

**MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
NOVEMBER 18, 2013**

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Historic Courthouse, 1 Hillsboro Street, Pittsboro, North Carolina, 6:00 PM on November 18, 2013.

Present: Chairman Walter Petty; Vice Chairman Brian Bock; Commissioners Mike Cross, Sally Kost, and Pamela Stewart

Staff Present: Charlie Horne, County Manager; Jep Rose, County Attorney; Renee Paschal, Assistant County Manager; Vicki McConnell, Finance Officer, Sandra B. Sublett, Clerk to the Board; and Lindsay Ray, Deputy Clerk to the Board

INVOCATION AND PLEDGE OF ALLEGIANCE

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

CALL TO ORDER

Chairman Petty welcomed those in attendance and called the meeting to order at 6:03PM.

APPROVAL OF AGENDA and CONSENT AGENDA

Commissioner Kost moved, seconded by Commissioner Stewart, to approve the Agenda and Consent Agenda as follows:

13-0589 Vote on a request to approve the October 21, 2013 Regular Session Minutes, October 21, 2013 Work Session Minutes, and the November 4, 2013 Special Meeting Minutes

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

13-0579 Request for Approval of Tax Releases and Refunds, attached hereto and by reference made a part hereof.

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

13-0515 Request to accept Animal Control Donation Funds in the amount of \$425.68

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

13-0561 Request to Accept Chronic Disease and Injury/Physical Activity and Nutrition State Funds in the Amount of \$3,994.00

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

13-0573 Request to Accept Spay Neuter Program Funds from ICARE State Reimbursement Funds in the amount of \$663.12

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

- 13-0537 Request to receive the Community Development Block Grant (CDBG) Scattered Site Housing (2010) and Community Development Block Grant (CDBG) Economic Recovery (2010) Monthly Reports, attached hereto and by reference made a part hereof.**

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

- 13-0506 Request by American Tower Corporation and AT&T Mobility to rezone a portion of Parcel #85601, known as the Meacham Site, from R-2, Residential, to CD-IL, Light Industrial, to Construct a New Cell Tower, Located off Poythress Road. The lease area will be approximately 0.29 acres of the 81 acre tract and is within the Baldwin Township.**

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

- 13-0581 Request by Meritage Homes for Subdivision Final Plat Approval of The Legacy, Phase 2, Consisting of 54 Lots on 82.52 Acres, Located off SR #1716, Big Woods Road, Williams and New Hope Townships, Parcel #89438**

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

- 13-0588 Request to Appoint Two New Members and Re-Appoint One Member to the Triangle South Workforce Development Board as follows:**

- Appoint Deanna Jones, representing Community Based Organizations, with a term expiring June 30, 2017
- Appoint John Ruffin, Jr., representing Retail in the Private Sector, with a term expiring June 30, 2017
- Re-appoint Dianne Reid, representing Economic Development, with a term expiring June 30, 2017

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

END OF CONSENT AGENDA

SPECIAL PRESENTATION

- 13-0532 Request to Adopt a Resolution Honoring Janet Scott for the Statewide Leadership Award from N.E.N.A.**

Commissioner Kost moved, seconded by Commissioner Stewart, to adopt **Resolution #2013-48 Honoring Janet Scott for the Statewide Leadership Award from N.E.N.A.**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Petty recognized Janet Scott for her achievements and read the resolution in its entirety into the record.

PUBLIC INPUT SESSION

John Graybeal, presented his comments to the Board and provided them in their entirety for the record as follows:

“In 2007 most portions of the major highway corridors in Chatham County were completely un-zoned. This meant that anyone could establish any kind of commercial or other operation on the corridors without proceeding through the usual planning process.

Accordingly, in order to get some minimal control, the Board of Commissioners, in 2007, put that portion of these properties lying within 1500 feet of either side of the corridor under residential/agricultural zoning. In doing so, the Board of Commissioners at the time carefully allowed lots that were then being used for commercial purposes to be zoned appropriately for that use. In fact, even if the land had been used for commercial purposes in the past but were no longer in such use, commercial zoning was allowed if the owner requested.

The Planning Board now requests that these properties that are now zoned residential be returned to their un-zoned status. This request should be rejected for at least six reasons.

First, the Planning Board has apparently provided no valid reason for this request.

Second, moreover one cannot imagine a valid reason for this request. Perhaps some Planning Board members would present a fanciful argument that this zoning has impaired commerce. But, apparently, no owners of such lots have requested that the lot be rezoned commercial and been turned down improperly. Indeed, has any of such lot owners ever so much as requested that their lot be rezoned commercial. If not, there is no basis for any argument that the zoning has impaired commerce. When it changed this zoning in 2007, the Board of Commissioners then made it clear that, in appropriate circumstances, such requests for rezoning would be treated generously.

Third, public policy considerations overwhelmingly support the zoning that was applied in 2007. The zoning would enable the County to prevent these corridors from becoming endless unsightly chains of gas stations and fast food operations. Preserving the scenic quality of the major roadways enhances property values generally in the County and promotes commercial development by showing prospective new residents and businesses that Chatham County is a desirable and attractive place in which to locate and live. Chatham County is being promoted as a great location for tourism and for retirees, but tourists and retirees won't visit Chatham County, and they certainly won't move to a Chatham County whose major highways are lines of gas stations and fast food operations. And businesses won't locate in such a Chatham County either. Why don't you ask the Economic Development Corporation about this? I have to believe they would agree that this proposal would do serious damage to economic development efforts in Chatham County.

Fourth, un-zoning these areas would be inconsistent with the existing Land Conservation and Development Plan. The Plan generally seeks to 'preserve both the form and function of rural character.' It encourages compact communities and economic development centers and it seeks to protect and promote 'high-quality open space, recreation, historic and tourism locations.' More specifically, it seeks to discourage commercial and industrial development outside of designated economic development centers 'especially as strip commercial development along major highways and in environmentally sensitive and agricultural areas.' (Page 31)

Fifth, adopting this proposal would run contrary to the Board of Commissioners' recent endorsement of the Economic Development Corporations' 'conceptual land use plan.' That plan emphasizes the two prongs of (1) conservation and farmland preservation and (2) 'targeted employment,' which focuses on encouraging employment in existing towns and development centers. The farmland preservation goal is inconsistent with a plan that would allow unchecked commercialization of the major highways.

Sixth, one might also imagine that some Planning Board members might articulate a primitive private property argument in support of the proposal. Any such argument is flawed and should be rejected. Property rights are not unlimited. Like other property owners, the owners of even un-zoned real estate do not have unlimited 'property rights.' E.g., real estate cannot be used for purposes that amount to a public nuisance, that create environmental contamination or endanger national security. Some Planning Board members may own homes in residential areas where the surrounding lots are zoned for residential purposes. Their property rights would be adversely affected if that zoning were removed so that commercial operations could invade their neighborhoods. Private property rights are

reciprocal. The value of all real estate in Chatham County is enhanced by the existing zoning, which puts some check on rampant commercialization of the highways.

The proposal to un-zone the major corridors in Chatham County should be rejected.”

Barbara Beye Lorie, 117 Blue Heron Farm Road Pittsboro, N C, presented her comments to the Board and provided them in their entirety for the record as follows:

“We all understand that Briar Chapel's original permit to exist included 60 affordable housing homes. But Briar Chapel consorting with the present Board of Commissioners got out of that one by giving the Board \$900,000 to build affordable housing somewhere else.

Briar Chapel did not want the people who need affordable housing to be their neighbors. Who are we talking about? Our teachers, our policemen, our secretaries, our auto mechanics, our bank tellers, the sales people at Home Depot, Wal-Mart, and Lowes

We let our underpaid teachers teach our children. We even build schools for them like Woods Charter but we don't want them as neighbors. It's o.k. for the sheriff's officers to patrol our community. We just don't want that patrol car parked next door to us in a house they can afford.

This Board dismantled the Affordable Housing Task Force, got rid of the Empowerment Non-Profit Foundation who would have built those affordable houses. And now the Board seeks our approval to do something else with Briar Chapel's payoff for not building affordable housing in their development.

