

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, MARCH 25, 1996

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 25, 1996.

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

The meeting was called to order by the Chairman at 7:16 P.M.

AGENDA

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

County Attorney/Interim County Manager Robert Gunn asked that consideration for two out-of-state travel requests for the Health Department be added to the Consent Agenda as Items #6A and 6B and that consideration to hold a public hearing for a Community Development Block Grant (CDBG) request be added to the Regular Agenda as Item #21A.

Commissioner Holland asked that the appointment to the Planning Board be removed from the Agenda.

Commissioner Wilson moved, seconded by Commissioner Pollard, to approve the Agenda with the noted requests. 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, seconded by Commissioner Wilson, to approve the items listed on the Consent Agenda as read by the Clerk. The Consent Agenda, with the vote on each item is as follows, and was verbatim by the Clerk to the Board.

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1. **Minutes:** Consideration of approval of Board Minutes for Regular Meeting held March 11, 1996

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

2. **Smart Start Funds Acceptance for Project - “Let’s Read Together”:** Consideration of a request for funds acceptance for Chatham County libraries, **Budget Amendment #52**, attached hereto and by reference made a part hereof.

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

3. **Smart Start Funds Acceptance for Project - "Library Collection Building":** Consideration of a request for funds acceptance for Chatham County libraries, **Budget Amendment #68**, attached hereto and by reference made a part hereof.

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

4. **State Library Funds Acceptance:** Consideration of a request for funds acceptance for Chatham County libraries, **Budget Amendment #69**, attached hereto and by reference made a part hereof.

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

5. **Declaration of Official Intent to Reimburse:** Consideration of a request whereby issuer declares its official intent to reimburse itself with the proceeds of the obligations for any of the expenditures incurred by it prior to the issuance of the Bonds, attached hereto and by reference made a part hereof.

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

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

(1)	Gynnis Creek Drive	(3)	Mill Stone Road
(2)	Keri Anne Court	(4)	Priscilla Lane

- 6A. **Out-of-State Travel Request to Revisit the Hispanic Committee of Virginia's Hispanic Center:** Consideration of a request to approve out-of-state travel for Bill Lail to revisit the Hispanic Committee of Virginia's Hispanic Center in Falls Church, Virginia on April 9-10, 1996 to study their operations so we can model their successes in Chatham County's Family Resource Center

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

- 6B. **Out-of-State Travel Request for Animal Control Officer:** Consideration of a request to approve out-of-state travel for one Animal Shelter Attendant or Animal Control Officer to drive one pickup truck to pick up three dog traps in Danville, Virginia

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

- **Cassie Wasko**, Box 675, Pittsboro, NC, urged the Commissioners to be sure that along with the renovation project of the old Paul Braxton School, that they assure Carolina Power and Light Company (CP&L) plans to provide annual funding to provide services to those older adults living there. She estimated that at least \$20,000 annually will be needed to meet the needs of the newly-gathered population. She stated that CP&L has always been an excellent corporate citizen and that the company has supported past projects; that she is confident that there will be a positive response to the request for support for existing service providers; and that without that support, the council will have to look to the County to fund services for those clients.

Junius Terrell, 1319 Old Lystra Road, Chapel Hill, NC, spoke regarding his concern for law enforcement protection in north Chatham County. He stated that the area has grown substantially, and he feels that they “are at the mercy of the world” if they need immediate help as it takes approximately 1-1 1/2 hours to get a deputy to the area when needed. He urged the Commissioners to place a substation at Cole Park Plaza in north Chatham County. His second area of concern dealt with the numbering of the roads in his area, more specifically Old Lystra Road. He stated that there are duplicate hundred block numbers; that he is concerned that if an emergency occurs, will help come from Orange County or from Chatham County. He asked that as a citizen of the County, help be given in resolving this situation.

Commissioner Holland asked the staff to look into this matter.

DIRECTOR OF CHATHAM COUNSELING CENTER

Commissioner Holland introduced Mr. Tom Velivil, Director of the Chatham Counseling Center and welcomed him to Chatham County.

