

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING, MARCH 27, 1995**

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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 PM, on March 27, 1995.

Present: Chair Uva Holland, Vice Chair Betty Wilson; Commissioners John Grimes, Margaret Pollard, and Henry Dunlap; 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 7:08 PM.

**AGENDA**

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

Commissioner Dunlap asked that discussion of a resolution regarding Jordan Matthews championship victory in the basketball tournament be added to the agenda as Item #36.

The County Manager asked that the Board add a resolution supporting a request for special legislation to provide for the sale of mixed beverages at the Market and Fearington House Restaurants be added as Item #37.

Commissioner Wilson moved to approve the agenda with the above noted requests. Commissioner Pollard 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 Pollard moved to approve the items listed on the Consent Agenda as read by the Clerk. Commissioner Wilson 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 March 13, 1995; Closed Session Minutes for March 13, 1995 Meeting; Special Legislative Meeting Minutes held March 14, 1995

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

2. **Tax Releases:** Consideration of a request for approval of Tax Releases, copies attached hereto and by reference made a part hereof.

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

3. **Solid Waste Disposal Fees Paid in Error:** Consideration of a request for approval of refunds for Solid Waste Disposal Fees paid in error, copies attached hereto and by reference made a part

hereof.

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

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

- |                            |                      |                          |                      |
|----------------------------|----------------------|--------------------------|----------------------|
| 1) Carl Foushee Road       | 5) Wild Ginger Trail | 9) Trail's End           | 13) Jacqueline Drive |
| 2) Thomas Cash Road        | 6) Hudson Place      | 10) Hedgepeth Hill Road  | 14) Gregory Drive    |
| 3) Rufus C. Burnette Drive | 7) Tom Hudson Road   | 11) Mary Catherine Drive |                      |
| 4) Coleman Ridge Road      | 8) Markham Lane      | 12) Russell David Drive  |                      |

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

**END OF CONSENT AGENDA**

**PUBLIC INPUT SESSION**

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

**PLANNING AND ZONING**

The Chair administered an oath/affirmation to those in attendance who wished to make public comment.

***Public Hearings***

**Request for an Amendment to an Existing Conditional Use Light Industrial District with a Conditional Use Permit:** Consideration of public comment on a request by George W. Barrett, Jr. for an amendment to an existing conditional use light industrial district with a conditional use permit for a blacksmith shop to increase the acreage to 9 acres and add the following uses:

- |                       |   |
|-----------------------|---|
| a. gymnasiums         | g. coffee roasting                          |
| b. printing           | h. food processing                          |
| c. storage warehouses | i. laboratories for research<br>and testing |
| d. upholstery         | j. leather goods                            |
| e. decorator shops    | k. office buildings                         |
| f. woodworking shops  |   |

**George Barrett**, Route 5, Box 227-C, Chapel Hill, NC, presented an addendum to his use request which modified his original request. He stated he was no longer interested in placing a gymnasium on the property; that he is providing a need; that it is his desire to improve the site and would do nothing which would be detrimental to his own home located next to the property or that of his neighbors.

**Fred Hauk**, Route 5, Box 226-F, Chapel Hill, NC, stated that he was co-owner of a company which roasts coffee; that he was the first one to approach Mr. Barrett regarding his idea; that he lives across the street from the proposed location and is therefore sensitive to neighbor's perceptions; that his business is presently located in Durham County and he hopes to have the opportunity to set up his business in Chatham County and sees this as his best opportunity to be able to do so.

**Rebecca Crabtree**, 2076 Jones Ferry Road, Pittsboro, NC, voiced her approval of George Barrett's request. She stated that she thinks this is an ideal situation and an ideal place for Mr. Barrett's proposal.