So our present County Commissioners were complicit with Briar Chapel in taking the \$900,000. Now the Commissioners want to change the rules, to take away the law that designates that that money is to be used ONLY for affordable housing. I am against this slight-of-hand, illegal way the commissioners are getting rid of any affordable housing in this county. If this board passes the revised language of the Compact Communities Ordinance, then we will have no money for Affordable Housing in this county now or in the foreseeable future. I am asking this board not to revise the Compact Communities Ordinance.

Not only is this board dismantling something that benefits ordinary people, this board now wants to do away with the law that prevents ugliness along the wide and beautiful and scenic miles of the roads that go through our county. Years ago we asked our commissioners, at that time, to zone the corridors along our major highways to prevent strip malls and outdoor advertising, the kind of detritus that destroys the natural beauty that is a major tourist attraction to our county.

I am now asking this present Board of Commissioners to NOT tear down that zoning law. Keep the zoning that is in place for highways 421, 15-501, 64 and the Moncure-Pittsboro highway. You cannot find this kind of beauty anywhere else in the Triangle area, not in Chapel Hill, Cary, Raleigh, or Durham.

If you want to know what doing away with this zoning would manifest, drive from Chapel Hill to Durham and look at the ugliness that has been created along a highway that only 50 years ago was farms and woods. Our county is RICH in the rural landscape that our nearby city dwellers long for and drive out to Chatham to experience. In making that drive they spend their dollars in our towns along the way. Do not destroy something that is a commercial asset to this county. That asset is the way we look.”

George Lucier, presented his comments to the Board and provided them in their entirety for the record as follows:

“I came to discuss removing zoning along the major corridors, let's be clear about the areas we are talking about: The area along 15-501 south, 87 north, 64 between Pittsboro and Siler City, 421 and the Pittsboro Moncure Road This does not include the areas that are

under the jurisdiction of our townships Siler City, Pittsboro, and Goldston where they have planning jurisdiction.

The current law simply requires that if someone wants to change their zoning from residential/agriculture to some sort of business/commercial industry they prepare an application and do that. This has worked quite well for 30 years. Obviously there is a lot of development along 15-501 North, and it is probably the economic development center of Chatham County, and I don't believe this would have happened without zoning. The bottom line is that the zoning of the major corridors enhances and encourages economic development. Any study would show this.

As John Graybeal mentioned, the EDC recommended and approved unanimously, as I understand it, by this board targeted employment centers with the way Chatham County should go with a strategic plan. If the rezoning proposal from the Planning Board is adopted, it would be in direct conflict with what you have already done. Neighbors should have a chance to weigh in along these corridors. For example, if someone wanted to propose or put up an adult entertainment center between Pittsboro and Siler City without zoning, they would be able to do so. I don't think that would be in the interest of Chatham County.

When the corridors were zoned back in 2008 not 2007, over 60 existing businesses granted their current use zoning. What would you do about those over 60 businesses? Would that zoning be lost? What problems have been caused by this zoning? This proposal seems to be in search of a problem. The benefits of zoning the major corridors far outweigh the risks. This is especially true when we think about what might happen and what we hope happens with the responsible development with Chatham Park and the Megasite.

Jeffrey Starkweather, 590 Old Goldston Road, Pittsboro, NC, stated that he is a retired attorney, former Chatham County Affordable Housing Task Force member, and former chair of the Chatham County Affordable Housing Advisory Board.

He stated that starting in 2002, for ten years, hundreds of Chatham citizen volunteers and local government elected and appointed officials put in enormous blood, sweat and tears to bring about an effective affordable housing program. The Compact Community Ordinance, which took more than two years to be approved, and Briar Chapel inclusionary housing and in-lieu housing payment program, were both the start and centerpiece of that effort.

He stated that the Board previously destroyed the key element of the inclusionary housing requirement in Briar Chapel when they eliminated locating affordable housing units in the development, as the developer had agreed to do. They did this against the advice of their own affordable housing task force.

That decision was certainly distressing to the folks who had worked so hard to make inclusionary housing work. But this decision to rob the Briar Chapel payment in-lieu affordable housing funds for unrelated purposes is disgraceful. Just as important, he stated that he believes it is illegal.

He stated that he strongly supports more county funding for programs to address family violence and the needs of adults with intellectual and developmental disabilities, especially since he represented hundreds of clients with these problems as an employment and civil and disability rights attorney. He stated that if this board feels those needs are so urgent that they must be funded in the middle of the budget cycle, then allocate those funds out of its healthy fund balance, not by robbing badly needed and legally designated affordable housing funds.

He stated that the School of Government attorneys, Tyler Mulligan and James Joyce, write in their authoritative *2010 Local Government Legal Guide to Inclusionary Zoning* that a county must provide factual evidence that the use for which the developer is being required to compensate the county and is a direct result of the impact of that specific development.

He stated that they write: "When an owner is required to make a dedication of property for the benefit of the public-for example, a dedication of recreation space - as a condition of land use approval for a particular development, the dedication is generally referred to as an exaction. As a matter of U.S. Constitutional law, exactions must be related- in the Court's words, they must possess a rational nexus- to the end being sought. Additionally, when applied to a particular development, exactions must exhibit a "rough proportionality" to the impacts of the expected use.

He stated that here, Briar Chapel was expected to not only increase property values and, thus, the cost of housing for eastern Chatham folks unable to afford their market-rate homes, but the commercial aspects of the development would employ low and moderate income workers and there would be a greater need for fire and police, teachers and other government employees. Thus, the inclusionary housing program was designed to meet the additional housing demands created by the development.

He stated that Chatham relied on the strongest factual evidence possible to support this contention. Detailed affordable housing needs studies in 2002, 2008, and 2009 demonstrated and provided substantial evidence of an undersupply of housing supply in the 80 to 50 percent of medium income range - what they call workforce housing for police and teachers, as well in the 30 to 50 percent income range which Habitat Housing serves.

He stated that this county board majority has not provided any evidence, nor can it, that one of the impacts of the Briar Chapel development will be a substantial increase in the incidence of family violence or needs of adults with developmental disabilities that can justify requiring it to fund such programs.

He asked that the board stop pitting one good cause against another, use the affordable housing funds as legally intended and agreed upon by everyone involved, and use fund balance to provide emergency support for these other worthy programs.

Diana Hales, 528 Will Be Lane, Siler City, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

"Tonight you will be voting to approve changes in the Compact Communities Ordinance that will allow the Board of Commissioners to break faith with any public commitment to affordable housing in Chatham County. To give away the final \$900,000 payment from Briars Chapel formerly earmarked for affordable housing is an easy thing to do, and the substitute projects are worthy...but, except for Habitat for Humanity, they do not result in affordable housing.

You were elected to make decisions, and some are harder than others. By this action, you are removing what was negotiated years ago as a public good that showed Chatham's local commitment to housing affordability through the Compact Communities Ordinance. Once this money is spent, there is no more. You have other options to financially assist Chatham Trades and the Family Violence and Rape Crisis Center, very worthy projects, but NOT long-term affordable housing. Not everyone can afford Governor's Club prices, or Briars Chapel, yet many low to medium income people still need to find a place in Chatham to call home. It is a sad day when the Board of Commissioners takes the quickest and easiest route to spend the \$900,000 instead of testing a more rigorous approach that could benefit the County, from a taxpayer perspective, and assist the county in developing the program. I urge you to consider the Housing Task Force application as submitted, but was never discussed, and structure a real affordable housing program.

