

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
WORK SESSION
SEPTEMBER 03, 2008

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Agricultural Building Auditorium, 45 South Street, located in Pittsboro, North Carolina, at 9:30 AM on September 03, 2008.

Present: Chairman George Lucier; Vice Chair Mike Cross; Commissioners Patrick Barnes, Carl Thompson and Tom Vanderbeck; County Manager, Charlie Horne; County Attorney, Jep Rose; Assistant County Manager, Renee Paschal; Finance Officer, Vicki McConnell; Public Works Director, David Hughes; and Clerk to the Board, Sandra B. Sublett

The Work Session was called to order by the Chairman at 9:37 AM.

Work Session Agenda

1. **2009 Revaluation Schedule of Values**
2. **NCDOT Discussion on Traffic Signals Along the US 15-501 Corridor**
3. **Verticality, Inc. request for search ring approvals for 6 proposed new cell towers in the County**
4. **2011-1017 TIP**
5. **CORA - Chatham County Food Pantries Seeking Help Letter**
6. **Agreement with Self-Help Ventures Fund for Administration of the Chatham County Small Business Loan Program**
7. **964 East Building Discussion**
8. **Westfall Option**
9. **Closed Session to discuss a matter within the attorney/client privilege**

2009 REVALUATION SCHEDULE OF VALUES

Tina Stone, Chatham County Tax Administrator, explained that the Tax Administrators Office had prepared the Schedule of Values to be applied as of January 1, 2009; that the Schedule of Values, standards and rules to be used in appraising real property at its true value and at its present-use value had been prepared and would be used as a guide when conducting revaluations; and, that the Schedule of Values would be available for public inspection in her office as well as at the three County libraries until the public hearing. She then discussed the recommended calendar of events for the Schedule of Values, noting that General Statutes required approval by the Board prior to January 1st and that approval must take place before notices could be mailed to property owners.

Chairman Lucier stated they were required to hold a public hearing which the Board needed to schedule today, and then advertising and notice would take place. Ms. Stone stated that once the public hearing was scheduled they would advertise that for thirty days; that once the Schedule of Values was adopted they would advertise that, and anyone wanting to take exception to them could appeal to the NC Property Tax Commission within 30 days; and, then a second, third, and fourth advertising of notice would take place with the same appeals process in place. She indicated that once the Schedule of Values was adopted, they would be placed on the County’s web site.

Commissioner Thompson stated that some of the dates noted in the schedule were required by State Statute. Ms. Stone responded that was correct. Commissioner Thompson stated then the actual motion to adopt would also adopt the dates as outlined in the recommended calendar of events supplied by Ms. Stone.

Chairman Lucier stated he believed the only requirement at this point was to adopt a date for the public hearing; and that the schedule itself could be approved later. Ms. Stone agreed.

Commissioner Barnes stated the schedule called for the public hearing on September 15th during the regularly scheduled Board meeting. Chairman Lucier stated that was correct.

Commissioner Barnes moved, seconded by Commissioner Thompson, to accept the 2009 Schedule of Values and set the public hearing for September 15, 2008. The motion carried five (5) to zero (0).

Sally Kost asked if the information would be available on the web site. Ms. Stone said it had been recommended that it not be placed on the web site until it was actually adopted by the Board.

Chairman Lucier asked would it make sense to place it on the web site with a clear statement that it had not yet been adopted by the Board of Commissioners. Ms. Stone stated the Board could do that if they wanted to.

Commissioner Vanderbeck stated that would allow a citizen to go to a certain section and view it online. The County Manager stated the document was so large that many people would find it difficult to open, although some may be able to if their computers held enough memory. He stated they could post it, but it would likely cause concerns because people would not be able to access it.

Ms. Kost asked if a summary had been prepared so that citizens would know what they were looking at. Ms. Stone stated that the amount and type of information would be difficult to summarize, and citizens with questions would need to call her office.

Chairman Lucier stated at the least an announcement should be posted on the web site. Ms. Stone said that had already been prepared and was ready to post. Chairman Lucier stated that a one-page summary should be included that explained the purpose of the document, what it contained, where it could be viewed, and the calendar of events.

The County Manager stated that a copy of the Schedule of Values should be placed at all the town halls in the County.

Ms. Kost stated she wanted to be sensitive to people who lived 30 minutes on the other side of the lake, and putting a copy in the town halls would not help them.

Chairman Lucier stated that the concern was that the document was too large, noting that Commissioner Cross had been unable to view it electronically. He stated that the vast majority of citizens would not be able to view it even if it was posted online, so at least for this year they would have copies available in public places for viewing by the public.

Peter Theye suggested downloading the document to CD's that could be made available to the public. Ms. Stone responded that they would check into that, but reminded the Board that because it was not yet adopted then providing copies on a CD now was not an option.

Chairman Lucier stated the Board's concern was that in order to get feedback from the public they would need to have access to the document. He asked was there a problem with providing a CD if it was clearly marked as not yet adopted by the Board. The County Manager stated it may be possible to do so, such as marking it as a draft only.

Deb McManus stated that many times documents were released prior to adoption, but they placed a watermark to indicate that the document was a draft or was proposed.

Chairman Lucier asked staff to look into the possibility of providing the document on a CD and that it be clearly marked as not yet adopted and was a draft.

Loyse Hurley, a citizen, stated that to hold a public hearing the public needed to understand what the public hearing was all about, so she agreed that a CD should be provided that was marked as a draft. She said what was important was making the information available.

Chairman Lucier agreed, noting that when the Board was considering subdivisions, the information was posted prior to the Board approving or denying the proposal, so this was no different.

