

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, OCTOBER 17, 1994

The Board of Commissioners (the "Board") of the County of Chatham, North Carolina, met in regular session in the District Courtroom, located in the Courthouse Annex, Pittsboro, North Carolina, the regular place of meeting, at 7:00 p.m., on October 17, 1994.

Present: Chairman Henry Dunlap; Commissioner Margaret Pollard; Commissioner Mary Hayes Holmes; Commissioner E. T. Hanner; Commissioner Uva Holland; County Manager Ben Shivar; County Attorney Robert L. Gunn; and Clerk to the Board Sandra B. Lee

The meeting was called to order by the Chairman at 7:02 p.m.

AGENDA

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

Commissioner Holmes asked that when the Entrance Sign, Item #20 listed on the agenda was discussed, she wished to discuss the scenic highway in Chatham County; that the letters received by the Commissioners from Family Violence and Rape Crisis be discussed; and that after the TIP discussion, she be allowed to bring up an issue regarding transportation planning.

The County Manager asked that an advertisement brought to him by the Register of Deeds concerning a special order of consent for the Golden Poultry Company waste treatment discharge into the Deep River be addressed with the planning session.

The County Manager stated that Redistricting had been scheduled at the end of the agenda and because Michael Crowell was in attendance, he be allowed to speak after the Public Input Session.

The County Attorney asked that two resolutions in connection with acquiring property for the collection centers be placed on the agenda at the end of the meeting.

Commissioner Pollard moved to approve the agenda as presented with the above noted requests. Commissioner Holland seconded the motion.

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

CONSENT AGENDA

The Chairman directed the Clerk to the Board to read the Consent Agenda.

Commissioner Holmes moved to approve items listed on the Consent Agenda as read by the Clerk. Commissioner Pollard seconded the motion. The Consent Agenda, with the vote on each item is as follows, and was read verbatim by the Clerk to the Board.

1. **Minutes:** Consideration of approval of Board Minutes for Regular Meeting held October 3, 1994

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

2. **Approval of Out-of-State Travel to Attend American Public Health Association in Washington, DC:** Consideration of approval of out-of-state travel for educational purposes for Brenda Truitt, PHN Supervisor, and Wayne Sherman, Health Director

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

3. **Debt Write-Off for General Health Services and Home Health Divisions of the Health Department:** Consideration of approval of debt write-off for the General Health Services and Home Health Divisions of the Health Department

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

4. **Acceptance of State Monies for Childhood Lead Poisoning Prevention Efforts:** Consideration to accept additional State monies totaling \$1590 ,Budget Amendment #11, for Childhood Lead Poisoning Prevention efforts

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

5. **Approval of Reduction in State Environmental Health Funds:** Consideration of approval of \$420 in State Environmental Health Funds, Budget Amendment #12

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

6. **Home Health Fee Schedule:** Consideration of increase in Home Health fees for Skilled Nursing, Physical Therapy, Occupational Therapy, Speech Therapy, and Social Work visits

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

7. **Tax Releases:** Consideration of a request for approval of Tax Releases

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

PUBLIC INPUT SESSION

There was no one who wished to speak during the Public Input Session.

PRESENTATION BY MICHAEL CROWELL

Michael Crowell, Attorney and redistricting consultant, presented the Board with several different maps showing some of the options available for the election of County Commissioners. He explained the most popular size board is one of five members. He stated that Chatham County currently utilizes residency districts of unequal population size, but a move to residency districts will allow for more equitable population representation. Approximately twenty counties in the State use this method of election. Over half of the counties use true at-large elections where anyone in the county can run for any seat on the board and everybody in the county votes on the commissioners. The remainder of the counties use election districts in which only the people who live in the district can vote from the commissioner from that seat. He stated that

the purpose of a one-person one-vote is to see that each voter gets to vote for about the same number of commissioners.

He stated that if the County wishes to change the districts and make them more equal in population, they would need to go back to the legislature and ask the legislature

to pass a local act changing the district lines as they did in 1975 when the lines were established. A County referendum could also be held changing the County lines. He stated that the Commissioners did have authority to change township lines but not district lines. He advised that if the Commissioners did go to the legislature, that they include in that legislation the authority to make changes to lines in the future on their own without having to go back to the legislature.

