

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, AUGUST 7, 1995

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 August 7, 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 asked that a discussion regarding required water connections be added to the agenda as Item #18A.

The County Manager asked that the Board consider having a short Closed Session at the end of the meeting concerning a personnel matter to be added as Item #28.

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 Wilson moved to approve the 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 July 17, 1995 and Special Budget Workshop Meeting held May 30, 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:** Consideration of a request for approval of refund of 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).

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Gerald H. Totten, 108 Petty Road, Siler City, NC, stated that he was concerned about an apparent violation of the Open Meetings Law during a budget workshop held on June 26, 1995. He stated that there was no announcement of the action taken by the Commissioners on the salaries for the County Manager, the Sheriff and the Register of Deeds; that if a salary increase was granted to those three positions, it was done solely in the Closed Session and should have been announced when the session was reopened; that he feels the Manager has built a team of working professionals, has shown an increasing job maturity, has exceeded reasonable expectations of performance in a most difficult year, and should be amply rewarded. He urged consideration by the Commissioners of those factors during the year for the County Manager and the two elected officials next year.

The Chairman stated that at the last Board of Commissioners meeting, it was stated that the County Manager, the Sheriff, and the Registrar of Deeds were given a 2% cost-of-living increase.

PLANNING AND ZONING

Chatham County Board of Adjustment

Public Hearing

Commissioner Wilson moved, seconded by Commissioner Grimes, to adjourn as the Board of Commissioners and convene as the Board of Adjustment. The motion carried five (5) to zero (0).

Chatham County Board of Adjustment Meeting: Consideration by the Chatham County Board of Adjustment of a request by Jesse R. Butts for a variance from the Chatham County Junk Yard Control Ordinance to exceed the compliance deadline by six months on 1.7 acres on the north side of Walter Bright Road in Oakland Township

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

Jesse R. Butts, 360 Walter Bright Road, Sanford, NC, thanked the Commissioners for the opportunity to speak concerning his junk yard. He stated that he had made a bad mistake in allowing the accumulation of junk on his property and not ridding the premises of it with the past three years; that he regrets offending his neighbors; that he has written arrangements with Paul Woodell to auction surplus materials, and with Gerald Boggs who owns a salvage yard for the storage of junked automobiles; that he has an oral agreement, with a contract to be signed later, with James Ivey for the disposal of flea market materials. He asked the Commissioners for an additional six months to clean up his property.

Judy Autry, 316 Walter Bright Road, Sanford, NC, stated that she had moved her family from Sanford to live in Chatham County. She stated that one of the things that attracted her was the small, beautiful, community; that she had had her property reappraised in 1992; that it brought a very low appraisal rate; that the County is losing tax dollars because of the lower property tax values. She asked that Mr. Butt's request for a six month extension not be granted.

JoAnn Bright, 373 Walter Bright Road, Sanford, NC, stated that three years ago when the ruling was passed that the junk yard must be cleaned up, the neighbors were excited, however, they soon became disappointed when it became apparent that Mr. Butts was hauling more junk onto the premises; that they were

already receiving various complaints from tenants of their rental property because of the junk. She read a letter that stated that the tenants of one piece of rental property stated that they would not continue to live in the rental property because of the adjacent property which emits foul odors and has an abundance of rats, snakes, flies, etc. She stated that the rent they are receiving on their property is below market at approximately \$50-100 per unit; that they no longer can attract supervisory/executive type people for their rental property; that now is the time to enforce the rules that were set three years ago.

Larry Y. Young, Sr., 240 Walter Bright Road, Sanford, NC, stated that he moved into the area in 1983; that it was a beautiful community; that now he has water contamination due to acid, Prestone, and oil; that acid and oil can be smelled at certain times of the day while outside; that his property valuation went down \$10,000 due to the junk yard.

Commissioner Pollard moved, seconded by Commissioner Wilson, to uphold the recommendation of the Planning Department and not approve the variance requested. The motion carried five (5) to zero (0).

Commissioner Wilson moved, seconded by Commissioner Pollard, to adjourn as the Board of Adjustment and convene as the Board of Commissioners. The motion carried five (5) to zero (0).

CABLETELEVISION

Public Hearing

Time Warner Cable Rate Adjustment: Consideration of public comment on the Time Warner Cable Rate Adjustment

There was no one present who wished to make comments.

