

**THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA**

Monday, November 27, 2006

7:00 P.M. Regular Session

MINUTES

Place: Commissioners' Room, second floor, Durham County Government Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chairman Ellen W. Reckhow, Vice-Chairman Becky M. Heron, and Commissioners Philip R. Cousin Jr. and Michael D. Page

Absent: Commissioner Cheek

Presider: Chairman Reckhow

Opening of Regular Session—Pledge of Allegiance

Agenda Adjustments

Chairman Reckhow acknowledged the “additional agenda materials” folder and a revised agenda placed at each Commissioner’s station.

Chairman Reckhow adjusted the agenda to discuss Public Hearing—Unified Development Ordinance (UDO) Text Amendment—I-85 MTC Overlay (TC 06-02) prior to Public Hearing—Zoning Map Change—I-85 MTC Overlay (Z06-56).

Minutes

Commissioner Cousin moved, seconded by Vice-Chairman Heron, to approve as submitted the following minutes of the Board:

October 23, 2006 Regular Session
November 6, 2006 Worksession
November 13, 2006 Regular Session

The motion carried with the following vote:

Ayes: Cousin, Heron, Page, and Reckhow
Noes: None
Absent: Cheek

Social Services Best Practices Awards

Chairman Reckhow introduced this item. She announced that Durham County Department of Social Services received two *Best Practices Awards* from the North

Carolina Association of County Directors of Social Service for Innovations in Service to Customers for the Teen MAPP: Focus on Fostering/Adopting Teenagers program and for Cost Savings Measures and/or Improvements in Efficiency for Case Documentation Project with Transcription Relief Services.

Tom Bennett, Executive Director, NC Association of County Directors of Social Services, commented on DSS' outstanding leadership in the areas of cost-saving and efficiency and innovative services to customers.

Mr. Bennett presented the award plaques to DSS Director Sammy Haithcock and staff.

Mr. Haithcock gave brief remarks about the programs.

Chairman Reckhow thanked DSS staff for their hard work.

Budget Ordinance Amendment No. 07BCC000032—The Durham Center—Grant Award from U.S. Department of Justice

Chairman Reckhow announced that The Durham Center was awarded a \$50,000 grant on September 15, 2006 from the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. She stated that the grant seeks to increase public safety through innovative cross-system collaboration for individuals with mental illness who come in contact with the criminal or juvenile justice system.

Chairman Reckhow recognized Ellen Holliman, Area Director of The Durham Center, to provide additional details on the grant.

Ms. Holliman reported that the program is funded through the Mentally Ill Offender Treatment Act of 2004. Durham County will develop a strategic plan to address the needs of youth and young adults that have or are suspected to have severe mental illness at each of the points of interception in the criminal or juvenile justice system.

The Durham Center Area Board approved this allocation on November 2, 2006 with no impact on County allocations.

Vice-Chairman Heron moved, seconded by Commissioner Page, to approve Budget Ordinance Amendment No. 07BCC000032 recognizing the grant award of \$50,000 for The Durham Center

The motion carried with the following vote:

Ayes: Cousin, Heron, Page, and Reckhow

Noes: None

Absent: Cheek

Amendment No. 07BCC000032

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2006-07 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Revenues	\$723,506	\$50,000	\$773,506

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Human Services	\$395,173,571	\$50,000	\$395,223,571

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 27th day of November, 2006.

Consent Agenda

Commissioner Page moved, seconded by Vice-Chairman Heron, to approve the following consent agenda items:

- *a. Property Tax Releases and Refunds for Fiscal Year 2006-2007 (accept the property tax release and refund report for October 2006 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- *b. Budget Ordinance Amendment No. 07BCC000030 (recognize net bond premium and interest in the amount of \$1,074,496 and a savings of \$643,711 in interest expense in the Debt Service Fund); Capital Project Ordinance Amendment No. 07CPA000003 (appropriate \$850,000 to the Open Space Land Acquisition Project, \$125,000 to the Holton School CIS Academy Project, and \$1,551,130 to the Human Services Complex Project); the additional appropriation for these projects is \$807,923, which will be a fund balance appropriation from the Capital Financing Plan Fund;
- *c. Budget Ordinance Amendment 07BCC000031— Recognize Additional Revenue for Social Services (\$1,160,417) (appropriate \$460,568 to the Department of Social Services' Budget, \$499,849 for future needs for any unforeseen Medicaid costs, and \$200,000 for the Work First program);
- *d. Budget Ordinance Amendment No. 07BCC000033— Recognize Reserved Funds for the Departments of Tax,

Sheriff, Cooperative Extension, and DSS (appropriate reserved fund balance [previously classified in prior years as deferred revenue] in the amount of \$1,229,299);