NCDOT DISCUSSION ON TRAFFIC SIGNALS ALONG THE US 15-501 CORRIDOR

Chairman Lucier stated this had grown out of the public comment made by Ms. Hurley some time ago regarding the need to look at US Highway #15-501, the traffic signals currently there, those that may be needed or were already planned, and whether or not those signals would be adequate given the growth the County expected.

Reuben Blakley, PE, NCDOT District Engineer for Division 8, of which Chatham County is a part, shared information regarding what had happened on US Highway #15-501 over the last several years as well as what they expected to happen over the next several years. He stated they did expect that corridor to change over the next 15 years, and introduced the following persons: Justin Bullock, EI, Assistant District Engineer; Rob Stone, PE, Division Operations Engineer; David Willett, Deputy Division Traffic Engineer; Doumit Ishak, Congestion Management Regional Engineer (Divisions 5, 7, 8 and 9); and, Travis Braswell, Congestion Management Project Engineer. Mr. Blakley then provided the following PowerPoint Presentation:

GOALS FOR TODAY

- Identify Existing Conditions
- Impacts of Proposed Development Traffic
- NCDOT Traffic Signal Process and Warrants
- Explain the Effects of Traffic Signal Phasing and Signal Coordination
- Look at Alternatives to 8 Phase Traffic Signals

US 15-501 Existing Conditions

- 2006 Annual Average Daily Traffic (AADT)
 - 13,000 north of Northwood High School Road (2007 AADT at 14,000)
 - 19,000 near Mann's Chapel Road (2007 AADT at 21,000)

Chairman Lucier stated that the rate appeared to be growing at about 8% to 10%. Mr. Blakley stated yes, in that two-year period.

Commissioner Vanderbeck stated they were told to use a 3% calculation, so that needed to be recalibrated. Mr. Blakley responded that 3% to 5% was normally used for developments, but it depended on the kind of development.

Chairman Lucier agreed. Mr. Blakley stated they had traffic count maps that could be accessed through their web site, and possibly they could look at them later this evening. Chairman Lucier stated it might be helpful to go back six or seven years to see how the four lanes had affected traffic. Mr. Blakley stated that the four lanes had been completed in 2005.

Mr. Blakley continued his presentation:

- TIP (R-942A, B and CA)
 - Total project cost was approximately \$47 million
 - Completed in 2005 to widen to existing 4-lane divided highway
 - The project was officially accepted on 9/15/2006
 - March 2008 - NCDOT completed a landscaping project costing over \$238,000 to add various plant beds along the corridor
- Corridor listed as a Strategic Highway Corridor (SHC)
 - SHC adopted by the Board of Transportation on September 2, 2004 as part of North Carolina's Long Range, Multimodal Statewide Transportation Plan
 - Currently 5,558 miles on the SHC Vision Plan

Chairman Lucier asked if that included US Highway #64 and Highway #421, and the part of Route #1 that ran through Chatham County. Mr. Blakley responded yes, and then continued his presentation.

- SHC Purpose
 - Provide a safe and reliable high speed network of roads
- Types of Corridors
 - Freeways
 - Expressways

- Boulevards
- Thoroughfares
- Additional information: <http://www.ncdot.org/doh/preconstruct/tpb/SHC/facility/>
- Freeways
 - Functional purpose: high mobility, low access
 - AASHTO design classification: interstate or freeway
 - Posted speed limit: 55 mph or greater
 - Control of access: full
 - Traffic Signals: not allowed
 - Driveways: not allowed
 - Cross-section: minimum 4 lanes with a median
 - Connections: provided only at interchanges; all cross streets are grade-separated
 - Median crossovers: public-use crossovers not allowed; U-turn median openings for use by authorized vehicles only when need is justified
 - Examples: I-40; I-95; US Highway #64 between Rocky Mount and Williamston; US #52 between Lexington and Mount Airy; US #70 between Kinston and New Bern; US #74 near Waynesville; US #264 east of I-95 (Wilson Bypass); US Highway #1 between Raleigh and Sanford
- Expressways
 - Functional purpose: high mobility, low to moderate access
 - AASHTO design classification: arterial
 - Posted speed limit: 45 mph to 60 mph
 - Control of access: limited or partial
 - Traffic Signals: not allowed
 - Driveways:
 - ❖ Limited control of access – not allowed
 - ❖ Partial control of access: one driveway connection per parcel; consolidate and/or share driveways and limit access to connecting streets or service roads; restrict to right-in/right-out
 - Cross-section: minimum 4 lanes with a median
 - Connections: provided only at interchanges for major cross streets and at-grade intersections for minor cross streets; use of acceleration and deceleration lanes for at-grade intersections
 - Median crossovers: allowed; alternatives to all-movement crossovers encouraged; minimum spacing between all-movement crossovers is 2,000 feet (posted speed limit of greater than 45 mph) or 1,200 feet (post speed limit of 45 mph or less)
 - Examples: US #332 (Marion Bypass); US #220 in Rockingham County; US #321 south of Lenoir; US #117 north of I-40; US #74 (Independence Boulevard) just east of I-277 in Charlotte; US #74 west of Waynesville; US #29 in Guilford County; US #301 north of Wilson; US Highway #64 in Apex
- Boulevards (classification assigned to US Highway #15-501 north of US Highway #64 Bypass)
 - Functional purpose: moderate mobility, low to moderate access
 - AASHTO design classification: arterial or collector
 - Posted speed limit: 30 mph to 55 mph
 - Control of access: limited, partial, or none
 - Traffic Signals: allowed
 - Driveways:
 - ❖ Limited control of access: not allowed
 - ❖ Partial control of access: one driveway connection per parcel; consolidate and/or share driveways and limit access to connecting streets or service roads; restrict to right-in/right-out
 - Cross-section: minimum 2 lanes with a median
 - Connections: at-grade intersections for major and minor cross streets (occasional interchange at major crossing); use of acceleration and deceleration lanes
 - Median crossovers: allowed; minimum spacing between all-movement crossovers is 2,000 feet (posted speed limit of greater than 45 mph), or 1,200 feet (post speed limit of 45 mph or less)
 - Examples: US #70 between Clayton and Smithfield; NC #55 (Holly Springs Bypass); NC #11 (Kenansville Bypass); NC #87 (Elizabethtown Bypass); US #158 (Murfreesboro Bypass); US #70 near Havelock; NC #24 (Harris Boulevard) in Charlotte; US #1 (Capital Boulevard) in Raleigh; US #74 through Monroe; US #117

south of Goldsboro; US #70 east of Goldsboro; Cary Parkway; NC #132 (College Road) in Wilmington; Lockmere Drive in Cary; US #74 in Ranger

