

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**AUGUST 18, 2008**

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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 August 18, 2008.

Present: Chairman George Lucier; Vice Chair, Mike Cross; Commissioners Patrick Barnes, Carl Thompson, and Tom Vanderbeck, County Manager, Charlie Horne; Interim County Attorney, Tim Sullivan; Assistant County Manager, Renee Paschal; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

**INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**CALL TO ORDER**

The meeting was called to order by the Chairman at 6:03 PM.

Commissioner Thompson stated that one of Chatham County’s citizens, Mary Hayes Holmes, who served on the Board of Commissioners from 1986 to 1994, passed away last week; that he had the privilege of serving with her during that time; that he would be remiss if he didn’t say briefly that she was an outstanding lady and a great citizen of Chatham County; that he recalled his days in serving with her that she was funny, quick-witted, brilliant, sharp-minded, and a person who was most compassionate; that Chatham County is going to miss her as she not only served as a Commissioner but was very active and always giving to others; that she was always uplifting; that he believes that she was the first woman elected to the Chatham County Board of Commissioners; and that she will be greatly missed.

Chairman Lucier echoed Commissioner Thompson’s sentiments and stated that there are many people in Chatham County who are very appreciative of what she did for the citizens of Chatham County over the years.

**AGENDA AND CONSENT AGENDA**

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

The County Manager explained that Item #11, Request to Designate Chatham County as Electing or Standard Status, should read: “Consideration of a request to designate Chatham County as a Standard Status”.

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to approve the Agenda and the Consent Agenda with the noted request as follows:

1. **Minutes:** Consideration of a request for approval of Board Minutes for regular meeting held August 04, 2008 and work session held August 04, 2008

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

2. **Resolution Honoring Chatham County Volunteers:** Consideration of a request to adopt **Resolution #2008-39 Honoring Chatham County’s Outstanding Volunteers of 2008**

**Sue Clark, Lisa Cooke, Del Delgado, Glenn Dunn, Sally Murchison, Theresa Robertino, Lil Royal, Evelyn Savitzky**

The motion carried five (5) to zero (0). The Resolution is attached hereto and by reference made a part hereof.

3. **Grant Acceptance for Northeast Community Park Project:** Consideration of a request to accept a grant in the amount of \$500,000 from the Parks and Recreation Trust Fund for the Northeast Community Park Project, grant letter attached hereto and by reference made a part hereof.

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

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

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

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

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

6. **Fiscal Year 2008-2009 Budget Amendments:** Consideration of a request to approve Fiscal Year 2008-2009 Budget Amendments, attached hereto and by reference made a part hereof.

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

7. **Naming of Private Road in Chatham County:** Consideration of a request to approve a private road in Chatham County as follows: Lusitano Lane

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

8. **Records Retention and Disposition Schedule and Amendments:** Consideration of a request to approve the Register of Deeds Records Retention and Disposition Schedule and the Register of Deeds Records Retention and Disposition Schedule Amendments, attached hereto and by reference made a part hereof.

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

9. **Records Retention and Disposition Schedule and Amendments:** Consideration of a request to approve the County Management Records Retention and Disposition Schedule, attached hereto and by reference made a part hereof.

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

10. **Resolution for Addition of Streets to North Carolina System of Secondary Roads:** Consideration of a request to adopt **Resolution #2008-40 for the Addition of Streets or Roads – East Camden and Millcroft in the Fearington PUD Subdivision**, attached hereto and by reference made a part hereof.

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

11. **Request to Designate Chatham County as Standard Status:** Consideration of a request to designate Chatham County as a standard status, attached hereto and by reference made a part hereof.

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

12. **Department of Social Services Contracts:** Consideration of a request to approve Department of Social Services Contracts as follows:

1. Carol J. Holcomb, Attorney-at-Law
2. Chatham Transit Network

3. Child Care Networks, Inc.
4. Sheriff of Chatham County

The motion carried five (5) to zero (0). The contracts are attached hereto and by reference made a part hereof.

