

**MINUTES
CHATHAM COUNTY
BOARD OF COMMISSIONERS
BOARD SUMMIT
JANUARY 08, 2007**

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Henry H. Dunlap, Jr. Building Classroom, located in Pittsboro, North Carolina, at 9:00 AM on January 08, 2007.

Present: Chairman Carl Thompson; Vice Chairman George Lucier; Commissioners Patrick Barnes, Mike Cross, and Tom Vanderbeck; County Manager, Charlie Horne; Interim County Attorney, Jep Rose; Assistant County Manager, Renee Paschal; and Finance Officer, Vicki McConnell

Tentative Agenda

January 08, 2007

- Affordable Housing
- Multi-cultural Life Museum
- Human Relations
- Board of Commissioners' Mentoring Program
- Goldston Sewer: Board of Commissioners' commitment and Goldston's need for assistance
- Long range planning for water and sewer needs
- Discussion of County policy as it relates to recreation grant programs to religious organizations
- Costs of full-time County Attorney, Human Relations Director and Public Works Director
- Preparation for January 29, 2007 meeting with Board of Education
- Various Planning Issues

The Chairman called the Board Retreat to order at 9:15 AM.

Chairman Thompson delivered the invocation.

AFFORDABLE HOUSING

Ms. Delores Bailey, Vice Chair of the Affordable Housing Task Force (AHTF), gave a presentation on affordable housing, including task force objectives and methods.

Bob Eby, Recorder for the Affordable Housing Task Force, gave a presentation on affordable housing recommendations.

Jason Sullivan, AHTF member, discussed local planning concerns.

Amy Powell discussed the next three steps plus legal opinion on the need for legislative authority to enact inclusionary zoning and whether Countywide zoning is needed.

The Affordable Housing Task Force requested funds in the upcoming budget to hire a consultant to update needs assessment and develop affordable housing plan; and that they will return to the Board of Commissioners with a firm cost estimate for this.

By consensus, the Board agreed to direct the County Attorney to research this legal issue. The Board agreed to participate in the upcoming forum.

Mayor Voller requested a resolution from Board of Commissioners to help him present this issue to the Pittsboro Town Board.

MULTI-CULTURAL LIFE MUSEUM

Margaret Pollard presented plans for a multi-cultural rural life museum. She requested a \$75,000 grant from the Board of Commissioners for a Museum Planning and Development Coordinator for first year. She stated that they would not rely on the County for a substantial part of the budget; however, they would like an annual appropriation.

Margie Ellison stated that the focal point of the museum is an educational center to study artifacts. She stated that this would involve collaboration with the community college and local colleges and universities and that the museum would be a green building (energy efficient, etc.).

Mayor Voller stated that the need is for a place for artifacts to be displayed.

Commissioner Lucier asked if the County ranked near the bottom for tourism expenditures.

Chairman Thompson asked what Board members thought. He stated he was in favor of the project and that the County is losing items of historical value and people with historic knowledge and expertise.

HUMAN RELATIONS COMMISSION

Gabriel Soltren introduced Gene Troy, State Human Relations Commission and Milan Pham, Orange County Director of Human Rights.

He stated that Human Relations Departments are important because of:

- Predatory lending practices against minorities
- Discriminatory employment practices

In addition, human relations departments conduct training on Title VI, and VII, and ADA, and the impacts of public policy on discriminatory practices. They further provide technical assistance to County departments and agencies, and refer residents to appropriate resources.

Representatives of Orange County stated that they provide a number of services to County residents, including language services and training to reduce governmental liability.

Commissioner Lucier asked how many counties have Human Relations Directors.

Gene Troy responded that New Hanover, Cumberland, and Charlotte/Mecklenburg have Human Relations Directors, but not many others.

Commissioner Vanderbeck proposed assigning non-profit funding decisions to the Human Relations Director.

Milan Pham stated that in order to enforce civil rights laws in Chatham County, the County will have to have enabling legislation, and that is an enormous amount of work for a Human Relations Director to take on.

Commissioner Vanderbeck stated that he could see an overlap between Human Resources and Human Relations. He asked if the County could subcontract out training that could be absorbed by Human Resources staff.

The County Manager replied that it could to a limited extent.

Milan Pham stated that in Orange County, the purpose of the Human Relations Department is very different; that it was a four-year process to become substantially equivalent and enforce civil rights laws against private sector; that they don't investigate county; and that they do investigate other local governments.

