

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING, JUNE 5, 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 10:00 AM, on June 5, 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 10:03 AM.

**AGENDA**

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

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 May 22, 1995

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

2. **Private Roads:** Consideration of a request for the naming of the following private roads:

- |                        |                       |
|------------------------|-----------------------|
| 1) Landrum Creek Drive | 5) Weldon Drive North |
| 2) Granger Road        | 6) Weldon Drive South |
| 3) Sea More Avenue     | 7) Blackwelder Drive  |
| 4) Sandy Ridge         |                       |

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

### *Public Hearings*

**Close Out of 1991 Greenhill Community Development Block Grant (CDBG):** Public hearing on the close out of 1991 Greenhill Community Development Block Grant (CDBG)

**Frankie Matthews**, 828 Lane Jordan, Siler City, NC, briefed the Commissioners on some improvements that had not be done or needed completion. He stated that there are two mobile homes which had cut-off valves but that there is not enough crawl-space under the house to be able to get to them; that this was supposed to be done when they were underpinned; that where one septic tank was located, the area was not smoothed out; that there have been problems with a ceiling falling down where the roof has been leaking; that another house has a leak in the septic tank and water standing in the yard; that one house was supposed to have a roof put on it; that Helen Jordan is still having problems with her septic tank, her roof leaks, and water stands in her yard; that Betty Lane has a leak in her bathroom; that Betty Brooks' floors have not been repaired; and that one house needs a new commode.

**Christine Brooks**, 968 Coleridge Road, Siler City, NC, stated that some of the things Mr. Matthews had mentioned were major areas of concern; that the pipes under Betty Lane's sink are too short and the water comes out whenever it is used; that Helen Jordan has had five commodes put in her house and that water stands where the septic tank has been put in.

The Planning Director stated that he hoped that the 1991 Greenhill Community Development Block Grant (CDBG) would be closed out by the end of the fiscal year; that he went back and looked at what was submitted at the public hearing in December and January; that he pulled the files to see what their status was; that the first list was a list of thirteen houses at which cut-off valves were needed; that the Building Inspector was asked to return and check them; that of the thirteen houses, he found seven with cut-off valves; that the contractor has gone back and installed the missing valves on the others; that on the septic tank problems, the contractor knew that they had to be back-filled after it rained and the dirt settled around the tank, and as of last week, this has been completed; that Helen Jordan is listed as having septic tank problems but it was determined that this was caused by the installation of a satellite dish through the septic line; that the site had been revisited and determined that the problem was not with faulty workmanship but that the County can not be responsible for a problem caused by something someone else has done; that after having spoken with Virginia Ryan at the Siler City Health Department, she has stated that they may have to go to court to have the problem corrected; that it was determined by representatives from the Wooten Company that there were no leaks in the two houses they checked at the time; that there needed to be another line to take care of the breaker/electrical problem, which was taken care of last week; that Betsy Cheek had a faulty breaker box which was also taken care of last week; that he was at Lucille Jordan's house during the last thunderstorm and he detected no leaks; that the ceiling is bowed slightly due to the added weight of insulation at Lucille Jordan's house; that the roof may leak but that it was not supposed to be totally replaced, only repaired; that this was done and the contractor was not asked to do other jobs; that he was not sure of the warranty with old roofs as this work was completed over two years ago. The Planning Director stated that there was no more grant available nor County money allocated to go into the program.

Commissioner Pollard moved, seconded by Commissioner Wilson, to close out the 1991 Greenhill Community Development Block Grant (CDBG). The motion carried five (5) to zero (0).

**Request for a Conditional Use Light Industrial District with Conditional Use Permit by Ramon L. Fridley:** Continuation of a public hearing on a request by Ramon L. Fridley for a conditional use light industrial district with a conditional use permit for boat storage warehouse and yards and mini-warehouse

storage facility on 3.8 acres on the south side of S.R. #1750 in New Hope Township

Commissioner Holland administered the oath/affirmation to those in attendance who wished to make public comment.

