

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, NOVEMBER 6, 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 Pittsboro Town Meeting Room, Courthouse Annex, Pittsboro, North Carolina, at 10:00 AM, on November 6, 1995.

Present: Chair Uva Holland, Vice Chair Betty Wilson; Commissioners Henry Dunlap, and Margaret Pollard; County Attorney Robert L. Gunn; and Clerk to the Board Sandra B. Lee

Absent: Commissioner John Grimes

The meeting was called to order by the Chairman at 10:07 AM.

AGENDA

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

Interim Manager Bob Gunn asked that private road, “The Thompson Farm Road” be removed from the Consent Agenda; that the County vs. Phillips be approved in Open Session as Item #11a; and that a Closed Session be added as Item #14 for the purpose of discussing personnel.

Commissioner Pollard asked that an appointment to the Domiciliary Home Care Committee be added to the agenda as Item #9a.

Commissioner Pollard moved, seconded by Commissioner Wilson, to approve the Agenda with the noted requests. The motion carried four (4) 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 October 16, 1995 and Minutes for Closed Session held October 16, 1995

The motion carried four (4) to zero (0).

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

- 1) Alstonville Road
- 2) Frank Thompson Road
- 3) Hawthorn Place
- 4) Trillium Place

The motion carried four (4) to zero (0).

3. **Resolution #95-39 for Contract Extension with Charter Communications:** Consideration of contract extension with Charter Communications, a copy attached hereto and by reference made a part hereof.

The motion carried four (4) to zero (0).

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Richard Ray, 447 Brinkley Road, Carthage, NC, introduced himself and stated that he was going to be working in the area for the next nine to ten months. He stated that he was working with a program called the North Carolina Child Care Corp., a national service project enacted by President Clinton in 1993; that the purpose of his program is to improve the quality of child care in North Carolina; that he is working in conjunction with Smart Start; that three days per week he will be working in a family resource center in Siler City and at other times he will be performing evaluations of daycare centers in the County.

RENOVATIONS TO THE SILER CITY CENTRAL CAROLINA COMMUNITY COLLEGE CAMPUS

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Dr. Marvin Joyner, President of Central Carolina Community College, stated that during the legislative session just ended, the remainder of community college bond funds were distributed; that this amount would have to be matched because the building currently being constructed will cost \$2,000,000 and will exhaust the match credit created by Chatham's original \$2,000,000 investment; that the \$211,411 can be matched by cash or an in-kind capital commitment; that since the Fall of 1984, the college has had use of the Henry Siler School in Siler City via lease agreement from the Chatham County Schools; that this is a very valuable anchor for the west Chatham operations, especially for adult literacy and occupational extension courses; that his proposal is for the Chatham County Schools declare the property as surplus to their needs and revert ownership to the County; that the County can in turn have the property appraised and the appraised value would count toward matching the \$211,411; that he is optimistic that the school and the land on which it is located would go a long way toward the match; that he has discussed this proposal with Chatham Superintendent of Schools, Larry Mabe, and that he is very supportive; that Dr. Mabe has had preliminary discussions with his board and received positive responses; and that this appears to be a very good situation for everyone assuming the commission has a continuing commitment to a Siler City presence for the College.

Commissioner Pollard moved, seconded by Commissioner Wilson, that the Interim County Manager/County Attorney be authorized to transfer ownership of the Henry Siler School to the Board of Trustees of the Central Carolina Community College with the deed to contain a reverter clause providing that upon cessation of use of said premises for community college purposes, ownership will revert to the County. The motion carried four (4) to zero (0).

Dr. Joyner stated that because the Board of Education was the owner of that building, the building was insured under their blanket insurance policy and that the contents were insured by Central Carolina Community College; that in the interim period in which the building is owned by the County, the building will need to be insured under its blanket policy; that he wants to make sure that there is no lapse in coverage.