Chairman Thompson read the mission of the Human Relations Commission and stated it was important to give the commission staffing. He stated he would like to discuss this more in the future. He asked for comments from the rest of Commissioners on moving forward.

Commissioner Cross stated the need to weigh this with other budget needs.

Commissioner Lucier stated that the concept was important and that he also appreciated the need to review this with the other budget decisions.

Commissioner Vanderbeck stated that the current Human Relations Commission could develop ideas for "selling to the public" to get buy-in from public. He stated that he would like to move forward, but thinks the County definitely needs public buy-in, especially if it needs additional funding.

Chairman Thompson asked the County Manager to look at salary range for a director and the needs for a startup staff.

BOARD OF COMMISSIONERS MENTORING PROGRAM

Ms. Delcenia Turner gave a presentation on the Board of Commissioners mentoring program. The purpose is to identify young people in the school system and nurture their interest in local government.

The program proposes to assign 2 to 3 "protégés" to each Commissioner. These young people would attend meetings with Board of Commissioners, and the Commissioner would sponsor youth in the citizen's college. The target age for participants is 15 to 19 years of age, the group would reflect the cultural diversity of the County, and the students would have at least a C average in school.

A project director/liaison to the Board of Commissioners would be needed, although it could be a volunteer position, and this director would provide youth training on social and business etiquette.

The timeline is to have a project coordinator identified by the end of March. The tentative budget is as follows:

Travel:	\$7,521
Food:	\$7,500
Materials:	\$1,200

Chairman Thompson stated that this is not modeled after another program and would be first in the state.

Commissioner Vanderbeck stated that three nights per week for students to go with Commissioners might be too ambitious, and he would consider three times per month. He asked if Chatham Transit Network would be available to provide transportation.

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 litigation: Mariott v. Chatham County, Murdock v. Board of Adjustment, Casper v. Chatham County and Ferrington, Winters v. Chatham County, Murdock v. Chatham County. The motion carried five (5) to zero (0).

REGULAR SESSION

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

LUNCH

The Chairman called for a short lunch break.

CLOSED SESSION

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REGULAR SESSION

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

GOLDSTON SEWER

Commissioner Cross stated that Goldston Mayor, Tim Cunnup, had approached the County and asked for assistance with paperwork for applying for grant from Rural Center stating that he had heard rumors that the City of Sanford was no longer interested in providing an allocation.

Commissioner Cross asked the County Manager to have further inquiry with the City of Sanford and the Town of Goldston about their continuing interest in the project.

Commissioner Lucier stated that he felt that the Board was all in agreement that everyone wants to do this, and that the Board should support the County Manager's discussion with the City of Sanford.

Commissioner Vanderbeck stated he would like for the Town of Goldston to show greater interest in the project; that he is not certain the Board of Commissioners has heard as such from the town; and that other options besides the City of Sanford should be pursued.

Commissioner Lucier stated that this was a good investment for the County; that it would serve residents who need sewer and provide opportunity for economic development, if this area is designated, as an economic development node.

Chairman Thompson stated that it sounded like the consensus of the Board was to help the Town of Goldston in this matter.

Commissioner Vanderbeck clarified that he was on board with helping them, but he wanted to hear more from the town.

Chairman Thompson asked the County Manager to follow-up on the Goldston sewer project issues.

PLANNING ISSUES

The Planning Director reviewed issues of Board interest as follows:

1. Communication Tower Ordinance
2. Lighting Ordinance
3. Subdivision Regulations-Environmental Assessment
4. Zoning Process

5. Adequate Public Facilities Ordinance
6. Major Corridor Task Force
7. Transfer of Development Rights
8. Universal Storm Water Program
9. Zoning Board of Adjustment – Training tapes for new members

COMMUNICATION TOWER ORDINANCE

After considerable discussion, the Board of Commissioners decided that the ordinance needed to clarify that approval will expire if the tower is not constructed within twelve (12) months following approval. Planning Director, Keith Megginson, stated that staff would prepare language for the public hearing.

LIGHTING

A discussion was held regarding the legal authority to extend the ordinance beyond the zoned areas of the County.

In addition, in order to adequately enforce the ordinance, the County would need to buy equipment and train staff and inform other departments on how to handle violations.

Commissioner Cross stated that the ordinance, as written, would not grandfather existing businesses.