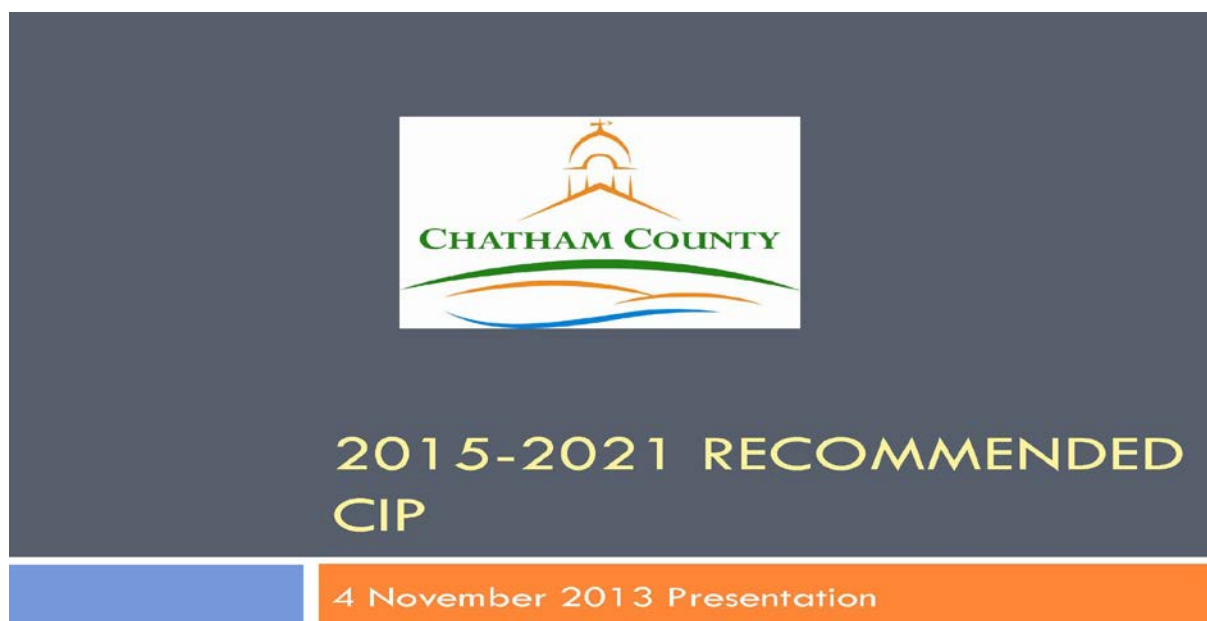
Second, the current Planning Board apparently wants to REMOVE county zoning along the major transportation corridors (Hwy #64, Hwy #421, Hwy #15/501 and Moncure/Pittsboro Road). If you enjoy strip-malls and think the best use of Chatham road frontage is found in Apex, Ramseur, north Chatham along 15/501, then this is for you. Also, traffic congestion, loss of rural character and view sheds, and more traffic signals are guaranteed. Keep the current zoning that was achieved through an open public process."

PUBLIC HEARINGS

13-0586 Public Hearing on the Chatham County FY 2015-2021 Recommended Capital Improvements Program

Renee Paschal, Assistant County Manager presented the steps needed to approve the Capital Improvements Program (CIP). She stated that first a public hearing will be held tonight, tomorrow the Board will hold a CIP work session, and finally the Board will adopt the CIP at their December 16, 2013 meeting.

Ms. Paschal reviewed the highlights of the Capital Improvements Program in a PowerPoint as follows:



What is a CIP?



- It is not...
 - ▣ Clothing Issue Point, Corrugated Iron Pipe, Channel Identification Plan , Counter Intelligence Program, Clean-In-Place, or Cheeseburger-in-Paradise
- It could be...
 - ▣ Critical Infrastructure Protection, Capital Investment Plan, Core Investment Program, Critical Item Program, and Competitive and Innovations Program
- It is...
 - ▣ Capital Improvements Program/Plan
 - ▣ The county's long-term plan for important improvements

New Projects



- ▣ All school roof projects funded [\$7.1 million, previously \$5.1 million]
- ▣ New software for finance/human resources/utilities billing/budget, with platform for additional countywide software [\$1.5 million]
- ▣ Both funded by “repayment” of \$5 million transfer from general fund to water capital reserve made in FY 2007
- ▣ Two new small water main replacement projects in Haywood and Natural Trail MHP have been added [\$789K]
- ▣ Several other adjustments covered in the Introduction Section—most already BOC approved

Future Projects—New



- ▣ Assessment of Agriculture Building removed—2008 assessment believed to be sufficient
- ▣ Sheriff storage added—Emergency Operations storage moved to Performance Building and cost reduced from \$593K to \$12,750

Joint Bus/County Garage



- ☐ Highest priority of Board of Education
- ☐ Still a future project
- ☐ Debt required
- ☐ Additional ½-cent transfer needed to the debt reserve

Funding Strategy



- ☐ Fund large, needed facilities through debt:
 - ☐ School debt to be repaid from impact fees, lottery proceeds, debt reserve, and restricted sales tax
 - ☐ Water debt to be repaid from water capital reserve
 - ☐ Other debt to be repaid from 5.6 cents on tax rate going into reserve
 - ☐ Debt model is based on these funding sources
- ☐ Fund smaller needs through fund balance/capital reserve, as this source is available; schedule in CIP should be considered tentative

Funding Strategy



- Maximize grant opportunities (parks)
- Fund parks through grants, recreation fee, and capital reserve
- Fund northeast solid waste collection center through capital reserve

Fund Balance



- ▣ Board adopted policy to transfer undesignated fund balance greater than 22% into capital reserve to fund CIP
- ▣ Currently, with FY 2014 appropriation, undesignated fund balance is 21.8%--so none available to transfer
- ▣ This problem may recur with the level of fund balance appropriation
- ▣ We will discuss during the Nov. 19 work session

Next Steps



- Questions?
- Feel free to send questions or requests for additional information to Lisa/Renee
- Next Steps:
 - ▣ Public hearing on November 18 (at regular meeting)
 - ▣ Work session on November 19

The Chairman opened the floor for public comments.

David Hamm, Board of Education Member, stated that it is about the kids and the trust they put into the Board of Commissioners and the Board of Education when it comes to funding. He stated that the Board of Education has had a positive relationship with the Board of Commissioners in the past, and he believes that it is due to the County Manager, the Assistant County Manager, and the staff and how well they work with the school system staff. He introduced Dr. Derrick Jordan, Chatham County Interim Superintendent. He stated with the needs the schools are presenting to the Board, it comes with many thanks.

George Lucier, stated everyone is concerned about Chatham Park, the impact it is going to have on the County, and it can obviously be very positive. He stated that he believes a lot of people are worried about how it will impact the schools. There are currently 64,000 people in Chatham County, and there are 17 schools. Chatham Park will add 55,000 people and presumably the County will have to add about 12 to 15 schools. The CIP goes up to 2021. Some of the schools will be needed because of Chatham Park, if it is approved by Pittsboro, and moves forward as scheduled. Some schools will be needed before then. This will be the County's responsibility and not the Town of Pittsboro's responsibility. He asked the Board if they had been meeting regularly with the School Board and the Pittsboro Town Council to discuss this issue and work it into the Capital Improvement Plan. He stated that these meetings should be with the full board, and they should be public so that the public has a chance to weigh-in and give their comments.

The County Manager stated that the staff has been working periodically with Chatham Park and the staff of the Town of Pittsboro.

Mr. Lucier George asked if the meetings had been open to the public.

The County Manager stated the meetings are staff meetings and were not with elected officials at this point.

Commissioner Kost stated that Mr. Lucier had some good points, and the Board needs to be at the table talking about this issue.

The Chairman closed the public hearing.

13-0580 Public Hearing to Receive Public Comments on the Renaming of One State-Maintained Road in Chatham County as follows: Renaissance Drive

Tony Tucker, Emergency Operations Director, reviewed the specifics of the request.

Chairman Petty opened the floor for public comments.

There was no one present who wished to make public comments.

Commissioner Kost asked Mr. Tucker if staff contacted all the residents on the road and if they were agreeable with the name change.

Mr. Tucker stated the petition met all the requirements. He stated that he was not sure if they were all agreeable with the name change, but that he did not hear any objections. He also stated that staff posted the notice of the public hearing at all locations required.

