

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
APRIL 16, 2007

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 April 16, 2007.

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Chairman Thompson delivered the invocation after which everyone was invited to recite the Pledge of Allegiance.

CALL TO ORDER

The meeting was called to order by the Chairman at 6:09 PM.

AGENDA AND CONSENT AGENDA

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

Commissioner Lucier moved, seconded by Commissioner Vanderbeck, to approve the Agenda and Consent Agenda as follows:

1. **Minutes:** Consideration of a request for approval of Board Minutes for regular meeting held April 02, 2007, work session held April 02, 2007

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

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

- A. Inverness Drive
- B. Spring View Lane

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

3. **Family Planning Funds Acceptance:** Consideration of a request to accept Family Planning funds in the amount of \$25,730.00 awarded to the Chatham County Health Department from the NC Division of Public Health

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

4. **Health Disparities Funds Acceptance:** Consideration of a request to accept Health Disparities funds in the amount of \$4,000.00 awarded to the Chatham County Health Department from the University of Michigan

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

5. **Effective Discipline Funds Acceptance:** Consideration of a request to accept funds in the amount of \$250.00 from the Center for Effective Discipline, Inc.

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

6. **Declaring Property Surplus:** Consideration of a request to declare a 1984 Fleetwood mobile home surplus property, authorize the disposal of said property pursuant to GS 160A-268 for advertisement of sealed bids, and adopt **Resolution #007-18 Declaring Property Surplus and Authorizing the Sale of Said Property**

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

7. **Sketch Design Approval of “Hubbard Properties, Inc. (Lot C)”:** Consideration of a request by Mike Hubbard for subdivision sketch design approval of **“Hubbard Properties, Inc (Lot C)”**, consisting of one (1) lot of 5.2 acres (4th lot on a private easement), located off SR #1712, East Cotton Road, Baldwin Township

As per the Planning Department and Planning Board recommendation, the request was granted for the fourth lot on Whisper Lane, with the following conditions:

1. The easement shall be improved from East Cotton Road, SR #1712, to just beyond the driveway entrance to the New Hope Veterinary Clinic to a 16 foot wide travel way with four (4) inches of crush and run stone.
2. The applicant shall obtain a commercial driveway permit from NCDOT or a letter stating no permit is required.
3. The Chatham County Subdivision Administrator is allowed to review and approve the final plat once the road improvements have been completed and certified per the Subdivision Regulations, and staff has received a copy of the NCDOT commercial driveway permit or a letter stating no permit is required.

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

8. **Final Approval of “Cedar Grove Subdivision, Phase V”:** Consideration of a request by MAC Development Company for subdivision final plat approval of **“Cedar Grove Subdivision, Phase V”**, consisting of 7 lots on 23 acres, located off SR #1540, Jones Ferry Road, Baldwin Township

As per the Planning Department and Planning Board recommendation, final plat approval of “Cedar Grove, Phase V” was granted with the following conditions:

1. The plat shall not be recorded until the interim County Attorney has approved the financial guarantee.
2. Language on the Mylar copy of the plat regarding Meadow Branch shall read “50 foot water hazard setback and vegetative stream buffer.”

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

9. **Proposed Text Amend to the Communications Tower Ordinance:** Consideration of a request on proposed text amendments to the Chatham County Communications Tower Ordinance to Article II, Permits and Article III, Application Submission and Review Process. The purpose of the amendments is to change the time allowed for construction of a communications tower after the approval of the tower location plan.

As per the Planning Department and Planning Board recommendation, **An Ordinance Amending an Ordinance Regulating Communications Towers**

in Chatham County, North Carolina was adopted and is attached hereto and by reference made a part hereof.

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

10. **Human Relations Commission Appointment:** Consideration of a request to nominate Heather Rodin, Pittsboro, NC, to the Human Relations Commission by Commissioner Cross

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

11. **Adult Home Care Committee Appointment:** Consideration of a request to nominate Mary Lou Cooper, Pittsboro, NC, for reappointment to the Adult Home Care Committee by Commissioner Lucier

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

12. **Naming of New Library:** Consideration of a request to approve the name of the library to be constructed on the Central Carolina Community College campus at Pittsboro "Chatham Community Library"

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

13. **Corporate Resolution and Certificate of Incumbency:** Consideration of a request to adopt **Corporate Resolution #2007-19 and Certificate of Incumbency for Commercial Credit Card Account** to authorize individual signatures to make changes in the County's credit card account or obtain information, attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Gaynell Overman, 1471 Rives Chapel Road, Siler City, NC, stated that she was present to speak out about Chatham Transit; that they don't come and pick up at a reasonable hour; that she would like for Sister-to-Sister to transport; that Sister-to-Sister is unable to take her any longer; that she would like for Sister-to-Sister to transport her instead; that Chatham Transit asked her to change doctors; and that that is not possible because her doctors have done so much good.