13. **Fire Department Contracts:** Consideration of a request for approval of the revised and updated Fire Department Contracts

- A. Fire Department Contract for Chatham County Fire Departments excluding Bennett Volunteer Fire Department, Parkwood Fire Department, Siler City Fire Department, Staley Volunteer fire Department, and West Sanford Volunteer Fire Department
- B. Siler City Fire Department Contract
- C. Bennett Volunteer Fire Department Contract
- D. Staley Volunteer Fire Department, Parkwood Fire Department, and West Sanford Volunteer Fire Department Contract

The motion carried five (5) to zero (0). The contracts are attached hereto and by reference made a part hereof.

14. **Subdivision Final Plat Approval of "Horizon Subdivision, Phase One":** Consideration of a request by John Coffey on behalf of Coffey Grounds of Chapel Hill, Inc. for subdivision final plat approval of "Horizon Subdivision, Phase One", consisting of 38 lots on 59 acres, Baldwin Township

As per the Planning Department and Planning Board recommendation (by a unanimous vote of 9-0), final plat approval of "Horizon, Phase One" with the following two conditions:

1. The final plat shall not be recorded until staff has received verification from the engineer regarding the placement of the gravel to assure the health and/or safety of the public.
2. The final plat shall not be recorded until staff has received and approved the financial guarantee.

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

15. **Subdivision Preliminary Plat Approval of "Millcroft Cluster No. 5":** Consideration of a request by Sears Design Group, PA on behalf of Fitch Creations, Inc. for subdivision preliminary plat approval of "Millcroft Cluster No. 5", consisting of 6 lots on 5.29 acres, located off Millcroft, SR #1817, Williams Township

As per the Planning Department and Planning Board recommendation (by a unanimous vote of 9-0), approval of the road name "Woodleigh Close" and preliminary approval of "Millcroft Cluster No. 5" was granted as submitted.

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

16. **Subdivision Preliminary Plat Approval of "The Knolls at Fearington":** Consideration of a request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for subdivision preliminary plat approval of "The Knolls at Fearington", consisting of 29 lots on 19 acres, located off Millcroft (pending state maintained road), SR #1817, Williams Township

As per the Planning Department and Planning Board recommendation (by a unanimous vote of 9-0), approval of the road name "The Knolls Close" and preliminary plat approval were granted as submitted.

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

17. **Resolution to Support Supplemental Funding Bill:** Consideration of a request to adopt **Resolution #2008- 41 to Support a Supplemental Funding Bill to US Congress, September 2008 Session, to Provide Funding for Older Americans Act Title III Programs and Services**, attached hereto and by reference made a part hereof.

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

18. **Appearance Commission Reappointment:** Consideration of a request to reappoint Ginny Gregory to the Appearance Commission by Commissioner Thompson

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

19. **Appearance Commission Appointment:** Consideration of a request to appoint Davis Andrews to the Appearance Commission by Commissioner Barnes

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

20. **Grant Application Approval for Travel & Tourism:** Consideration of a request to apply for Tourism Matching Funds Program grant in the amount of \$3,500, attached hereto and by reference made a part hereof.

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

#### **END OF CONSENT AGENDA**

#### **PUBLIC INPUT SESSION**

**Bob Knight**, 406 Chimney Rock, Sanford, NC, stated that he was before the Board approximately one month ago and presented a questionnaire of ten items; that at that time, he didn't expect to get the answers due to the heavy agenda; that he didn't specially ask for the questions to be answered in writing, but he asked the Clerk to relay that message to the Board which she courteously did; that he doesn't know if the Board planned to do so or not; that he received a call from the County Attorney advising him that the Board did not have to respond; that the Attorney was very courteous; that he still prefers the answers to his questions in writing; that he had received no answers from anyone; that the Board must have requested the County Attorney to call him; and that he would appreciate getting answers one way or the other.