The Chairman closed the public hearing

Vice Chairman Bock moved, seconded by Commissioner Kost, to approve the renaming of Landfill Road to Renaissance Drive. The motion carried by the following vote:

Aye: 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Kost and Commissioner Stewart

13-0582 Public Hearing Request by the Chatham County Board of Commissioners to Amend Sections 10.13, Table of Permitted Uses; 12.6, Applicability; and 7.2 Definitions of the Zoning Ordinance to Further Clarify Telecommunication Tower Regulations and Definitions, Broaden the Use Table Requirements Based on Telecommunication Tower Height, and Clarify Landscaping Requirements for Telecommunication Support Equipment

Hillary Pace, Planner, distributed information to the Commissioners and to the Clerk to the Board and reviewed the specifics of the request.

The Chairman opened the floor for public comments.

There was no one present who wished to make public comments.

The Chairman closed the public hearing and referred the item to the Planning Board.

BOARD PRIORITIES

13-0559 Request for Approval to Form an Infrastructure and Site Development Fund Committee

Joe Glasson presented the item on behalf of Dianne Reid, Chatham County Economic Development Corporation President and the Economic Development Corporation. The original abstract is as follows:

Chatham County Infrastructure & Site Development Fund ~ Presented by Joe Glasson

Purpose: Establish a Development Committee to explore avenues for site specific interim financing for major industrial/commercial developments. Recommend use of funds as they may apply for the benefit of the county citizens in support of economic development. The committee would be charged with the prioritization of specific site development related expense on a “gap financing basis” and forward such recommendations to the Board of Commissioners.

Utilize the sale of land and the proceeds of the Central Carolina Business Campus, previously earmarked for economic development, as the startup funding. These loans would be for site specific development expense and would be offered at a low interest rate with a deferred five year loan payable upon sale of property, if before the end of the five year term.

For issues of broader benefit, such as design of water, sewer extensions, etc., the funds would not apply as they would be normally borne by the County, as those would reasonably benefit and serve other businesses and residences.

Structure: Appoint the following members: County Manager (or designee), County Finance Director, County Public Works Director and the President of the Chatham EDC.

Funding: No budgetary impact. Initial funding would be the estimated \$1.3 Million previously approved for economic development and subject to close prior to year end.

Example: The Chatham-Randolph Mega-site. The EDC, working with the principals of this mega-site, involved Duke Energy in looking at this site for the purpose of it participating in its Site Readiness Program. Duke Energy hired McCallum Sweeney, an internationally known consulting firm which has been instrumental in many high profile automotive expansions and relocations, to conduct a site study. Results were a positive assessment and the site is now involved and poised to be the state's first Certified Mega-site by the NC Department of Commerce.

The principals have asked for county participation in aiding in the up-front financing of the necessary engineering/impact studies required for state certification.

The Piedmont Triad has been designated as the number one market in the south for auto assembly and the Chatham-Randolph Mega-site is ranked number three of the top twenty sites in the south. Auto assembly plants are at capacity and "don't be surprised to see Mercedes, BMW, VW, Honda, Hyundai and Toyota, all build new plants in the next 24 to 48 months", per a veteran site consultant .

Benefits: A committee so comprised, as recommended, would add significant velocity and readiness to a project of this type. The associated financial risk is minor, considering market conditions and the financial long term assets held by the principals.

Additional comments: As noted by Ms Kost, we agree that adding a town representative is a good addition so as to be inclusive and responsive to local perspectives.

With the fund structured as shown, the BOC would have a dedicated group so as to assure the monies used, with the approval of the BOC, would be in support of the overall intent, thereby not just throwing the problem at the BOC to discern and decide without professional direction and recommendations.

For example, while this may be viewed as another layer, we see it as accelerating the mega site project's early stages by placing the attention where's its needed so as to gain state certification earlier and assure the money is being spent in the manner intended.

Commissioner Kost clarified that Mr. Glasson's document was not to replace the original abstract, but was to be combined with it. Commissioner Kost stated that the original abstract discussed perhaps involving a project with the town and bringing townspeople in, and making it a revolving fund, and Mr. Glasson's document simply expanded on that.

Commissioner Kost stated she felt the issues with the towns were really important because the concept of the Land Use Plan is the strength of the towns. With this project, she stated that we should focus on strengthening our municipalities.

Mr. Glasson stated he agreed completely and within the abstract it talks about having the towns on the committee. The committee should first be created on the County level and bring the towns in as the project progresses.

Commissioner Kost stated the towns should become involved sooner rather than later.

Chairman Petty stated that the objective is to determine how they want to use these funds. Then as they move into partnering with someone, they can bring them in at that time like the towns. This structure addresses those issues.

Commissioner Kost stated that one issue that is not addressed is a timeline. She asked about the timeline for the work of this committee. Mr. Glasson stated they already know the next 60-90 days somebody will be coming to the Board with a story.

Commissioner Kost stated she wants to know when the committee will finish its work and come to the Board with a recommendation.

Chairman Petty stated it would happen quickly if this committee is approved.

Vice Chairman Bock moved, seconded by Commissioner Stewart, to approve the forming of an Infrastructure and Site Development Fund Committee. The motion carried by the following vote:

Aye: 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Kost and Commissioner Stewart

13-0591 Request to approve the Design Development of the Agriculture Center

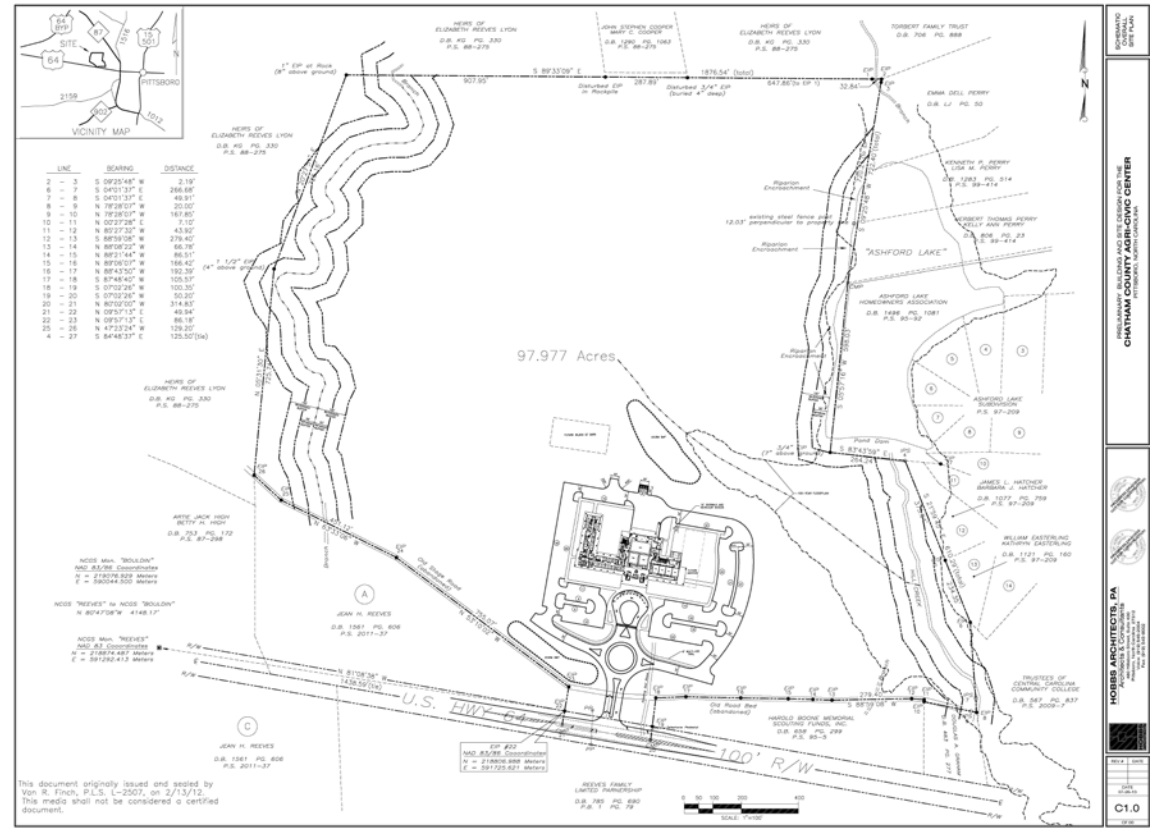
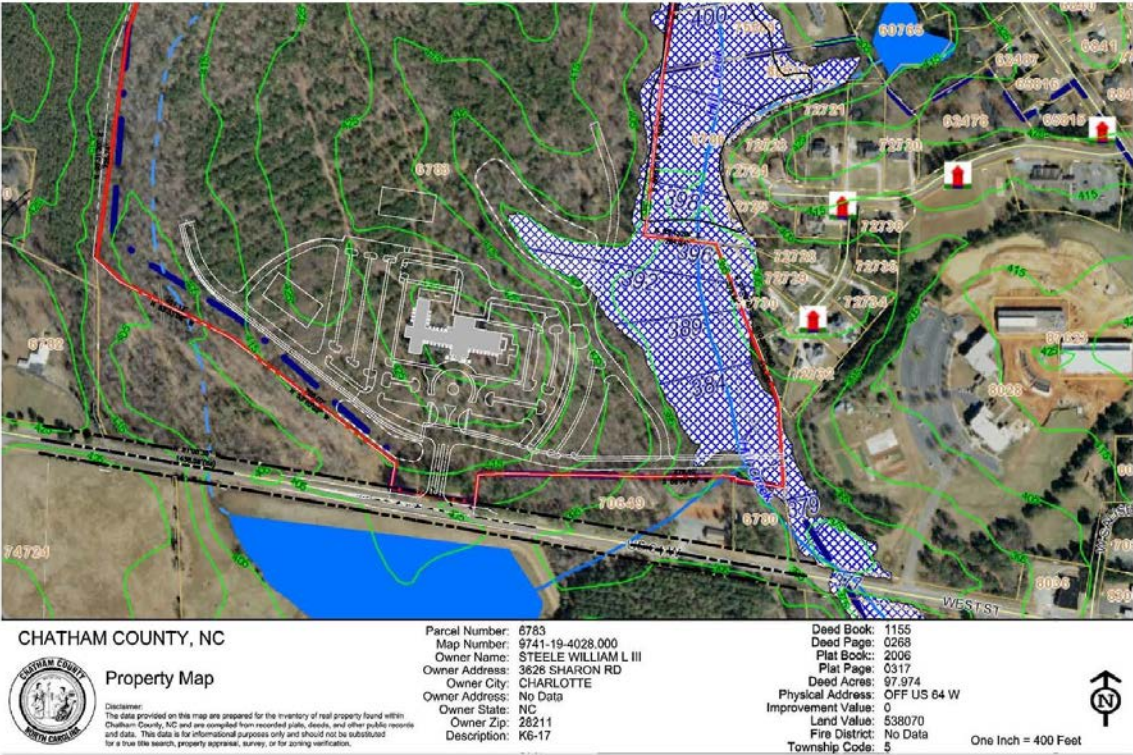
Taylor Hobbs introduced the newest member of their team, Chevon File.