Mr. Crowell suggested to the Board that as they look at the lines, they worry less about population as it appears on the hand-out maps and think more of what the natural areas of the County are in terms of representation. The purpose of the election method presently in place, residency districts, is to assure that there is representation of the major geographic areas of the County and that the Commissioners are answerable to the entire County not just a portion of the County.

When questioned by Commission Holmes regarding the advantages of a five member board, Mr. Crowell stated that a five member board is easier to get together for a meeting; large enough to cover the different areas of the county to have different points of view represented and small enough for commissioners to know each other and function well.

Commissioner Holmes stated that she favored precincts instead of townships which was the general consensus of the Board.

Mr. Crowell suggested that individual Board members try different combinations on the maps.

Commissioner Holmes moved to bring the redistricting issue up for further evaluation and discussion at the November 7, 1994 meeting. Commissioner Pollard seconded the motion.

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

EMERGENCY OPERATIONS

The Chairman opened the meeting to the public.

Public Hearing

-
Public Hearing to Rename Public Road: Public meeting to receive public comment to rename public road from John Bowers/Pleasant Hill Church Road to Pleasant Hill Church Road

Catherine Sutton, 4029 John Bowers/Pleasant Hill Church Road, spoke in favor of shortening the name to Pleasant Hill Church Road due to the difficulty in placing the entire name on forms, mailing labels, on most computers programs, and in efficient mail delivery. She stated that there was also history to be considered as the Pleasant Hill Church was organized in 1850 and the road has been called Pleasant Hill Church Road by area citizens for a long time.

Public Hearing to Rename Public Road: Public meeting to receive public comment to rename

public road from Bottom Road to First Road

There was no one who wished to make public comment.

Commissioner Holmes moved to approve the renaming of John Bowers/Pleasant Hill Church Road to Pleasant Hill Church Road and Bottom Road to First Road. Commissioner Pollard seconded the motion.

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

The public hearing was declared closed.

Request to Name Private Road: Consideration of a request to name a private road

Commissioner Holmes moved to rename the road to Railroad Drive. Commissioner Pollard seconded the motion.

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

Future Community Development Block Grant (CDBG): Consideration of future CDBG Target Areas

Keith Megginson, Planning Director, stated that the County has participated in the Community Development Block Grant in past years; that the most recent community revitalization project was the Green Hill target area near Siler City with a local match of over \$100,000 from the water capital reserve for water line construction; and that the program is over 90% complete which puts us in the position of being able to apply for another revitalization grant next year.

Mr. Megginson stated that applications are due in mid February and the Board will be required to certify a commitment of funds at that time. He stated that the actual appropriation would not be necessary until the 1995-96 fiscal year budget, but the Board would need to make the authorization to proceed with filing of the application. The question is whether the Board would be willing to commit general fund revenues as a local match to a CDBG program as the grants are highly competitive and one of the rating criteria is the extent to which a community contributes local resources. He stated that this would place significant limitations on the ability to fund other projects.

Commissioner Holmes moved to approve scattered housing rehabilitation application. Commissioner Pollard seconded the motion.

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

Approval of Subdivision Request of Private Road: Consideration of a request for preliminary and final approval of Barnes Subdivision located off S.R. #1722

Commissioner Pollard moved to accept the Planning Department and Planning Board recommendation that the request be considered a variance of a time limitation in the ordinance and not from the standards of the ordinance and approve the request with the condition that no additional subdivision lots be created within 24 months. Commissioner Holland seconded the motion.

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

Special Order of Consent for Golden Poultry in Lee County:

The Planning Director explained that the Manager had received a newspaper clipping from the Register of Deeds regarding the special order of consent for Golden Poultry which had been advertised in a Lee County and a Moore County newspaper. He stated that for the last four months, Golden Poultry has been violating their discharge permit in two areas. He stated that there was an October 22nd deadline for submitting comments regarding this matter.

Commissioner Holmes moved to send a letter making comments on the matter, drafted by the Manager and the Planning Director, and requesting a public meeting to Steve Tedder and another letter to David Moreau, Chairman of the Environmental Management Commission with a copy to Jonathan Howes, Secretary of the Department of Environmental Health and Natural Resources, regarding the ineptitude of whoever

approved the placing of the advertisement in the Moore County newspaper. Commissioner Pollard seconded the motion.

