams Township

Public Hearing for RA-40 Conditional Use District for a Planned Unit Development: Public hearing to receive public comments on a request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for a RA-40 Conditional Use District with a Conditional Use Permit for Planned Unit Development (Farrington East/Northern Section) on 46 acres, (no residential units to be located on this section), located off US Highway #15-501 North, Williams Township

Public Hearing for RA-40 Conditional Use District for a Planned United Development: Public hearing to receive public comments on a request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for a RA-40 Conditional Use District with a Conditional Use Permit for a Planned Unit Development (Farrington East/Southern Section) to consist of 28 clustered homes and 50 single-family lots (78 total residential units) on 197 acres, located off US Highway #15-501 North, Williams Township

Public Hearing for a Revision to Existing Conditional Use Permit for a Planned United Development: Public hearing to receive public comments request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for a revision to the existing Conditional Use Permit for a Planned Unit Development for the Village of Farrington to transfer allowed dwellings from Farrington East to the undeveloped Village Center lands to consist ~~of~~ 162 residential units on 1,227 acres, located off US Highway #15-501 North, Williams Township

Public Hearings:

The Chairman administered the oath to those in attendance who wished to make public comments.

Public Hearing for B-1 Conditional Use District with a Conditional Use Permit for Banks, Savings and Loans, Etc.: Public hearing to receive public comments on a request by Baycorp Development, Inc. on behalf of Ridgely W. Cook, Jr. and Julia Ann Cooper for B-1 Conditional Use District with a Conditional Use Permit for banks, savings and loans, finance companies, credit agencies and similar financial institutions, on 1.351 acres, located off US Highway #15-501 North, Baldwin Township

Baycorp/District:

Patrick Bradshaw, 128 Hillsboro Street, Pittsboro, NC, stated that he is representing Baycorp Development, Inc.; that the application is consistent with the policies and goals of the Chatham County Land Conservation and Development Plan; that the proposal promotes the policy of the Land Use Plan to insure that development is “guided to suitable locations and is designed appropriately”; that the site is near a critical commercial intersection in northeast Chatham County; that commercial developments exist on all quadrants of the intersection and to the north and east of the site; that the parcel has excellent frontage on US Highway #15-501 and is ideally suited for business use; that the design will conform to or exceed all County standards set forth in the Design Guidelines and other applicable ordinances; that the site is located in what would certainly be an “economic development center” and a “cross-roads commercial center” under the Land use Plan, although those zones have never been formally adopted; and that the proposal will satisfy and promote several objectives of the land Use Plan in that it will site a commercial use along a major highway in commercial clusters at specific, designated locations, and it will be part of a commercial cluster sited so that it might be served by transit in the future along the US Highway #15-501 corridor identified in the Land Use Plan.

Mark Barroso, 110 Persimmon Hill Road, Pittsboro, NC, stated that he had a question about the “similar financial institutions” whether it meant pawn shops or check cashing facility.

Quasi-Judicial:

Patrick Bradshaw, 128 Hillsboro Street, Pittsboro, NC, stated that the use of this property for a bank or similar financial service business will be beneficial to Chatham County by providing necessary services to local citizens by increasing ad valorem real and personal property tax revenue and by adding to the number of local jobs available to County residents; that the location of numerous commercial uses near this property supports the conclusion that conversion of the property from residential to commercial is appropriate; that given the significant residential growth in the area, including the approved Briar chapel Subdivision, banking and financial services will be in demand in this location; that the only bank branch currently located between the County line and Fearington Village is the new State Employees Credit Union located at Old Lystra Road and US Highway #15-501; that many people in the area travel to Chapel Hill for banking services; that the current ad valorem tax revenue generated by the property is about \$500.48; that Baycorp estimates that after construction the value of the land and improvements will be approximately \$2,565,000.00; that at the current tax rate, the ad valorem tax revenue would be approximately \$16,82.00; that demands on County services from this project will be minimal; that use will not increase the County school population, will not require infrastructure improvements from the County and will have no significant impact on County fire, law enforcement or rescue services; that after the property is built and operational, it is expected that there will be approximately 10-15 full-time employees in the business; that construction of the structure will provide temporary employment for a number of persons involved in the building trades and professions; that some of the personnel employed permanently in the business will be professional skilled employees and the compensation of all employees is expected to be competitive in the market; that the project is designed to have minimal impact on adjoining properties and will comply with all buffering and screening requirements; that exterior lighting will be down-lighting with direct glare shielded from adjoining roads and properties and will comply with the Chatham County Lighting Ordinance; that the proposed bank or financial institution use will produce

ordinary levels of noise; that no industrial or significant noise-generating activities or uses are proposed; that the site plan has been reviewed by the Appearance Commission which commented that this was the best, most thorough and one of the most creative site plans that they could remember seeing for a commercial project; that the Appearance Commission recommended keeping the vacant rear portion of the property as a mowed meadow and recommended changes to some of the small border plants and switching the locations of some trees; and that Baycorp will gladly comply with those recommendations.