Chairman Lucier stated that he thought the Board's attorney did that on his own; that the meetings are not a debate; that they are County Commissioner's meetings where they are conducting the business of the County; and that Mr. Knight has asked several questions and he hasn't seen his answers either.

Mr. Knight commented that the Board swore to represent the people of the County; that if a question that concerns the Board, he figures that the Board should acknowledge giving him and members of the audience answers to those questions when it pertains to the County; that it is not a political platform; that he came with earnest questions; that nine of the questions were from him and one from another person in the County; that the County Manager was able to answer some of his questions; that it was a good answer; that the Chairman, as a Commissioner and Chairman of the Board, should be able to answer the questions put before them and the people of the County.

**Regina Hyson**, 2758 Bonlee-Bennett Road, Siler City, NC, stated that she had several concerns: 1) One concern was regarding the \$15.00 administrative fee for water; that she would like to know why she is being charged \$180.00 per year if she only taps in but doesn't use the water; that it presently says that the "current fee" is \$15.00 for administrative

charges and from past experience, that it never stays the same; that she attended a seminar at the Siler City Senior Center approximately five months ago and wants to know if the water line proposed down her road is from the same source that supplies Siler City; that a doctor there advised everyone to drink six to eight glasses of water per day to be healthy and fit; that she does not drink Siler City water; that she is wondering if that is to be the same source of water that will come down her road; that the tap fee is \$500.00; that it suddenly jumps 900%; that if one doesn't tap in as it goes by, the fee goes to \$4,500.00; and that she wonders who came up with this figure.

Commissioner Cross stated that the Southwest Water District voted to be a Southwest Water District; that they required ten sign-ups per mile; that at present, there is not a single road in that district that has enough sign-ups to get water lines.

Ms. Hyson expressed concern that 2) sewers may be the next thing "coming down the line".

Chairman Lucier that with regard to the safety of the Siler City water, the water systems are monitored on a regular basis by officials other than Siler City; that there are State standards for different contaminants that must be adhered to for drinking water; that from time to time, most all municipal water systems are in violation one way or the other; that from his point of view, the Siler City water is not any worse than most other water supplies in terms of the safety and types of contaminants as well as the amount of contaminants; that is not where her water will come from; that her water would come from Jordan Lake through the County water system; that the County constructed a pipeline to Siler City last year; that the County can send water to Siler City, if necessary, but is not planning to take water back from them; that if there is a similar drought situation such as occurred last year, the County would be able to funnel water to them from connection lines from Sanford to alleviate the potential drought situation; that he thinks everyone should feel good about the safety of the water; that the water systems themselves are meant to be self-sustainable in terms of the different districts; that that is what governs the price structure; that the water treatment plants have been paid for and the water lines over a period of time is expected that the payments and the purchase of water will cover the long-term costs of the construction projects; that the price of the water is determined by how much it takes to produce it and how it takes to upgrade the plants in order to produce a certain amount of water and how many lines have to be laid to deliver the water where it needs to go; and that there are many factors that go into it; that the discounted fee of \$500.00 is set to encourage citizens to sign-up in advance of the water going by their house; that when someone has to come back to put in a water hook-up, the price of laying the line is charged to the customer.

Ms. Hyson agreed that the \$500.00 fee was a bargain. She stated that originally the fee was \$2,000.00 to sign-up; that now it has more than doubled; that she cannot understand why it has increased to more than 100%; and that she is wondering where that figure came from.

The County Manager explained that the cost of construction and infrastructure has caused the increase.