- *e. Capital Project Amendment No. 07CPA000004— Appropriation of Approved Capital Project Funds (appropriate \$500,000 to the Wastewater Treatment Plant project, \$500,000 to the Collection System Rehabilitation project, and \$400,000 to the Reused Wastewater Facility project);
- f. Durham Public Schools Telecommunications Lease-Purchase Agreement (approve the continuation of an existing lease; will require no additional funding);
- g. Approval of the Interlocal Agreement for Results Based Accountability; and
- h. Award of Contract for Purchase of Vehicles for Various Departments (authorize the Manager to enter into a contract with University Ford Inc. for \$1,089,090).

The motion carried with the following vote:

Ayes: Cheek, Cousin, Page, and Reckhow
Noes: None
Absent: Heron

Documents related to these items follow:

Consent Agenda Item No. a. Property Tax Releases and Refunds for Fiscal Year 2006-2007 (accept the property tax release and refund report for October 2006 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc., the report details releases and refunds for the month of October 2006.

Releases & Refunds for 2006 Taxes:

Real Estate	\$1,172,176.71
Personal	\$ 112,162.57
Registered Vehicles	\$ 55,041.41
Vehicle Fees	\$ 1,090.00
Solid Waste	<u>\$ 160.00</u>
Total for 2006 Taxes and Fees	\$1,340,630.69

Prior years' (2001-2005) releases and refunds for October 2006 are in the amount of \$34,570.30. The total current year and prior years' releases and refunds amount to \$1,375,200.99.

(Recorded in Appendix A in the Permanent Supplement of the November 27, 2006 Regular Session Minutes of the Board.)

Consent Agenda Item No. b. Budget Ordinance Amendment No. 07BCC000030 (recognize net bond premium and interest in the amount of \$1,074,496 and a savings of \$643,711 in interest expense in the Debt Service Fund); Capital Project Ordinance Amendment No. 07CPA000003 (appropriate \$850,000 to the Open Space Land Acquisition Project, \$125,000 to the Holton School CIS Academy Project, and \$1,551,130 to the Human Services Complex Project); the additional appropriation for these projects is \$807,923, which will be a fund balance appropriation from the Capital Financing Plan Fund;

DURHAM COUNTY, NORTH CAROLINA
 FY 2006-07 Budget Ordinance
 Amendment No. 07BCC000030

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2006-07 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<i>Budget</i>			
<i>CAPITAL IMPROVEMENT FUND</i>			
Other Financing Sources (fund balance appropriation)	\$1,832,400	\$807,923	\$2,640,323

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<i>Budget</i>			
<i>CAPITAL IMPROVEMENT FUND</i>			
Other (transfer to pay as you go for capital projects)	\$31,508,491	\$2,526,130	\$34,034,621
Other (transfer to debt service fund)	\$34,034,621	(\$1,718,207)	\$32,316,414

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<i>Budget</i>			
<i>DEBT SERVICE FUND</i>			
Other Financing Sources (bond premium)	\$35,649,145	\$1,074,496	\$36,723,641
Other Financing Sources (transfer to CIF)	\$36,723,641	(\$1,718,207)	\$35,005,434

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<i>Budget</i>			
<i>DEBT SERVICE FUND</i>			
Other (decrease in bond interest payment)	\$40,571,867	(\$643,711)	\$36,928,156

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 27th day of November, 2006.

DURHAM COUNTY, NORTH CAROLINA
FY 2006-07 Capital Project Ordinance
Amendment No. 07CPA000003

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2006-07 Capital Project Ordinance is hereby amended to reflect budget adjustments for the following projects:

<u>Project</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Open Space Land Acquisition	\$3,371,000	\$850,000	\$4,221,000
Holton School (CIS Academy)	\$4,955,000	\$125,000	\$5,080,000
Human Services Complex	\$6,395,512	\$1,551,130	\$7,946,642

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 27th day of November, 2006.

Consent Agenda Item No. c. Budget Ordinance Amendment 07BCC000031—Recognize Additional Revenue for Social Services (\$1,160,417) (appropriate \$460,568 to the Department of Social Services' Budget, \$499,849 for future needs for any unforeseen Medicaid costs, and \$200,000 for the Work First program);

DURHAM COUNTY, NORTH CAROLINA
FY 2006-07 Budget Ordinance
Amendment No. 07BCC000031

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2006-07 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u> Intergovernmental	\$319,781,815	\$1,160,417	\$320,942,232

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Human Services	\$394,013,154	\$1,160,417	\$395,173,571

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 27th day of November, 2006.