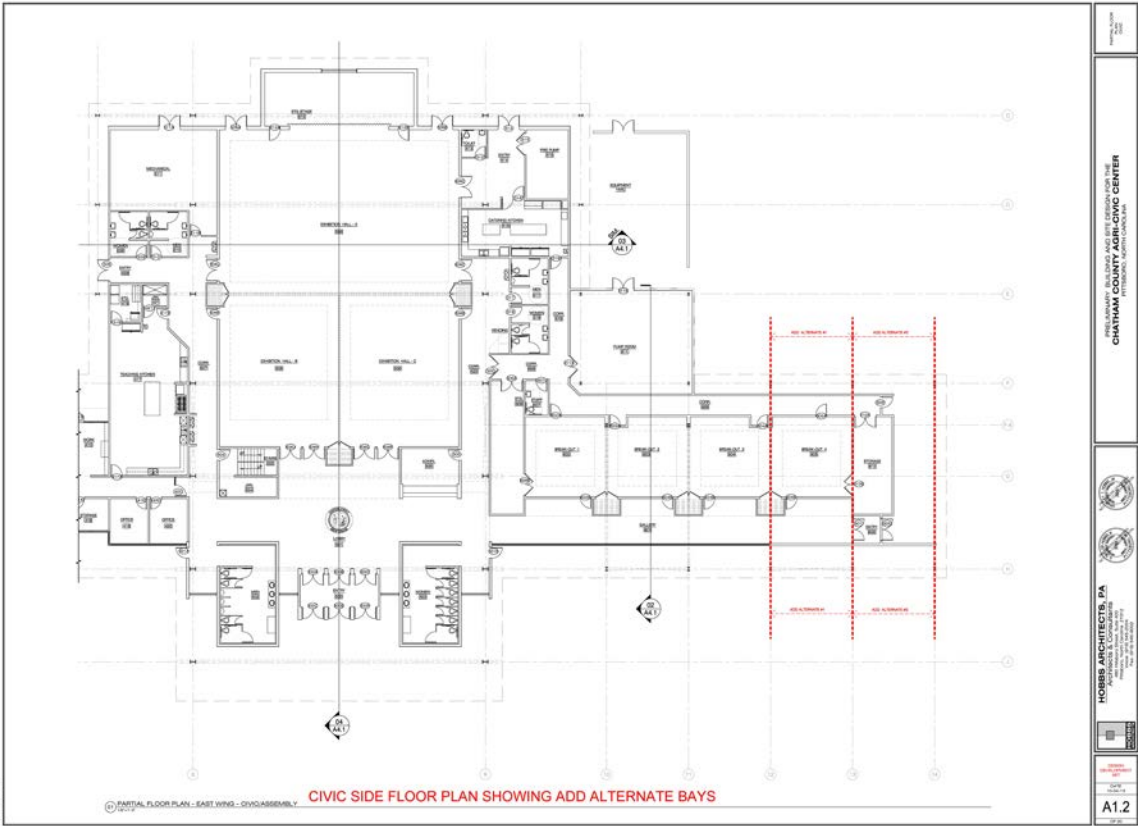
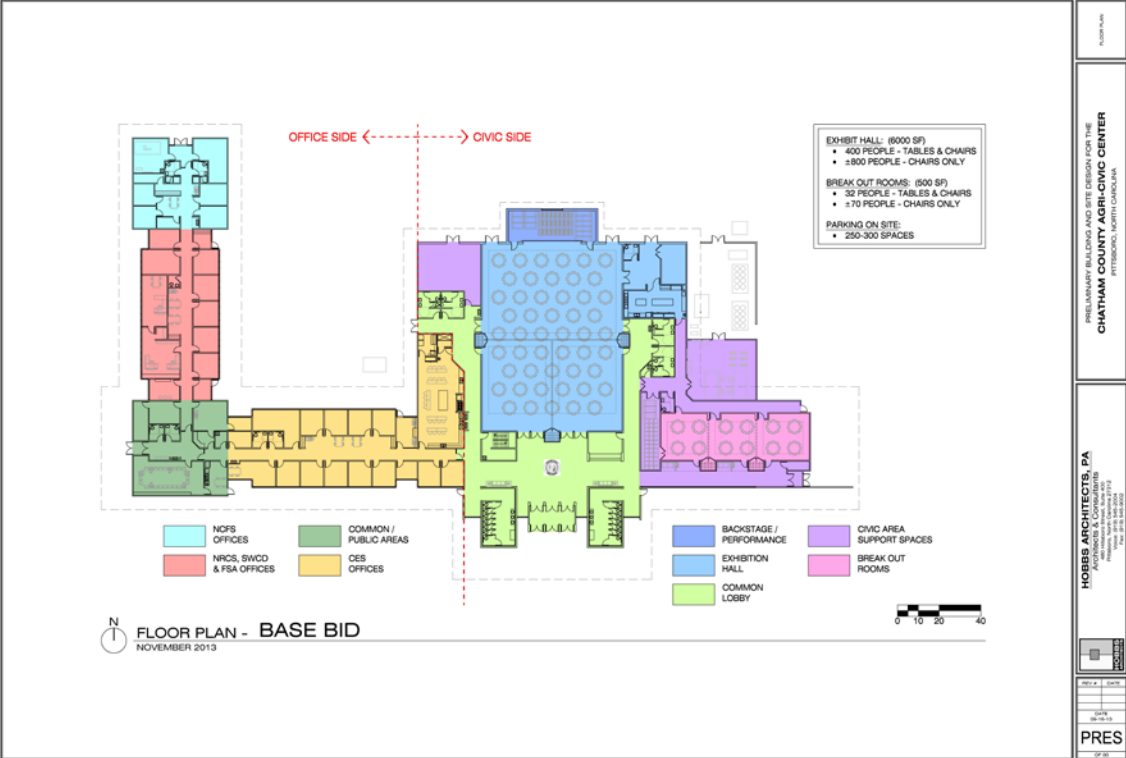
Mr. Hobbs stated his team met last week with the Town of Pittsboro. They are looking to prepare site plan submittal sometime in February, and are expecting an April or May site bid. He added that the building code and safety parts of the project have gone smoothly and they now are working on the cost estimates.