Commissioner Barnes stated that that is what he does for a living; that primarily, he is a utility contractor; that he does not work in Chatham County; that he has had numerous people to ask in the last 43 years why he is not running water and sewer lines in Chatham County; that the answer is very simple in that the County didn't have any and doesn't have any now; that he pays \$15.00 per month administrative fee; that originally when the water lines were run, the County offered the option to tap on before the line came by someone's property, the fee was \$500.00; that once the line passed the property, the full tap-on fee had to be paid; that the reason for this is that if you dig a ditch and drop a pipe in it, at that time it is a snap to make the tap; that there is nothing to it; that if someone has to return a month later to do this, the line has to be located, the line uncovered, dig a hole large enough to make the tap on the waterline, and then hook it up; that this is not money that comes directly out of the General Fund; that the money has to be borrowed; that it is paid back by "user fees" by people who use the water; that the County has only one water plant; that the water is not free from Jordan Lake, as it has to be purchased from Cary; that the \$15.00 is charged if someone wants to make a tap and not run the waterline to their house; that he didn't pay the \$500.00 when it went by, so after his well went dry during the drought, he paid the full fee; that he

has never actually run the line from the tap to his house; that each month he receives a bill for \$15.00 which is used to pay a meter reader who must check every installed tap; that it costs to do so for the person's salary, vehicle, and fuel; and that it is checked on a regular basis.

The County Manager stated that there was no guarantee that the administrative fee will not go up; that at one time, it was \$10.00; and that it is now \$15.00.

Chairman Lucier stated that the County does not make any money on its water system; that they basically have to set fees to make it pay for itself; that he appreciates Commissioner Barnes explanation of how the system works; that if Ms. Hyson has additional questions, he thinks it would be helpful for her to contact David Hughes, in the Chatham County Public Works Department.

The County Manager stated that he would also be glad to answer any questions that Ms. Hyson might have.

Ms. Hyson stated that she appreciated the explanation, but that she was still not happy with the administration fee.

Commissioner Barnes stated that the fee was part of the cost of doing business; that the cost of ductile iron, concrete, and other materials has doubled and tripled in the last three years; that Chatham County has no sewer system and no sewer plant; that as far as building a sewer plant, unless the County comes into a windfall of several hundred million dollars, it is unlikely to have one; that there is sewer in Pittsboro and Siler City; and that he asked DEHNR for sewer allocations in Chatham County so that Pittsboro and Siler City can increase their allocation in order to bring business into the County; that it was not so that Chatham County could build another 300,000 houses with the sewer allocation.

Commissioner Thompson explained that some folks had come into the meeting after the Public Input Session had begun and he would like for them to be given the opportunity to speak sometime during the meeting.

**Lewis Cameron**, 788 Marks Road, Cameron, NC, President of Local Lodge #W369, Moncure Plywood, LLC, Moncure, NC, stated that they were currently on strike. He voiced concern with regard to the local Sheriff's Office being hired as security agents for the company. He stated that they say they are neutral, but that the company is paying them so they cannot be neutral; that they have been very nice to them, but any time that the company decided to disturb their strike, they call the Sheriff's Office to lodge a complaint; that the captain sends down an order to the deputy to make the employees move things, i.e. Porta Johns, canopies, grills, etc.; that they are at their beck and call regarding everything that the company wants the Sheriff's Office to do; that the off-duty deputies in Sheriff's Office patrol cars, uniforms, badges and guns enforce the law on them that they should enforce on everyone; that keep complaining about the danger of the cars coming out of the plant, but no deputy has ever stepped into the road to direct traffic; and that they want to know how they can do what they are doing and be fair and impartial.

Chairman Lucier asked the County Manager who paid for the security.

The County Manager stated that the company hires off-duty officers; that that process is not unusual; that he suggests that if the Board would like to hear more, they have a representative from the Sheriff's Office come to a meeting to explain the process.

Chairman Lucier stated that he thought it was a good idea to have someone come and report on the Sheriff's Office procedures.

Commissioner Thompson suggested that they make a list of their grievances or perceived actions taken by the Sheriff's Office so that they will know specifically with what they are dealing.

Mr. Cameron stated that he would supply the list.

Commissioner Vanderbeck where the requested items to be moved had been located.

Mr. Cameron stated that the company never came and asked them to move anything.