**Request for a Conditional Use Light Industrial District with a Conditional Use Permit:**

Consideration of public comment on a request by Sprint Cellular for a conditional use light industrial district with a conditional use permit for a communications tower on 9 acres on the east side of SR #1910 (New Elam Church Road) in New Hope Township

**Jerry Eatman**, 3625 Laurel Hills Road, Raleigh, NC, attorney and NC general council for Sprint Cellular Company spoke on behalf of Sprint in connection with the application for rezoning and conditional use permit. He stated that this request arises out of an incredible growth in the demand for wireless communication; that Sprint Cellular customer base in the area has grown tremendously; that this growth is what generated the need for this particular tower; that as a condition to Sprint Cellular's license from the Federal Communications Commission to serve this area, Sprint has to provide a certain level of service to its customers; that in addition to serving the increasing demand, the level of service has to be kept up in connection with the license requirement.

**Karen Norkus**, 8725 Higgins Road, Chicago, IL, presented a map showing closest sites to the area. She stated that this site was needed for coverage and capacity; that this site was chosen because of the four sites for good portable coverage which include: Pittsboro, Apex, Fuquay-Varina, and Sanford.

**John Cooper**, 3101 Duraleigh Road, Raleigh, NC, stated that the four sites which Ms. Norkus mentioned are located approximately twelve miles apart from the center Merry Oaks site; that all sites will have to work together to give continuous coverage which they are required to have; that (1) one of the first things they look at for tower location is site location possibilities; that they located everyone in the area that would possibly have a tower; that they found that the closest tower was 30 miles away; that they looked for tall structures; that (2) they liked to look for existing surrounding uses; that they found nothing available; that (3) they looked for the appearance of the facility; that they like to locate in heavily wooded areas which shield from the surrounding areas; that the tower will be 285 feet in height; that there will be a small 12 x 28 prefabricated unmanned shelter; that there will be only a small path cleared for the tower, guidewire paths; that construction time will be 30-45 days; that there will be approximately one to five trips per month by a field engineer to maintain the site and see that everything is functioning properly; and that the only utility required will be electrical power for electrical service and telephone lines.

**Ken Cory**, PO Box 14005, Research Triangle Park, NC, spoke regarding rezoning and the issuance of a conditional use permit. He stated that there is a change in general use of portable communications in the County; that as the population base grows, additional towers are needed to provide services; that the majority of people using portable phones today is for personal safety purposes; that there is a heavy reliance on these types of systems by public safety agencies and emergency medical services; that this request is in conformance with the County's code and long range plans; that telecommunications are permitted in light industrial; that the tower is being built for public convenience and welfare; that the CUP does not impair the integrity or character of the surrounding or adjacent districts and that it does not endanger public health, safety, or welfare.

**Jerry Eatman**, stated that it was his understanding that the Commissioners had asked for information regarding emissions from these types of towers. He stated that Sprint has a study conducted specific to each site by an independent expert on the emissions from these types of facilities. He called for Chris Horne to give expert testimony regarding this subject.

**Chris Horne**, 210 W. Fourth Street, Greenville, NC, project engineer stated that his firm has been serving the broadcast and telecommunications for approximately thirty years. He stated that he had prepared a report addressing the potential radio frequency emissions that would be emitted from the proposed radio system; that the facility will operate at 100 watts radiated power per channel; that power densities away from tower are based

on FCC suggested formulas; that these values of power density are compared to the American National Standards Institute (ANSI) which has a standard for acceptable radio frequency emissions from sites; that the permissible levels of radio frequency levels that they permit are far below any exposures that had been determined to cause biological effects; that because they are such low power, the FCC excludes these types of systems from evaluating their radio frequency emissions; that Sprint Cellular doesn't have to file a form with the FCC with regards to radio frequency exposure; that results of the calculations in the report find that the maximum power density from the system are 1,500 times less than the permissible limit as defined in the ANSI standard; and that he does not believe there will be any problems.

**Jerry Eatman**, addressed the issue of what impact, if any, the tower will have on surrounding property values. He stated that Sprint, on every site, commissions a real estate evaluation expert to go into the field, look at the site, and be prepared to testify whether the location of the tower at this particular site will have any negative impact on surrounding properties. He called Mr. Graham Herring to address the issue.