PLANNING AND ZONING

Public Hearings

County Water Supply Watershed Protection Regulations: Public Hearing to receive public comment on the proposed amendments to the County Water Supply Watershed Protection Regulations to allow 10% of WS-II, III, and IV non-critical areas to be developed at 70% impervious surface, and other amendments according to state rule changes in 1995

Jim V. Pritchard, 2416 Anderson Drive, Raleigh, NC, stated that he had purchased a lot on Old Lystra Road two weeks prior to the meeting; that in the Chatham County Land Development Plan for eastern Chatham County in October, 1989, the Williams Township on 15-501 was suggested as a reasonable commercial use; that the same document cites that the area bordering Hwy. #15-501, is a watershed area designated as WS-IV, therefore restricted to residential use; that the document also cautions about high shrink-swell potential, very low percolation, and generally low traffic support capabilities; that it further states that the ground water yields in these areas are reported low and that a detailed survey is scheduled which has never been done. He asked that the permit be denied.

David Zoffer, 588 Woodbury Street, Fearington Village, Pittsboro, NC, objected to and urged the rejection of any change to the Chatham County Watershed Protection Ordinance that would increase the permitted percentage of built-upon areas currently allowed for projects in tracts of land located in Watershed Areas and to any approval of development of the property described which development exceeds the thirty-six percent built-upon area limit specified in the Chatham County Watershed Protection Ordinance. He requested that a copy of his letter and attachments be provided to each and every member of the Planning Board, the Board of Commissioners, the Watershed Review Board, and that his letter and attachments be filed in the Chatham County public records relating to the matters described. A copy of his letter and attachments are attached hereto and by reference made a part hereof.

Danielle Winslow, 173 Fearington Post, Pittsboro, NC, stated that she was concerned about the extra demand being placed on the water supply; that every homeowner there had to go through an endless and enormous amount of approval processes just to get a single family home approved; and that she urged denial of the proposed amendments to the County Water Supply Watershed Protection Regulations.

Liz Cullington, Route 6, Box 1126, Pittsboro, NC, stated that according to state water quality reports, sediment is one of the most damaging pollutants destroying rivers; that chemicals and metals are carried into waterways which can affect the ability of fish to reproduce; that animal and fish kills have become common; that the current water shed ordinance for Chatham provides some protection to drinking water water-sheds; that under the proposed changes, even these meager protections will be removed; that this will move Chatham in a completely opposite direction from what the majority of residents have willed it to be.

Linda Zoffer, 588 Woodbury Street, Fearington Village, Pittsboro, NC, thanked the Commissioners for the opportunity to speak before them on this matter. She stated that she moved to Chatham County because of the beauty of the land and the character of the people who hold it dear; that she and her family are building a home in Arbor Lea, which is bordered by Old Lystra Road; that those who live in Chatham County rely on well water. She asked the question, "Since those living in Chatham County rely on well

water, if the water shed is changed and developers are able to build on 70% of the land instead of 39 %, the wells fail at some point, and dry up, what is the plan when this occurs?" She asked that her letters be made part of the official record, attached hereto and by reference made a part hereof.

John N. Kent, Route 7, Box 592, (Old Lystra Road), Chapel Hill, NC, Conservation Chair for New Hope Audubon with 1,100 members in Chatham, Orange, and Durham Counties, stated that for the last five years, they have been monthly monitoring New Hope Creek at six sites and that run-off makes a big difference in the water quality; and that he is concerned that this is a backing away from water-supply protection ordinance that is in place. He urged the Commissioners to proceed with caution.

Lauren Birke, 204 Holly Ridge Road, Chapel Hill, NC, urged all the members of the Board to increase protection of the water supply and not diminish the current protection. She stated that we need to continue moving forward to protect our resources, to take a long-sided view of our resources, and not consider short-term profit and development which will benefit a few people.

Mini-Storage Warehouse Request in Baldwin Township: Public Hearing to receive public comment on a request by Keith Allen for a Conditional Use Light Industrial District with a Conditional Use Permit for a mini-storage warehouse on 1.56 acres on the east side of U. S. #15-501 in Baldwin Township

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

There was no one who wished to make public comment on this issue.