**William Harrington**, 2200 Cool Spring Road, Sanford, NC, stated that he would like to see the Sheriff's Office operate fairly; that the other day, he was standing on the picket line when a motorcycle came by traveling fast; that the deputy did not attempt to stop him; that he feels if the Sheriff is going to be there for everyone's safety, he should be there for everyone.

Chairman Lucier stated that they would look into this matter.

**Bronze Medal Winner:**

Chairman Lucier stated that Chatham County was fortunate to have a bronze medal winner; that she was Shalane Flanagan, 27, who lives in Chatham County near Pittsboro; that she won the medal in the 10,000 meter run at the Beijing Olympics; and that it was the first medal by an American woman at that distance since 1992.

**BOARD OF COMMISSIONERS' MATTERS**

**Resolution Honoring Chatham County's Volunteers: Consideration of a request to adopt Resolution Honoring Chatham County's 2008 North Carolina Human Relations Commission (NCHRC) Award Winners**

Chairman Lucier stated that approximately one year ago, the Board of Commissioners formed the Human Relations Commission in Chatham County; that Esther Coleman was hired as the director; that this was done because of the sometimes overwhelming diversity; that Chatham County is a relatively small county with 60,000 people but that it is a very diverse county, socially, culturally, and economically; that a lot of different ethnic groups are located here; that the challenge is to get everyone working together and pulling in the same direction; and that this is why a Human Relations Director was hired. He further stated that there is also a North Carolina Human Relations Commission; that the North Carolina Human Relations Commission recently presented six awards throughout the State; that Chatham County was the recipient of three of those awards; that this is quite a remarkable accomplishment for Chatham County and something they are very proud of. He read the resolution and congratulated the award winners.

Esther Coleman addressed the Board of Commissioners and those in attendance and stated that she was aware that the worthy recipients had received the awards because of their service. She stated that she loved quotes and presented two on "service" as follows: "The sole meaning of life is to serve humanity." by Leo Tolstoy; "Service to others is the rent you pay for your room here on earth." by Mohammed Ali. On behalf of the Chatham County Human Relations Commission and the Office of Human Relations, she commended the award recipients, Reverend Javier Benitez, Ventura Ruiz, and the Chatham County Public Health Department Change Team for fulfilling what Tolstoy said was their sole meaning in life and for keeping their rent paid-up. She stated that she was pleased to have been a part of the nominating team and was so happy that they won

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to adopt **Resolution #2008-42 Honoring Chatham County's 2008 North Carolina Human Relations Commission (NCHRC) Award Winners**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**PLANNING AND ZONING**

**Extension Of Final Plat Submittal for "Arcadia Subdivision":** Consideration of a request by Steve F. Yuhasz, ENT Land Survey, Inc. on behalf of Bruce Curtis, for an extension of final plat submittal for "Arcadia Subdivision" to extend the final plat submittal date from January 17, 2009 to January, 17,2010

Commissioner Vanderbeck asked Mr. Yuhasz to elaborate regarding his statement in his letter where he said that the process for obtaining the required approval is "neither clear nor straight forward, as a result there have been a number of false starts, confusion, and consequent delays". fs

Steve Yuhasz stated that last July when the Board approved the request, one of the conditions of approval was that no boat-building activity occur at the stream location until permits were issued from the applicable agencies; that it wasn't clear to them whom the applicable agencies were; that they contacted DWQ and they came out to look at the property prior to the July meeting; that it was determined that DWQ was the appropriate agency; that once DWQ came out, they were concerned with more than just the road stream crossing; that there was an existing pipe that serves the joint driveway; that there will be a driveway along the northern boundary to serve Lot #12 that will also cross the creek; that DWQ added to the work load by expressing concerns about those two crossings; that they had to return and do additional survey and engineering work to satisfy DWQ with regard to the crossings and how they were to be constructed; and that they have also gone to the Corps for the appropriate permits; that it has been a number of things; and that basically, everything that could have gone wrong has gone wrong.