**Scott Wilson**, 640 Hogan Farm Road, Apex, NC, read from the land development plan the planning objectives for eastern Chatham County which are: 1) to maintain the general rural appearance of Chatham County; (2) protect the quality of County streams, lakes, and ground water supply. He stated that zoning to light industrial will take away from the rural appearance of the road and will not be consistent with the land development plan; and that the quality of the Jordan Lake water shed will likely be damaged due to the run-off.

**Howard Stier**, 985 Holland's Chapel Road, Apex, NC, voiced his opposition to the proposed request. He asked the Commissioners to look at the issue from a broader perspective and visualize how they would like to see the County in the next fifty years; that in so doing, decide where to put the industrial, commercial, business, housing, agriculture, and parks within the County; that he didn't see where this type of business would add value to the County. He encouraged the Commissioners to look at requests such as this in broad terms.

Commissioner Wilson moved, seconded by Commissioner Pollard, to close the public hearing. The motion carried five (5) to zero (0) .

### ***Public Hearing***

## **CHATHAM COUNTY SECONDARY IMPROVEMENT PROGRAM HIGHWAY FUNDS**

### **Presentation on Chatham County Secondary Improvement Program Highway Funds by Jeff Picklesimer**

Mary Hayes Holmes introduced Marty Tillman, local maintenance engineer, Jeff Picklesimer, district engineer for Randolph and Chatham Counties, and Lex Kelly, division engineer. She stated that she was delighted to know that Chatham County had formed a commitment plan for Chatham County; that the State Transportation Improvement Plan has just been passed and that she will give a report on it in the next two weeks.

Jeff Picklesimer reviewed the 1995-96 proposed highway allocations. He stated that they anticipated an allocation of \$1,139,566 which is based on last year's allocations; that the first element of the program involves paving of unpaved roads down the priority list as right of way and funds allow; that approximately \$770,000 will be used on the three roads; that those priorities are #22 Rural SR #1953C, (Lydia Perry Road) from SR #2153 to SR #2151; #24 Rural SR #1912A, (Christian Chapel Church Road) from end of pavement to SR #1924; #25 Rural SR #1912B (Christian Chapel Church Road) from SR #1924 to begin pavement; that the second element of the program is maintenance reserve for spot stabilization for spot stabilization, paved road improvements, replacing small bridges with pipe, or safety projects in the amount of \$159,780; that the third element of program would propose to retain approximately 18% of available funds for road additions, property owner participation paving, volunteer fire department and rescue squad driveways, old subdivision improvement program, overruns, county-wide surveys and right of way acquisitions. He also reviewed the 1995-96 proposed trust funds. He stated that this anticipated allocation if \$973,850; that the first element of the program involves paving of unpaved roads down the priority list as right of way and funds allow; that approximately \$780,000 will be used on five roads; that those priorities are #23 Rural SR #13088 (Charlie Cooper Road) from SR #1310 to SR #1362; #27 Rural SR #2125 (Lee Emerson Road) from SR #1176 to SR

#1176; #28 Rural SR #1716B (Big Woods Road) from US #64 to end pavement; #29 Rural SR #2190 (L. W. Burns Road) from SR #1953 to DE; #30 Rural SR #2184 (R. Griffin Road) from SR #2187 to DE; that the second element is a maintenance reserve for spot stabilization, paved road improvement, replacing small bridges with pipe, or safety projects for a total of \$154,774; that the third element would propose to retain approximately 4% of available funds for road additions, property owner participation paving, volunteer fire department and rescue squad driveways, old subdivision improvement program, overruns, county-wide surveys and right of way acquisitions for a total of \$39,076.

Commissioner Wilson moved, seconded by Commissioner Grimes, to adopt the **Resolution #95-22 from the North Carolina Department of Transportation for Secondary Road Improvements in Chatham County** for the forthcoming fiscal year, a copy attached hereto and by reference made a part hereof.