Mr. Hobbs presented the latest design development package for the County Agriculture Center in a PowerPoint as follows:



CHATHAM COUNTY BOARD OF COMMISSIONERS
MINUTES OF NOVEMBER 18, 2013 REGULAR MEETING
PAGE 15 OF 27 PAGES







Site Perspective



Schematic Design Estimated Budget Summary:

• Construction	\$ 9,000,000.00
• Contingency	
○ Building	\$ 360,000.00
○ Site	\$ 180,000.00
• Owner Costs	\$ 1,960,000.00
○ Testing	
○ Soil Borings	
○ Surveying	
○ Design	
○ Furniture	
○ Kitchen Equipment	
○ AV Equipment	
Total	<u>\$ 11,500,000.00</u>

Design Development Estimated Budget Summary:

• Construction (Base Bid)	\$ 9,240,000.00
○ Alt. #1 - Break Out Room	\$ 194,000.00
○ Alt. #2 - Storage Room Area	\$ 122,000.00
○ Alt. #3 - Colored Concrete	\$ 20,000.00
○ Alt. #4 - Terrazzo County Seal	\$ 22,000.00
○ Alt. #5 - Wood Ceilings	\$ 86,000.00
	<u>\$ 444,000.00</u>
• Contingency	
○ Building	\$ 360,000.00
○ Site	\$ 180,000.00
• Owner Costs	\$ 1,960,000.00
○ Testing	
○ Soil Borings	
○ Surveying	
○ Design	
○ Furniture	
○ Kitchen Equipment	
○ AV Equipment	

Total	<u>\$ 11,740,000.00</u>
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Commissioner Cross asked what the maximum parking capacity would be. Mr. Hobbs explained that the parking would allow for 250 to 300 parking spaces. He stated that those numbers are within the town parking codes.

Mr Hobbs stated that the plan has gone from four breakout rooms on the east side to three breakout rooms, but the office space on the west side stayed the same. He stated that he believes the 9.2 million dollar estimate is a conservative number if they were to bid it today. He stated that they are hoping to reduce the overall costs and will know more when they do the overall site bid in May. He stated that they feel good about the project; but the budget is tight, and they are working hard to tighten it down more.

Commissioner Kost asked where the cutoff would be on the building if there are only going to be three breakout rooms. Mr. Hobbs stated the building would still look pretty much the same as the building was never meant to be symmetrical.

Commissioner Cross moved, seconded by Commissioner Stewart, to approve the design development package for the County Agriculture Center. The motion carried by the following vote:

Aye: 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Kost and Commissioner Stewart

13-0539 Request by the Chatham County Board of Commissioners to Consider Amendments to Section 12.3 Housing of the Compact Communities Ordinance to Modify the Allowable Uses for Funds Provided Through the Payment-in-Lieu of Providing Lots for Affordable Housing Option

Jason Sullivan, Planning Director, reviewed the specifics of the request.

Commissioner Kost stated she had some questions for the County Attorney in that Jeffrey Starkweather had earlier stated some causes and effects. She stated that basically he was saying that it is that the money was paid because of a cause, changing the ordinance to allow the money to be used for a Family Violence Rape Crisis shelter, and for people with developmental disabilities, and those are not effects. She asked the County Attorney's opinion of what he thought of Mr. Starkweather's comments.

Jep Rose, County Attorney, stated that is the way it started out. It is because of the money, that they supported and approved the amendment to the ordinance, as well as the contract. At this stage it is basically between the County and Briar Chapel. Commissioner Kost asked the County Attorney how he felt about the issue of inclusionary zoning.

The County Attorney stated that it is not relevant to this issue.

Chairman Petty stated that was looked into once before, and what he is hearing is that there is no change. The County Attorney stated that was correct.

Vice Chairman Bock moved, seconded by Commissioner Stewart, to approve amendments to Section 12.3 Housing of the Compact Communities Ordinance to Modify the Allowable Uses for Funds Provided Through the Payment-in-Lieu of Providing Lots for Affordable Housing Option.

The Chairman called for discussion on the matter.

Commissioner Kost stated that at the public hearing, the Board heard from several agencies who had heard that the \$900,000 was going to be available. The Affordable Housing Task Force did a lot of work and research at the direction of the Board of Commissioners. She stated that they shouldn't make this change, and that they should stay on the course that they were on. She stated the Board should have a competitive process where all of these projects are on the table, and then make the decision. She stated that she is supportive of the Family Violence Rape Crisis and Chatham Trades, but that is not affordable housing. She stated that she thinks many citizens have said exactly what she is feeling. It is

not the intention that was there when Briar Chapel was approved and taking the money for other projects is simply wrong.

Commissioner Stewart asked if the Board defined “affordable housing” at the time when this was done. She stated that when she listened to the citizens who spoke, there were a lot of people who defined it differently. She stated that she went back and looked up how affordable housing is defined stating it is defined in many different ways. One is “provided housing for lower or middle income whose needs are not met by the market”. She stated that she thinks one of the problems with the house in Briar Chapel is it didn’t have that need because the market is already saturated with houses at that same price point. She stated that it is really not meeting the need by that definition. Also affordable housing shouldn't be more than 30% of the gross income of a household and that includes utilities; therefore, she stated that she struggles with how they define affordable housing.

Vice Chairman Bock stated that he can assure everyone that there are young families, veterans, etc. that are buying in Briar Chapel at all different price points. He stated that he sees it every day. He stated that people have argued with him about affordable housing and homelessness, and he feels they are two separate discussions. He stated that he respectfully disagrees.

Commissioner Kost stated it would have been more responsible if the Board had put all projects on the table and identified them instead of bringing them up without putting them on an agenda.

Chairman Petty stated the only group that the Board heard from that wasn't from the private sector was the group out of Raleigh. He also stated that the Board decided they did not want the money to go to an agency, and that they would use the money one-time. The Family Violence Rape Crisis shelter will be an on-going housing solution.

Vice Chairman Bock stated the whole reason the Briar Chapel money came up in discussion was because of him. He stated that they talked about homelessness and about the causes in the County. Family violence was one of the causes, and he thought they had a situation that was unique. He stated that as the discussion progressed, they decided the money should be used for buildings and land in addition to money for housing.

Commissioner Stewart asked, “If someone buys one of these homes in Briar Chapel that is deemed affordable, can they sell it to someone not going through an affordable housing program or if it is always considered affordable housing?”

Commissioner Cross stated it would always be considered affordable housing. He stated that the biggest problem Briar Chapel had with Empowerment’s model was the homeowners’ fees.

Commissioner Kost stated that the question is moot at this point, and the decision about the \$900,000 has already been made.

Vice Chairman Bock moved, seconded by Commissioner Stewart, to approve amendments to Section 12.3 Housing of the Compact Communities Ordinance to Modify the Allowable Uses for Funds Provided Through the Payment-in-Lieu of Providing Lots for Affordable Housing Option. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and
Commissioner Stewart

Nay: 1 - Commissioner Kost

13-0546 Request by the Chatham County Board of Commissioners to Consider the Amendment to the Payment-in-Lieu Contract Between NNP Briar Chapel and the County

Jason Sullivan, Planning Director, reviewed the specifics of the request.