Bill Piver, 8009 Creedmore Road, Suite 200, Raleigh, NC, stated that this is a prototypical bank model; that they have exceeded the parking requirements; that it will be a maintained meadow; that the landscaping will shield the meadow from the parking; and that they will connect into the existing sewer system in the area.

Rynal Stephenson, 4928-A Windy Hill Drive, Raleigh, NC, stated they did the traffic study to the area and that there would be relatively little impact on the area.

Patrick Bradshaw that on behalf of Baycorp Development, he respectfully submitted that the evidence provided in the application and at the hearing is sufficient to support the five necessary findings under the Chatham County Zoning Ordinance; that Baycorp's project will enhance the health, safety, and welfare of the citizens of Chatham County by providing a service for which there is a high demand in a sensible location; that they respectfully request that the proposed conditional use zoning district and conditional use permit be granted. He added that, for the record, he would like to object to the testimony in this portion of the hearing of any witnesses who lack standing to testify under North Carolina law and to any opinions that are offered without adequate foundation under North Carolina law.

Allison Weakley, 311 Boothe Hill Road, Chapel Hill, NC, stated that she was a biologist and submitted her qualifications for the record. She stated that in review of the application, she noticed at least four items that warrant further discussion and for which she has questions: 1) Plan for wastewater treatment and disposal; 2) Impervious surface calculation; 3) Proposed landscaping plant list; 4) Future plans for this property. She stated that it is not clear from information submitted with the application how wastewater treatment and disposal will be handled; that the applicant states in their application that the Department of Environmental and Natural Resources (DENR) supports purchasing lots or wastewater rights to lots from the Cedar village residential community adjacent to this property; that a letter from the Division of Water Quality (DWQ) to Soil and Environmental consultants (S&EC) included in the application suggests that wastewater treatment capacity will be sought via Cole Park Plaza WWTP or that ten lots must be purchased from Cedar Village WWTP; that it is unclear from the application how wastewater treatment and disposal will actually be handled or what alternatives are available; that if allocation of wastewater capacity depends upon other parties and properties, it should be spelled out more succinctly in the application; that she is concerned that Chatham County is setting a dangerous precedent if this request is approved without a solid, clear explanation of the proposed wastewater treatment and disposal plan; that the more properties involved, the more complex the situation, and the County has a right to know upfront the plan for wastewater treatment and disposal before granting a Conditional Use Permit; that to not be clear on wastewater treatment and disposal alternatives is not consistent with Finding #5, required by the Zoning Ordinance; that Finding #5 requires that a plan for wastewater is in place; therefore, it is her opinion that, based on the application, this finding cannot be met and a Conditional Use Permit should not be granted; that a conditional Use Permit should not be granted unless the developer can prove capacity for wastewater is available and sufficient efforts have been made to obtain capacity, either by proof that Cedar Village will sell lots (or rights to ten lots) or that there are sufficient soils on site to support a septic system.

She stated that the application states that the parking lot, driveway, and building together meet the maximum impervious surface of 36% for the WS-IV-PA watershed; that though this may be a creative way to deal with impervious surface, she is concerned that the development only meets the 36% impervious surface requirement if three other lots are included in area calculation; that at the time of application, the development far exceeds the 36% impervious surface limit on the property they request to rezone; that she is concerned that the County is setting a bad precedent if they allow this sort of

calculating for the sake of impervious surface; that a Conditional Use Permit should not be granted without guarantee that lots to serve to meet the impervious surface requirement remain completely (100%) pervious in perpetuity, not just for the term of the Conditional Use Permit; that the residential lots used to meet the impervious surface should be completely pervious before any construction on the rezoned commercial parcel (Cook/Cooper property) takes place.