- Thoroughfares
 - Functional purpose: moderate to low mobility, high access
 - AASHTO design classification: collector or local
 - Posted speed limit: 25 mph to 55 mph
 - Control of access: none
 - Traffic Signals: allowed
 - Driveways: allowed with full movements; consolidate or share connections, if possible
 - Cross-section: minimum 2 lanes; no median; includes all facilities with a two-way left turn lane
 - Connections: primarily at-grade intersections
 - Median crossovers: not applicable
 - Examples: Old Concord Road in Charlotte; Hillsborough Street in Raleigh; Shamrock Road in Charlotte; Trinity Road in Raleigh

Chairman Lucier stated that Highway #421 and US Highway #64 would also be boulevards, and the US Highway #64 Bypass around Pittsboro would be an expressway. Mr. Blakley stated that Highway #421 was actually considered a freeway, as well as US Highway #1. He stated that US Highway #64 was classified as an expressway, but was earmarked for an upgrade. He then continued his presentation.

- Signals currently at the following locations:
 - US 15-501 @ SR 1919 (Smith Level Road)
 - US 15-501 @ SR 1724 (Old Lystra Road)
 - US 15-501 @ SR 1532 (Mann's Chapel Road)
 - US 15-501 @ SR 1721 (Lystra Road)
 - US 15-501 @ SR 1717 (Jack Bennett Road)
 - US 15-501 @ SR 1718 (Village Way Drive)
 - US 15-501 @ SR 1599 (Northwood High School)
 - US 15-501 @ Powell Place/Lowe's Hardware

Commissioner Vanderbeck stated he had taken the liberty of placing on the map "possible" locations for traffic signals in order to begin a dialogue, and given the traffic situation he believed it was worth doing. Mr. Blakley stated that was fine, but wanted it understood that NCDOT had no plans for traffic lights at those locations. He then continued his presentation.

Impacts of Proposed Development Traffic

Briar Chapel

Williams Corner/Polk's Landing

Pittsboro Commons

Pittsboro Station North (East and West of Highway #15-501)

Lee Moore Oil Property at the Chatham/Orange County Line

- Briar Chapel Development
 - Approximately 35,000 additional trips per day to the State system
 - Addition of 3 new signals on US Highway #15-501 at the following intersections:
 - ❖ Andrews Store Road
 - ❖ Taylor Road
 - ❖ Briar Chapel Parkway (Hubert Herndon Road)
 - Full build-out of development estimated in TIA as 2012
 - Recommendations for Driveway Permit approval agreed to by NCDOT and Newland Communities in May 2005
- Williams Corner/Polk's Landing Development
 - Approximately 26,000 additional trips per day to the State system
 - Addition of 2 signals on US Highway #15-501 at the following intersections:
 - ❖ Williams Corner Center Driveway
 - ❖ Williams Corner South Driveway
 - Full build-out of development estimated in TIA as 2010
 - Recommendations for Driveway Permit approval in final review stages

Chairman Lucier stated that in some respects it was bothersome that the current market was affecting the build-out of those developments; that traffic was projected to increase in

certain areas but no one lived in those areas now; that Briar Chapel had no residents currently, nor did Polk's Landing and Williams Corner because they did not yet exist; and, that traffic had increased 8% to 10%, so obviously that was being caused by something else that was not being taken into account in those traffic estimates. Chairman Lucier asked had other developments been taken into account, such as those along Mt. Gilead Church Road; and, if traffic had already increased as much as 10%, what would be the increase when those large developments were completed and occupied. Richard Adams stated that the counts were done prior to the current market slow-down, so there was some slow-down in traffic volumes; however, they did not know how that had affected Chatham County.

Chairman Lucier stated then it would be important to see what the counts were in 2005 so they could determine how the market slow-down had affected traffic and if that one-year increase was an aberration. He stated it was important that they understood what the impact of all the developments currently planned would have on the roads, noting he feared that in five to seven years they were going to be facing much greater trouble.

Commissioner Vanderbeck stated he also had a problem that somehow this was a "strategic" highway, and asked exactly what that was supposed to mean. Mr. Blakley stated they would go into that later in the presentation, and then continued his comments.

- Pittsboro Commons
 - Approximately 18,000 additional trips per day to the State system
 - Possible addition of 2 signals on US Highway #15-501 at the following intersections:
 - ❖ Eastbound US Highway #64 Bypass ramp
 - ❖ Westbound US Highway #64 Bypass ramp
 - Full build-out of development estimated in TIA as 2011
 - Possibly completed in two phases
- Pittsboro Station North (east and west side of US Highway #15-501)
 - Approximately 60,000 additional trips per day to the State system
 - Developer will request revisions to existing Control of Access limits and a new break
 - Development still in the planning process
 - ❖ Updated site plan requested from developer
 - ❖ Updated TIA (Traffic Impact Analysis) requested from developer

Commissioner Vanderbeck stated that based on the plans developer Ricky Spoon had for that area, he believed the School Board would be interested in knowing those plans, and they may need to look for another entrance or exit from that area.

