

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, NOVEMBER 7, 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 10:00 a.m., on November 7, 1994.

Present: Chairman Henry Dunlap; Commissioner Mary Hayes Holmes; Commissioner E. T. Hanner; Commissioner Uva Holland; Commissioner Margaret Pollard; 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 10:02 a.m.

AGENDA

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

The County Manager asked that Item #2 be removed from the Consent Agenda and placed on the regular Agenda after the Public Input Session; an amendment to the contract of Gunn and Messick for legal services necessary for Item #17 be considered as #17A; and Item #28 be removed from the Agenda and rescheduled for the November 21, 1994 meeting.

Commissioner Dunlap asked that Harold Hart be allowed to speak regarding the Emergency Operations furniture bids as part of Item #14.

Commissioner Holmes asked that the swine factory farm operation be discussed.

Commissioner Holmes moved to approve the agenda as presented with the above noted requests. Commissioner Hanner 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 Holland 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 17, 1994

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

2. **Acceptance of State Monies for Childhood Lead Poisoning Prevention Efforts:** Consideration to accept additional state monies totaling \$1033 for Childhood Lead Poisoning

Prevention efforts, **Budget Amendment #16**

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

3. **Proclamation of November as National Diabetes Month in Chatham County:** Consideration of a request by the American Diabetes Association to proclaim November as National Diabetes Month in Chatham County

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

4. **Resolution #94-55 to Release County's Share of Economic Development Monies from State Budget Office:** Consideration of a resolution to release County's share of Economic Development monies from State Budget Office

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

5. **Tax Releases and Tax Refund:** Consideration of a request for approval of Tax Releases and Tax Refunds

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

6. **Solid Waste Disposal Fees Paid in Error:** Consideration of a request for approval of refunds of Solid Waste Disposal Fees paid in error

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

7. **Amendment to Approve Community Development Block Grant (CDBG) Contract:** Consideration of a request for approval of amendment to Community Development Block Grant (CDBG) contract with The Wooten Company for preparation of a scattered site CDBG application, **Budget Amendment #17**

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

8. **Naming of Private Roads in Chatham County:** Consideration of a request from citizens for the naming of the following private roads:

- | | |
|------------------------------|-------------------------------|
| 1.) Alley Oops Lane | 14.) Country Routt-Brown Road |
| 2.) Arthur L. Hearne Road | 15.) Lois Lane |
| 3.) Beaumont Lane | 16.) Meadow Creek Road |
| 4.) Big Branch Road | 17.) Pearly Lane |
| 5.) Buck Branch Road | 18.) Poplar Trail |
| 6.) Cap Fields Drive | 19.) Rippling Creek Lane |
| 7.) Cooper Farm Road | 20.) Riverside Road |
| 8.) Daisy Scurlock Road | 21.) Rowland Road |
| 9.) Friendly Pooch Lane | 22.) Shady Grove |
| 10.) Hoot Owl Lane | 23.) Sugar Shack Lane |
| 11.) Jim Gordon Drive | 24.) Sun Forest Way |
| 12.) John Robert Headen Road | 25.) Wesley Goldston Road |
| 13.) Kadir Womble Drive | 26.) Will Be Lane |

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

PUBLIC INPUT SESSION

- **Barbara Lorie**, PO Box 841, Pittsboro, NC, spoke against the proposed swine farm factory to be located on Carter Brooks Road, three miles south of Siler City in Chatham County. She asked the Board to adopt a resolution saying that this is not the kind of industry that Chatham County is looking for.

Commissioner Pollard moved to adopt a resolution registering disapproval of the swine factory farm. Commissioner Holmes seconded the motion.

After further discussion, Commissioner Pollard withdrew her motion to write and adopt a resolution registering disapproval of the swine farm factory and asked that the Assistant to the County Manager draw up a resolution for the Commissioners to sign requesting the Farmers Home Administration to conduct a public hearing and to develop an environmental impact statement, a vote to be taken and resolution signed during the afternoon session.

PRESENTATION BY ROBERT HALL

Robert Hall presented each Commissioner with a Commissioner Service Pin. He stated that the pins are intended to be a method of honoring long-time County service.

County Attorney, Robert Gunn, stated that a contract had been signed with Mueller Cab Company in July to provide transportation for dialysis/Medicaid patients to and from Chapel Hill. At that time, there was no clinic available in Chatham County. The contract states that if a clinic was established in Chatham County, the compensation for transportation would be re-negotiated to \$2.00 per trip within the County and \$.85 per mile for residents located outside of the County.