Consent Agenda Item No. d. Budget Ordinance Amendment No. 07BCC000033—
Recognize Reserved Funds for the Departments of Tax, Sheriff, Cooperative Extension,
and DSS (appropriate reserved fund balance [previously classified in prior years as
deferred revenue] in the amount of \$1,229,299);

DURHAM COUNTY, NORTH CAROLINA
FY 2006-07 Budget Ordinance
Amendment No. 07BCC000033

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the
FY 2006-07 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Financing Sources	\$23,863,409	\$1,229,299	\$25,092,708

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
General Government	\$394,013,154	\$1,160,417	\$395,173,571
Public Safety	\$47,776,848	\$343,159	\$48,120,007
Economic and Physical Development	\$3,710,682	\$7,727	\$3,718,409
Human Services	\$395,223,571	\$390,375	\$395,613,946

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 27th day of November, 2006.

Consent Agenda Item No. e. Capital Project Amendment No. 07CPA000004—
Appropriation of Approved Capital Project Funds (appropriate \$500,000 to the
Wastewater Treatment Plant project, \$500,000 to the Collection System Rehabilitation
project, and \$400,000 to the Reused Wastewater Facility project);

DURHAM COUNTY, NORTH CAROLINA
FY 2006-07 Capital Project Ordinance
Amendment No. 07CPA000004

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2006-07 Capital Project Ordinance is hereby amended to reflect budget adjustments for the following projects:

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>Expenditures</u>			
Wastewater Treatment Plant	\$35,626,815	\$500,000	\$36,126,815
Collection System Rehabilitation Project	\$900,000	\$500,000	\$1,400,000
Reused Wastewater Facility Project	\$350,000	\$400,000	\$750,000

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 27th day of November, 2006.

Public Hearing—Unified Development Ordinance (UDO) Text Amendment—I-85 MTC Overlay (TC 06-02)

Assistant Planning Director Steve Medlin requested that the Board receive public comments and approve Unified Development Ordinance (UDO) Text Amendment—I-85 MTC Overlay (TC 06-02) incorporating revisions to Article 4 into the UDO.

Chairman Reckhow opened the public hearing that was properly advertised. As no one signed up to speak, she closed the public hearing and referred the matter back to the Board.

Vice-Chairman Heron moved, seconded by Commissioner Cousin, to approve Unified Development Ordinance (UDO) Text Amendment—I-85 MTC Overlay (TC 06-02) incorporating revisions to Article 4 into the UDO.

The motion carried with the following vote:

Ayes: Cheek, Cousin, Page, and Reckhow
Noes: None
Absent: Heron

Chairman Reckhow thanked Commissioner Cheek on public record for introducing this concept at a previous Joint City-County Planning Committee meeting.

Public Hearing—Zoning Map Change—I-85 MTC Overlay (Z06-56)

Steve Medlin, Assistant Planning Director, requested that the Board approve a zoning map change for all property located 1,250 feet (2,500 feet at intersections) on either side

of the I-85 right-of-way, from Avondale Drive to the Granville County line. Request: Major Transportation Corridor Overlay (-MTC).

Mr. Medlin stated that staff recommended an approval, based on consistency with the *Comprehensive Plan* and considering the information contained in the staff report. He further stated that the Planning Commission voted 11-0 for an approval on October 10, 2006. The Commission found that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission recommended approval based on information in the staff report and comments received during the public hearing.

Chairman Reckhow opened the public hearing that was properly advertised and called signed speakers forward for comments.

Betty Waller, 105 Magerton Court, Cary_____ withdrew her request to speak.

Chairman Reckhow closed the public hearing and referred the matter back to the Board.

Commissioner Cousin moved, seconded by Commissioner Page, to approve Zoning Map Change—I-85 MTC Overlay (Z06-56).

The motion carried with the following vote:

Ayes: Cheek, Cousin, Page, and Reckhow
Noes: None
Absent: Heron

Public Hearing—Zoning Map Change—Fayetteville Road Assemblage (Z05-41)

Assistant Planning Director Steve Medlin introduced this item. He requested that the Board approve a zoning map change for a 144.72-acre site located on the east side of Fayetteville Road and north of Scott King Road. PINs 0717-02-55-7412, 0717-02-65-5887, 0717-02-66-8774, -6354, 0717-02-67-8912, -7189, 0717-02-75-4622, -1252, 0717-02-77-1635. Request: RR to PDR 2.000.