Cathy Shelton, 1471 Rives Chapel Road, Siler City, NC, stated that she works for Sister-to-Sister; that she has a petition supporting Sister-to-Sister clients; that Chatham Transit picks up too early and drops off too late; that Chatham Transit has told people they don't have a choice; and that she doesn't feel this is fair.

Rosa Sutton, 807 13th Street, Siler City, NC, stated that is the director/administrator of Sister-to-Sister; that over the last six months, there have been changes in Chatham Transit's policies which have not been beneficial to their clients; that they are not hands-on care as everyone is certified as required by the State; that they could save the County \$20,000-\$25,000/year; that they assist their clients and can serve as advocates; that their cost is not what Chatham Transit's is; that they can reduce costs and save money; that there are many incidents that people have not been picked up and have been forgotten for dialysis treatments; that there needs to be some changes; that people don't want to wait two to three hours after a medical treatment for pick up; and that Sister-to-Sister gets little transportation monies available.

Commissioner Vanderbeck stated that as a member of the Chatham Transit Board, he will work with the County Manager and Chatham Transit Board Director to determine their story and work out a solution.

John Runkle, PO Box 3793, Chapel Hill, NC, attorney and member of the Orange County Bar, stated that he was arguing the ISP matter in Superior Court; that ISP had asked for a two-week continuance; that apparently one of the parcels of the proposed ISP land was sold to another party; that ISP let their options expire on the property; that they think that within two weeks, ISP may rescind its permit and the Siler City will rezone the property to Agricultural-Residential; and that he will let the Board know when he finds out.

William D. Lynch, 851 Poplar Forest Lane, Pittsboro, NC, stated that he is a new resident of Chatham; that his important issue regards Shearon Harris; that his concern is a fire in the pools and the fire evacuation plan; that an evacuation plan is very important; that there is a great risk of fire at the plant; that there is also the danger of a terrorist attack on the stored fuel rods; and that he urges the Board of Commissioners to encourage Progress Energy and the Nuclear Regulatory Commission (NRC) to hold a public hearing on this matter.

Audrey Schwankl, 1285 Thompson Street, Pittsboro, NC, stated that she is in attendance to speak about Shearon Harris; that they care greatly about Chatham County and its children; that they are very concerned about Shearon Harris; that for about a year her family and others have been holding a monthly vigil at the Superior Courthouse traffic circle; that they are trying to raise awareness about the plant and its dangers; that she urges the Board of Commissioners to have public hearings with Progress Energy, the Nuclear Regulatory Commission and NC Warn; that Shearon Harris Plant has not been up to standard in fire safety issues for fourteen years; that they are ranked worst in the country in six different categories in fire safety risks for nuclear plants; and that she encourages the public hearings and to accept NC Warn as part of the hearings.

Peter Theye, 1065 Boothe Hill, Chapel Hill, NC, stated that he is tired of things in Chatham County; that he was floored when he drove by Jordan Lake at Lystra and Jack Bennett Roads that he is pleased with the response of Soil and Erosion Control Officer, Jim Willis; that the County needs to keep him and give him some help; that the pictures he has are of Westfall Development; that a picture from two years ago versus the present show compromised silt fences; that he offers the pictures as proof that these lands are not suitable for development; and that the Planning Department continues to recommend approval for developments like Westfall which is irresponsible.