Shopping Center Request in Williams Township: Public Hearing to receive public comment on a request by Riddle Commercial Properties for a Conditional Use Business District with a Conditional Use Permit for a shopping center on 21 acres on the southeast side of the intersection of U. S. #15-501 and S. R. #1724 (Old Lystra Road) in Williams Township

Butch Dunlap, 238 N. McPherson Church Road, Fayetteville, NC, thanked the Commissioners for the opportunity to speak on this issue. He stated that they were responsible developers; that their most notable project in this area is the First Union Building in Chapel Hill; that they will make every effort to listen to everyone's concerns; that they are not going to short-change anyone. He asked that those with concerns call him, and that they will do everything they can to protect the quality of life.

George Finch, 601 Oberlin Road, Suite 200, Raleigh, NC, stated that he is the landscape architect for this project; that this application has been submitted in good-faith for the Commissioner's review and based

on a considerable amount of preparation and information which supports this request; that with continued growth affecting the northeast portion of the County, the need for commercial services to support that growth has steadily increased; that this is evidenced that the one food store located in close proximity to the site is the number one store in that particular chain; that in response to the demand for commercial space in that portion of the County along the 15-501 corridor, the applicant initiated an investigative study of suitable tracts of land in the area available for commercial development; that in this investigation, a number of items were matters for investigation; that the first of these was transportation; that vehicles at the site would predominantly be traffic that is already in route home-to-work, work-to-home or home-to-other local destinations, thereby not necessarily adding significantly to the traffic count experienced normally on US #15-501; that additionally, traffic from the residential concentration served by Old Lystra Road would have the opportunity to access the site without adding to the traffic count on US #15-501; that commercial development on this site can be adequately accommodated by the proposed Thoroughfare Improvements Plan and other improvements that would be proposed at the site location as a part of the

development; that the second of these items is the Land Development Plan for eastern Chatham County; that this request for conditional use business district zoning is consistent with the neighboring commercial businesses and most importantly the site has been identified in the Land Development Plan for eastern Chatham County as an area where commercial uses should be provided; that this is specifically noted in the areas of Bynum and Old Lystra Roads; that the third item which they considered is integration of surrounding land uses of development types; that as a part of their investigation of this particular site, they acknowledged the value of the nearby residential properties and the quality in which they have been developed and maintained; that prior to the submittal of the application, the applicant participated in a meeting with adjoining and nearby property owners for the purpose of disclosing the applicant's intentions with regard to the application and to discuss the proposed site development; that he feels this meeting was beneficial to all parties with some comments expressed at the meeting having already been incorporated into the plan for development; that they continue to express their willingness to hear the concerns of any party which is affected by the application and express their commitment to work to the extent of their ability to address those concerns and to meet the demand for commercial space in a cohesive project that addresses the issues of landscaping, lighting, signage, and overall aesthetics.

Jeffry Low, 227 Old Lystra Road, Chapel Hill, NC, stated that he was building a new home on Old Lystra Road which is facing in the direction of the proposed new development; that decisions made for this location will affect what he is going to see daily in the future; that his major areas of concern are appearance, traffic, and water. He stated that because the developer has not followed the Land Use Plan as adopted for use in eastern Chatham County and has not adequately addressed the previously mentioned concerns, that the Commissioners deny the current application for this development.

Keath Low, 227 Old Lystra Road, Chapel Hill, NC, reiterated the concerns that her husband previously brought up. She stated at this point, there seems to be a lot of unanswered questions regarding the proposed center; and that they would like to have the opportunity to get some more answers.

Martin Spritzer, 5956 Fearrington Post, Pittsboro, NC, stated that he had reviewed the plans and feels that the safest and most efficient way to direct traffic in and out of a shopping center is with a traffic signal; that the entire project should be located further back from both roads to allow this with one main exit and entrance via the traffic light; that in lieu of this, there should not be a left-hand turn in and out onto US Highway #15-501 and that the parking should be sufficient. He asked if there were to be fire lanes or a grocery pick-up lane. He encouraged more plantings and curbs within the parking area, more open space provided, and a larger set-back from both roads.