Commissioner Wilson moved, seconded by Commissioner Dunlap, to adopt the order approving adjustment in basic rates based on external costs, Form FCC-1210, a copy attached hereto and by reference made a part hereof, and to accept the consultants report. The motion carried five (5) to zero (0).

PRESENTATION ON WETLAND PROGRAM

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Jim Diggs, a member of the Resource Conservation and Development Board (RC&D), spoke about the relation of RC&D to engineering environments and man-made wetlands, particularly to the disposal of waste water. He stated that after two years of planning, a trip to Gates County on July 18-19, 1995 was arranged which included Commissioners Pollard and Holland, Jimmy Collins, Mary McClure, and himself. He stated that there was a demonstration on a 300-400 pupil school; that Harold Hause, a resident of Chatham County, was the primary leader of the tour; that this created wetland is very small for a home; that it is planted mainly in bulrushes and cattails; that studies have shown that the small wetlands are set up in addition to the usual septic tank installation; that the system acts much as the conventional sewer treatment system but does it in a non-mechanical way at a cost that is very favorable or even less than a conventional system; that the state of Kentucky is widely using this program; that the difference in North Carolina and Kentucky is that Kentucky will let water be expelled into a ditch or stream and North Carolina states that the water has to be forced into the ground; that this system eliminates much of the water that the need for fast fields will be reduced; that the systems have to be monitored as per the State.

Chairman Holland stated that the trip was very productive; that they learned a lot; that they want to keep abreast of what is going on with this project; and that she feels this will be something that can be used in Chatham County.

Commissioner Pollard stated that she was excited about what she saw; that she feels that this is a real opportunity for Chatham County leadership, particularly Public Works/Health/Planning to begin discussing an approach to take in testing different sites within Chatham County; that with increased knowledge, it can be put into use for underdeveloped areas; and that she appreciated the opportunity the RC&D provided for those attending to make the trip.

PUBLIC WORKS

Solid Waste/Recycling Issue

Reclassification of Position in Solid Waste Division: Consideration of a reclassification of the position of Equipment Operator I to Landfill Worker in the Solid Waste Division

Commissioner Pollard moved, seconded by Commissioner Wilson, to approve the reclassification of the Equipment Operator I position in the Solid Waste Division to a Landfill Worker position, effective August 7, 1995

Water/Sewer Issues

Contract Award for Water System Extensions Contract XIII: Consideration of a contract award for Water System Extensions Contract XIII, along Old US #64 (SR #1370), SR #1107, and SR #1169

Commissioner Grimes moved, seconded by Commissioner Wilson, to approve the awarding of a contract for Contract XIII to Terry's Plumbing and Utilities, Inc., Asheboro, NC, in the amount of \$114,007.00, a copy attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Solid Waste/Recycling Issue

Lease Agreement for Land for Siler City Drop-Off Recycling Center: Consideration of lease agreement with Farout, Inc., Statesville, NC for lease of two acres of land for Siler City drop-off recycling center

Commissioner Wilson moved, seconded by Commissioner Grimes, to approve the contract agreement with Farout, Inc. for leasing a two acres site to be used as a drop-off recycling center in Siler City, a copy attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Acceleration of the Development Plan for Chatham County Water Systems: Consideration of acceleration of the development plan for Chatham County Water Systems adopted June, 1992

Commissioner Holland asked that the plan be redesigned to include lines from #1008 up Martha's Chapel Road to #751 to be a part of the "2012 Plan".

Commissioner Dunlap moved, seconded by Commissioner Pollard, to approve the accelerated plan for school extension along SR #1525 (Hamlets Chapel Road from Hwy. #15-501 to SR #1532) and the Bennett Storage Tank. The motion carried five (5) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Wilson, that the balance of the plan with the addition of Martha's Chapel Road and other emerging areas in the Southeast/Southwest be referred back to the Water Committee. The motion carried five (5) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Wilson, to authorize the Public Works Director to begin talks with the Orange Water and Sewer Authority (OWASA) concerning a possible connection of the North Chatham Water System to the OWASA system at or near the Chatham/Orange County line. The motion carried five (5) to zero (0).