Beverly Ann D'Aquanni, 856 Fearington Post, Pittsboro, NC, stated that last November, Progress Energy took steps to extend the licensing of the Harris Nuclear Plant through 2046; that the license-renewal process which is expected to take about two years, looks at two primary areas of plant safety operations, safety and potential environmental impacts; that the process also includes an evaluation of the technical aspects of plant aging and provides numerous opportunities for public involvement and engagement; that during a meeting at the Nuclear Regulatory Commission's (NRC) headquarters, the agency's fire protection engineers confirmed that Harris is in non-compliance with the Federal fire Safety Regulations; that this confirmation contradicts numerous statements that Progress energy is providing the citizens of Chatham County with a safe source of energy; that the NRC's mission is to regulate the nation's civilian use of byproduct, source and special nuclear material to ensure adequate protection of public health and safety, to promote the common defense and security and to protect the environment; that Chatham County must be responsible for their own health and safety and that of their children; that it makes sense for the citizens of Chatham County to insist that the NRC enforce the Federal Nuclear Safety Regulations and certify and demonstrate that Progress Energy is in full compliance before applying and being considered for an extension of their license; that the NRC and Progress Energy have declined to attend numerous meetings; and that she asks that the Board call a public hearing to which they will once again be given the opportunity in which to participate; that there has been much talk about an evacuation plan as a panacea; that she believes it is just palliative; and that she asks the Board to take the wise and prudent course of action to do what needs to be done.

Larry Ballas, 1395 Indian Creek Lane, Pittsboro, NC, stated that he wanted to talk about the moratorium; that he supports a moratorium; that the infrastructure is lacking and that the County needs time to catch up; that he supports the recruitment of commercial industries; that the moratorium should be on larger developments; and that there needs to be some innovative way to develop land.

Francie Henville-Shannon, 39521 Glenn Glade, Chapel Hill, NC, stated that she has been a resident of Chatham County since 2002; that she wanted to thank Rita Spina and Renee Paschal for the Citizens' College; that she has learned so much about the County; that she wanted to thank the Commissioners who are the right people doing the right jobs; that she wanted to thank employees in Chatham County for their dedication; that she is impressed by the citizens for their involvement; that Chatham County is a wonderful place and she thanks everyone for their part.

Tom Vanderbeck stated that he had previously been invited to a meeting where the NRC was invited by the local Board and surrounding counties and State Legislators; that they did not reply until the day before the forum; that he spoke with Congressman David Price who stated that he plans to follow-up as they are trying to get a response regarding the non-compliance issues; and that he would be in favor of holding a public hearing but that he feels that it is contingent upon the "no-shows" being present.

Commissioner Lucier stated that the Nuclear Regulatory Commission (NRC) is charged with developing and creating regulations that are designed to protect people who live around nuclear power plants; that they are charged with monitoring and enforcing the regulations to make sure that they are in compliance; that it does seem reasonable that they engage the people of Chatham County in letting them know what they are doing in order to fulfill that responsibility; that to date, he has not seen that; and that he tends to agree that there should be a public hearing, but before that is done, they need to ensure that they are going to be in attendance; that before a time is scheduled, the Board should tell them what they would like and tell the people of Chatham County what they are doing with regard to regulations, how they are designed to protect the people around nuclear power plants, what they do to enforce them and monitor them, dealing with specific fire issues, and what they are doing in that respect. He stated that before a public hearing is set, they should be asked when they are available to come to Chatham County.

Chairman Thompson stated that Progress Energy has done some good things which he doesn't think should be minimized; that they contribute to a lot of good causes in the County; that they have been good corporate neighbors; that he feels that they, as representatives of the people, should ask Progress Energy and the NRC to come and answer those questions. He asked if the Board thought that NC Warn should be asked, along with Progress Energy and the NRC, to attend the public hearing.

Commissioner Lucier stated that he thought only the public should be invited and that he thought it should be broadly advertised.

Commissioner Cross stated that the Board was invited to attend a presentation for elected officials at Shearon Harris on May 3rd at 5:00 PM; that he would suggest that all Board members attend; and that the question could be extended there about coming to Pittsboro for the public hearing.

Commissioner Barnes stated that he and Commissioner Cross were attending and that he would recommend all members of the Board attend the meeting.

Commissioner Lucier moved, seconded by Commissioner Vanderbeck, to explore the possibility of the availability of the Nuclear Regulatory Commission (NRC) and Progress Energy to come to Chatham County for a public information forum and see what dates they are available. The motion carried five (5) to zero (0).

BREAK

The Chairman called for a short break.