Bill Campbell, 136 Meadow Run Drive, Pittsboro, NC, expressed extreme concern that this proposal

is premature, inadequate in information, and requires additional review. He stated that he and his wife are specifically concerned about the potential damage due to increased demand on the declining water table in this area, potential hazards due to increased traffic, and problems of waste and other environmental contamination. He asked that the Commissioners return the proposal to Riddle Commercial Properties and to direct the RDC to address the very serious concerns about the water, traffic, and environmental contamination, and that representatives of RDC meet with area residents to address these and other concerns.

Kim Vaillancourt, 415 Thornwood Drive, Chapel Hill, NC, stated that they were all unhappy about the proposal for the new shopping center; that the 15-501 corridor does not need any more traffic; that there are a lot of places outside of the County in which to shop.

David Zoffer, 588 Woodbury Street, Fearington Village, NC, read a prepared letter in which he objected to and urged the rejection of the Application for Zoning Districts, Conditional Use Districts and Conditional Use Permits filed by Riddle

Commercial Properties, Inc. with respect to the 22.33 acre parcel known as the Cole property, located at the southeast corner of the intersection of US Highway #15-501 and Old Lystra Road in Williams Township, Chatham County. He asked that a copy of this letter and attachments be provided to each member of the Board of Commissioners, the Planning Board, and Riddle Commercial Properties and that a copy of his letter and attachments be filed in the Chatham County public records relating to the matters described. A copy of his letter and attachments are attached hereto and by reference made a part hereof.

James Pritchard, 2416 Anderson Drive, Raleigh, NC, stated that based on the earlier comments made regarding the proposed use of the property, only approximately ten acres have been identified as real use today so nothing is known about how the remainder of the land will be used; that there is no known impact on the water supply; that the sewage plan described negotiating with Cole Park but does not say that anything has been settled; that loading docks are described as being viewed from Old Lystra Road; that the dumpsters are planned to be screened but there is no location given; that lights are to be placed at 40 feet high which is a significant height; and that there is a lack of buffer at five feet.

Joseph Froeber, 227 Meadow Run Drive, Chapel Hill, NC, stated that he shares many of the same concerns addressed by others at the public hearing. He asked that the Commissioners give this matter their serious attention and thought as everyone goes forth on these issues.

Linda Zoffer, 588 Woodbury Street, Fearington Village, Pittsboro, NC, asked that her letter be made a part of the public record in the matters regarding the proposed commercial development of Cole Tract at Highway #15-501 and Old Lystra Road by Riddle Commercial Properties. She addressed the issue of lighting the area. She stated that they are not allowed to have any outdoor lighting in their neighborhood of any type; that it has to be low-voltage, placed low to the ground, and cannot be turned on for certain hours of the night in order to maintain the rural look and keep the beauty of the night sky and that no neighbor will be disturbed; that as the surrounding area continues to grow, she recognizes that residential and commercial development will increase; that the best of such developments will continue to improve surrounding properties, add to the County's tax base, and serve as examples of good neighbors. She stated that she was concerned that the Cole Properties rezoning application by Riddle Commercial Properties will result in development that will lower the value of surrounding lands, impair water quality, and through its design encourage undesirable loitering and littering. She insisted that Riddle should propose a better plan and that the current one should be denied. Speaking on behalf of the Arbor Lea Homeowners Association, she expressed concern regarding the lack of traffic planning for the proposed development.

Danielle Winslow, 173 Fearington Post, Pittsboro, NC, stated that she is concerned regarding the

amount of light and noise that the shopping center would produce; that there appears to be no plan to be presented to the people regarding this matter; that she wonders how lighting and screening will be handled; and that she is concerned about the message this sends to other developers.

Betty Pritchard, 2416 Anderson Street, Raleigh, NC, stated that she and her husband had purchased a lot and were looking forward to moving to Chatham County; that their lot is on Old Lystra Road; that they found out about the shopping center last Monday via the News and Observer Newspaper; that this was the first time they heard about the issue; and that a letter written and sent to the Planning Board, Commissioners, Keith Megginson, Planning Director, and Butch Dunlap of Riddle Properties be made a part of the official record in voicing their opposition to this matter.