**Graham Herring**, 540-208 Bridle Ridge Drive, Raleigh, NC, hired consultant to Sprint Cellular to evaluate the potential impact of a proposed tower situation, addressed the proposed location. He stated that there is a mixture of conforming and non-conforming uses in the area; that there is a separation of this site by an island from US #1 Highway and a very large right-of-way to other adjoining residential or commercial areas; that a mixture of uses of the area include retail, industrial, service commercial and manufacturing; and that it is his opinion that the building of this facility would have no negative affects on surrounding properties.

**Request for a Change from a Non-Conforming Auto Repair Garage to a Conditional Use Business District with a Conditional Use Permit:** Consideration of public comment on a request by Jaffey L. Barnes, II for a change from a non-conforming auto repair garage to a conditional use business district with a conditional use permit for an automobile repair garage on .52 acres on SR #1723 (Carson Road) in Williams Township

**Jaffey Barnes**, Route 9, Box 496, Chapel Hill, NC, stated that his request was for a parking facility to secure vehicles within a fence in the property adjoining his property. He stated that the need for the parking of vehicles has grown; that this will allow the roads to be clear of stranded vehicles and keep vehicles secure; that it is not to be used for junk yards or wrecked vehicles; that shrubs and vegetation will be planted along the roadside to obscure the view; that they will try to keep the lot nice and neat and keep it that way for the community.

**Roy Tripp**, Route One, Box 323-B, Chapel Hill, NC, stated that the lot where Jaffey Barnes' business is located has been a garage as long as he can remember; that his grandfather owned and passed the property adjacent to the garage to his father and he remembers going to the garage as a small child.

**Request for a Conditional Use Business District with a Conditional Use Permit:** Consideration of public comment on a request by Royce A. Tripp for a conditional use business district with a conditional use permit for an automobile repair garage for Jaffey L. Barnes, II on 1.40 acres on SR #1723 (Carson Road) in Williams Township

**Roy Tripp**, Route One, Box 323-B, Chapel Hill, NC, stated that this lot is not going to be used as a residence anymore because of the more stringent health rules; that it will not perk to accept a septic system; that it is currently being used for vehicle storage; that the power has been cut loose from the house but that it does need power for diesel block warmers; that the property is conveniently located for Mr. Barnes; and that it is being used for the storage of towed vehicles and not for a junk yard or for used batteries.

**Nellie Tripp**, Route 9, Box 507, Chapel Hill, NC, stated that she owns the property adjoining Mr. Tripp's

property, has owned the land for 30 years, has lived in the community for 40 years, and she has no objections to the adjoining business being used as a vehicle storage; that her main concern is appearance of the property and safety. She stated that she would appreciate the use of shrubbery around the property and the installation of night lights to deter crime.

**John Tripp**, 2248 West Third Street, Siler City, NC, stated that he owns property adjoining the garage portion and directly across the road from the parking area; that his main concern is the garage; that it is located on 52/100 acre; that there is a septic tank on the property and up until 3 years ago, it was operated as a private garage; that the septic system is now overflowing and running onto his property; that he has children who live there; that the fence on the property is falling down; that there is an oil tank on the property, that if it overflows, it would not hold the spill; that he would love to see it brought up to standards.

Commissioner Wilson asked that the County Sanitarian be instructed to look into this matter.

**Jaffey Barnes** stated that he had no knowledge of the septic tank being installed within the last two years; that he started the business in September of 1989 and it was there prior to when his Dad owned the business; that they reprocess their oil and use it for oil heat; that they recycle their antifreeze machine; that all of their motor and diesel oil is contained within cinder block walls and that if they collapse, the spill will be held within the container; that the fence is probably leaning because of wet soil; that the sewer problem will be addressed when he return to work the next day.