Commissioner Holmes moved to approve the Addendum to the contract for Mueller Cab Company for transportation of dialysis/Medicaid patients in and around Siler City, a copy attached hereto and by reference made a part hereof. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

PRESENTATION BY SHERIFF DON WHITT

Sheriff Whitt explained that Detective Sergeant Fred Marsh recently completed Criminal Investigator's Academy-94, a course which began in November of 1993 and was completed on October 21, 1994. He stated that the course takes a lot of commitment on part of both the officer and the Sheriff's Department, but that the end result is a highly trained investigator. He presented his certificate and stated that he and the County are very proud of Detective Sergeant Marsh.

Detective Marsh stated that he was proud of his achievement and proud to be a citizen of Chatham County.

PRESENTATION OF KEYS TO FORMER CP&L SERVICE BUILDING

- Joy Phillips, CP&L Area Manager, stated that CP&L was pleased to be entering into the agreement lease and a working partnership with Chatham County. She presented the keys to the former Pittsboro Line

and Service Center, located off Russell's Chapel Road to Chairman Dunlap.

EMERGENCY OPERATIONS

Telephone System for Emergency Operations/Sheriff's Department: Consideration of telephone system for Emergency Operations/Sheriff's Department bids

Commissioner Holmes moved to accept the recommendation of Sheriff Don Whitt and deny all bids and resubmit to vendors with wiring specifications to be included in the new bid packets. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

Furniture Bids for new Emergency Operation Center: Consideration of award of furniture bid

Mr. Harold Hart spoke regarding the bid that Hart Furniture Company placed for the Emergency Operations Center. He stated that as a 41-year established business within Chatham County, his company is able to offer better, faster warranty service. He stated that Hart Furniture Company's bid was \$29.89 higher than the low bid and that amount was insignificant with regard to a \$34,500 bid.

County Attorney, Robert Gunn, stated that he would consult with State authorities regarding the policy by the afternoon session at which time a vote could be taken.

Commissioner Holmes moved to table the decision until the afternoon's agenda. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

Educational Leave for Gynecological/Obstetric Nurse Practitioner: Consideration of educational leave for Sue Fields, RN, to attend Emory University School of Medicine, Gynecological/Obstetric Nurse Practitioner Program beginning January 3, 1995

The Manager explained that the County Personnel Ordinance does have an educational leave-with-pay section which permits leave for a period not to exceed twelve calendar months that specifically requires the training will better equip him/her to perform assigned duties. An employee granted such extended educational leave-with-pay agrees to return to the service of the County upon completion of the training and remain in the employ of the County for a period equal to twice the educational leave received or the employee shall reimburse the County for all compensation received while on educational leave. The leave must be approved by the Commissioners.

Commissioner Holmes moved to accept the Health Director's recommendation to approve educational leave for nine months with full pay for Sue Fields, RN to attend the Gynecological/Obstetric Nurse Practitioner Program at Emory University and costs of books totaling \$320.30. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

DEPARTMENT OF SOCIAL SERVICES

Chatham County JOBS Program: Discussion of the JOBS Program in Chatham County

Marcia Shannon, Social Worker with the Department of Social Services, stated that one of the major goals of the JOBS Program is to get recipients off welfare. She stated that the JOBS program has several components: assessment and employability training, education, job skill training and readiness, job

placement, and on-the-job training; that the department has the ability to supplement a new worker's wage as an inducement to local employers; that the recipients must change their outlook on life; and developing self-esteem is a major project. She stated that the JOBS program attempts to see that no problem can arise without a response from the appropriate agency; that it is oriented to the individual including day or evening child or adult care, counseling, help in finding transportation, and any other logistical help possible. She stated that JOBS will start a support group among its recipients; and at this time, there is no end point of the program unless it is funding.

PLANNING AND ZONING

Appointment to Planning Board: Consideration of appointment by Commissioner Dunlap of Planning Board member to replace Mr. Tom Wagner

Commissioner Dunlap stated that he was not yet ready to make his appointment.

Commissioner Holmes left the meeting.

Consideration of Bids for the Greenhill Waterline Project: Consideration of a request for approval of water lines contract for the Greenhill Community Development Block Grant (CDBG) Area

Commissioner Pollard moved to accept the Planning Department's recommendation to approve the awarding of the contract for water line installation for the Greenhill CDBG to Belcher Utilities, Inc. Commissioner Holland seconded the motion. The motion carried four (4) to zero (0).

Commissioner Holmes reentered the meeting.

Keith Megginson, Planning Director, explained that along with the water line installation, there is legal work necessary in getting utilities to service people located back off the road. He stated that there are approximately five different properties on which legal easements are needed for line installation and later for meters to be read. This will mean an amendment to the current Gunn and Messick contract or putting it out to bids again.