### **COMMUNITY BASED ALTERNATIVES FUNDING 1995-96**

#### **- Presentation on Recommendation for Community Based Alternative Funding 1995-96 by George Greger-Holt**

George Greger-Holt, explained the process for Community Based Alternative Funding (CBA). He stated that the total CBA allocation, \$86,117, comes through the Division of Youth Services and is designated for counties to be used in helping youngsters already in trouble with the law or moving toward trouble with the law; that the philosophy is that the county has a better feel for what the youngster needs; that this year they have received \$121,943 in funding requests and have only \$86,117 to disperse which means that they had to do some negotiating of some programs; that they decided to make the following recommendations: 1) Conflict Managers would be funded at \$19,187 which would indicate a \$5,000 cut from the fund level from the prior year; 2) Chatham County Together would be funded at \$38,659, also a \$5,000 cut; 3) JOCCA's At Risk Youth Employment and Training Program would be funded at \$23,631 which indicates an increase of \$4,630; 4) Body Builders, the new program, would have recommended funding at \$4,640; that funding is contingent upon program managers working on modification of some of the programs to bring them to CBA standards and that they have until September 15, 1995 to do it.

Commissioner Pollard moved, seconded by Commissioner Wilson to adopt the proposed Community Based Alternatives schedules, copies attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

### **PUBLIC WORKS**

#### **- Solid Waste/Recycling Issues**

**- Contract Award for Engineering Services for Design Work at Cole Park Plaza and Pittsboro Sites:** Consideration of a request to award a contract to McKim & Creed, Cary, NC to perform Engineering Services for design of plans and specifications for Solid Waste/Recycling Collection Centers at the Cole Park Plaza and Pittsboro sites

- Commissioner Pollard moved, seconded by Commissioner Wilson, to award a contract to McKim & Creed for \$7,300 for the Cole Park site and \$4,000 for the Pittsboro site for the design of the Plans and Specifications, including site layout, grading, drainage, water and sewer facilities, obtaining state and federal approvals as required and preparation of construction bid documents, a copy attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Contract Award for Construction of Crutchfield Crossroads and Siler City Solid Waste/Recycling Collection Centers:** Consideration of a request to award a contract on construction of Crutchfield Crossroads and Siler City Solid Waste/Recycling Collection Centers

Commissioner Grimes asked to be excused from voting because of a possible conflict of interest.

Commissioner Dunlap moved, seconded by Commissioner Pollard, to excuse Commissioner Grimes from the voting. The motion carried five (5) to zero (0).

Commissioner Wilson moved, seconded by Commissioner Pollard, to award the contract for construction of two solid waste/recycling collection centers to Sanford Grading Company, for pending final approval of the contract by the County Attorney, a copy attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

**Contract Award for Excavation and Removal of Underground Storage Tanks:** Consideration of a request to award a contract for excavation and removal of underground storage tanks at EMS Building in Siler City

Commissioner Pollard moved, seconded by Commissioner Wilson, to award a contract to Law Engineering and Environmental Services for the excavation and removal of underground storage tanks at the Chatham County EMS facility at Siler City in the amount of \$19,200. The motion carried five (5) to zero (0).

Commissioner Wilson moved, seconded by Commissioner Grimes, to add the award for a contract for the repaving of the parking lots, entrance drive, and exits at the Agricultural Building and behind the Byrd's Building to the agenda. The motion carried five (5) to zero (0).

**Contract Award for the Repaving of the Parking Lots, Entrance Drive, and Exits at the Agricultural Building:** Consideration of a request to award a contract for repaving the parking lots, entrance drives, and exits at the Agricultural Building and behind the Byrd's Building

Commissioner Dunlap moved, seconded by Commissioner Wilson, to excuse Commissioner Grimes from voting.

Commissioner Pollard moved, seconded by Commissioner Wilson to award the contract to Sanford Grading Company in the amount of \$17,875, a copy attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

## **SHERIFF'S DEPARTMENT**

**Administrative Support I Position:** Consideration of a request that the Administrative Support I position be transferred to Telecommunicator I

Commissioner Pollard, seconded by Commissioner Wilson moved that the Administrative Support I position be transferred to the Telecommunicator I to fill the need for additional personnel in communications. The motion carried five (5) to zero (0).

## **BOARDS AND COMMITTEES**

- **Appearance Commission Appointment:** Consideration of an appointment to the Appearance Commission

Commissioner Wilson moved, seconded by Commissioner Pollard, to reschedule consideration of the Appearance Commission appointment at their June 19, 1995 Board of Commissioners' meeting. The motion carried five (5) to zero (0).