The County Attorney stated the contract amendment is one sentence; that the contract is amended to say that one can use it for anything allowed under the ordinance which includes affordable housing.

Mr. Sullivan stated the item went to the Planning Board at their November 5, 2013 meeting, and they had no objections.

Vice Chairman Bock moved, seconded by Commissioner Stewart, to approve the Amendment to the Payment-in-Lieu Contract between NNP Briar Chapel and the County. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

Nay: 1 - Commissioner Kost

13-0583 Request by Staff to Review and Provide a Recommendation for Additional Grant Funding for the North Carolina Housing Finance Agency NCHFA) Single Family Rehab (SFR) Program. The request includes funding for the rehabilitation of an additional four homes in Chatham County.

Hillary Pace, Planner, reviewed the specifics of the request.

Chairman Petty asked the percentage of requests of the applicant pool that are accepted into the program.

Jason Sullivan, Planning Director, stated it is hard to say there is a percentage because they have to be qualified.

Commissioner Cross asked if the County is still installing bathrooms in homes.

Mr. Sullivan stated there are homes still receiving funds for bathrooms.

Ms. Pace stated the consultant has made every effort to give every applicant attention.

Commissioner Cross moved, seconded by Vice Chairman Bock, to approve Additional Grant Funding for the North Carolina Housing Finance Agency (NCHFA) Single Family Rehab (SFR) Program and to approve the County Manager signing the revised administrative contract. The motion carried by the following vote:

Aye: 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Kost and Commissioner Stewart

13-0585 Request from Staff to Review and Provide a Recommendation to the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) on the List of Transportation Projects for the Chatham County DCHC MPO Area, as Required for the Next Round of NC DOT Project Prioritization, or "SPOT 3.0"

Hillary Pace, Planner, reviewed the specifics of the request and presented a list of recommended transportation projects for Chatham County as follows:

Chatham County Recommended Transportation Projects
DCHC MPO SPOT3.0 November 2013

HIGHWAY					
SPOT ID	Route Name	From	To	Description	Recommendation
H090632	Jack Bennett Road (SR 1717)	US 15/501	Lystra Rd (SR 1721)	Safety Improvement	Remove- Project Underway
H090649	Jeremiah Drive (SR 1762)	Lystra Rd (SR 1721)	End of Jeremiah Dr.	Elevate Road for Flood Control	Remove
H0906563	Lystra Road (SR1721)	US 15/501	Farrington Point Rd. (SR 1008)	Safety Improvements	Add 4' Bicycle Lanes to Description
Bicycle/Pedestrian/ Modernization/Trail Projects					
SPOT ID	Route Name	From	To	Description	Recommendation
New	O'Kelly Chapel Road	NC 751	Wake County Line	Bike Lanes 2.8 mi; (\$1.5 million cost)	Approve
New	Mann's Chapel Road	US 15-501	Poythress Road	Bike lanes 1.9mi (\$900,000 cost)	Approve
New	Farrington Point Rd. / Old Farrington / Farrington Mill Rd	Durham County Line	Lystra Rd.	Bike lanes 3.66 mi (\$1.83 million cost)	Approve
New	Mt. Carmel Church Road	Orange County line	Old Farrington Point Road	Bike lanes 1.2mi (\$600,000 cost)	Approve
1511	Mann's Chapel Road and US 15/501 Intersection	n/a	n/a	add pedestrian refuge islands, signals and sidewalks	Remove until US 15/501 Corridor Study Completed.

Commissioner Kost asked if the County would have a match if a bike lane was constructed. Ms. Pace stated there is a match; however, highway projects are not out-of-pocket.

Commissioner Kost stated they would isolate the bike lane out of the road project so there would be some of that bike lane and then we would have that 20% match. Ms. Pace stated that was her understanding. The goal, however, is to put as many projects on the highway as possible because there doesn't have to be a match.

Ms. Pace stated the County was allotted four bike/pedestrian projects by the MPO and these went through the bike/pedestrian subcommittee.

Ms. Pace stated this is the formal public input to the MPO and could be categorized as future projects.

Commissioner Kost stated the number one complaint on the east side of the lake is lack of bike lanes for bike riders. The Board can submit now and come up with funding strategy later.

Ms. Pace stated the presentation in the packet explains the process.

Vice Chairman Bock stated some of these matches are really large, and if they are approved, they would be done between 2016 and 2025.

Ms. Pace stated the RPO has stated it will be a requirement that the Board of Commissioners provide a resolution or letter of support saying they have these funds to match. She stated that the MPO is still saying that no resolution or letter is required at this moment. She stated she personally felt it would be advantageous to craft a letter, if the Board desired, to move forward either way because the odds are it will become a requirement.

Vice Chairman Bock asked for clarification if the Board submitted the plans, would they also be submitting a resolution saying they had the money for the match. Ms. Pace said he was correct. Commissioner Bock stated he didn't know if the Board would be able to make that commitment.

Commissioner Kost stated she would like to have a public hearing.

Ms. Pace stated that the Transportation Advisory Committee and the bike/pedestrian sub-committee understands the 20% match is a big commitment.

Ms. Pace stated the Board has two options: 1) They can go through the MPO and say the letter or resolution of support is not a requirement. 2) They can go through the TARPO. She stated that Matt Day with TARPO has asked all members in the TARPO to do the same thing by submitting a resolution or letter of support.

Vice Chairman Bock asked, "If the Board passes a resolution, will there be legal weight with regard to that for a future board?"

Commissioner Kost stated that the Board can turn the project down. If the elected officials of that time want to turn it down, they can.

Vice Chairman Bock stated if it is not required, he would prefer not to pass one at this time.

Ms. Pace stated it is a two-year cycle, so in two years, they can remove or add projects to the list.

Commissioner Kost moved, seconded by Commissioner Cross, to approve the recommended List of Transportation Projects for the Chatham County DCHC MPO Area without a resolution of support. The motion carried by the following vote:

Aye: 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Kost and Commissioner Stewart

13-0584 Request by Michael Birch, Attorney Representing HBP Properties LLC, an Amendment to the Consent Judgment Governing Legend Oaks, Phase Three

Jason Sullivan, Planning Director, reviewed the specifics of the request.

Mr. Sullivan stated that what the Board had before them an Amended and Restated Consent Judgment and Consent Agreement as well as the Consent Motion to Amend the Consent Judgment and Settlement Agreement. Michael Birch forwarded the information to the County Attorney, and there are still minor typographical changes that need to be made.

Mr. Sullivan stated the request for the Board is to approve and authorize the County Attorney to finalize the minor wording changes and forward to the court for approval.

Vice Chairman Bock moved, seconded by Commissioner Stewart, to approve and authorize the County Attorney to make the minor changes and forward to the court. The motion carried by the following vote:

Aye: 4 - Chairman Petty, Vice Chair Bock, Commissioner Cross and Commissioner Stewart

No: 1 - Commissioner Kost

13-0543 Request by the Planning Board to Remove Zoning in Areas Where Zoning was Initially Applied in 2007 by the Board of Commissioners

Karl Ernst, Chairman of the Chatham County Planning Board, reviewed the history of the agenda item as follows:

- The corridor zoning was approved and implemented by the previous administration.
- There was a public hearing on the corridor in September of 2007.
- The corridor zoning was adopted in November of 2007.
- In March of 2008 letters were mailed to business owners seeking interest in rezoning to corresponding business districts.
- May and November 2008 special meetings were held by the Board of Commissioners with business owners.
- April 2009 public hearings were held to rezone business properties.
- May 2009 the business re-zonings were adopted.

Mr. Ernst stated it is the opinion of the majority of the Planning Board, that the majority of the zoning that is applied, definitely as far as Highway #421 both north and south

of Siler City, was unneeded. Mr. Graybeal's comments that this is a ridiculous and crazy notion are basically the same descriptions that were applied during the process. There was much confusion and concern during the process and the effort was not clear to a lot of people.

The corridor zoning was simply not needed in all areas of the County. Mr. Ernst asked what development have we seen on Highway #421 and #64 between Pittsboro and Siler City. He stated he has not seen a lot, and he travels that road twice a day five days a week.