Addendum to the Chatham County Water System Policy Statements: Consideration of an addendum to the Chatham County Water System Policy Statements concerning Pressure Reducing Valves (PRV) and Backflow Prevention (RPZ)

Commissioner Grimes moved, seconded by Commissioner Wilson, to approve adding two statements to the Chatham County Water System Policy for Pressure Reducing Valves and Backflow Prevention, effective August 7, 1995. The motion carried five (5) to zero (0).

Request for Ordinance Requiring Connections to Water Line:

Commissioner Wilson moved, seconded by Commissioner Pollard, to have the staff draw up an ordinance for a request to consider requiring connections to the Chatham County Water System by new residential individuals or developers. The motion carried five (5) to zero (0).

FINANCE

Resolution to Authorize the County Manager to Dispose of Property Valued at Less Than \$500: Consideration of a Resolution to set procedures for disposing of County property valued at less than \$500

Commissioner Wilson moved, seconded by Commissioner Pollard, to adopt the **Resolution #95-31 to Authorize the County Manager to Dispose of Property Valued at Less Than \$500**. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Jury Commissioner Appointment: Consideration of appointment to the Jury Commission

Chairman Holland moved, seconded by Commissioner Wilson, that Ms. Thelma Turner be reappointed to the Jury Commission. The motion carried five (5) to zero (0).

Planning Board Appointment: Consideration of an appointment by Chairman Holland to the Planning Board

Chairman Holland moved, seconded by Commissioner Pollard, that Kay Billingsley be reappointed to the Planning Board. The motion carried five (5) to zero (0).

Library Board Appointment and Reappointment: Consideration of an appointment and a reappointment to the Chatham County Library Board

Commissioner Wilson moved, seconded by Commissioner Pollard, to appoint Sue T. Lucas of the Goldston area to the Chatham County Library Board, term to commence immediately and expire on June 30, 2001 and to reappoint Sandra McSween to the Chatham County Library Board, term to commence immediately and expire on June 30, 2001. The motion carried five (5) to zero (0).

Domiciliary Home Advisory Committee: Consideration of three appointments to the Domiciliary

Home Advisory Committee

Commissioner Pollard moved, seconded by Commissioner Wilson, to appoint Cynthia Barton, RN, to the Domiciliary Home Advisory Committee. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

- **Utilities Reduction Specialists Contract:** Consideration of a contract with Utilities Reduction Specialists for utility audit

Commissioner Wilson moved, seconded by Commissioner Dunlap, to rescind the unexecuted contract with Utilities Reduction Specialists adopted on June 5, 1995. The motion carried five (5) to zero (0).

Commissioner Wilson moved, seconded by Commissioner Dunlap, to approve the following contracts pending review by the County Attorney and incorporation of his changes: a) contract with Utilities Reduction Specialists for telephone audit to be effective upon contract execution, and b) contract with Utilities Reduction Specialists for energy audit to be effective 120 days from the date of execution. The motion carried five (5) to zero (0).

Commissioner Wilson moved, seconded by Commissioner Dunlap, to authorize the County manager to execute the contracts with Utilities Reduction Specialists. The motion carried five (5) to zero (0).

Travel and Tourism Advisory Board Recommendation for Expenditure of Occupancy Tax Proceeds: Consideration of Travel and Tourism Advisory Board's recommendation for expenditure of occupancy tax proceeds.

Commissioner Pollard moved, seconded by Commissioner Wilson, to authorize a subcommittee of the Travel and Tourism Advisory Board and the Assistant to the County Manager to enter into negotiations with Geiger and Associates to develop a contract for tourism promotion services. The motion carried five (5) to zero (0).

Dave Simmons stated that Geiger and Associates were experts in their field and that their specialty was travel and tourism. He stated that Chatham County has a lot of strength by being a rural county bordered by several large metropolitan areas; that there are presently 103 rooms in Chatham County which produce occupancy tax which is very marketable; that with the amount of revenue being produced, there can be a dynamic impact upon travel and tourism within the County.

MANAGER' S REPORTS

- The County Manager stated that there were funds included to begin some of the final stages of developing the strategic plan. He stated that Howard Stier has proceeded with this, has secured office space, has looked at equipment, and has reviewed the contract workers approved by the Board. He stated that by September 1, 1995, he feels that things will be well under way with their work; that he intends to hold, as part of his staff meetings with the management team, a special session in September to go over it with department heads.