Chairman Lucier stated that the area around Northwood High School was already congested early in the morning, and adding 60,000 additional trips to that area was not possible given the current entrance. Mr. Blakley stated there had been some extensive studies done on the timing of the signal as well as improvements done on Northwood High School Road. Chairman Lucier stated that would not solve the magnitude of the problem.

Ms. McManus, School Board representative, stated the School Board had discussed altering the access to Northwood High School but no firm plans had yet been formed.

Chairman Lucier stated it was important not to lose sight of that issue. Mr. Blakley stated it had been proposed by a neighboring property owner to provide land for an alternate entrance to Northwood High School Road, which was a possibility but it had not yet been determined how and to what extent that would help the problem.

Chairman Lucier stated it would help some, but the problem was not having an exit off of US Highway #64 onto Old Graham Road. Mr. Blakley stated there was development occurring on Old Graham Road, so an entrance to the school may be warranted.

Commissioner Vanderbeck stated that went to the proposal on the TIP for modifying Old Graham Road, but now they were talking about widening NC Highway #87 as well. Mr. Blakley stated that the TIP project was concerned with NC Highway #87, not Old Graham Road. Commissioner Vanderbeck stated that widening Old Graham Road was a local issue that the Board would be discussing in the future.

Chairman Lucier stated they had to submit their 2011-2017 TIP by the end of September, and one of those issues was requesting an upgrade to Old Graham Road although it was not currently on the list. Mr. Blakley stated there was another TIP project that was not currently funded that was on the US Highway #15-501 Bypass, and would be at the southeast corner of Pittsboro and connecting NC Highway #87 to US Highway #64. He stated if that happened there would be another interchange on US Highway #64 Bypass. Mr. Blakley continued his presentation.

- Lee Moore Oil Site (near the Chatham/Orange County Line)
 - Approximately 18,000 additional trips per day to the State system
 - Driveway permit issued February 2008
 - Improvements required:
 - ❖ Northbound right turn lane on US Highway #15-501
 - ❖ Additional southbound left turn lane
 - ❖ Additional eastbound left turn lane on Smith Level Road
 - ❖ Northbound right turn lane into right-in/right-out access to US Highway #15-501

Commissioner Vanderbeck stated he believed there was a large store shell proposed for that site, in addition to a bank, a pharmacy, and perhaps a gas station. Mr. Blakley stated they had issued the driveway permit based on the estimated 18,000 trips, and part of the condition was that if driveway trips increased due to increased development then the developer may be required to go back through the approval process and possibly provide additional improvements. He added that there was a stub-out on the back of the site. Commissioner Vanderbeck asked if that stub-out was at the back where the residential property was located. Mr. Blakley stated he did not know. Commissioner Vanderbeck stated he would like to get an answer to that.

Justin Bullock, Assistant District Engineer, stated there was a possibility that if improvements were warranted that the road could be extended past the “big box” shell that Commissioner Vanderbeck had mentioned. Mr. Blakley stated he was not saying that there was vacant land in the back where access could be extended to connect to other places, but was saying that additional trips would impact the signalized intersection.

Commissioner Vanderbeck stated he would appreciate any additional information that could be provided to the Board. Mr. Blakley stated the County Planning Department may already have that information, but he would check with the Planning Director to make sure.

Commissioner Vanderbeck asked about bus entrances or sheds for Briar Chapel, and if cutouts in the pavement were being considered based on the projected traffic. He stated what had been presented so far tonight spoke to the need for more public transportation to help deal with the traffic. Mr. Blakley responded that his office had not been involved in any multi-modal transportation planning; from his perspective he would not want to see a bus turn-out onto US Highway #15-501. He stated that bus transportation was a very good alternative to reduce traffic volumes.

Commissioner Vanderbeck stated that their TARPO and MPO were in discussions with Chapel Hill Transit and the Town of Pittsboro to get a bus route from Chapel Hill to Pittsboro, with hopes of eventually taking it further into Sanford. He stated that they all needed to work together on that. Mr. Blakley agreed.

Travis Braswell, Congestion Management Project Engineer, continued the PowerPoint presentation as follows:

NCDOT Traffic Signal Process and Warrants

- The Purpose of a Traffic Signal is to take the Right-of-Way assignment away from the main flow of traffic and assign it to lesser movements
- MUTCD (Manual on Uniform Traffic Control Devices) - 8 Signal Warrants
 - Warrant 1, Eight-Hour Vehicular Volume
 - Warrant 2, Four-Hour Vehicular Volume
 - Warrant 3, Peak Hour
 - Warrant 4, Pedestrian Volume
 - Warrant 5, School Crossing
 - Warrant 6, Coordinated Signal System
 - Warrant 7, Crash Experience

➤ Warrant 8, Roadway Network

Chairman Lucier asked what Mann's Chapel would be called. Mr. Braswell responded he believed that was an 8 phase signaling.

Commissioner Vanderbeck asked about Briar Chapel by the Town Center across the 4-lane highway. Rob Stone, Division Operations Engineer, stated that any 4-lane would be an 8 phase. Mr. Braswell continued his presentation.

Explain the Effects of Traffic Signal Phasing and Signal Coordination

- Signal Phasing & Coordination
 - 8 Phase Signal Vs. 2 Phase Signal
 - ❖ 8 Phase: Includes all movements (left, right, through) for all directions; more conflict points (32) and longer cycle lengths
 - ❖ 2 Phase: Decreased cycle lengths and conflict points; easier to coordinate multiple signals

Commissioner Vanderbeck stated the problem came in when you had all 8-phase signals then the chances of synchronization would be higher, but when you mixed them up the outcome would be quite different. Mr. Braswell said the more phases you had the more movements you were trying to protect.