PLANNING AND ZONING

Sketch Design Approval of "Terrell's Ridge Subdivision": Consideration of a request by Chatham Landholdings, LLC for sketch design approval of "**Terrell's Ridge Subdivision**", consisting of 106 lots, on 206 acres, located off SR #1540, Jones Ferry Road, Baldwin Township

Don Rayno stated that he worked with environmental impact statement work for twenty years; that he is a member of the Durham family by marriage; that Terrell's Creek is beautiful; that it is a WS-IV protected area/watershed; that it is within ten miles of the Haw River; that there are three issues that stand out to him: 1) Sedimentation coming from rock; that there are very steep slopes and a wide flood plain in the southern sections of the creek; that the actual construction (Community Septic System V) invites runoff; that it is obvious that pipes will be unable to be put in with a wing-tip plow; that there will have to be grading which will lead to runoff; 2) The septic system is an alternative system which is relatively new and has not been used widely in Chatham County nor under these conditions of slope; that seventy of the one hundred six lots are going in to the five community septic systems; that numbers four and five will occupy most of them; that these septic systems require a lot of monitoring; that it is a very rigorous process; that County and State are involved; that a certified sub-surface operator is required to operate them; that permits need to be renewed every five years; 3) Treatment of the waste is very important; that the developer states that it will be biological treatment; that he wonders if there will be a way to remove nitrogen and phosphorous or if it will go into the creek; that there are a number of concerns; that they are asking for an Environmental Impact Statement (EIS) and that it be reviewed by the Chatham County Environmental Review Board.

Jane Durham Williams, adjoining property owner, stated that she owns two pieces of property on the creek; that the development plans call for two community sub-surface septic systems; that these systems have failed in other places with disastrous results; that if these systems fail, the creek will be ruined and who will pay when it happens; that she wonders about the runoff during construction; that the developer will be gone after the lots are sold; that the homeowners and adjoining property owners will be left with any problems that occur; that it will be good to know if the developer is planning to complete Terrell's Ridge or sell it to another developer; that there is presently a "For Sale" sign on the property fronting Jones Ferry Road; that she wonders who will be in charge of the actual development of this subdivision; that in her opinion, there are many environmental risk factors associated with the subdivision plan for both future homeowners and adjoining homeowners; that there is a need for drastic improvement; that it is highly likely that the present development plan will lead to disaster and environmental consequences; that she feels that perhaps fewer lots, a better road plan, and more environmentally safe location of the septic system may be the answer; that due to the environmental risk and potential problem, she requests that an Environmental Impact Statement be done and reviewed by the Chatham County Environmental Review Board prior to the consideration of Terrell's Ridge.

Attorney Nick Robinson responded by saying that the environmental issues raised were simple and straight forward; that they have agreed to do an Environmental Impact Assessment which will address the issues that have been raised; that if the subdivision is approved, it will be done so with the condition that an Environmental Impact Assessment be done rather than having to sort through all the environmental issues; that there is a long and rigorous permit approval process for some of these systems; that those processes should be allowed to run their course and let the State determine that this is an appropriate type of system for this project; that it is important to start with what the language of the ordinance says; that this property is unique in that there is a very small sliver of land to be stubbed out located in Chatham County; that there is a gigantic amount of land held by the family located in another county; that the ordinance states that two things should be considered in deciding whether or not to require an activity: 1) Improvement of traffic distribution to prevent unnecessary congestion; that a connection to a piece of property that can be 625 that could have 400-500 houses would not improve congestion in any way; 2) Improvement of public safety by providing increased access for law enforcement and emergency vehicles; that if that is a concern, then their proposal would be to put a stub-out with a road connecting to the Durham property, with a gate in front of it, and with full access to all emergency personnel; that in the event that the Durham family decides to build a road out to White Cross Road, emergency vehicles could then come along that road and get through the gate into the subdivision; that that is about the only reasonable basis on which it could be required; that if they are not going to develop any of the property, he wonders why they would want a connection to it; that a connection to the Durham property does not serve the purpose of decreasing congestion unless there is a connection all the way out to White Cross Road as all that is being done is potentially adding more subdivision lots to the same road; that under the ordinance if the criteria is considered as to whether or not to allow the connection, he contends that the Board would conclude that they should not; that if the Board is of a mind to

require a stub-out, the language of the condition as set forth by the Planning Department and Planning Board is something that they would be willing to live with; that if there has to be a connection, when the road is built to White Cross Road, they will connect at a place where they can put a State-maintained road. He urged the Board to recall that with this subdivision, every aspect of the Subdivision Ordinance has been complied with, there is nothing with which has not been complied, the Planning Board and staff has recommended approval, and he requests that the Board do likewise tonight.