PRESENTATION OF SMART START FUNDS

- Robert Hall, Director of the Department of Social Services (DSS), explained that the Day Care subsidy through DSS is a mandatory program which is 100% funded through Federal and State funds; that it is accomplished through an allocation and tracked through a Turnaround Report; that this program is administered by DSS through a contract with Child Care Networks; that Smart Start receives its money from the State; that a large part of it is intended for Day Care subsidy, however the rules for how the money is spent are determined by the Local Partnership; that Smart Start also contracts with Child Care Networks (CCN) to administer this subsidy money; that currently they are having to report and track that money through Financial Status Report (FSR) which provides much less information than the Turnaround Report; that the Local Partnership, upon recommendation of the State, is requesting that their subsidy money be funneled to CCN through the same allocation process as that of DSS; that it would entail the Local Partnership approving a plan for DSS to accept the allocation as determined by the Local Partnership; that by doing this, all subsidy would be handled the same way eliminating duplication and furthering better accountability of the Smart Start money; that the Smart Start board would approve the plan, the Executive Director would forward that approval to the State, which would then approve the plan; that the allocation would then come under the existing contract DSS has with CCN; and that the rules for how the Smart Start subsidy money is spent would be determined by the Smart Start Board.

Commissioner Wilson moved, seconded by Commissioner Pollard, to authorize the Department of Social Services acceptance of the \$289,775 Smart Start subsidy money. The motion carried four (4) to zero (0).

PLANNING AND ZONING

Award of Contract for Preparation of Land Development Plan: Consideration of award of contract for Preparation of Land Development Plan for Chatham County, NC

Commissioner Dunlap moved, seconded by Commissioner Pollard, to table the decision until the next meeting for further discussion. The motion carried four (4) to zero (0).

Award of Contract for Preparation of a Development Impact Fee Study: Consideration to award a contract for preparation of a Development Impact Fee Study

Commissioner Pollard moved, seconded by Commissioner Wilson, to award a contract to Tischler and Associates, Inc. in the amount of \$19,830 for preparation of a Development Impact Fee Study and Fee Schedule for Schools according to the County request for proposals dated September 13, 1995 and subsequent proposal dated, October 1995 and to authorize the Interim County Manager to sign a contract on behalf of Chatham County with Tischler and Associates, Inc. A copy of the contract is attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

PUBLIC WORKS

Water/Sewer Issues

- **Report on the “Comprehensive Sewer Feasibility Study for Chatham County”:** Report on the “Comprehensive Sewer Feasibility Study for Chatham County” by the consulting engineering firm, Hobbs, Upchurch & Associates, P.A.

Jim Stewart, Public Works Director, asked that the report on the “Comprehensive Sewer Feasibility Study for Chatham County” be delayed for two weeks so that he will be able to get information to the

Commissioners on this matter prior to their next meeting.

Award of Contract for Jordan Lake Water Treatment Plant: Consideration to award a contract for the management, operation, and maintenance of the new Jordan Lake Water Treatment Plant

Commissioner Pollard moved, seconded by Commissioner Wilson, to award a contract for the management, operation, and maintenance of the new Jordan Lake Water treatment Plant to Hydro Management Services, Inc. for the total lump sum amount of \$90,590 for the remaining portion of Fiscal Year 1995-96 i.e., from November 9, 1995 - June 30, 1996 and for the lump sum amount of \$170,580 for the Fiscal Years of 1996-97, 1997-98, and 1998-99, subject to further review by the Interim County Manager/County Attorney. A copy of the contract is attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

DOMICILIARY HOME ADVISORY COMMITTEE APPOINTMENT

Commissioner Pollard moved, seconded by Commissioner Wilson, to appoint Fitima T. Groce to the Domiciliary Home Care Committee. The motion carried four (4) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Contract for Emergency Medical Services for Eastern Chatham: Consideration of a contract for Emergency Medical Services for Eastern Chatham

Commissioner Wilson moved, seconded by Commissioner Pollard to approve the contract for Emergency Medical Services between Chatham County and Johnston Ambulance Service, Inc. A copy of the contract is attached hereto and by reference made a part hereof. The motion carried four (4) to zero (0).