### *Subdivision Preliminary Plat Review*

**Request for Preliminary Approval:** Consideration of a request for preliminary approval of Wendy Hill Subdivision - Phase II consisting of 10 lots on 44.5 acres off Barbee Road (SR#1739) in Williams Township

Commissioner Pollard moved to accept the Planning Department and Planning Board recommendation that the plat be granted preliminary approval as submitted. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

### *Final Plat Review*

**Request for Subdivision Sketch, Preliminary, and Final Approval:** Consideration of a request by Chatham County for subdivision sketch, preliminary, and final approval for Crutchfield Crossroads Solid Waste Collection Center

Commissioner Wilson moved to accept the Planning Department and Planning Board recommendation that the plat be granted sketch, preliminary, and final approval with the condition that a storm water basin adequate to hold the first 1/2 inch of runoff be constructed prior to operation of the facility. Commissioner Grimes seconded the motion. The motion carried five (5) to zero (0).

Commissioner Grimes moved that the County plant vegetation on the northwest boundary on the side that borders Willard Henshaw's property and Cindy Duncan's property with some vegetation that will remain green year-round that will grow one foot per year up to a height of six feet. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

**Request for Subdivision Sketch, Preliminary, and Final Approval:** Consideration of a request on behalf of Sprint Cellular for subdivision sketch, preliminary, and final approval for Sprint Cellular Merry Oaks for 1 lot on SR #1011 in Cape Fear Township

Commissioner Pollard moved that the Planning Department and Planning Board recommendation of the plat be granted sketch, preliminary, and final approval. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

**Request for Recombination of Lots:** Consideration of a request for recombination of lots 3 and 4 Vernon Davis Property in Birnam Wood Subdivision off SR #1541 in Baldwin Township

Commissioner Pollard moved that the Planning Department and Planning Board recommendation of the plat be granted sketch, preliminary, and final approval. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

### ***Other Zoning Items***

**University Lake Rezoning:** Consideration of a proposal by the Chatham County Board of Commissioners to change the zoning of land draining to University Lake from RA-40 to RA-90

Commissioner Pollard moved to table the University Lake rezoning until: (1) the sewer feasibility study is received; (2) there is time to negotiate with the other governmental jurisdictions involved in the watershed; (3) also to allow the County to get input from the water committee as well as the County's Public Works Director until the decision can be made. Commissioner Wilson seconded the motion. The motion carried four (4) to one (1) with Commissioner Dunlap opposing.

**Request for a Conditional Use Business District with a Conditional Use Permit:** Consideration of a request by The Carlyle Group, Inc. for a conditional use business district with a conditional use permit for several businesses on 2.73 acres on the northwest side of SR #1008 and the entrance to Nature Trail Mobile Home Park

**Cindy Bland**, attorney representing The Carlyle Group, Inc., stated that the proposal has gone through a transition; that the proposal was fine tuned so that it was more defined to bring the purposes and uses to a manageable level; that there is some conflict about what needs to be in this community; that she questioned the power of the Board possibly declaring the proposed site unsuitable for commercial development, and perhaps later approving a tract across from the Governor's Club for commercial development; that all The Carlyle Group is asking for is an equal shot at the market share; that there is a need for a modest people's shopping center; that the center has been trimmed down because of the size of the lot configuration, zoning regulations, parking requirements, and water shed regulations to 10,000 feet; that the County needs to have the sales tax and property tax as a result of this kind of development; that the revenues are now flowing into Orange County and Chatham County has the potential to keep them here; and that all The Carlyle Group is asking for is to have equal access to this market.

Commissioner Pollard asked to delay a decision on The Carlyle Group, Inc. request in order that it may be considered in more detail and be reconsidered within 30 days. Commissioner Wilson seconded the motion. The motion carried four (4) to zero (1) with Commissioner Dunlap opposing.

The Chairman called for a five minute recess.

### **PUBLIC WORKS**

**Acknowledgment of Award:** Consideration of acknowledgment of \$3,000 award from the Weyerhaeuser Company Foundation for Excellence in School Waste Reduction and Recycling

Commissioner Wilson moved to acknowledge receipt of the cash award from The Weyerhaeuser Foundation and authorize these funds to be utilized by the Recycling Department to continue development of recycling education within the County schools by approval of **Budget Amendment #36**, a copy attached hereto and by reference made a part hereof. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

Commissioner Wilson suggested a letter be sent to the school, signed by the Chair, expressing Board appreciation for the work they have done.