She stated that the list of plants for landscaping is not legible in the documents posted on the Chatham County website; that as a botanist, she has an interest in seeing the list of plants proposed for landscaping; that she trusts the Appearance Committee to strongly encourage the use of native plants, and strongly urges the County to prohibit the use of any plant species known to be invasive in the southeastern United States; that the list was originally compiled by her under contract with the NCBG under her maiden name (Allison Schwarz).

She further stated that reference was made in the letter from DWQ and in the traffic analysis for this application to a vacant gas station that was to undergo revamping to twenty pumps plus a fast food restaurant; that the applicant should clearly explain what these letters actually refer to, as the application is for a one-acre site with a bank, not a gas station; that the County has a right to know before sketch design approval if rezoning of this parcel is part of a larger plan; that it is also her understanding that the 4-5 acre parcel now owned by Baycorp adjacent to the parcel for which this application pertains was already rezoned in 2005 for a bank; that those who spoke during that public hearing on that application in 2005 were concerned that there was no plan in place for that property.

She concluded by stating that the Baycorp request for a Conditional Use Permit should be denied, at the very least Finding #5 cannot be made and that the application is inconsistent with the required five findings as outlined in the Chatham County Zoning Ordinance.

The Chairman closed the public hearing.

Public Hearing for a B-1 Conditional Use District with a Conditional Use Permit for Retail, Office Buildings, Etc.: Public hearing to receive public comments on a request by Blake & Associates, Inc. on behalf of HBP Properties, LLC for a B-1 Conditional Use District with a Conditional Use Permit for retail/office buildings/restaurants/bank/insurance/financial services/specialty retail/furniture/pet shop/art house theatre/gallery/pharmacy/drug store/engineering/service offices/distribution centers (see application for specific uses), on 40 acres, located at the intersection of US Highway #15-501 North and SR #1530, Polks Landing Road, Baldwin Township

District Request:

Travis Blake, 10700 US Highway #15-501, Chapel Hill, NC, stated that this is a sister project to the Williams Corner project; that it is in the commercial corridor; and that it will have 125, 000 square feet of commercial mixed use.

Ann Edwards, 219 Creeks Edge, Chapel Hill, NC, stated that she is representing Polk's Landing; that the Polks Landing Homeowners Board of Directors stands in opposition of this land being rezoned from residential to commercial; and that they enjoy the rural character of their wooded neighborhood and do not desire commercial development on their north border.

Jamie Nunnally, 101 Wilder Ridge, Chapel Hill, NC, stated that she requests delay of the approval of this project; that it should wait for a more comprehensive plan for the area; that the plans for its sister project have changed; and that she is concerned about increased traffic and crime to the area.

Jeffery Starkweather, PO Box 217, Pittsboro, NC, stated that he requests that the hearing be continued; that there is a concern over need; that overdevelopment of commercial space is rampant; that the notion that it is on the Highway #15-501 corridor and it is automatically a commercial zone is not true; and that Chatham County needs a highway corridor ordinance.

Permit Request:

Travis Blake, 10700 US Highway #15-501, Chapel Hill, NC, stated that they met with neighbors from Polks Landing; and that they made changes based on feedback from the group.

Ann Edwards, 219 Creeks Edge, Chapel Hill, NC, stated that she is representing Polks landing Homeowners Association Board and that they do not support this request for Polks Center, a development that would be directly north of their wooded neighborhood of 105 homes; that they oppose any new commercial development in north Chatham County until a commercial corridor ordinance is established that will balance commercial growth with other interests; that their board was inclined to support the request as it was presented to their homeowners initially with retail tenants no larger than 25,000 square feet; that since that time, the plan has changed to include commercial buildings as large as 40,000 square feet; that they are not convinced that the developer will be mindful of their homeowners' concerns about the impact of increased traffic, noise, and light on their neighborhood; that they request a peer review of the Kimley-Horn and Associates traffic impact analysis conducted by the developer; that they request implementation of a noise ordinance before this development is approved; that this request does not meet at least three of the five findings that must be reached by the Board of Commissioners to approve a Conditional Use Permit; that it is not essential or desirable for public convenience, will impair the integrity and character of surrounding or adjoining districts, and that it is not consistent with the objectives of the land development plan; that several of the old and new shopping centers in this area are currently unable to rent the space they have; that they question whether there is a demand for more commercial development here; and that they ask the Board of Commissioners to allow time for comprehensive planning before approving any further commercial development in north Chatham County.