Zona Pollard, 601 Jones Ferry Road, Suite #601, Carrboro, NC, stated that she agreed with the previous comments. She added that she would like to see the Commissioners deny the request for the proposed shopping center, and to give the citizens

a chance to come together as a community with the developers, and to achieve something, which in the long run, will be a much better outcome.

Don Tyndall, 135 Olds Lystra Road, Chapel Hill, NC, stated that he had several concerns regarding this proposed project as follows: 1) that they were not notified of the February 27, 1996 meeting; 2) that the design is not consistent with the Land Development Plan; 3) that there appears to be no elevation of buildings but that there does seem to be increased light and noise levels; 3) that there is very little landscape screening and buffering to the side and rear of the shopping center; 4) that there will be increased trash accompanying commercial development; 5) that the project scale may be large for economic viability; 6) that he is concerned about the twelve acres that is to be left undeveloped. He asked that the conditional use permit be denied because the developer has not properly or adequately addressed these concerns. He also suggested that if denial was impossible, that the shopping center plans include no convenience or fast food stores; that the back and side of the shopping center be fully screened from Old Lystra Road using burms and mature, evergreen, plantings; that the Commissioners require the developer to leave the remaining twelve acres undeveloped to allow for a natural buffer; and that the developer be required to meet with the Arbor Lea property owners and other adjacent property owners to discuss these concerns prior to the next public hearing.

Kathleen Tyndall, 135 Old Lystra Road, Chapel Hill, NC, stated that she would like for the official record to show that she supports all of the statements which her husband and neighbors have made concerning the commercial development plan for the Cole Property. She stated that to illustrate her point about appearance, she picks up trash along the roadway every other Sunday; that this Sunday she picked up three 39-gallon bags of trash from hers and the corner of Old Lystra Road and US Highway #15-501. She asked that the Commissioners not allow more commercial development at this intersection without thorough investigation of all the issues which have been raised. She asked for denial of approval for the conditional use of the property for Riddle development.

Junius Terrell, 1319 Old Lystra Road, Chapel Hill, NC, stated that he had lived on Old Lystra Road since 1971. He said that they moved to the rural community to get away from commerce and industry; that citizens and homeowners are now told by a firm in Fayetteville that the area needs another shopping center; that their motive is profit; that his motive as a citizen is family welfare. He asked that the Commissioners deny this request because of risks that outweigh potential benefits in the area; that there are potential water belt problems that have not been answered in the area; that there is little likelihood that there will be County water supply in the area for many years; that it is uncertain as to what the pollution problems might be; that he wonders what system will be used to treat the sewage system and what direction it will go; that there is also potential increased traffic, noise, and air pollution; that this would not enhance property values; that the

citizens need things in Chatham County more than it needs a shopping center; that police protection, etc. is needed worse. He recommended that the Planning Board and Commissioners carefully study the entire area of Highway #15-501 on both sides and in the area surrounding Old Lystra Road. He asked how many acres the County plans to put under commercial and industrial use. He continued by stating that they do not know how ten of the proposed acreage will be used; that he can foresee if careful planning is not done, that seventy-five acres could be rezoned for commercial use; that he hopes the Board will not consider the increased tax base as a prime factor in approving the proposed change.

Lauren Birke, 204 Holly Ridge Road, Chapel Hill, NC, voiced concern regarding the increased traffic around the proposed shopping center area. She stated that she did not feel that the development was needed; that it was not needed; that she wants to live in a rural place; and that she is concerned about crime, loitering, lighting, noise and her water being poisoned.

The Chairman called for a five minute recess.

Zoning and Ordinance Amendment

Truck Terminal, Repair Shop, Hauling and Storage Yard, and Recycling Industry Request in Cape Fear Township: Consideration of a request by Frank Bolton for a Conditional Use Heavy Industrial District and a Conditional Use Permit for a truck terminal, repair shop, hauling and storage yard, and recycling industry on 15 acres of the John R. Calloway property on the north side of S. R. #1011 in Cape Fear Township

Commissioner Wilson moved, seconded by Commissioner Pollard, to accept the Planning Department and Planning Board recommendation and approve the request with the following conditions:

- (1) Normal mill operations will be between 7:00 a.m. and 6:00 p.m. except in unusual circumstances.
- (2) The mill shall not operate later than 10:00 p.m. even in unusual circumstances.
- (3) The mill shall not operate on Sundays.