Commissioner Vanderbeck stated that he was sorry for everything that had happened to them; that the Board had no control over them; that they do care what happens within their waterways; that he just wasn't sure about the tone of Mr. Yuhasz's letter. He asked that Mr. Yuhasz do this as soon as he can and if it wraps up in September, then they are done with it.

Mr. Yuhasz stated that they were anxious to complete it as soon as possible; that they didn't want to start until they got all of the appropriate permits; and that they should be forthcoming but they anticipate from the start, no later than the spring.

As per the Planning Department and Planning Board recommendation (by a vote of 8-1), Commissioner Vanderbeck moved, seconded by Commissioner Thompson, to grant an extension of final plat submittal for "Arcadia Subdivision" from January 17, 2009 to January 17, 2010. The motion carried five (5) to zero (0).

### **ZONING AND ORDINANCE AMENDMENTS**

#### ***Items A – H from July 21, 2008 Public Hearing:***

**Text Amendment to Chatham County Zoning Ordinance:** Consideration of a request by Richard Weston-Jones for a text amendment to the Chatham County Zoning Ordinance, Section 10, Item/s 10.1 RA-5; 10.2 RA-90; 10.3 RA-40 residential/agricultural lists of permitted uses specifically for "bed and breakfast inns" to add additional language to say "an owner occupied and operated home Bed and Breakfast with no more than two rooms (units) for rent with a minimum lot area of one and one half (1.5) acres" be permitted. Also add to **Section 14** Neighborhood Home Occupations (A) "owner-occupied and operated home Bed and Breakfasts with no more than two rooms (units) for rent with a minimum lot area of one and one half (1.5) acres.

Chairman Lucier asked if the number of visitors was limited by the number of rooms.

Richard Weston Jones asked that, in terms of adults, if people have a child with them, then is the child permitted or not and about the amendment calling for rooms/units. He stated that it was his understanding that, in addition to his own family, there may be no more than nine and the number of persons is referring to adults.

The Planning Director explained that the way the language is proposed it is two rental units per house.

Commissioner Barnes 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 five (5) to zero (0).

**Text Amendment to the Chatham County Zoning Ordinance:** Consideration of a request by William Jeffrey House for a text amendment to the Chatham County Zoning Ordinance, Section 10, Item 10.5.A B-1 Business List of Permitted Uses to add "public and private recreation camps and grounds" as a permitted use in the district



Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to adopt **An Ordinance Amending the Zoning Ordinance of Chatham County**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Request to Rezone Acreage:** Consideration of a request by William Jeffrey House to rezone Parcel #11257 consisting of approximately 10.35 acres, Haw River Township, located at 284 Moncure School Road, from RA-40 Residential/Agricultural to CU-B1 Conditional Use Business

Commissioner Thompson moved, seconded by Commissioner Barnes, to adopt **An Ordinance Amending the Zoning Ordinance of Chatham County**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Conditional Use B-1 Business Request:** Consideration of a request by William Jeffrey House for a Conditional Use B-1 Business permit for a public and private recreational camps and grounds and boat, motorhome, camper, trailer, and recreational vehicle storage on approximately 10.35 acres, Haw River Township, located at 284 Moncure School Road

Cindy Perry, Attorney, stated that the applicant is eager to accept the twenty-one conditions; that those conditions and the site plan itself spoke to Ms. Kost's concern that she spoke to at the public hearing about the constitution of the campground and boat storage area; and that she would like to thank Angie Birchett for clarifying that at the Planning Board meeting.

Commissioner Vanderbeck asked if this is to basically be used by people who check-in to this facility. The Planning Director replied that it could be others.

Ms. Perry stated that it did give the flexibility as to current storage of local people's boats on the property; that it give the flexibility to be able to continue that and also to store boats of people who are residents up to a maximum of 15 boats; that they will have to add another shed that will add 7 more; that they can now store 8 on the property.