Allison Weakley, 311 Boothe Hill Road, Chapel Hill, NC, commended the developer for proposing to use low-impact development stormwater techniques and employing green building techniques with solar components in his development and for seeking out public input and for actually considering it. She stated that she hoped that the developer would consider her comments as valuable input from a neighbor who would be potentially patronizing the proposed shopping center. She also stated that it is unclear from the application what kind of commercial center is really proposed and what stores will occupy the development; that it is concerning that more of a plan is not in place before a request for a Conditional Use Permit is submitted; that in her review of the proposal, she noted that there were discrepancies for the proposed buildings; that the application states that "no single tenant will occupy more than 40,000 square feet" but does not specify building sizes in much detail; that the traffic study states that "approximately 20,000 square feet of general office space, 92,500 square feet of general retail space, one high-turnover sit-down restaurant, and a drive-in bank"; that the memo states that the Polks Centre development will include 70,000 square feet general retail, 20,000 square feet flex space, 5,000 square feet each for two high-turnover restaurants, and one 5,000 square feet bank; that she would encourage the Board to limit the number of fast food restaurants in this area of Chatham County; that she would also encourage the Board to request clarification on what exactly is proposed in terms of building size and location; that it is concerning that the proposed development; in conjunction with other developments included in the traffic analysis, will provide a "C"-rated level of service (LOS) equating to an average wait of thirty seconds at this intersection, even with the proposed improvements of additional southbound lane and westbound lanes; that there is no real plan for wastewater disposal on site and alternatives are not clearly laid out; that no application has been submitted for Polks Centre for either a wastewater treatment facility or a spray system; that the developer suggests other projects may make use of the reuse water, but fails to mention which projects; that the Division of Water Quality (DWQ) has not received a plan for the disposal system; that the plans for disposal remain unclear and no alternative for the wastewater spray system is provided, not even septic; that no hydrological tests have been completed; that until they are, it is not known what portion of the proposed sprayfields may have high water tables; that water tables are typically higher near streams and flood plain soils take up a portion of the site; that she is unaware of a map of the sprayfield; for a complex system that intends to cross property boundaries, the County has the right to know upfront what is planned; that in the application, the developer states that

they have received approval for water supply from Chatham County Public Works for up to 40,000 GPD, but only 23,000 GPD wastewater is accounted for in the application; that it is unclear how the developer is implementing low impact development stormwater techniques; that low impact design stormwater techniques control stormwater more at its source than what is proposed in the request; that Cub Creek is already significantly negatively impacted by existing development in its watershed, most recently by Chatham Downs, and mitigation of further negative impacts is necessary to ensure that cumulative effects of development do not impair it further; that as a neighbor who will pass the development on a daily basis, she has an interest in its appearance; that a combination of shrubs with trees will provide a more opaque vegetated buffer; and that she is not clear if the development will be pedestrian friendly; that walkways are not apparent on the Site Plans. She summarized by saying that based on the application submitted, not all five required findings can be met, especially Finding #5; that for that reason, she encourages the Board to deny the request for a Conditional Use Permit at this time; that she understands the financial implication for the developer, but that he stands to make a tremendous profit from the development and the County has the right to have a more complete plan for such a comprehensive and complex wastewater project; that at the very least, the County should consider the following recommendations before this request is approved, given the location of the site along Cub Creek and its potential impacts on adjacent properties: 1) Increase stream buffer along Cub Creek to a minimum of 100 feet on each side; 2) Encourage use of low-impact development stormwater features that are distributed throughout the impervious site; and 3) Require more detailed wastewater treatment plan with map of sprayfield (or other disposal means) before sketch design approval.

Travis Blake, stated that he wanted to make it clear that he was from Chatham County; that he listens to people from other places who move into the County; and that the developments on which he is working are innovative and come from years of environmental experience. He answered citizens' questions.

BREAK

The Chairman called for a short break.

BOARD OF COMMISSIONERS' MATTERS

Commissioner Electoral Districts: Public comments on correcting Commissioner district population imbalances; Consideration of changing to electing commissioners by district; and Consideration of adding two additional commissioners

The Chairman explained the specifics of district imbalances.