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

PUBLIC WORKS

Solid Waste/Recycling Issues

Approval of Contract for Development and Operation of Residential Household Hazardous Waste Collection Facilities: Consideration of an agreement between Laidlaw Environmental Services, Inc. and Chatham, Durham, Orange, & Wake Counties, the Towns of Carrboro, Chapel Hill, and the City of Durham for development and operation of residential household hazardous waste collection facilities

Commissioner Holmes moved to approve the contract authorizing entry into an agreement with laidlaw Environmental Services, Inc. to provide development and operation services for residential household hazardous waste (HHW) collection, previously reviewed by the County Attorney, and to authorize the County Manager to select an appointee to the Interlocal Agreement Oversight Committee. Commissioner Pollard seconded the motion.

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

ECONOMIC DEVELOPMENT

Appointments to the Economic Development Commission: Consideration of appointments to the Economic Development Commission

Commissioner Pollard moved to appoint Howard Stier to the Economic Development Commission representing the small business sector, the term to commence immediately and to expire in three years, and to appoint Joy Phillips to the Economic Development Commission as an ex-officio member representing utilities, the term to commence immediately with no term limits. Commissioner Hanner seconded the motion.

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

Approval of Chatham County to Join Triangle Regional Partnership: Consideration of approval of Chatham County's joining Research Triangle Regional Partnership

Commissioner Holmes asked Melanie O'Connell Underwood, Economic Development Director, to have someone from the Research Triangle Regional Partnership to come and speak to the Commissioners.

Commissioner Holland moved to adopt Resolution #94-42 to Join Research Triangle Regional Partnership, a copy enclosed hereto and by reference made a part hereof. Commissioner Holmes seconded the motion.

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

Approval of Policies and Procedures to Begin Community Development Block Grant-Economic Development Loan for Sanford Steel Corporation: Consideration of policies and procedures which need to be adopted to officially begin the Community Development Block Grant-Economic Development Loan for Sanford Steel Corporation

Commissioner Holmes moved to adopt the following: 1.) Resolution #94-43 Authorizing the Adoption of Section 519 Policy for the Chatham County, North

Carolina Community Development Program; 2.) Complaint Procedure Resolution #94-44; 3.) Affirmative Action Plan Resolution #94-45 (Kim Bush, Human Resources Manager); 4.) Section 504 Compliance Officer/Grievance (Assistant to the County Manager, Renee Dickson) Procedure Resolution #94-46; 5.) Code of Conduct/Hatch Act Policy Resolution #94-47; 6.) Fair Housing Plan Resolution #94-48; 7.) Recipient's Plan to Further Fair Housing #94-49; 8.) Financial Management Procedure Resolution #94-50; 9.) Resolution #94-51 Designating Labor Standards Officer (Kim Bush, Human Resources Manager). Commissioner Pollard seconded the motion.

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

Melanie O'Connell Underwood, Economic Development Director, explained that with the help of Central Electric Membership Cooperative in North Carolina Electric Membership Corporation, a resource group of national experts in a variety of fields ranging from community development to agriculture to recreation will be in Chatham County November 16-18 to tour the County and interview citizens about their views of the changes they would like to see in Chatham County. The resource team will take the citizen input and recommend action steps for the County to implement plans for solving some of the problems and creating policies and procedures for County improvement and growth.

BOARD OF COMMISSIONERS MATTERS

Policies and Procedures for Appointments to County Boards, Commissions, Committees, or Authorities: Consideration of establishment of policies and procedures for appointments to County Boards, Commissions, Committees, and Authorities

Commissioner Pollard moved to approve the Resolution #94-52 Adopting Policies and Procedures for Appointments Made by the Chatham County Board of Commissioners with the exception of absences dealing with elected officials. Commissioner Hanner seconded the motion.

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

TIP: Consideration of County needs for State Transportation Improvement Program

County Manager, Ben Shivar, stated that the presentation for the TIP had not yet been completed. He stated that there would be a written presentation that will be turned into the Department of Transportation, as well as presented at the meeting, available by the end of the week.

Meeting Date Resolution: Consideration of the 1995 Calendar for Board meeting dates

The County Manager explained that the draft of the calendar had been prepared before notification was received that the County had been awarded Smart Start which will require three weeks of training and will conflict with Board meeting dates.

Commissioner Holmes moved to have the Manager come back with alternative meeting dates to be voted on at the next meeting. Commissioner Hanner seconded the motion.