Commissioner Pollard moved to amend the existing contract to perform legal work necessary in getting utilities to service properties located off the road. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

PUBLIC WORKS

Solid Waste/Recycling Issues

Contract Award for Box Truck with Lift Gate: Consideration of award of contract for medium duty cab-over box truck with lift gate

Commissioner Holland moved to accept staff recommendation to award the contract to deliver one (1) medium duty cab-over box truck with lift gate to Cardinal International Trucks and authorize the County Manager to sign necessary contracts for the purchase of this vehicle and that the Manager be authorized to pursue purchase of the second lowest bid vehicle should the first vehicle be sold prior to this action by the Board, a copy attached hereto and by reference made a part hereof. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

Siting of Solid Waste/Recycling Collection Center at Cole Park: Siting of a staffed solid waste/recycling collection center at Cole Park

Commissioner Holmes moved to give staff the authority to purchase the land within agreed price. Commissioner Holland seconded the motion.

After further discussion, Commissioner Pollard moved to take possession of the land for purpose of siting a staffed solid waste/recycling collection center if the land cannot be purchased.

The County Attorney stated that he would need to contact his office regarding the preparation of a condemnation resolution which he could have ready by the afternoon session. The vote was postponed until the afternoon session.

COUNCIL ON AGING

- **Beard House Renovations:** Consideration of bids for minimal upgrade of the Beard House to accommodate Council on Aging and Salvation Army's temporary use and/or future use of the building for office space

Commissioner Holmes moved to accept staff recommendation to approve County upgrade of the Beard property up to \$12,000 and approve **Budget Amendment #18**. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

ECONOMIC DEVELOPMENT

Implementation Plans for County's Strategic Plan, Chatham Action Now: Consideration of implementation plans for Chatham County's Strategic Plan, Chatham Action Now

Mr. Howard Stier asked the Commissioners to appoint a Strategic Planning Development Committee with overall responsibility for all strategic planning activities, including implementation; prescribe this committee's relationship with other entities in the County, including Economic Development; require this committee to report periodically to the Commissioners on what it is doing and how it is progressing.

Commissioner Holmes moved to appoint a Strategic Planning Development Committee with overall responsibility for all strategic planning activities, including implementation (includes all of the objectives stated plus the writing of the plan); Prescribe the committee's relationship with other entities in the County, including Economic Development; Require the committee to report periodically to the Commissioners on what it is doing and how it is progressing and that the committee be staffed by the County Manager. Commissioner Holland added that the committee be open to other members and seconded the motion. The motion carried five (5) to zero (0).

Chatham County Guaranteed Loan Fund Request: Consideration of approval of \$50,000 from County's Guaranteed Loan Fund account for the purpose of guaranteeing the Sanford Steel loan from First National Bank for land, building, and equipment

Commissioner Holmes moved to approve the \$50,000 set-aside from the County's Guaranteed Loan Fund account for the purpose of guaranteeing the Sanford Steel loan from First National Bank for land, building, and equipment. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS MATTERS

Council for Women: Consideration of a Resolution Establishing a Chatham County Council for Women

Cathy Reiger, NC Council for Women Region Director, stated that the State council is very excited about the possibility of establishing a Chatham County Council for Women, as it is an excellent way to get women involved at the local level, meet the needs of women, and be an advisory board to the Commissioners. She stated that her office provides technical assistance and assistance in implementing workshop ideas.

Margie Ellison spoke in support of the Chatham County Council for Women and asked for the Commissioners support in re-establishment of this council.

Commissioner Pollard moved to adopt **Resolution #94-56 Establishing a Chatham County Council for Women** and direct staff regarding advertising of appointments. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

The resolution was read aloud in its entirety by the Chairman.

Commissioner Holland left the meeting.

Meeting Dates Resolution: Consideration of approval of Resolution of the 1995 calendar for Board meeting dates

Commissioner Holmes moved to adopt **Resolution #94-57 Fixing the Time and Place of Its Regular Meetings for Calendar Year 1995** moving the regular meeting from the first and third Monday to the second and fourth Monday from January through May; and a return to the first and third Monday June through December with the exception that there not be a Board of Commissioner's meeting held the first Monday in July. Commissioner Hanner seconded the motion. The motion carried four (4) to zero (0).

Commissioner Holland reentered the meeting.

Commissioner Pollard moved to approve the Holiday Schedule. Commissioner Holmes seconded the motion. The motion carried five (5) to zero (0).

Parkwood Contract and Agreement: Consideration of contract and agreement with Parkwood

Commissioner Holmes moved to approve the contract with Parkwood Volunteer Fire Department, a copy attached hereto and by reference made a part hereof. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

Habitat for Humanity: Consideration of a request by Habitat for Humanity to endorse its application for a \$20,000 affordable housing grant

Commissioner Holmes moved to direct staff to compose a letter endorsing Habitat for Humanity's application for a \$20,000 affordable housing grant from the Federal Home Loan Fund to help fund the construction of two houses on lots in the Crestview Subdivision as evidenced by the County selling these two lots to Habitat for a nominal amount. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

MANAGER'S REPORTS:

Ben Shivar, County Manager reported that there would be a report available on Impact Fees at the November 21, 1994 meeting.