Jeffrey Starkweather, 570 Old Goldston Road, Pittsboro, NC, stated that he is a democrat and is the president of Chatham Coalition, which is a non-partisan; that he feels strongly that the County needs to redistrict as things are out of balance; that he is against voting by districts; that it will exacerbate tensions; that it will disenfranchise the rural and western parts of the County; that it will disenfranchise minorities; that he favors five districts with two at-large seats; that this is not the appropriate time during an election cycle; that one of the candidates on the ballot has come out in favor of this proposal; that when he moved here in 1972 commissioners were voted by district; that one of the reasons that it was changed to countywide voting by residency by district was the idea that the Commissioners should be representing all the people; that if we had also not had an African American elected to an office due to geography; that this minority is not in one district alone; that Commissioner-elect Thompson would not have won if the County had voted by district; that 67% of the voters are in the eastern part of the County; that if Commissioners were elected by district, they would not be aware of issues in other parts of the County; that this will highlight regional conflicts; that the advantage of adding two at-large commissioners would help reflect changes in population; that it would allow for more diversity on the Board; that Orange County would go to a blended system that votes by district during the primary and at large at the regular election; that the County should not be doing a referendum during this election; and that the County has time when the new Board gets into office to deal with this matter. Mr. Starkweather submitted comments

that he asked be made a part of the official record which are attached hereto and by reference made a part hereof.

Nick Meyer, 988 Boothe Hill Road, Chapel Hill, NC, stated his chief concern about districts is that it would be based on the numbers of the 2000 census; that the demographics have changed considerably in the last six years and will change again; and that the County needs to look at this long and hard to avoid as many unintended consequences as possible.

The Chairman stated that he had received a letter from Siler City Commissioner Sam Adams endorsing the redistricting idea and thanking the Board of Commissioners for bringing it to the citizen's attention. He stated that he had also received a letter from Goldston Mayor Tim Cunnup endorsing the idea.

Margie Ellison, 11538 Highway #902, Bear Creek, NC, stated that as she stood before the Board last night, she was disgusted; that as the Board considers this change, it will limit citizens rights; that it will create racial division; that she has spoken with over sixty citizens that do not want the Board to go forward; that redistricting requires a process of review and deliberation; that the consideration of a change appears to be an attack on the African American population and their community; that this change would be like politic genocide and would make their votes invisible; that this proposal will prevent people from working together; that this will divide the people, not unite them; and that she urges the Board of Commissioners to do what is in the best interest of Chatham County.

Carl Thompson, 67 Robert Thompson Road, Bear Creek, NC, stated that he wanted to go on record as being opposed to this option; that given the most recent population numbers, it is right to look at the districts; that changing the current system to elect by district will hinder African American election to the Board; that the African American population would feel betrayed; that his prior election to the Board was helped by Countywide voting; that this issue is of concern to leaders in the African American community; and that he believes the majority of the citizens believe that it is right and just that all members of our society deserve representation in local government.

Del Turner, 557 Clarence McKeithan Road, Gulf, NC, stated that she concurs with previous comments; that she is concerned that the plan will harm minority interests; that under the Voting Rights Act NC is a covered state; that Chatham County does not need to redistrict; that before 1965, there were a lot of discriminatory practices; that gap of previous years has been bridged by changes to allow for voting Countywide.

Karl Kachergis, 1417 Morris road, Pittsboro, NC, stated that he is not in favor of bringing this up at this time; that there is a need for some redistricting to adjust for population distribution; that Commissioners must campaign throughout the County; that they learn about the County; that election by district will imply competition; that it seems to have come up very suddenly; and that he urges that the Board table this matter and allow the new Board to tackle this matter.

Beverly Ann D'Aquanni, 856 Fearington Post, Pittsboro, NC, stated that she thinks that the proposal will be detrimental and will only serve as a divisive factor; that she has been attending these meetings and she finds that she is disappointed by the actions of the Board; that our natural resources and way of life is being plundered and spoiled; that this will not be easily remediated.