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

Final Plat Review

Governors Club - Phase XVIII: Consideration of a request by Wade Barber for Preliminary and Final approval of Governors Club - Phase XVIII with 34 lots

Commissioner Pollard moved, seconded by Commissioner Dunlap, that the Planning Department and Planning Board recommendation of Phase Eighteen be given preliminary and final approval with approval of the road name **Holt**, conditional upon acceptance of the financial guarantee by the County Attorney and upon approval of water and sewerage system plans by the state. The motion carried five (5) to zero (0).

Final Approval of Mobile Home Park

Piney Bluff Manor Mobile Home Park: Consideration of a request by Earnest E. Suits for final approval of Piney Bluff Manor Mobile Home Park consisting of 10 lots on 9.412 acres off Joe Brown Road (S. R. #1132) in Matthews Township

- Commissioner Pollard moved, seconded by Commissioner Wilson, that the Planning Department and Planning Board recommendation be approved granting extension of preliminary approval to the plat from March 18-25, 1996, and final approval with the conditions as submitted that no permits be issued for occupancy of lot number 6 until final health approval is given. The motion carried five (5) to zero (0).

PRESENTATION BY JOCCA, INC.

- **Joint Orange-Chatham Community Action, Inc. (JOCCA):** Consideration of a request from JOCCA to be designated as the lead agency for "One-Stop Career Center" planning

- Renee Dickson explained that because of changes in employment and training programs at the federal level, the State of North Carolina applied for and received funding to develop "One Stop Career Centers" throughout the State; that as a follow-up to this funding, Governor James B. Hunt has issued an Executive Order transforming NC Private Industry Council (PIC) to Workforce Development Boards (WDBS) and has declared that One Stop Centers will be implemented in each North Carolina County; that these "One

Stop Centers" are believed to be a more efficient use of resources and a better service for clients; that the Governor's Commission on Workforce Preparedness has requested that all service delivery areas designate lead agencies to spearhead efforts at the local level; that members of the Chatham One Stop Center Task Force met on March 6, 1996 and unanimously approved that JOCCA be considered by the Chatham County Board of Commissioners as the designated lead agency for the County; and that based on this action, the Workforce Development Board of Chatham County in cooperation with JOCCA, Inc. respectfully requests that the Board of Commissioners authorize and designate JOCCA, Inc. as the lead agency for the "One Stop Center" for Chatham County.

- Commissioner Pollard moved, seconded by Commissioner Wilson, to authorize and designate the Joint Orange-Chatham Community Action, Inc. (JOCCA, Inc.) as the lead agency for the "One Stop Center" for Chatham County, North Carolina. The motion carried five (5) to zero (0).

- Gloria Williams, Executive Director of JOCCA, Inc., thanked the Commissioners for their efforts.

SHERIFF'S DEPARTMENT

- **Medical Services Contract for Jail:** Consideration of a contract renewal for the Chatham County Jail with James D. Strickland, MD, PA

- Sheriff Don Whitt stated that he had contacted the Chatham Family Physicians and that they are willing to contract with the County for medical services for the jail; that their proposal, which is lower than that with Dr. James Strickland, sets baseline monthly fees at \$500.00 and \$10.00 per patient to be tallied at the end of each month.

Commissioner Dunlap moved, seconded by Commissioner Pollard, to have a new contract drawn up with Chatham Family Physicians for medical services for jail inmates. A copy of the letter from Michael J. Tyler, MD is enclosed hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

- **Planning Board Appointment:** Consideration of an appointment to the Planning Board by

Commissioner Holland

No action was taken on this issue.

Water System Extension Selection Committee Appointments: Consideration of appointments to a committee to select a consulting engineering firm to provide design services for the water system extensions to the North Chatham Water System

Commissioner Pollard moved, seconded by Commissioner Wilson, to appoint a seven member committee to review qualifications and recommend a consulting engineering firm for planning and designing the North Chatham Water System Extension as follows:

- (1) Renee Dickson, Interim Assistant to the County Manager
- (2) Ray Greenlaw, Chairman of the Water Advisory Committee
- (3) Wil Heiser
- (4) Everette Billingsley
- (5) Barry Burns
- (6) James Stewart, Public Works Director

The motion carried four (4) to one (1) with Commissioner Dunlap dissenting.