Keith Megginson suggested that the County Attorney review the ordinance and give a legal opinion.

Commissioner Vanderbeck asked the Planning Director to share drafts of language for amendments.

Keith Megginson asked that the County Attorney research the Countywide v. zoned area issue before proceeding to public hearing, as it would change the advertisement.

Commissioners Lucier and Vanderbeck suggested moving ahead with the ordinance in the zoned areas of the County.

The County Attorney stated that this only applies in zoned areas or Countywide. There may be amortization and grandfathering issues.

Commissioner Vanderbeck suggested looking at how other entities handle grandfathering.

Mr. Megginson stated that applying the ordinance in the zoned area would require that it be reformatted and revised to fit with the zoning ordinances.

Jason Sullivan, Assistant Planning Director, stated that the implementation date will be critical, as staff will need time to purchase equipment, etc. to get ready to enforce the ordinance.

The Planning Director asked that a public hearing date not be set until staff has time to see the extent of changes required to fit into zoning ordinance.

COMMISSIONER SERVING ON THE BOARD OF HEALTH

Commissioner Lucier raised this issue and stated that on December 4, 2007, the Board of Commissioners appointed two Board members to serve on the Board of Health.

Commissioner Lucier moved, seconded by Commissioner Cross, that Commissioner Barnes be the only Commissioner to serve on the Board of Health. The motion carried five (5) to zero (0).

SUBDIVISION REGULATIONS and ENVIRONMENTAL ASSESSMENTS

Keith Megginson, Planning Director, gave a brief history on the current wording of the ordinance. He stated that he has asked for recommendations from the State on what the triggering mechanisms should be for requiring environmental assessment; that Orange County is the only other county that requires something similar; and that he will provide a copy of its triggering mechanisms.

Commissioner Lucier stated that he has asked a group to meet and review this issue. He suggested that the Planning Director and chair of the committee communicate regularly on the group's activities.

ZONING PROCESS

Keith Megginson, Planning Director, highlighted problems and issues with current parallel rezoning/conditional use process. He asked Commissioners what they thought was the major problems with the existing process.

Commissioner Vanderbeck stated that plans change between public hearing and when it comes to the Board for a vote; that a better plan would be to give citizens more lead time on the actual plan for a public hearing; and that it would result in everyone being on the same page by the time it comes to the final decision.

Commissioner Lucier stated that the hearing is conducted shortly after it becomes public knowledge; that the public doesn't have time to prepare; that it would be better if the public hearing was held later in the process; and that Commissioners cannot obtain additional information after the public hearing. He recommended having an informational meeting, the Planning Board makes its recommendation, a public hearing is held, and then the Board of Commissioners votes.

Loyse Hurley stated that there are problems with a lack of citizen participation in the Planning Board process; that Planning Board changes are not aired with public; and that an informational meeting would be too loose because there would be no written record of comments made by public.

Jeffrey Starkweather stated that he had similar concerns; that the County needed to move to conditional zoning, but only after ordinances are in place; that he suggests a preliminary meeting, an informational meeting with the Planning Board, and a quasi-judicial hearing before Board of Commissioners.

The County Attorney stated that conditional zoning was better than a two-step conditional use process.

Commissioner Barnes asked that the Planning Director give a presentation on conditional zoning at an upcoming meeting and that problems with ordinances be identified in the meantime.

The Board of Commissioners stated that they will consider this issue at their January 16, 2007 work session to begin at 2:00 PM.

ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO)

A considerable discussion ensued. Several issues arose as follows:

1. Legality? Can it be done through subdivision authority?
2. The towns would need to participate in order for it to be effective.
3. Requires close coordination with school board.
 - a. Need reliable capital improvements program from school board.
 - b. Need clear policies on redistricting and transfer policies.
 - c. Clear definition of capacity.

It was suggested that the Impact Fee Study be updated and that a cost estimate be requested from Tischler.

TRANSFER OF DEVELOPMENT RIGHTS (TDR)

Keith Megginson, Planning Director, stated that he did not think TDR could be accomplished without Countywide zoning.

The Board of Commissioners stated that they would like to explore the legality of the concept of the transfer of development rights.

ADJOURNMENT

Chairman Thompson moved, seconded by Commissioner Cross, to adjourn the meeting. The motion carried five (5) to zero (0).

Carl Thompson, Chairman

ATTEST:

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