The Planning Director stated that both the Planning Board and Board of Commissioners had sixty-five days; **(It was later determined that the Planning Board has 65 days in which to act and the Board of Commissioners has 45 days to act on this issue.)** that the Planning Board originally considered it at their March 6, 2007 meeting; that they would have until May 9th to act on it; that they tabled it in March and addressed it at their April 3rd meeting; that the Board of Commissioners has sixty-five days from the night's meeting on which to make a decision.

Commissioner Barnes stated that it sounded as though Orange County's restrictions were much greater than Chatham County's restrictions; that if Orange County's regulations are much more stringent for the property, what is Chatham County doing. He stated that the County had an Environmental Review Board; that it seems to him that this would be a prime piece of property to go before the County's own board to review it.

Commissioner Vanderbeck stated that he is sensitive to the environmental issues; that he is pleased that the developer agreed to do an Environmental Assessment; that if there was Board approval at the night's meeting, it would be contingent to him upon the Environmental Assessment to be done and that it be as broad as it need to be; that it needs to be reviewed by the Environmental Review Board; that since this is on a step-by-step basis, that if on their recommendation it would lead to an Environmental Impact Statement, then so be it as deemed fit by a peer review; that regarding the connectivity, he feels that the County has done well by its own ordinances to stay within the law; that if there is a road cut through with a stub-in and a gate, that he thinks that is fine; that he worries about adding a lot of extra traffic; and that he would add one more condition for approval and that would be a traffic assessment.

Commissioner Barnes stated that Hal House is an expert on sub-surface drip irrigation; that he is on the Environmental Review Board; that his opinion of drip irrigation is low; and that he would like to have their opinion on the matter.

Commissioner Lucier stated that he had four issues: 1) The first issue is the stub-out issue; that he believes that the stub-out to the property will not improve traffic flow, that it will do just the opposite; that he is not in favor of it; that if the Durham property is developed, they would have access to White Cross Road rather than going across and going into Chapel Hill that way; that the stub-out would do more harm than good; that he would only be in favor of an emergency access road; 2) The second issue is the Environmental Assessment; that if an Environmental Impact Assessment was required, it is quite explicit in the Subdivision Ordinance that says the Environmental Impact Assessment will address any significant adverse environmental effects which cannot be avoided should the proposal be implemented and mitigation measures proposed to minimize the impact.

He stated that the Subdivision Ordinance requires something that is quite complete; that if an Environmental Impact Assessment was required, one needs to simply refer back to the Subdivision Ordinance and make it relate to those requirements; that it also says where potential negative impacts have been identified, it shall be the responsibility of the subdivider to provide plans and methods of how such impacts may be alleviated and minimized to the satisfaction to the Board of Commissioners; that the failure to provide adequate and reasonably adequate information under any item specified should be cause for disapproval of the preliminary plat; that this is not a trivial requirement; 3) The third issue is the stream buffers; that between sketch and preliminary there would be a detailed stream evaluation done; that there may be more streams added and if so, they will get a one hundred foot buffer; 4) The fourth is the traffic analysis; that this may be a worthwhile thing to do; and that he doesn't know how to put guidelines to it.

The Planning Director cautioned that one of the things to consider, if and when the Durham property is developed for residential purposes, these folks are Chatham County residents; that their children are eligible to attend Chatham County Schools; that with a connection, a school bus could go to them and be in Chatham County instead of having to go into Orange County, return to Chatham County, pick up students, return to Orange County, and then return to Chatham County; that this would also be the case with fire, police, and rescue.

Commissioner Vanderbeck clarified that he was not agreeing with the stub-out. He stated that his thought was the future dedication; that if something was built out from the other side from White Cross Road, he agreed with the fire safety gate issue.

Commissioner Barnes moved to table this issue and return it to the Planning Board and to have the Environmental Review Board review and evaluate it.

Dave Klarmann, Planning Board member, voiced concern about the community waste water and community well systems and other issues.

Commissioner Lucier seconded the motion, amending the motion to include that the Environmental Review Board specifically look at the community septic system and also identify the most important issues that need to be addressed in an Environmental Impact Assessment to help give the developer some guidance as to what will be needed in an Environmental Assessment. The motion carried five (5) to zero (0).

The Board discussed requesting a traffic analysis.

Preliminary Design Approval of “The Glens”: Consideration of a request by Community Properties, Inc. on behalf of Hilda McBane for subdivision preliminary design approval of “**The Glens**” (fka McBane Property Subdivision), consisting of 109 lots on 159 acres, located off SR #1520, Old Graham Road, Hadley Township

Commissioner Lucier stated that one of the things that the Board had asked was that the applicant look at the drainage areas for the streams.