John Bonitz, 144 Celebrity Dairy Way, Siler City, NC, stated that he is surprised that redistricting is being brought up for discussion; that it seems as though it was short notice; that it is contentious; that it concerns him greatly; that it is his understanding that the proposal was made by the Republican Party; that the language in the proposal was disturbing in that it asked for the immediate change of district boundaries; that redistricting is fundamental to democracy and the voting process; that he knows what it is like to be in the minority; that not long ago he voted for the extension of water lines in the Hickory Mountain precinct where he is vice chairman of the Democratic Party; that he is personally aware of persons with contaminated wells and having to pay exorbitant prices for bottled water; that it was a disappointment to him that the water lines were not extended; that this process could result in extreme

measures and should be embarked upon slowly and cautiously with ample opportunities for public input; that it should not happen before the fall election; that being concerned, he drafted language and presented it to the executive committee of the Democratic Party; that it was discussed and given some measure of favor by the Democratic Party that is in support of tabling this issue. He read the draft resolution presented to the Democratic Party. He stated that he is not opposed to the fact that there are changes that need to be made in the way Commissioners are elected; however, the present seems to be an inappropriate time to do so.

Joseph Weissman, 1359 Bradford Place, Fearrington Post, Pittsboro, NC, stated that there is no question that the district lines must be redrawn; that the method of electing new commissioners is up for discussion; that there is plenty of time for debate; that the question about whether it is right to vote by district; that the idea of increasing the Board number is a terrible number; that there would be two classes of commissioners; that the only approach is to put this before the people for a decision; that the voting power of the commissioners is not changed; that he recommends letting the people vote on this matter.

Gene T. Brooks, 66 Nooe Street, Pittsboro, NC, stated that he has been a resident in this County for many years; that he has been concerned for a number of years; that the County needs to do things differently about how it elects people; that government is not representative anymore; that there is a disconnect between everyday people and their government; that redistricting is needed that helps people have contact with their elected officials; and that gerrymandering can be used both ways.

John W. Blair, 6125 US Highway #64 East, Pittsboro, NC, stated that this is a tough subject on both sides; that keeping it fair could be the best thing for the County; that this is a controversial issue but it is something that needs to be done to keep up with growth; and that this can bring the County together. He thanked the Board for the timely submission of the issue stating that he admires each Commissioner and that he is for the proposal.

Mary Nettles, 80 Millikin Road, Pittsboro, NC, stated that she is speaking as a concerned African American in the County; that back in 1973 when Representative Holmes changed Chatham County from a commissioner nominated and elected by district, to a commissioner nominated by district but elected County-wide, he was thinking one person one vote; that Chatham County has grown so much within the last thirty years; that she believes in order to redraw the lines, have the commissioners to vote by district, two at-large, would be the best for the African Americans in the County; that a couple of years ago at the Democratic Convention, Gerald Totten introduced a resolution on this subject; and that she believes now is time to do something about it.

Kim Cotton, 1136 Sanford Road, Pittsboro, NC, stated that she does want her vote to count; that she is in favor of redrawing the districts; that she requests that the method consult the NC General Statutes; that if commissioners will represent districts, they should be elected by district; that a commissioner living in a district will know that district better than anyone else; that she opposes increasing the number of commissioners; that that additional cost would be added to the County; and that she is opposed to at-large counties.

Armentha Davis, 176 Lees Point, Moncure, NC, stated that she is in favor of redistricting because in the last election; she felt that the African American population was exploited; that she does not need to be told how to vote; and that in the Moncure area they need a commissioner that knows exactly what they need.

John Cross, (address unknown) stated that he supports the changes as proposed.

Mark Barroso, 110 Persimmon Hill, Pittsboro, NC, stated that this needs to be revisited; that there could be an advisory committee; and that he doesn't understand the urgency in the matter.

Gary Cox, 883 St. Luke Road, Goldston, NC, stated that the Goldston precinct is in favor of redistricting for representation in that area.

Karl Ernst, 711 Red Oak Drive, Siler City, NC, stated that he does support election by district; that he has long supported this idea; that this is the best way to provide fair and equitable representation to each voter and tax payer in the County; that in Siler City there are two districts; that he lives in District One; that he is the minority in his current district; that there is a lot of precedent to do this; that he is convinced that this is the best and most fair way to do this.

Martie Hipple, 170 TC Justice Road, Pittsboro, NC, stated that she has seventy-two (72) written statements from people in favor of this proposal; that she has been an advocate of voting in electoral districts for years; that minorities have true representation, primarily rural folks; that essentially Chatham County is two counties within one border; that due to the large population imbalance, people in the western part of the County have become discouraged; that the perception in the west is that Commissioners are not sensitive to their issue; that the cost of running for office would also be lessened if voting was done by district; and that no additional commissioners are needed. She reiterated that she is very much in favor of voting by districts where a candidate resides in the district and is voted on by those qualified voters of that district.