Commissioner Vanderbeck asked about the rinsing of boats, engines, etc. by people who normally store them and tend to do when they are finished using them stating that he wants to be certain that there is some way to deal with this runoff rather than just plain water.

Ms. Perry stated that the boat storage area is in an old tobacco barn which is located not directly within the area of the camp ground; that there is also a bit of distance to the pond; that she appreciates Commissioner Vanderbeck's environmental sensitivity and would suggest that Mr. House and his family institute some sort of rules and regulations that would make sure that that kind of run-off and debris does not end up in the pond or camp ground area.

Commissioner Vanderbeck suggested that Mr. House contact Fred Royal, Environmental Resources Director, to see the best way to handle this.

Jeff House stated that they do not have any plans to have any water and that it is just a shelter.

Commissioner Barnes moved, seconded by Commissioner Thompson, to adopt **Resolution #2008-43 Approving An Application for a Conditional Use Permit Requested by William Jeffrey House**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Request to Rezone Acreage:** Consideration of a request by Doug & Cindy Carroll on behalf of Shady Wagon Farm to rezone Parcel #5241 consisting of approximately 22.14 acres, Cape Fear Township, located at 2312 Pea Ridge Road, from RA-40 Residential/Agricultural to CU-O & I Conditional Use Office & Institutional

Commissioner Thompson moved, seconded by Commissioner Vanderbeck, to adopt **An Ordinance Amending the Zoning Ordinance of Chatham County**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Request for Conditional Use Permit:** Consideration of a request by Doug and Cindy Carroll on behalf of Shady Wagon Farm for a Conditional Use Permit for inns including accessory eating and drinking and personal service, training and conference centers which include various events, and a contractor's storage yard on approximately 22.14 acres located at 2312 Pea Ridge Road, Cape Fear Township

Chairman Lucier stated that Condition #2 references the recommendation of the Appearance Commission regarding plantings and buffers that shall be met. He asked if they should be specified in the conditions. The Planning Director stated that they could be put in as an attachment. (They have been added to the resolution.)

Cindy Carroll stated that one of the conditions of the Appearance Commission was referring to the stockade fence along the property line, beside of the barn and down behind the picnic shelter; that the terminology used was "at the appropriate time"; that 35 acres along the property line in undeveloped and is land-locked except for a right-of-way easement between it and the Raines Family dwelling; that the discussion was that when the time came that there would be development back there, they would put the stockade fence up there; and that at the present time, the woods and trees are so much practical than an artificial, manmade fence would be.

Commissioner Cross moved, seconded by Commissioner Barnes, to adopt **Resolution #2008-44 Approving An Application for a Conditional Use Permit Requested by Doug and Cindy Carroll**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Amendment to Existing Conditional Use B-1 Permit:** Consideration of a request by Jack Michenfelder for an amendment to the existing Conditional Use B-1 Permit for a nursery, garden center, retail shop, and landscaping business to allow the sale of Parcel #17707, New Hope Township, located at 10544 US 64 East, Apex, NC

Commissioner Barnes moved, seconded by Commissioner Cross, to adopt **Resolution #2008-45 Approving an Application for an Amendment to a Conditional Use Permit Requested by Jack Michenfelder**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Request for Conditional Use Permit:** Consideration of a request by Scott and Diana Schultz for a Conditional Use Permit in an RA-40 Residential/Agricultural District on approximately 5.45 acres of a 16 acre tract, Hadley Township, on Parcel #84022, located at 6545 NC 87 North, Pittsboro, NC, for a boarding kennel

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to adopt **Resolution #2008-46 Approving an Application for a Conditional Use Permit Requested by Scott and Diana Schultz**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

### **MANAGER' S REPORTS**

The County Manager had no reports.

### **COMMISSIONERS' REPORTS**

There were no Commissioner Reports.

### **ADJOURNMENT**

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to adjourn as the Chatham County Board of Commissioners. The motion carried five (5) to zero (0), and the meeting was adjourned at 7:32 PM.

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George Lucier, Chairman

ATTEST:

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