Rob Stone, Division Operations Engineer, continued the presentation and provided alternatives to 8 phase traffic signals.

Look at Alternatives to 8 Phase Traffic Signals

- Growing Problem on Arterials
 - Conventional solutions are becoming exhausted
 - Bypasses are limited due to a wide array of constraints
 - Safety is a top concern
 - There is a continual growing demand

Alternative Intersection Design Concepts

- Separate conflicting movements
- Reduce conflicts
- Remove signals where possible
- Limit phases at signalized intersections
- Provide better signal coordination

Alternatives to Conventional 8 Phase Signal

Roundabouts

Superstreet

Controlled access with grade separated interchanges and service roads

- Roundabouts (not traffic circles)
 - One-way, circular intersection
 - Eliminates left turns
 - Reduces occurrence and severity of crashes
 - Design features decrease driving speeds to 30 mph or less
 - Not always well suited for high speed facilities
 - Safety
- Superstreet
 - May eliminate need for signals
 - Effective on high speed corridors
 - Improved operations
 - Reduced delay and congestion, increased capacity, and improved emissions
 - Safety

Summary and Conclusions

- Proposed developments create more traffic than existing on US Highway #15-501
- More effort taken to implement newer intersection designs
 - Alternative corridor designs in an effort to decrease congestion and delay on major corridors

Commissioner Vanderbeck stated that regarding traffic along US Highway #15-501, had an access road ever been considered to eliminate some of the traffic signals. Mr. Stone stated as far as he knew it had never been considered.

Chairman Lucier stated the Board recognized growth-related problems related to traffic, and asked what they as Commissioners could do or was it totally out of their hands. He stated that many of the developments mentioned today were already approved, and some were in other jurisdictions' hands. Mr. Stone stated they had no way to limit development since that was a zoning issue, and they had to do the best job possible to help the developer to mitigate problems associated with traffic.

Mr. Blakley agreed, noting that by the time site plans were submitted to NCDOT the projects had been approved, and they were left to deal with the traffic that development would generate. He stated they had no jurisdiction over the development approval, but did have jurisdiction over driveway permits and what would be required in order to receive that permit and to mitigate traffic. Mr. Blakley stated when developers go through the driveway permitting process, the last thing they want to do is improvements to the roadway, but when improvements were necessary NCDOT appreciated the support of the County.

Chairman Lucier asked what if there was a circumstance where a development was proposed and as a part of the review the County stated they believed the developer needed to do more than what NCDOT was requiring. He asked would NCDOT be willing to re-review it. Mr. Blakley stated the best course of action would be for NCDOT to get involved earlier in the process and work together with the County to arrive at a mutually beneficial decision that could be included as a requirement at the time of development approval.

Chairman Lucier asked did that happen now. Mr. Blakley stated it did occasionally, but that practice could be expanded if the County wanted to do that; that the County normally left improvements on NCDOT roadways up to the NCDOT; and, he would be fine with accepting recommendations from the County prior to development approval.

Chairman Lucier stated if the County had a concern regarding an NCDOT road, they would like to communicate that early in the process so that all concerns were addressed. Mr. Blakley stated that was acceptable, but to keep in mind that all improvements had to be justified from an engineering standpoint.

The County Manager stated that regarding a Superstreet as opposed to an 8 phase signal, could the Board of Commissioners state a preference for one or the other, assuming it was justified. Mr. Blakley responded yes, noting they would actually prefer the Board adopt a resolution stating its preference and NCDOT would then take that recommendation and see if it was indeed justified. He stated that was the kind of dialogue they wanted with the County.

Pat Strong provided an update on surface transit development, noting that Durham, Raleigh, Chapel Hill, and the Triangle Transit Authority had all begun or would begin shortly the development of their five-year short-range transit development plans; that steering committees were being formed by each entity; that the plans would run from 2009 to 2013; that the reason for the process was that it was a federal and State requirement that they address the operating needs for each agency; that the five-year plans also fed into the seven-year TIP process; that the County had an opportunity along with the Town of Pittsboro to participate in Chapel Hill's planning process; that they could also participate in other processes including Durham's plan which included transit down the NC #751 corridor; that TTA was further along in their development plan which included transit service between Pittsboro and Chapel Hill by 2011; that the Mayor of Pittsboro had asked the Chapel Hill Transportation Director to consider bus service between Pittsboro and Chapel Hill at 30 minute intervals; and, those two proposals gave Chatham County opportunities to follow up on.

Mr. Strong stated there were other such opportunities that the County could follow up on as well, and encouraged the County and Pittsboro to get involved in the process and to participate in the workshops being held now through March or April of next year. He stated that Commissioner Vanderbeck had asked about bus turnouts on US Highway #15-501, and north of Chapel Hill on NC #86 and I-40 you would see bus turnouts, noting that road was on the State-wide strategic plan. Mr. Strong stated such considerations should be considered as new developments were proposed.

Chairman Lucier stated he agreed with what Mr. Strong was saying, noting they had met several times with Chapel Hill as well as others, and there was much potential for cooperation. He stated that today's discussion had convinced him that the County should form a Transportation Advisory Committee and hire a staff member to look at and make recommendations regarding transportation issues, noting the County was no longer a quiet agricultural community. Mr. Strong stated that this was the time to consider doing that to get them started.

Mr. Blakley stated that he had been able to pull some past traffic figures that might be helpful. He stated that in 1999 in the Russell's Chapel Road area the traffic count was 11,000; in 2005 it was 12,000; and, in 2007 it was 14,000, amounting to 3% growth. Mr. Blakley said in the Mann's Chapel Road area, in 1999 the count was 20,000 and in 2007 it was 21,000, which was prior to any major development. He stated it was important as well to keep in mind that the corridor was greatly improved in 2005, and 1999 counts were based on a 2-lane corridor.