Mr. Medlin reported that staff recommended an approval, including approval of 90 lots within the TUA, based on consistency with the *Comprehensive Plan* and considering the information contained in the staff report. He further reported that the Planning Commission voted 12-0 for an approval on September 12, 2006. The Commission found that the ordinance request is consistent with the *Comprehensive Plan*. The Commission recommended approval based on information in the staff report, comments received during the public hearing, and additional committed elements proffered by the applicant at the meeting. Mr. Medlin noted for the record that all proper certifications and notifications are available for public viewing. He further noted a protest petition currently against the project.

Chairman Reckhow stated on the record that Committed Element No. 3 addresses the need raised by residents for an undisturbed buffer along the American Tobacco Trail.

Vice-Chairman Heron referenced Committed Element No. 5 to inquire about the easement being measured from the centerline of the stream.

Mr. Medlin responded that easements are typically measured from the stream bank. Past applicants have requested 100-foot greenway easements measured from the centerline; however, the applicant may choose to measure from the top of the bank

Chairman Reckhow clarified that the Unified Development (UDO) requires stream buffers to be measured from the bank; however, Committed Element No. 5 is for a greenway easement requested by Durham Open Space and Trails Commission which does not require such measuring.

Vice-Chairman Heron asked the developer to discuss in his presentation the timeline to construct amenities.

Chairman Reckhow opened the public hearing that was properly advertised and called signed speakers forward for comments.

Stephen Thomson, 8321 Fayetteville Road, Durham 27713, explicated the protest petition, which he submitted, and outlined concerns about the project.
Hakeem Saleh, 3 Avonlea Court, Durham, supported the project.

Chairman Reckhow and Vice-Chairman Heron informed Mr. Medlin that no protest notification was included in the agenda packet.

Mr. Medlin stated that the valid protest petition was submitted after the agenda deadline.

Chairman Reckhow directed Mr. Medlin to notify the Board, County Manager, and County Attorney in the future via email when a petition has been validated.

County Attorney Chuck Kitchen advised that the Board must vote at least 4-0 or 4-1 (if all five Commissioners are present) for an approval.

Ken Spaulding, representing Toll Brothers Inc., 2530 Meridian Parkway, Durham 27713, gave an overview of the project and requested that the Board approve the zoning map change.

George Stanziale, the consultant, HadenStanziale, 27 Falling Water Drive, Durham 27713, made a presentation to the Board, outlining the committed elements and site areas. He made the following changes to Committed Element Nos. 16 and 18 (deletions are ~~struckthrough~~ and additions are underlined): “Developer shall provide \$500.00 per dwelling unit at the time of ~~building permit~~ each Certificate of Occupancy as a donation to the Durham Public School System”; and “Single-family lots shall be a minimum of 8,000 square feet and no less than 50% of the total number of lots shall be less than 12,000 square feet”.

In reference to Committed Element No. 7, Mr. Stanziale consented to completing the 6-foot wide unpaved trail prior to the final certificate of occupancy of the 100th home, not 175th as stated in the committed element, per a request by Vice-Chairman Heron.

Vice-Chairman Heron inquired about the size of Southwest Creek in Committed Element No. 5.

Mr. Stanziale responded that the Creek could be approximately 15-20 feet but does not know its accurate size.

Chairman Reckhow added that the 100-foot greenway in Committed Element No. 5 is donated to allow public access.

Per request by Chairman Reckhow, Mr. Stanziale addressed a concern raised by Mr. Thomson pertaining to mass grading.

Vice-Chairman Heron asked about the location and protection of the adjoining horse farm to the property.

Mr. Stanziale replied that the farm is included in the rezoning not towards the acreage.

Commissioner Page inquired about environmental concerns raised by Mr. Thomson.

Mr. Medlin stated that the development plan meets all UDO requirements for protection of environmentally sensitive areas.

Mr. Medlin explained to Chairman Reckhow that staff initially recommended a denial to the Durham Planning Commission, at its September 12 meeting, due to a revised plan submitted to Planning at a later date. The late submittal did not allow Planning enough time to review the revised plan before forwarding a recommendation to the Planning Commission.

Chairman Reckhow directed Mr. Medlin to explain staff recommended denials in future staff reports.

Mr. Medlin recapped changes to the committed elements (deletions are ~~struckthrough~~ and additions are underlined):

- Committed Element No. 7: “Provide a 6-foot wide unpaved trail along the proposed north/south sanitary sewer easement from the American Tobacco Trail south to the southern most east/west road. Trail shall be completed prior to the final certificate of occupancy of the ~~175th~~ 100th home.”
- Committed Element No. 8: “Provide a 6-foot wide unpaved trail within the existing gas easement from the trail in the north/south sanitary sewer easement west to the proposed public right-of-way adjacent to the amenity area. Trail shall be completed prior to the final certificate of occupancy of the ~~175th~~ 100th home.”
- Committed Element No. 16: “Developer shall provide \$500.00 per dwelling unit at the time of ~~building permit~~ each Certificate of Occupancy as a donation to the Durham Public School System.”