**Council for Women Appointment:** Consideration of appointment to the Council for Women

Commissioner Pollard moved, seconded by Commissioner Wilson, to appoint Becky Norman to the Council for Women. The motion carried five (5) to zero (0).

**Recreation Advisory Board Appointments:** Consideration of appointments to the Recreation Advisory Board

Commissioner Wilson moved, seconded by Commissioner Pollard, to reappoint Ray Womble, Phillip Luther, and Allen Johnson for another term on the Recreation Advisory Board and to appoint another member at the June 19, 1995 meeting. to fill the unexpired term of Gwen Powell. The motion carried five (5) to zero (0).

Commissioner Grimes moved, seconded by Commissioner Pollard, to remove the Commissioner seat from the Recreation Advisory Board. The motion carried five (5) to zero (0).

**Cabletelevision Appointment:** Consideration of appointment to the Cabletelevision Committee

Commissioner Pollard, seconded by Commissioner Wilson, to appoint Teresa Modlin to the Cabletelevision Committee.

**Private Industry Council (PIC) Appointments:** Consideration of reappointments to the Private Industry Council

Commissioner Wilson moved, seconded by Commissioner Pollard, to reappoint Robert Hall, Lenore Guidoni, and Lea Brady to the Mid-Carolina Private Industry Council. The motion carried five (5) to zero (0).

**Department of Social Services Appointment:** Consideration of appointment to the Department of Social Services Board

Commissioner Pollard moved, seconded by Commissioner Wilson, to appoint Ms. Margaret Martin to the Board of Social Services for the three year term to commence July 1, 1995 and end on June 30, 1998. The motion carried five (5) to zero (0).

**BOARD OF COMMISSIONERS' MATTERS**

**Utilities Reduction Specialist Contract:** Consideration of Utilities Reduction Specialist Contract

Commissioner Wilson moved, seconded by Commissioner Dunlap, to approve the contract with Utilities Reduction Specialists, pending review by the County Attorney and incorporation of his changes, and authorize the County Manager to sign the contract and other necessary paperwork, a copy attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

**Travel & Tourism Advisory Board:** Consideration of a request to remove Wildlife Position from Travel & Tourism Board

Commissioner Wilson moved, seconded by Commissioner Pollard, to remove the Wildlife Resources Commission slot from the Travel and Tourism Advisory Board and reconsider another appointment at a later date. The motion carried five (5) to zero (0).

### **Impact Fees**

The County Manager presented the Board of Commissioners with an update on impact fees. He stated that as indicated the budget, he is recommending that an amount of \$20,000 be included in the budget to contract with a private firm for the development of these fees. He cited two reasons as follows: 1) They need to be developed as quickly as possible. Given the impact of the growth on Chatham County and the necessity to construct, expand, or replace existing schools, supplementary monetary resources need to move forward; 2) It is also important to get an experienced firm to make sure that the fees are properly developed because they are often the subject of litigation. He also stated that the fees in Orange County may be contested; that homebuilders groups generally do not like these types of fees; that he will begin developing an RFP to send to firms soon so that in the event the Board approves the expenditure, it will be ready to go right at July 1, 1995.