Mr. Blakley stated in response to how transportation impact analyses were created, they took into account background traffic from other developments that were already approved in the surrounding area; and, that once a development was proposed that crossed a threshold, then improvements would be required of that developer.

Chairman Lucier stated that the transportation impact statements prepared by developers were included as part of the development package. Keith Megginson, Planning Director, responded that typically one of the findings for a Conditional Use permit for major commercial developments or subdivisions was that adequate facilities have been or would be provided, and that included a transportation impact analysis to determine if additional traffic mitigation was needed.

Mr. Megginson stated for the Board's information, what was now approved at the Lee Moore Oil site was a bank, a pharmacy, and 3,800 square feet of retail space. He stated that could change with the outcome of a pending lawsuit.

Chairman Lucier stated as a part of the County's approval process the Board would want to see all of that kind of information. Mr. Megginson agreed, noting that information was provided on a regular basis.

Mr. Blakley stated there was one municipality that required a developer to receive NCDOT approval before they would approve a site plan, which sometimes made the process difficult. He stated the general process would be to have the County approve a site plan, and then submit it to NCDOT for its approval.

Chairman Lucier thanked Mr. Blakley and the other members of NCDOT who had attended this evening and provided such helpful information to the Board. Mr. Blakley stated one additional comment was that they had a failsafe built into the driveway permitting process, in that the local government authority had to provide final approval to the project before NCDOT would issue the driveway permit.

BREAK

The Chairman called for a short break.

SEARCH RING APPROVALS

Consideration of a request by Verticality, Inc. for search ring approvals for 6 proposed new cell towers in the County

Keith Megginson, Planning Director, stated this request had come before the Board some time ago; that at that time there were some concerns regarding whether or not the use of water towers on Jack Bennett Road and Mann's Chapel Road had been sufficiently examined; that the Planning Board had recommended approval of the search rings for the six proposed tower locations; and, that the recommended approval carried a condition that the location of any tower with the CH_H22 search ring be located outside the identified North Carolina Natural Heritage Program site of the Morgan Creek Floodplain Forest, and that all towers be a minimum of 199 feet in height.

Chairman Lucier asked if the recommendation was to approve the search rings. Mr. Megginson stated yes, to approve them as requested by Verticality, adding that at some point they may come back with possible co-locations on the two water towers mentioned. He stated they would also have to come back once they negotiated with landowners to get the zoning for sites specific.

As per the Planning Department and Planning Board request, Commissioner Barnes moved, seconded by Commissioner Cross, to approve the Verticality, Inc. search ring requests for all six (6) towers sited as CH_H21, CH_H22, CH_H24, CH_H25, Gum Springs, and Brickhaven with the condition that the location of any tower within the CH_H22 search ring be located outside the identified North Carolina Natural Heritage Program site of Morgan Creek Floodplain Forest; that all towers be a minimum of 199 feet in height; and that new RF maps reflecting the 199 feet towers be provided. The motion carried five (5) to zero (0).

2011-1017 TIP; 2011-1017 TIP PRESENTATION

Mr. Megginson stated this issue had been postponed from the last work session to provide staff time to provide the Commissioners with a list of projects to consider for inclusion in the TIP.

Jason Sullivan, Assistant Planning Director, stated that they had created a list of projects that the Board of Commissioners had approved to be included in the 2009-2015 TIP, as well as new projects for consideration; and, that the list was broken down into TARPO projects, DCHC MPO projects, and new projects to be considered.

Chairman Lucier asked were the projects placed in what staff considered to be priority order. Mr. Sullivan responded no. Chairman Lucier asked if the Board needed to do that. Mr. Sullivan said if they wanted to do that, then when the resolution was brought back for approval staff would make sure they were listed in priority order in that resolution.

Chairman Lucier stated he had flipped the improvements to Jack Bennett and Old Lystra Roads with the widening of NC #751 on the priority list at the final approval stage, and the RPO and the MPO had agreed to that shift in priority. He stated he had done that because of the expected high school, Briar Chapel impacts, as well as other developments that would come down Big Woods or Lystra Roads.

Mr. Sullivan stated as far as new projects were concerned, the first five listed all had to do with emergency management and controlling flooding.

Chairman Lucier stated that establishing a bus route from Pittsboro to Chapel Hill was not competing with other projects such as the widening of NC #751 or Jack Bennett. Mr. Sullivan stated that was correct, noting that came under the Long Range Transportation Plan. He stated for the TIP projects, when they prepared the resolution they could separate out projects that were transit and those that were improvements to highways. Chairman Lucier agreed that would be helpful. He noted that the bus route between Chapel Hill and Pittsboro would be the first priority for transit, and for highways the first priority would be improvements to Jack Bennett and Lystra Roads. By consensus, the Board agreed.

Commissioner Vanderbeck stated for clarification, he did not believe TARPO had put a time limit on when recommendations had to be submitted, so that was something that did not have to be finalized today although they would want this Board's opinion. Mr. Sullivan stated the MPO recommendations would need to be done in September, but the TARPO schedule was not as tight although they did have to have recommendations in by the end of the year. Commissioner Vanderbeck stated he believed they could have that done by October or November.

Chairman Lucier stated then what they needed to approve today was the MPO list with the modification he had just discussed.

Commissioner Thompson asked would the Board be able to provide input at some point on new projects.

Chairman Lucier stated yes, but noted they would not be voting on that tonight. He stated for benefit of the public the MPO was the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization which included the northeast segment of Chatham County; and, the TARPO was the Triangle Area Rural Planning Organization which included the rest of Chatham County.

Commissioner Thompson stated regarding new projects, he was concerned about Highway #902; that improvements were completed not long ago including some widening; that Highway #902 would take you from the Goldston/Bear Creek area into Pittsboro, and Rives Chapel Road would take you from Bonlee to Highway #64; to him that seemed to be a critical connector for the future; and, he would like to have consideration given to that road.