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

Long Range Planning: Discussion of Long Range Planning

County Manager, Ben Shivar, explained that Commissioner Holland had asked that this item, which he feels centers around County-wide strategic planning and County facility planning be placed on the agenda. He stated that the County has embarked on several efforts at comprehensive planning including the long range water plan and the economic development strategic plan. In addition, he stated that the Commissioners have taken the first steps at some comprehensive planning by establishing a County vision developed over the past two years at the annual board retreat.

Commissioner Holmes stated that with three new Board members never having attended a Board retreat, she felt that the most important thing for the new Board to do is to learn to work together and to make sure that each member understands what the others "vision" is.

Commissioners Pollard and Holland agreed that the Board needs to take a look at how much space we need for the County facilities, department head needs, County school needs, etc.

The Manager stated that one of the things discussed during the budget process was to have architectural consultants to do a facility study for the County; that if the County only responds to County growth, staff/facilities will have to be expanded; and that it should be a part of the up-coming budget year.

Entrance Sign: Consideration of approval of entrance sign as submitted by the Appearance Commission

Commissioner Pollard moved to approve the design of a welcome sign, as submitted by the Appearance Commission to be constructed at NC #751. Commissioner Holland seconded the motion.

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

Commissioner Holmes asked that the Appearance Commission take a look at Highway #902, which has been designated as a Scenic Byway, for clean-up.

Appointment to Chatham Trades Board of Directors: Consideration of appointment to the Chatham Trades Board of Directors

Commissioner Holland moved to appoint Commissioner Margaret Pollard to serve on the Chatham Trades Board of Directors for a term limit of three years to commence immediately. Commissioner Hanner seconded the motion.

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

Health Building Capital Project: Consideration of bids for construction of new health building in Siler City

The County Manager, Ben Shivar, stated that the primary issue is that of consideration of construction of the new health building in Siler City. The secondary issue is to consider an alternative to the construction of an addition to the Social Services building.

Kurt Lent, architect, explained how he had taken the health department construction project apart to reduce the cost in any place where it could be done without sacrificing quality or safety. He explained each of the areas where costs were cut.

Commissioner Holland moved to eliminate plans to construct the Department of Social Services building addition and direct the staff to pursue leasing of space for the IV-D Unit and to accept the low bid amounts for the construction of the health building in Siler City. Commissioner Hanner seconded the motion.

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

Condemnation Resolutions: Consideration of two resolutions to proceed with condemnation proceedings for solid waste/recycling centers

Commissioner Hanner moved to adopt A Resolution #94-53 Authorizing Notice of Intent to Institute an Action to Condemn Property, consisting of a six acre tract of land on NCSR #1003 owned by James K. Boling, Jr. and A Resolution #94-54 Authorizing Notice of Intent to Institute an Action to Condemn Property, consisting of a two acre tract of land on NCSR #1346 owned by Lewis and Patricia Thomas Phillips, copies enclosed hereto and by reference made a part hereof. Commissioner Holmes seconded the motion.

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

MANAGER'S REPORTS

-
The Manager informed the Board of the fax he had received from the School Superintendent, Dr. Larry Mabe informing him of a November 4, 1994 conference with the Triangle J Council of Governments titled, "Education Roundtable". Dr. Mabe asked if the Manager and a Commissioner could attend. He also informed the Board of another conference, "City Makers Forum: Public Education Technology and North Carolina Information Highway" to which Dr. Mabe wanted to know if any of the Commissioners could attend on November 22, 1994, at the Friday Center in Chapel Hill, NC. The Manager gave a brief update on the franchise renegotiation with Crown Cable TV. He stated that Lee County, the City of Sanford and the Town of Siler City appear to be interested in a joint franchise agreement .

COMMISSIONER'S REPORTS

The Commissioners had no additional reports to present at this time.

Commissioner Pollard moved to go out of Regular Session and into Closed Session. Commissioner Holmes seconded the motion.

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

CLOSED SESSION TO DISCUSS INDUSTRIAL LOCATION

Commissioner Holmes moved to go out of Closed Session and back into Regular Session. Commissioner Holland seconded the motion.

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

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 11:40 p.m.

Henry H. Dunlap, Jr., Chairman

ATTEST

Sandra B. Lee, Clerk