He stated that the Planning Board's recommendation is that the Board of Commissioners consider nullifying the zoning that is applied. Other areas like #15-501 have already been zoned. Moncure to Pittsboro Road, same thing, it is what it is.

Vice Chairman Bock asked if there were any businesses along the Highway #421 corridor that got re-zoned. In other words, if the zoning goes away, what businesses would it affect? Mr. Ernst stated the one larger business of which he is aware would be Mt. Aire. He stated that the part of the highway north of Siler City is a limited access highway, and they don't see that as being a factor. Mr. Ernst stated these issues came up years ago during the process, and they are a matter of public record in emails.

Commissioner Cross stated a lot of this corridor zoning was to do with property rights. There were a lot of things that were problems when this was going on back in 2007 and 2008 like the sports arena. He stated, with all due respect to the Planning Board, he would not even consider this recommendation unless it was from a group of property owners along this corridor. He said he would be surprised if there were any involved in this request.

Commissioner Kost stated the reason for the corridor zoning is that they have a responsibility to protect the investment of the taxpayers of North Carolina on these roads. If they let people build anything, anywhere they want to go, they are going to have driveways and traffic congestion and bypasses around bypasses. She stated that she spoke to their Division 8 representative on the State Board of Transportation, and he couldn't believe their Planning Board was recommending this. She stated that she is really surprised that the Planning Board is even considering this, and if they don't like zoning, why don't they get rid of zoning in the entire County. She stated that when they talked to the people of Chatham Park, they said they wanted zoning. They want some protection. Commissioner Kost stated that nothing could be said to make her support this recommendation.

Mr. Ernst stated he lives in one of the zoned municipalities. If he didn't like it, he wouldn't live there. He stated that where there is a need and a purpose, so be it. Zoning works. Where there is not a need, it is different. There was a public hearing and 15 showed up and not one was for zoning. He stated that the Board should listen to people who have spoken before and at that time.

Commissioner Cross stated at the time they had a meeting with every property owner, and there were decisions made with which they were in agreement. He stated that he hasn't heard anyone complain about this issue but the Planning Board, and he doesn't know where it is coming from.

Vice Chairman Bock stated at the time, it probably was a property rights issue. He stated that those businesses now are zoned, and they probably have the protection they need. Vice Chairman Bock stated he thinks about the asphalt plant, and they are non-conforming so if they un-zone all those places, it would become non-conforming. When the asphalt plant wants to do something, even though it was there first, all the residents around it ask how they can let that kind of business in its neighborhood. Commissioner Bock stated that when one looks to the western part of the County, it is a major corridor zoned for commercial. He stated he would be open to looking at that, if it doesn't need to be zoned, it probably shouldn't be. But if it is going to harm existing property owners, he wants to know that. He stated it is a major thoroughfare for commercial for the County. He asked how it is zoned now.

Commissioner Kost stated it was zoned residential as a holding zoning, and it was

going to go through another step. The Conceptual Land Use Plan defines areas where they want economic growth, but what the corridor zoning did was allow someone to come in and ask for a conditional use permit which would only be approved if the transportation patterns were met and if it was an appropriate use in that area. Commissioner Kost stated there is nothing stopping it, but what she is saying, "Is any business going to want to come to an area that is zoned?"

Vice Chairman Bock stated maybe they should zone it as commercial. Commissioner Kost stated maybe they should revisit the Land Use Plan and determine where they want to have the commercial located.

Mr. Ernst stated thirty years ago, Highway #421 was the principal connector between the Triad and the Wilmington ports; and that Interstate 40 wasn't there.

Vice Chairman Bock stated that a lot of the other areas are done as far as zoning, but they need to discuss harming property owners. He stated he does not like it when the Board says someone must go through the planning process, because it is a long process that usually involves hiring attorneys, and it is also expensive.

Commissioner Cross stated earlier Vice Chairman Bock stated this protects unwanted businesses from being able to build when they do not fit the community. Commissioner Cross stated with the zoning they can't do that and without it they can.

Vice Chairman Bock stated more zoning categories are needed and that instead of un-zoning, they need to see what other zoning options are out there, and try to protect the property rights. He stated everyone needs to remember someone can't "just" go through the planning process. It is not that easy, it takes time and money.

Commissioner Kost stated that if they are going to look at un-zoning Highway #421, it is important to talk to the economic developers because it contradicts what they have told her.

Chairman Petty asked if the Planning Board is recommending un-zoning the whole thing or looking at it on a case-by-case basis.

Mr. Ernst stated the motion was to un-zone all the areas, but he was sure they can revisit the motion.

Chairman Petty stated that because the zoning had already been done, he felt it would be difficult to un-zone the entire thing.

Vice Chairman Bock asked if the Board could ask the Planning Board to talk with the Economic Development Corporation. Mr. Ernst said they would be glad to.

Commissioner Stewart stated there is talk about the Megasite, the Strategic Land Use Plan from the Economic Development Corporation, and Chatham Park. She stated it would be good to take all of these separate large plans and bring them together as one plan.

Vice Chairman Bock stated the Planning Board is planning on coming to the Board of Commissioners in December to ask them to update the Land Use Plan.

Mr. Ernst stated this is all based on rumors and speculation and not on fact. Moore Machines was born and raised in Chatham County and used to be on Highway #421. It is now in Sanford. He stated that many businesses from those areas have come forward and asked the Board to change their zoning.

Commissioner Kost stated that since the subdivision process has been streamlined, they haven't had a major subdivision come through as the economy slowed things down.

Mr. Ernst stated that hopefully, if the economy does make a turn, they will see them. Commissioner Kost stated they hope to see them in their municipalities. Mr. Ernst agreed

and stated he wants more business in Siler City. He stated the Megasite may be the only way Siler City gets any jobs back.

Vice Chairman Bock stated if the Megasite happens, they are going to want something more than residential zoning on Highway #421.

Commissioner Kost stated maybe they should do a small area plan for that corridor.

Mr. Ernst stated they would like to get the conversation started, and they will be glad to participate as needed.

CLOSED SESSION (13-0590)

Commissioner Cross moved, seconded by Commissioner Bock, to go out of the Regular Session and convene in Closed Session for the purpose of consulting with the County Attorney on matters within the attorney/client privilege under GS 143-318 11(a) (3). The motion carried five (5) to zero (0).

REGULAR SESSION

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

MANAGER'S REPORTS

The County Manager had no reports.

COMMISSIONERS' REPORTS

Sprott Center:

Commissioner Cross stated the sewer pipe line had been installed at the Sprott Center.

DCHC/MPO:

Commissioner Stewart stated she had resigned from the DCHC/MPO committee due to conflicts. She also stated that at the May 23, 2013 Budget Work Session, the Board of Commissioners did discuss the Chatham Park and the possibility of future schools with Superintendent Logan.

Farmer's Alliance 125th Anniversary Celebration:

Chairman Petty stated the Farmer's Alliance 125th Anniversary celebration will be held on December 7, 2013. He invited the Commissioners to join him at the celebration. He presented a resolution for the Siler City company and called for a motion to adopt the resolution.

Commissioner Cross moved, seconded by Commissioner Stewart, to adopt **Resolution #2013-49 Honoring the Farmers Alliance on Its 125th Anniversary**, attached hereto and by reference made a part hereof. The motion carried by the following vote:

Aye: 5 - Chairman Petty, Vice Chair Bock, Commissioner Cross, Commissioner Kost and Commissioner Stewart

Animal Control Ordinance:

Vice Chairman Bock asked staff for an update on the Animal Control Ordinance.

The County Manager stated the latest on the ordinance was that the Board of Health wanted to give comments on their proposed draft, and he did not believe that had happened yet.

Vice Chairman Bock asked if staff could ask them to bring it back to the Board in December. The County Manager stated that they would do so and that there would be a new County Health Director by that time as well.

ADJOURNMENT

Commissioner Kost seconded by Commissioner Cross, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 8:43 PM.

Walter Petty, Chairman

ATTEST:

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