Commissioner Vanderbeck stated a recent traffic count on that road had been 680 trips per day.

Commissioner Thompson stated he believed there were more improvements being made to that road. Commissioner Vanderbeck replied they were doing bridge repair and improvements.

Chairman Lucier stated that sometime in September they were going to have to close that road down to complete the bridge replacement work, estimated to take four to six months.

Commissioner Thompson stated he would like to have Highway #902 listed under New Projects for future improvements, including shoulder widening, noting he believed it to be a critical connector.

Chairman Lucier stated both of the projects would fall under TARPO, and that list had not yet been prioritized. He stated there were other improvements on that list that would have to be prioritized as well, and how they were prioritized would be important.

Commissioner Vanderbeck stated that the projects would come from different pots of money, and it may be possible to use money left over in one pot for something else. Mr. Sullivan stated that decision was up to NCDOT, since they were responsible for allocating the resources.

Chairman Lucier stated they had a separate category for the long range plans for transit and bike and pedestrian amenities, and he did not know how they accommodated those if a project included both categories. Mr. Sullivan stated that was up to NCDOT.

Chairman Lucier asked Mr. Sullivan if he had enough information to prepare the resolution for the Board's consideration. Mr. Sullivan replied yes, noting he would break out the categories and prioritize the projects as the Board had discussed.

CORA – CHATHAM COUNTY FOOD PANTRIES SEEKING HELP

Chairman Lucier stated the Board had received a letter from the CORA Food Pantry which explained their growing concerns, how the Food Pantry worked, who was eligible, and how the public could help. Renee Paschal, Assistant County Manager, stated that the letter would be provided to the media and would be placed on the County's web site.

Chairman Lucier stated the letter had been drafted by Marci Whitaker and Ms. Paschal and he had revised it; and, that the letter was basically asking for donations to the Food Pantry. He stated the County had set aside a fund to help purchase food if necessary, since it appeared the Food Pantry had been in danger of becoming empty due to general economic conditions. Chairman Lucier stated the letter also listed other area food banks that were partner agencies, and donations could be made to those food banks as well.

Commissioner Vanderbeck stated one thing he saw missing from the letter that the Board had talked about was to send a message to the four largest food chains; that those food chains offered some kind of discount rate to food banks; and, he believed the letter should ask for a better rate from those food chains.

Chairman Lucier stated that was a separate issue, and asked Ms. Paschal to summarize where they were on that. He stated that the letter was simply asking for donations to the Food Pantry, and in addition they were requesting that the four large food chains give CORA and other food banks a break on the purchase price of food products. Ms. Paschal stated the plan was to produce a cover letter, attach this letter to it, and send it to the four largest grocery chains.

Commissioner Vanderbeck asked if the Board would get to see that cover letter. Chairman Lucier responded yes.

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to approve the CORA letter, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

SELF-HELP VENTURES FUND

Consideration of a request to approve agreement with Self-Help Ventures Fund for Administration of the Chatham County Small Business Loan Program

Dianne Reid, Economic Development Director, stated that the Board in 2005 had established a Chatham County Small Business Loan Program and capitalized the fund with a contribution of \$250,000; that loans were to be approved through a cumbersome three-committee process that would look at applications and make recommendations; that since that time no loans had been made and no applications had been completed; that the one application that had been submitted had been withdrawn; that the EDC had asked Board member Margie Ellison to work with staff to come up with a different process to make loans available to Chatham County businesses; and, before the Board today for its consideration was a proposal for a relationship between Self-Help Ventures who would work with the EDC to market and administer the loan program and the County to makes such loans available.

Ms. Reid stated that the proposal was that County funds would be used as collateral for a portion of loans to small businesses when there was sufficient collateral to secure the full loan amount; that it was estimated that Self-Help would leverage County funds at a rate of 3 to 1, meaning that for every \$1 of County funds in the loan Self-Help would lend \$3; and, that would make approximately \$750,000 available to local small businesses. Ms. Reid added that a portion of the County's \$250,000 would be earmarked and only drawn upon in the event of a default.

Commissioner Vanderbeck stated he assumed the County had obtained legal and financial review of this proposal. Jep Rose, County Attorney, stated he had looked over the documents and conceptually it was viable. He stated that financially, he saw no problems.

Chairman Lucier noted that this would require no additional allocation of funds, and the \$250,000 previously allocated would be used as collateral. He stated with Self-Help's contribution of \$500,000 that would bring the funds available up to \$750,000. Ms. Reid stated actually, Self-Help would make available \$750,000, and the County's funds would be used for collateral only.

Commissioner Vanderbeck stated that \$250,000 had been in an interest-bearing account and it was being proposed to be moved into a non-interest bearing account, and it was important that that was understood. He asked where the money had originally come from, and how would the amount grow. Commissioner Vanderbeck stated if this was an economic development initiative, then they needed to discuss how to make it grow and become sustainable.

Commissioner Thompson stated it was a revolving loan fund, and as people began to pay the loans back the money would be available to be used again.

Commissioner Vanderbeck stated that funds could eventually run out over time.

Commissioner Thompson stated perhaps they needed to ask the EDC to look at options to help the fund grow, perhaps through grant money or low interest rates.

The County Manager stated that when the funds were originally set aside for this purpose, there was no extended conversation about making it a revolving fund.

Commissioner Thompson stated the point behind that was that at that time they were working with \$600,000, and it was pared down to \$250,000.

Chairman Lucier stated it appeared to him that they should enter into the venture and see how it worked. Commissioner Vanderbeck agreed, noting that eventually it should generate tax dollars as well as jobs.