## **HEALTH DEPARTMENT**

**Bad Debt Write-Off for General Health Services and Home Health Divisions of the Health Department:** Consideration of a request to approve bad debt write-off for the General Health Services and Home Health Divisions of the Health Department

Commissioner Wilson moved to accept the Board of Health and the Health Director recommendation to approve the Health Department write-off totaling \$5085.79 for the period

July 1, 1993 through December 31, 1993. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

Commissioner Wilson asked that Jennie Murchison be acknowledged by the Board for the extra effort she has made toward reducing the bad debt write-off in the Home Health Division of the Health Department.

**Funds Acceptance for Chatham County's Child Fatality Prevention Team:** Consideration of approval to accept additional state funds of \$1421 to support Chatham County's Child Fatality Prevention Team

Commissioner Grimes moved to accept the Board of Health and Health Director recommendation of acceptance of these funds to be utilized as follows: \$1,000 to be contributed to the Domestic Violence Shelter, earmarked for child prevention and the remaining to the Health Department for operating expenses such as postage, office supplies, and per diem, **Budget Amendment #31**, a copy attached hereto and by reference made a part hereof. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

Commissioner Pollard stated that the County Manager needed to be congratulated for his facilitating this collaborative work between agencies.

**Funds Acceptance for Breast & Cervical Cancer Control Program:** Consideration of approval to accept additional state funds of \$7,237 to enable the Health Department to perform additional screenings in the Breast & Cervical Cancer Control Program

Commissioner Wilson moved to accept the Board of Health and Health Director recommendation of acceptance of these funds to be used as additional screening funds, **Budget Amendment #32**, a copy attached hereto and by reference made a part hereof. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

**Funds Acceptance for the Health Department's Family Planning Program:** Consideration of approval to accept additional state funds of \$1500 for the Health Department's Family Planning Program

Commissioner Wilson moved to accept the Board of Health and Health Director recommendation of

acceptance of these funds to be utilized as follows: \$750 to be allocated to travel per diem for Sue Fields, RN and the remaining \$750 to be allocated to the Contracted Services line item to secure the services of a contract Public Health Nurse, **Budget Amendment #33**, a copy attached hereto and by reference made a part hereof. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

**Funds Acceptance Within the Home Health Program:** Consideration of approval to accept additional state funds of \$1,330 in support of services to indigent patients within the Home Health Program of the Health Department

Commissioner Wilson moved to accept the Board of Health and the Health Director recommendation of acceptance of these funds to offset the expenses involved in providing care to the indigent in Chatham County, **Budget Amendment #34**, a copy attached hereto and by reference made a part hereof. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

**Funds Acceptance for Contraception Methods in the Family Planning Program:** Consideration of approval to accept additional state funds of \$5,000 to enable the Health Department to continue to offer long-acting, reversible contraception methods in the Family Planning Program

Commissioner Pollard moved to accept the Board of Health and the Health Director recommendation of acceptance of these funds to be utilized to increase the provision of long-acting contraceptive methods, **Budget Amendment #35**, a copy attached hereto and by reference made a part hereof. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

**Good Health Program and Lay Health Advisor Program Funds Application:** Consideration of a request to apply for Good Health Program funds from the Kate B. Reynolds Foundation and consideration of a request to apply for funds to develop a Lay Health Advisor Program for breast cancer from the Babcock Foundation

Commissioner Pollard moved to accept the Board of Health and the Health Director recommendation to request approval to proceed with grant applications for the Good Health and Lay Health Advisor programs. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

**Application to Chatham County Partnership:** Consideration of a request for approval to apply for Smart Start program improvement funds for the Madre a Madre and We Care Programs