The Manager stated that a Request for Proposals (RFP) had been developed as part of the wage and classification plan which should be sent out to perspective firms shortly. He stated that he would like to have it completed and back to the Commissioners for their review prior to beginning the budget for next year.

The Manager stated that he would advise the Commissioners at the next meeting of the status of the architectural study for the facilities plan for which the Board appropriated funds, the status of the RFPs from impact fees, and the land use plan suggested process. He also mentioned that Jim Stewart, Keith Megginson, and he met with the North Carolina Department of Transportation to review the process for an update to the County's thoroughfare plan and talked about what they will improve in that study and the process they will use to undertake the study. He stated that they were asked if it was possible to expand the plan to other areas to include bike ways, and some aspects of public transportation, and possibly an airport; that they plan to use the Planning Board for citizen input for this because most of the work done and development of the plan is actually done by DOT staff.

Meeting with Congressman Fred Heineman:

The Manager informed the Board that the meeting with Congressman Heineman would need to be rescheduled for the first meeting in September. The Congressman had asked that the meeting be scheduled for 7:30 A.M.

The Commissioners decided that the meeting would be held on September 5, 1995 at 7:30 A.M. with a meeting place to be confirmed by the Clerk.

Staff Retreat:

The Manager explained that the Staff Retreat would need to be rescheduled for another date.

The following dates were mutually agreeable:

September 20, 1995	6:00 P.M.-9:00 P.M. with Jack Vogt
October 5, 1995	All day - Joint Staff /Board

The Board will then meet separately at another time to be decided at a later date.

COMMISSIONER'S REPORTS

- Commissioner Wilson informed the Board that the members of the Strategic Plan Development Committee are working hard; that there is a lot of volunteer time going into some heavy study on this the committee; that they have three sub-committees that are all working hard; that she really likes their process; that they are being very thorough and involving the grass roots of the County; that they are talking with any and everyone whom they think can offer some input into the process; and that she has been very impressed with their work.

Commissioner Wilson asked about the status of the impact fees.

The Manager stated that Keith Megginson, Planning Director, is in the process of developing an RFP (Request for Proposals) to be sent out to various firms, and that they will update the Commissioners as soon as possible.

Commissioner Pollard stated that she had attended the Water Board meeting and they were talking about the importance of density in terms of making water available to the County; that they will soon be going to the Planning Board with a recommendation that will ultimately come to the Commissioners to establish policy; that she feels that a lot-size committee, the Public Works Director, and some people from the Water Committee should be meeting together before they come to the Commissioners for the policy.

The Manager stated that he thought there needed to be some organizational changes; that the Board probably should streamline some of those areas; that he is trying to establish, on a trial basis, the idea of establishing certain teams to be tried County-wide and feels that this will have an impact on the coordination of the different areas.

Commissioner Pollard asked if there would be opportunity for Commissioner input for the draft brochure for the Travel and Tourism Board.

The County Manager explained that he thought the consulting firm, Geiger and Associates, would expect the Commissioners to have final approval and that he would clarify it with the appropriate people.

Commissioner Pollard asked for a list of all County contracts to include: 1) the functions of the contracts; 2) who is performing them; 3) which contracts are bid

PREFERRED SITE LOCAL ADVISORY COMMITTEE

Out-of-State Travel Request for Southeast Compact Commission: Consideration of out-of-state travel request for Mary MacDowell to attend the Southeast Compact Commission round-table discussion in Alexandria, VA while en-route for vacation

Commissioner Wilson moved, seconded by Commissioner Grimes, to approve the reimbursement for meals and local mileage for less than \$50 for Mary MacDowell to attend the Southeast Compact Commission round-table discussion in Alexandria, VA while en-route for vacation. The motion carried five (5) to zero (0).

CLOSED SESSION

- Commissioner Wilson moved, seconded by Commissioner Pollard, to go into Closed Session for the purpose of discussing a personnel matter. The matter carried five (5) to zero (0).

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

Commissioner Pollard asked that the County Attorney explore the legality of altering the fines that result from violating the Junk Yard Ordinance. She withdrew the question and stated that she would ask the question privately.

ADJOURNMENT

- Commissioner Grimes 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 1:11 P.M.

Uva R. Holland, Chairman

ATTEST:

Sandra B. Lee, Clerk to the Board
Chatham County Board of Commissioners