- Committed Element No. 18: “Single-family lots shall be a minimum of 8,000 square feet and no less than 50% of the total number of lots shall be less than 12,000 square feet”.

All remaining committed elements remained unchanged.

Vice-Chairman Heron recommended that approval be deferred for two weeks to allow the developer to work with the protesters.

Chairman Reckhow asked if the developer would commit to 14 lots being 20,000+-square feet and 80 percent of the lots being 10,000 – 20,000 square feet, as indicated in the handouts.

Thomas Anhut, Division President, Toll Brothers Inc., expressed apprehension about committing to elements while in the pre-drawing phase.

Chairman Reckhow and Vice-Chairman Heron expressed a desire for the developer to commit to the lot sizes.

Mr. Thomson reiterated his concerns relating to lot sizes.

Mr. Medlin responded to Commissioner Page and Chairman Reckhow’s questions about the Falls/Jordan-B (F/J-B) watershed protection overlay and protection of specimen trees.

Vice-Chairman Heron reiterated her request for a two-week deferral.

County Manager Mike Ruffin reminded Chairman Reckhow not to close the public hearing if the Board motions for a deferral.

Vice-Chairman Heron moved, seconded by Commissioner Cousin, to continue the public hearing to December 11 Regular Session.

The motion carried with the following vote:

Ayes: Cheek, Cousin, Page, and Reckhow
Noes: None
Absent: Heron

Chairman Reckhow expressed appreciation to Mr. Stanziale and Toll Brothers for agreeing to additional committed elements.

Vice-Chairman Heron concurred with Chairman Reckhow’s comment and encouraged the neighborhood and developer to compromise on the plan.

Commissioner Page requested a copy of the petition for each Commissioner.

Chairman Reckhow redirected Planning staff to provide petition documents and information to the Board prior to meetings.

Public Hearing—Unified Development Ordinance (UDO) Text Change—Temporary Use Permit Timeframes (TC06-11)

Assistant Planning Director Steve Medlin requested that the Board receive public comments and approve Text Change—Temporary Use Permit Timeframes (TC06-11) to the Unified Development Ordinance (UDO).

Mr. Medlin responded to Commissioner Page, stating that if this item is approved, it would be applicable to all of Durham County.

Chairman Reckhow gave a brief synopsis of the reason for amending Article 5 of the UDO. She explained an increased problem with storage bins on lots for an extended period of time.

Vice-Chairman Heron inquired about ordinance changes to custodial care in manufactured homes.

Mr. Medlin replied that the ordinance is not modifying code provisions as related to manufactured homes as custodial care facilities. The code is only being renumbered and states that initial permits are granted by the Board of Adjustments; renewals are done administratively. A nominal fee to cover legal costs would apply.

Chairman Reckhow opened the public hearing that was properly advertised. As no one signed up to speak, she closed the public hearing and referred the matter back to the Board.

Vice-Chairman Heron moved, seconded by Commissioner Page, to approve Unified Development Ordinance (UDO) Text Change—Temporary Use Permit Timeframes (TC06-11).

The motion carried with the following vote:

Ayes: Cheek, Cousin, Page, and Reckhow
Noes: None
Absent: Heron

Public Hearing—Unified Development Ordinance (UDO) Text Change—Minimum Lot Sizes for New Lots with On-Site Wastewater Disposal Systems (TC06-10)

Steve Medlin, Assistant Planning Director, requested that the Board to receive public comments and approve Text Change—Minimum Lot Sizes for New Lots with On-Site Wastewater Disposal Systems (TC06-10) to the Unified Development Ordinance, which establishes one acre as the minimum lot size for new lots proposing to utilize on-site wastewater disposal systems.

Chairman Reckhow recognized Robert Brown, Health Department, as available to answer questions. She informed that the Health Department supports the change.

Chairman Reckhow opened the public hearing that was properly advertised. As no one signed up to speak, she closed the public hearing and referred the matter back to the Board.

Commissioner Cousin moved, seconded by Vice-Chairman Heron, to approve Unified Development Ordinance (UDO) Text Change—Minimum Lot Sizes for New Lots with On-Site Wastewater Disposal Systems (TC06-10).

The motion carried with the following vote:

Ayes: Cheek, Cousin, Page, and Reckhow
Noes: None
Absent: Heron

Adjournment

There being no further business, Chairman Reckhow adjourned the meeting at 8:38 p.m.

Respectfully Submitted,

Yvonne R. Gordon
Deputy Clerk to the Board