Nick Robinson, Attorney, stated that they had talked about buffering even though it was not required by the ordinance and that a ten foot buffer be placed around the wetlands even though it was not required by the ordinance either; that at the last meeting, the question came up regarding a drainage area; that it is not an intermittent stream and would not be subject to buffering under the ordinance; and that it was his understanding that the Board asked them to go back and look at the effect of what buffering that channel would be.

Commissioner Lucier explained that he was asking the amount of acreage that drained at different points along with the drainage area; that he wanted to know how much acreage it was draining when it entered the Crossen property, how much it was draining when it crossed the road above it, and how much it was draining when it flowed by the circle.

Mr. Robinson stated that the analysis showed that there is one area that drains less than twenty-five acres and that it then drains twenty-five acres or more from the circle.

Commissioner Barnes stated that the area is steep; that they have just seen some bad subdivisions approved; that he looks at this as another bad one; that he thinks the best example is on Lystra Road; that there are 109 lots on 159 acres; that the roads and erosion are the same continuous picture; that to be in the five findings it has to be good for Chatham County and has to be necessary and it doesn't meet any of those requirements; and that he cannot vote for it.

Commissioner Cross stated that he understands everyone's concern; that there are ordinances in place with which they have complied; that he doesn't know what else could be asked of them; that the ordinance may need to be changed, but it will take months to do that; and that he thinks it must be approved based on the ordinances in place.

Chairman Thompson states that he shares the concerns of the Board; that he does agree with Commissioner Cross; that he thinks that the County has rules and regulations in

place; that the developer came forth, presented their sketch design, and operated under the rules and regulations; that they have come forth, have spent a lot of money, and that he feels that they have to honor what is fair understanding that their concern is for the citizens of the County; that in this particular situation and the regulations that were in place at sketch design approval and at this time, they have a legal obligation to move forward with it.

The County Attorney stated that the matter could be discussed in Closed Session.

Commissioner Vanderbeck stated that he understands the developer's concern about the impact to his financial package for the property; that the Board could defer a decision until another meeting; that he would like to give them the opportunity to add some buffers where they can; that he is looking at possibly where the drainage area is located, that if they are deeded, undisturbed buffers on the lots, that they might be able to get those which would definitely lessen the impact; that he would be appreciative of their environmental efforts.

Robbie Swain, developer, stated that if he could do it, he would; that they had reviewed the project numerous times; that he wishes he could have done everything that Commissioner Lucier asked; that he asked to be treated fairly; that they have done the best they could; that it is tough to be asked at the last stage to go back and re-engineer; and that he promises that it might not be what the Commissioners want, but that it is their best.

After further discussion, Commissioner Vanderbeck moved that the Board talk with the attorney in Closed Session to review options and defer a vote on the matter until the May 7, 2007 Board of Commissioners' meeting. Commissioner Barnes seconded the motion. The motion carried four (4) to one (1) with Commissioner Cross opposing.

BOARDS AND COMMITTEES

Solid Waste Advisory Board Appointments: Consideration of a request to nominate two members to the Solid Waste Advisory Board, one each by Commissioners Cross and Thompson

Appointments to the Solid Waste Advisory Board were deferred until a later date.

Piedmont Conservation Council Appointment: Consideration of a request to nominate a member to the Piedmont Conservation Council by the full Board

An appointment to the Piedmont Conservation Council was deferred until a later date.

MANAGER' S REPORTS

The County Manager had no reports.

COMMISSIONERS' REPORTS

There were no Commissioner reports.

CLOSED SESSION

Commissioner Lucier moved, seconded by Commissioner Vanderbeck, to go out of Regular Session and convene in Closed Session for the purpose of discussing issues related to attorney client privilege and personnel. The motion carried five (5) to zero (0).

REGULAR SESSION

Commissioner Vanderbeck moved, seconded by Commissioner Lucier, to adjourn the Closed Session and reconvene in Regular Session. The motion carried five (5) to zero (0).

ADJOURNMENT

Commissioner Cross moved, seconded by Commissioner Vanderbeck, to adjourn the regular meeting. The motion carried five (5) to zero (0), and the meeting was adjourned at 10:34 PM.

Carl Thompson, Chairman

ATTEST:

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