Commissioner Wilson moved that the Health Department be granted approval to apply for Smart Start funds in support of program improvement funds for "We Care" and "Madre a Madre". Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

**Application to Chatham County Partnership:** Consideration of a request for approval to apply for Smart Start funds for planning a Family Resource Center

Commissioner Wilson moved that the Health Department be granted approval to apply for Smart Start funds for planning a Family Resource Center in Chatham County. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

**Application to Chatham County Partnership:** Consideration of a request for approval to apply for \$3,000 from Smart Start Grant Funds to continue the "Baby Bucks Bonus Program"



Commissioner Wilson moved that the Health Department be granted approval to apply to the Chatham County Partnership for Children for Smart Start funds in the amount of \$3,000 to support the "Baby Bucks Bonus Program". Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

**Application to Chatham County Partnership:** Consideration of approval to apply to the Chatham County Partnership for Children for Smart Start funds to conduct a parent needs assessment and purchase parent education materials

Commissioner Wilson moved that the Board of Health and Health Director requests approval to proceed with this grant application to the Chatham County Partnership for Children. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).]

## **LIBRARY**

**Application to Chatham County Partnership:** Consideration of a request by the Library to submit a proposal to the Chatham County Partnership for Children to receive Smart Start funds for continuing education programs for child care providers in Chatham County that result in the awarding of Continuing Education Units (CEUs) through the Department of Public Instruction

Commissioner Wilson moved to approve the library's request to submit this proposal for Continuing Education Programs to the Chatham County Partnership for Children for Smart Start funds for FY 95-96. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

**Application to Chatham County Partnership:** Consideration of a request by the Library to submit a proposal to the Chatham County Partnership for Children to receive Smart Start funds for the purchase of books and materials to address the needs of children ages 0-5 and their parents

Commissioner Pollard moved to approve the library's request to submit this proposal for funds to purchase books and materials to address the need of children ages 0-5 and their parents to the Chatham County Partnership for Children for Smart Start funds for FY 95-96. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

**Application to Chatham County Partnership:** Consideration of a request by the Library to submit a proposal to the Chatham County Partnership for Children to receive Smart Start funds for "Let's Read Together" Project which proposes to buy, assemble, and distribute canvas book bag kits to all child care providers in Chatham County who wish to participate

Commissioner Wilson moved to approve the library's request to submit this proposal for the "Let's Read Together" Project to the Chatham County Partnership for Children for Smart Start funds for FY 95-96. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

**Appointment to the Central NC Regional Library Board:** Consideration of an appointment to the Central North Carolina Regional Library Board

Commissioner Wilson moved to appoint Barbara Andrews Jones as a member of the current Chatham County Library Board to the Central NC Regional Library Board to fulfill the term of Frank E. Swain, term to commence immediately and expire on June 30, 1997. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

## EXTENSION SERVICE

**Application to Chatham County Partnership:** Consideration of Chatham County Center of NC Cooperative Extension (NCCES) to apply for a \$61,544 grant from the Chatham County Partnership for Children (Smart Start) to fund a nutrition and breast feeding educational program for limited resource families in Chatham County

Commissioner Wilson moved to approve the Cooperative Extension Service's application for a \$61,544 grant from the Chatham County Partnership for Children to fund a nutrition and breast feeding educational program for limited resource families in Chatham County. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

## BOARD OF COMMISSIONERS' MATTERS

**Organization of Economic Development Department:** Consideration of a request from the Economic Development Commission to establish the Economic Development Department as a non-profit agency

Commissioner Pollard moved to accept the recommendation of the Economic Development Commission to establish the Economic Development Department as a non-profit agency, effective July 1, 1995, with the County Attorney to draw up Articles of Confederation. Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

## CLOSED SESSION

Commissioner Pollard moved to go into Closed Session for the purpose of negotiating price for the acquisition of land adjacent to Silk Hope School. Commissioner Wilson 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 Wilson seconded the motion. The motion carried five (5) to zero (0).