### **Report on Services Provided to Undocumented Persons Residing in Chatham County**

The County Manager stated that several months ago, the Board of Commissioners asked whether or not the County provides services to undocumented persons who reside in the County. He stated that it is difficult to give, primarily because questions regarding residency status are asked by County departments with notable exception of the Department of Social Services (DSS); that in fact, there may be legal problems in asking questions regarding residency status unless everyone who uses County services are asked the same question; that since a large number of very basic services are offered by the DSS and the Health Department, he concentrated on those two agencies. He stated that the Chatham County Health Department provides community and personal health services to the residents of Chatham County; that the delivery of personal health services is targeted specifically to those individuals or groups who lack access to services within the private sector; that it is currently the policy of the Health Department to serve those individuals who request services as long as they meet two criteria: 1) residency within the County (address and telephone number), and 2) within financial guidelines (200% of federal poverty guidelines for most programs). He stated that Chatham County has recently seen a large influx of Latinos coming to work and reside in the County; that recruitment by the poultry industry has attracted many single Latino men followed shortly thereafter by wives and families; that this has resulted in a growing Latino population accessing public services (health, education, and social services); that the population estimates vary between 200 (1990 census) and 4500 or more (Lavin); that with the rise in population, the Health Department has seen an increased number of services delivered to the Latino community; that the major areas of public health services to the Latinos are communicable disease tuberculosis, STD's, immunizations, and mental health; that for protection of the public's health, it may not be advisable to restrict or discourage any resident from accessing public health services so as to prevent/limit the spread of communicable diseases; that the Health Department does not ask residents seeking services whether or not they are legal or illegal; that it is not currently the policy of the Health Department to ask someone seeking services who looks Hispanic or speaks with a Spanish accent whether they are legal or illegal; that this type of action for one ethnic group may be considered discriminatory; that it is understood that some newly arrived immigrants carry false ID or green cards, and the Health Department is not trained to discern the difference; that Mabel Bullock of the State Attorney General's Office, in response to the issue of local health departments serving undocumented residents (aliens), noted the "local standards require care for those individuals within the jurisdiction of the Health Department. Rules make no distinction for alien status."; that the North Carolina Administration Code rules outlining the standards for local health department services, thus, specifically state that a local health department shall

provide, contract for the provision of, or certify the availability of child, maternal, family planning, home health, adult and dental health services, as well as public health laboratory services and activities/services to control communicable diseases, for all individuals within the jurisdiction of the local health department (Chatham County)

The County Manager stated that in contrast, DSS follows rather strict guidelines in qualifying individuals for County programs they administer; that the differences in approach seems to reflect the differences in state and federal law regarding these agencies various programs; that as a matter of concern, DSS asks each applicant who applies for services their residence status; that this is very strictly regulated by the Federal Government; that individuals are qualified in a variety of ways and DSS reports very few are denied services because of failure to meet requirements, although it occasionally happens; that the DSS staff believes most do not apply unless they have proper documentation; that generally, if the applicant is known by and is in good standing with the immigration and Naturalization Service (INS), services are usually provided.

He stated that both agencies state that their current policies are based on current state and federal law; that it appears that the County has very little flexibility in changing these procedures; that it may be discriminating to try to ascertain residing status unless all individuals are asked that question; that a final point to note is that there are a number of undocumented persons who work and pay the necessary taxes which suggests the services they may use.

Commissioner Dunlap moved, seconded by Commissioner Pollard to recess for lunch. The motion carried five (5) to zero (0).

### **LUNCH WITH THE NORTH CAROLINA EXTENSION HOMEMAKERS ASSOCIATION, INC.**

The Chairman called the meeting to order and asked the Manager to proceed with the discussion on redistricting.

#### **Redistricting**

The County Manager stated that this matter was placed on the agenda as a means of raising the issue since the General Assembly dealt with the County's request in a different way than had originally been requested; that what has come out of the General Assembly is a bill which permits the County itself to do any redistricting that it wishes to do, and that it requires a public hearing be held before any action is taken; that since we had requested a specific plan, there raises a question as to where the Board goes from here; that the reason for putting it on the agenda is to get some direction as to how the Board would like to proceed; that if the Board does not take any action, the districts that are in place now will be the ones that will remain in place unless the Board takes some other kind of action.

### **MANAGER'S REPORTS**

The County Manager stated that in the budget message final copy, he felt that it was important to add a section to expound on mandated programs since that was a directive from the Board and that there was a further reduction in the Manager's budget to 3%.

### **COMMISSIONER'S REPORTS**

Commissioner Pollard expressed an uneasiness about how the Community Development Block Grant



(CDBG) was left and stated that she hoped the staff will get back with the Board at the next meeting to give them sense of closure to the issue.

Commissioner Pollard asked how a system could be developed to respond to the people who make presentations/requests at the Public Input Session. She asked that this matter be placed on the next agenda.

### **ADJOURNMENT**

- Commissioner Wilson moved, seconded by Commissioner Pollard, that there being no further business to come before the Board, the meeting be adjourned. The motion carried five (5) to zero (0) and the meeting was adjourned at 1:37 P.M.

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Uva R. Holland, Chairman

ATTEST:

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Sandra B. Lee  
Clerk to the Board