Commissioner Barnes moved, seconded by Commissioner Vanderbeck, to approve the agreement with Self-Help Ventures Fund for administration of the Chatham County Small Business Loan Program.

Commissioner Thompson commended Ms. Reid, noting it was her idea to search for a larger financial institution to help leverage those funds. He stated this was a good, workable plan that would benefit the citizens of Chatham County, increase the tax base, increase the number of small businesses, and create jobs.

Chairman Lucier called the question. The motion carried five (5) to zero (0). The agreement is attached hereto and by reference made a part hereof.

964 EAST BUILDING DISCUSSION

Chairman Lucier stated that the 964 East Building discussion would be moved to the Closed Session since that involved property acquisition, and a portion of the Westfall discussion would be carried out in Open Session.

WESTFALL OPTION

Jim Willis, Sedimentation and Erosion Control Officer, provided a summary of the inherent problems on the Westfall site: that off-site sedimentation issues and on-site maintenance issues began in April; that inspections in April were conducted in response to rain events; that at that time there were no off-site issues, only maintenance issues on site; that in May and again in June they had met with a representative of the developer to discuss the on-site issues and came up with a plan of action to correct the problems; that from that point on the response to those on-site issues virtually stopped; that another inspection was conducted on July 10th and the corrective actions from the May inspection had not been corrected; that throughout that process there were additional rain events that resulted in off-site issues as well as additional on-site issues; that on July 14th they had reissued the Notice of Violations (NOV) to document those new issues and well as re-document the previous issues; that from that point on there has been no substantive response; that the July 14th Notice of Violation had a compliance deadline of July 30th, which was not met; that the site was re-inspected on August 19th to follow up on the compliance deadline; that items still were not addressed; that the next step was to issue a Continuing Notice of Violations; that subsequently another re-inspection was done and no work had been done to the site, with no active remediation, clean up or action taking place on the site at the present time; that the final deadline was August 28th, and the next day the County experienced a substantial rainfall which resulted in additional problems on the site; and, currently they had three locations on site where they had off-site sedimentation problems.

Mr. Willis distributed several pictures to the Board and described the off-site sedimentation issues they depicted: Picture 1 showed a hole 3½ feet deep that was immediately adjacent to a stream crossing; Picture 2 showed erosion of about a foot deep along a roadside which was indicative of what was happening throughout the site; and, Picture 3 was in a wetland area adjacent to a creek, noting that the sediment was a foot deep.

Commissioner Barnes asked about the yellow tape in the picture. Mr. Willis responded they had not laid that tape, so he was not sure what its purpose was although that was the side of the road where the utilities were located so it likely represented one of the utilities, although he did not know which one.

Commissioner Barnes stated he understood that when a yellow tape was posted, that meant a utility was within one foot. He stated that if that was a water line, and you washed down to the water line, then the first vibration on that line would cause it to break.

Commissioner Vanderbeck asked was it possible the tape was put up so people would not trip in that area. Commissioner Barnes stated when you put in a water line you were required to string that yellow tape. Mr. Willis stated that yellow tape may very well identify a water line.

Commissioner Barnes asked why the developer had not already been fined, noting this had been going on for some time now.

Chairman Lucier stated from the picture, it appeared that whatever utility was located there had washed out.

Mr. Willis stated to address Commissioner Barnes' comment, they had a very detailed method of assessing civil penalties, but they did have some flexibility in the administration of those penalties. He said from the developer's standpoint as well as the County's, assessing civil penalties was a very long and drawn-out process that was not desirable to anyone. With that being said, he indicated he had no problem with carrying out those penalties. Mr. Willis stated that one of the things that had prolonged the process was that back in May and June there were small corrections done on the site, although it was mostly clean-up, as well as communications with the developer that they were receiving bids to get the necessary work done. He said because of that he had been willing to give them the benefit of the doubt and allow them to correct the issues, but they were now out of chances.

Commissioner Vanderbeck stated to confirm for the public record, the developer and/or developer's representatives had been invited to this meeting and someone was supposed to attend, but no one was present. Mr. Willis stated that had been his understanding as well, noting that as of yesterday, he had been told that someone would be attending.

Chairman Lucier asked if Mr. Willis had any idea why no one had shown up. Mr. Willis stated he had no idea. Chairman Lucier confirmed that they had been invited. Mr. Willis responded that was correct.

Chairman Lucier asked Mr. Rose if the remainder of the discussion should occur during the Closed Session. Mr. Rose agreed that was the best course of action. Chairman Lucier asked if that included laying out the options. Mr. Rose responded that was correct. Chairman Lucier stated that he believed the conditions had gone on long enough, and the Board needed to consider the options and decide the best course of action.

The County Manager reminded the Board that another heavy rain event was predicted to occur this weekend.

CLOSED SESSION

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to go out of Regular Session and convene in Closed Session for the purpose of discussing a matter within the attorney/client privilege and land and property acquisition. The motion carried five (5) to zero (0).

REGULAR SESSION

Commissioner Vanderbeck moved, seconded by Commissioner Barnes, to adjourn the Closed Session and reconvene in Regular Session. The motion carried four (4) to zero (0). (Commissioner Cross had to leave the meeting due to a prior commitment.)

SOUTHERN SOFTWARE, INC.

Commissioner Barnes moved, seconded by Thompson, to adopt **Resolution #2008-49 Authorizing the Purchase of Office and Jail Records Management for the Chatham County Sheriff' Office** and redirect the Positron money in the amount of \$62,000. The motion carried four (4) to zero (0).

ADJOURNMENT

Commissioner Vanderbeck moved, seconded by Commissioner Thompson, to adjourn the meeting. The motion carried four (4) to zero (0), and the meeting was adjourned at 1:49 PM.

George Lucier, Chairman

ATTEST:

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