Status Report on the River Rescue Operations:

The County Attorney explained that he has found no easy, workable solution to this problem; that he does not know that charging for rescues is a feasible approach; that he has others with whom he needs to discuss the matter; that even if it was decided that charging a fee was the right approach, it would be difficult to determine actual costs to the County; that the more serious rescues are performed by helicopter at no cost to the County by Fort Bragg servicemen; that he does not believe that the County hires additional people to perform the rescues; that an approach that has been used by the City of Richmond is to attempt to limit access to the river and if the County has authority to do that the next thing to be looked at is the practicality of it; that the City of Richmond had a gauge to measure the level of the river; that at the highest level, the only people allowed on the river would be rescue people and law enforcement (This was later corrected to indicate that other persons could obtain permits for access to the river at this stage.); that he thinks the Coast Guard has jurisdiction over all navigable waters; that he needs to talk with the Coast Guard authorities to get something in writing stating that they have not and do not intend to exercise jurisdiction over the Haw River in Chatham County; that if we proceed beyond that hurdle, the next thing would be to attempt to determine what type of standard we use as far as the level of the river is concerned. He further stated we should consider whether violations of any ordinance to be adopted should provide for a civil or a criminal penalty. Fines assessed, under the constitutional provision, would go to support public schools and an administrative penalty would not be considered a fine; that a further matter to consider is that the administrative penalty would be collected, in the first instance, by a letter from the County Manager to the person who had committed the violation and if he did not comply, the remedy would be to file suit in the Chatham County Court system for which the County would incur some expense.

Paul Ferguson stated that the Haw River does not have to be in flood stage to be used; that it is usable

most times of the year except for very dry periods; that there are some very experienced canoers and kayakers who like to test their skills on the water before they travel to the Grand Canyon, etc.; that the river can be canoed safely at flood stage by experienced boaters who know what they are doing; that the ordinance in Richmond does not set a level at which no one can boat; that at the highest level on their gauge, the boater must have a permit; and that the permit states that specific requirements the boater must have; that if they do not get the permit, a fine for violating the ordinance is assessed plus a per-hour rescue charge if needed.

COUNTY VERSUS PHILLIPS

The County Attorney stated that a consent judgment has been signed with the Phillips for the site at Crutchfield Crossroads paying the Phillips \$13,000 as severance damages for the Phillips remaining property and the County accepting a gift in the amount of \$7,000 for the actual parcel that has been acquired.

Commissioner Dunlap moved, seconded by Commissioner Wilson, to approve the payment of \$13,000 as severance damages for the Crutchfield Crossroads property and to accept a gift in the amount of \$7,000 for the site. The motion carried four (4) to zero (0).

A copy of **Resolution #95-39A Accepting a Contribution from Patricia Thomas Phillips and Approving a Consent Judgment** is attached hereto and by reference made a part hereof.

INTERIM MANAGER' S REPORTS

The Interim County Manager had no reports.

Renee Dickson, Assistant Interim County Manager, stated that the Travel and Tourism Advisory Board will be holding, in conjunction with the consultant hired for public relations for tourism and marketing efforts, will be holding three community workshops on Monday, November 13, 1995 at J. S. Waters in the multipurpose room from 5:00-6:30 PM and from 7:00-9:00 PM in the Pittsboro Library and on Tuesday, November 14, 1995 in Siler City in the Library from 7:00-9:00 PM. She encouraged the Commissioners and anyone interested in the travel promotion efforts to attend.

COMMISSIONER'S REPORTS

There were no Commissioner reports.

CLOSED SESSION

Commissioner Wilson moved, seconded by Commissioner Pollard, to go into Closed Session for the purpose of discussing personnel. The motion carried four (4) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Wilson, to go out of Closed Session and into Regular Session. The motion carried four (4) to zero (0).

REGULAR SESSION

Commissioner Wilson moved, seconded by Commissioner Dunlap, to approve the Interdepartmental Memorandum, a copy of which is attached hereto and by reference made a part hereof, dated November 6, 1995 from the Interim County Manager to the Department Heads, setting organizational structure during the interim and to approve the compensation to Robert L. Gunn for services as the Interim County Manager at \$4,000 per month; and for the Assistant Interim County Manager by raising her present salary by the sum of \$10,000 per year; to be paid at that rate during the time she serves as the Assistant Interim County Manager with each to be effective November 2, 1995. The motion carried four (4) to zero (0).

ADJOURNMENT

Commissioner Wilson moved, seconded by Commissioner Dunlap, that there being no further business to come before the Board, the meeting be adjourned. The motion carried four (4) to zero (0) and the meeting was adjourned at 11:51 A.M.

Uva R. Holland, Chairman

ATTEST

Sandra B. Lee, Clerk
Chatham County Board of Commissioners