The Manager gave a report on the sale of school bonds. He stated that the bond sale date has been set for December 6, 1994; that based on discussion with bond council, local government commission, and school system, it is felt that the most appropriate amount to sell will be six million dollars. During the next fiscal year, nine million dollars in bonds are expected to be sold; it is estimated that the initial cost of the schools will be higher than originally anticipated; that a total of eight to ten cents on the tax rate is needed to support the entire bond issue.

Resolution Requesting that the Farmers Home Administration Conduct a Public Hearing and Develop an Environmental Impact Statement: Consideration of a Resolution Requesting that the Farmers Home Administration Conduct a Public Hearing and Develop an Environmental Impact Statement

- Commissioner Pollard moved to adopt **Resolution #94-58 Requesting that the Farmers Home Administration Conduct a Public Hearing and Develop an Environmental Impact Statement.** Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

-
-
-
-

LUNCH RECESS

The Chairman asked for a motion to recess for lunch. Commissioner Holmes moved to recess for lunch. Commissioner Hanner seconded the motion. The motion carried five (5) to zero (0) and the meeting was recessed at 12:04 p.m.

Commissioner Holmes moved to reconvene the meeting. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0) and the meeting reconvened at 12:45 p.m.

PRESENTATION BY MICHAEL CROWELL

Michael Crowell, Attorney and redistricting consultant presented the Board additional maps with two alternatives: (1) five single member districts and (2) two two-member districts and one one-member district. He stated that in considering future growth within the County, it would be preferable if the district in the northeastern part of the County where most of the growth has occurred during the last several years had the fewest number of people to accommodate the growth that is likely to occur. He stated that it was convenient

to have precinct lines followed but not necessary. Mr. Crowell strongly suggested that the Commissioners be given the authority to review the lines after every census and make adjustments if needed.

After further discussion, Commissioner Holmes moved for each Commissioner to take Mr. Crowell's maps home, let the Manager know in order of preference which three maps each Commissioner prefers, and that the County Attorney prepare a resolution for the next meeting. Commissioner Pollard seconded the motion.

COMMISSIONERS' REPORTS

Commissioner Pollard stated that she had attended a teleconference on Criminal Justice Act of 1994. She stated that she hopes the staff will vigorously pursue grants for prevention and enforcement and that most grants require a 25% match.

Commissioner Holmes stated that she hopes the Board will continue meeting with Siler City, Goldston, and Pittsboro Towns next year.

The Manager stated that he had a press release ready for announcing the hiring of the new Public Works Director with Board approval. He stated that the person under consideration is Mr. James E. Stewart who has 33 years of experience in civil engineering, land surveying and land planning.

Commissioner Holmes moved to approve the hiring of Mr. James E. Stewart as public works director. Commissioner Holland seconded the motion. The motion carried five (5) to zero (0).

Commissioner Pollard stated that she and Commissioner Holland had attended the Education Roundtable where there was considerable discussion regarding equalizing the school expenditure per child to assure that each child in North Carolina has equal access to education.

CLOSED SESSION

Commissioner Holmes moved to go out of Regular Session and into Closed Session for the purpose of discussing a personnel matter and property acquisition. Commissioner Hanner seconded the motion. The motion carried five (5) to zero (0).

Commissioner Pollard moved to go out of Closed Session and into Regular Session. Commissioner Hanner seconded the motion. The motion carried five (5) to zero (0).

Chairman Dunlap moved that he be allowed to leave the meeting. Commissioner Holmes seconded the motion. The motion carried five (5) to zero (0) and Commissioner Holland assumed the Chair.

BOARD OF COMMISSIONERS MATTERS

Condemnation Resolution: Consideration of a resolution to proceed with condemnation proceedings for solid waste/recycling centers

Commissioner Holmes moved to adopt **Resolution #94-59 Authorizing Notice of Intent to Institute an Action to Condemn Property**, that area in bold lines shown upon Exhibit "A" hereto as "Proposed Site" and a non-exclusive easement 60 feet in width from US Highway 15-501 to the "Proposed Site", a copy attached hereto and by reference made a part hereof. Commissioner Pollard seconded the motion. The motion carried four (4) to zero (0).

The County Attorney explained that he had spoken with a purchasing/contract expert at the Institute of Government regarding the process of taking bids for contracts. He stated that he was informed that the County could not use the fact that an industry was located within the County to justify award of a contract.

ADJOURNMENT

Commissioner Holmes moved that there being no further business to come before the Board, the meeting be adjourned. Commissioner Pollard seconded the motion. The motion carried four (4) to zero (0).

The meeting was adjourned at 3:15 p.m.

Henry H. Dunlap, Jr., Chairman

ATTEST:

Sandra B. Lee
Clerk to the Board