BREAK

The Chairman called for a short break.

Floy Oldham, 1276 Old Lystra Road, Chapel Hill, NC, stated that he is there to encourage the Board of Commissioners to give them the opportunity to vote; that things have changed significantly; and that Chatham County is not the homogeneous group it use to be.

Roy Hipple, 170 TC Justice Road, Pittsboro, NC, stated that he thought the African American community would be supportive of this; that it would be better for each person to have their own Commissioner to talk to; and that the time has come to change the way commissioners are elected.

Richard Bradley, PO Box 1172, Pittsboro, NC, stated that he believes that Commissioners should be elected by district; that the cost of running in districts only would be cut down; that more people could afford to run; and that he doesn't believe it disenfranchises anyone.

John Gray, 123 Cub Creek Extension, Chapel Hill, NC, stated that he was brought up to deal with people as human beings regardless of background; that people are making a decision like this that is racially biased; that he would prefer to have a Commissioner by and from a district; that it would give more people an opportunity to participate in the process; that he would like to have more choices; and that Commissioners should be responsible to the voters in their district.

Jesse Albright, 1423 Colridge Road, Siler City, NC, stated that one of the things that is important to him is freedom; that this would give them the opportunity to have someone in the district they live in to represent them; that independence is also important; and that voting by district will provide the best representation.

Jay Gatlin, 1797 Ed Clapp Road, Siler City, NC, stated that he is in support of electing Commissioners by district; and that the North West Water District may not have been voted down if there was a Commissioner in that district.

Ann Zimmerman, PO Box 213, Pittsboro, NC, stated that she is in support of voting for Commissioner by district and asked that the Board of Commissioners just give them a chance to vote on the matter.

Cecil Wilson, 489 Holland Chapel Road, Apex, NC, stated that this item was originally to talk about population imbalance, not racial issues; that it would be better to sign up to run in a district and be voted on in that district; and that the County's system is outdated.

Bill Haiges, 401 South Dogwood Avenue, Siler City, NC, stated that he is in favor of redistricting; and that citizens should have an opportunity to vote on it as a County.

Sally Kost, 1101 New Hope Church Road, Apex, NC, that there are sixty-three (63) counties that have at-large representation; that she does support increasing the Board of Commissioners to seven members; that the issues are stretching the five members as it is; and that she cautions against using the 2000 census.

Commissioner Emerson moved that a public hearing be scheduled for August 21, 2006 for the purpose of input on a proposal to redistrict the five districts based upon the statutory requirements with a referendum that representatives for the commissioner in each district be elected from that district; that the Chairman appoint a committee consisting of the chairman or vice chairman of the Democratic and Republican Parties, a member of each party appointed by the executive committee of that party, Mr. Thomas Wagner as the mediator, as an advisory committee to work with the County information management people to develop the proposed districts.

Commissioner Outz seconded the motion. The motion carried four (4) to one (1) with Commissioner Barnes opposing.

BOARDS AND COMMITTEES

Appearance Commission: Consideration of a request to appoint a member to the Appearance

This item was deferred until a later date.

Board of Health: Consideration of a request to appoint a member to the Board of Health

Commissioner Outz moved, seconded by Commissioner Emerson, to appoint Linda Ellington, 1924 West Third Street, Siler City, NC, to the Chatham County Board of Health. The motion carried three (3) to two (2) with Commissioners Barnes and Cross opposing.

MANAGER' S REPORTS

The County Manager reported on the following:

Redistricting Advisory Committee:

The County Manager asked if the redistricting public hearing was to be held on August 21, 2006, if the advisory committee was to be organized quickly.

The Chairman stated that the suggestion was to have the committee prior to the meeting and posted on the County's web site.

COMMISSIONERS' REPORTS

Manager's Contract:

Commissioner Cross stated that as a result of Closed Session to discuss personnel matters, the County Manager's employment contract was discussed; that it was compared with surrounding counties; and that the Board has come to an agreement on the contract.

Commissioner Cross moved, seconded by Commissioner Barnes, to approve the four-year employment contract for the County Manager. The motion carried five (5) to zero (0). The contract is attached hereto and by reference made a part hereof.

ADJOURNMENT

Commissioner Outz moved, seconded by Commissioner Emerson, to adjourn the regular meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 9:58 PM.

Bunkey Morgan, Chairman

ATTEST:

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