Commissioner Wilson moved to adopt **Budget Amendment #38** to appropriate funds in the amount of \$65,000.00 for the purchase of land adjacent to Silk Hope School. Commissioner Dunlap seconded the motion. The motion carried five (5) to zero (0).

## MANAGER' S REPORTS

The County Manager stated that a letter had been received from Tam de St. Aubin, a member of the NC Wildlife Resources Commission, stating that Chatham County had been granted an extension of the either-sex, 29-day, deer season.

He stated that while he and the Commissioners were in Washington, DC, they had the opportunity to meet with Congressman Heineman; that he was asked about the possibility of meeting with the Commissioners in the future; that he enthusiastically agreed; that he is back in the District on Mondays of each week; that the Commissioners indicated to him they would set up a convenient time for the Board to meet with him one Monday morning and check with him regarding his schedule.

Commissioner Wilson suggested meeting on a date, other than a regular Board of Commissioner's meeting date, due to time constraints .

Commissioner Wilson moved that the Board of Commissioners convene at the home of Betty Wilson to meet with Congressman Heineman for breakfast on May 8, 1995 at 8:30 AM with a second choice for the meeting to be on May 1, 1995 at 8:30 AM and the regular Board of Commissioner's meeting to be moved from 10:00 AM to 11:00 AM. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

## **COMMISSIONER'S REPORTS**

Commissioner Pollard asked about the Feasibility Study and when it would be complete.

The County Manager stated that they had been advised to proceed, but he was unsure of the time frame and would check with Jim Stewart regarding the matter.

The County Attorney stated that he was going to try to get the proposed bill on Impact Fees to Senators Hobbs and Little the next day; that the bill would basically put the County in line with Orange County's Impact Fees; that there does not have to be a limit stated; that Orange County had amended their Impact Fees twice since it was adopted; that (1) the fee levied to provide for school improvements would be levied within the municipalities; and that (2) fees could be used for debt service.

Commissioner Wilson shared that she went to the ribbon cutting for the Educational Forest off of Big Woods Road; that it was a delightful addition to the lake and schools; that CP&L has financed the technology necessary to make the trees "talk"; that she was very happy to be a part of the dedication.

Commissioner Dunlap moved that the staff prepare an appropriate resolution to recognize the Jordan Matthews Boy's Basketball Championship of North Carolina's 1-A

Classification and that this resolution be signed and framed for presentation to Coach John Phillips and his team. Commissioner Pollard seconded the motion. The motion carried five (5) to zero (0).

The County Manager stated that this issue comes as a result of the legislative delegation asking that the Board show their support for Mr. R. B. Fitch's request to serve mixed drinks at the Market and Ferrington House Restaurants.

**Resolution Supporting A Request for Special Legislation to Provide for the Sale of Mixed Drinks at the Market and Ferrington House Restaurants:** Consideration of a request to adopt a resolution supporting a request for special legislation to provide for the sale of mixed drinks at the Market and Ferrington House Restaurants

Commissioner Dunlap moved to adopt **Resolution #95-15 Supporting A Request for Special Legislation to Provide for the Sale of Mixed Drinks at the Market and Ferrington House Restaurants.** Commissioner Wilson seconded the motion. The motion carried five (5) to zero (0).

The County Manager stated that the contractors are ready to develop the dedication plaque for the water treatment plant located at Jordan Lake.

After discussion, Commissioner Grimes moved to name the water treatment plant **The Murchison-Thompson Water Treatment Plant.** Commissioner Pollard seconded the motion.

After further discussion, Commissioner Grimes called for a vote. The motion failed two (2) to three (3) with Commissioners Pollard, Holland, and Wilson opposing.

The matter is to be discussed and decided upon at a later date.

**ADJOURNMENT**

Commissioner Wilson moved that there being no further business to come before the Board, the meeting be adjourned. Commissioner Dunlap seconded the motion. The motion carried five (5) to zero (0) and the meeting was adjourned at 10:58 PM.

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Uva R. Holland, Chairman

ATTEST:

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Sandra B. Lee  
Clerk to the Board