Commissioner Grimes moved, seconded by Commissioner Pollard, to remove the Commissioner position from the North Chatham Water System Extension. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Budget Amendments: Consideration of approval of **Budget Amendments #15 - #60, #70, and #71**

Commissioner Grimes moved, seconded by Commissioner Wilson, to approve **Budget Amendments #15-#60, #70 and #71, Project Ordinance #1996-0001 Concerning the Hamlets Chapel Water Line Extension**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Cable Television Ordinance: Consideration of approval of application and minimum standards for Cable-Telecommunication Distribution System Infrastructure; Consideration of approval of Chatham County Customer Service Standards for Cable-Telecommunication Providers; and Consideration of approval of Cable- Telecommunications Standards Ordinance

Robert Gunn, County Attorney, asked that a number of typographical corrections be made to the Telecommunications Standards Ordinance as follows:

Page 2, Subsection K - remove extra parenthesis

Page 3, Subsection R - line 1, figure 7 should be changed to a 6

Page 3, Section 3, Subsection A - line 3, end of 5th word which is "county", parenthesis needs to be removed

Page 3, Section 3, Subsection A - line 2, place comma after the figure 3,000, close parenthesis and add comma

Page 4, Section 4 - Second word "appropriate", add comma after "appropriate" and before word

“subject”

Page 5, Subsection B, Line 4 - The fourth word is county and it has parenthesis that needs to be removed

Page 7, Section 8, Subsection B - In the last line, the first three words are “necessary in order”- Remove “in order”

Page 7, Section 8, Subsection B, Sub 3 - The last word under 3 is available; the word “and,” should be added

Page 13, Subsection B, Line 2 - Starts with “telecommunication system” - The word “franchisee” should be added after the word “system” and immediately before the comma.

Page 15, Subsection F - Before the text in the subsection, add the word “governance.”

Robert F. Sepe, Cable Administrator, thanked the Commissioners for the opportunity to read the ordinance to make sure that it is correct. He stated that, basically, the ordinance establishes a level playing field for telecommunication franchises and allows the County to grant cable telecommunication franchises/multiple franchises establishing a level playing field for all entrances to the market place; that the companion document contains a set of customer service standards; that those standards require various cable and telecommunication providers to respond to customers within a certain fashion; that between the two documents, the Commissioners have one document that allows issuance of cable telecommunication franchises to multiple providers and a set of rules of being established by which customers must be treated; that the application document is the one that will be handed out to anyone seeking franchise; and that this allows information to be gathered on the legal, technical, character, and financial qualifications of the applicant so that the company can be evaluated and the technology that they plan to bring to the market place to determine whether it meets the telecommunication needs of the county.

Commissioner Grimes moved, seconded by Commissioner Pollard, to adopt the **Chatham County Cable Telecommunications Standards Ordinance #1996-002**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Commissioner Grimes moved, seconded by Commissioner Pollard to adopt the **Chatham County’s Customer Service Standards for Cable Telecommunication Providers**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero.

Commissioner Grimes moved, seconded by Commissioner Pollard, to adopt the **Application and Minimum Standards for Cable Telecommunication Distribution System Infrastructure**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Performance Budgeting: Consideration of a proposal for Performance Budgeting for pilot departments

Commissioner Grimes moved, seconded by Commissioner Wilson, to approve the guidelines under which pilot departments will participate in the County’s performance budgeting project, as outlined by the Interim Assistant County Manager. The motion carried five (5) to zero (0).

Home Health Renovation Project: Consideration of a request to proceed with the Home Health Renovation Project

Commissioner Grimes moved, seconded by Commissioner Wilson, to proceed with the Home Health

renovation project, with costs not to exceed \$90,000, and to allow the Finance Officer to shift monies between the Solid Waste Fund, the Recycling Center Project, and the General Fund if borrowed monies need to be expended on or before June 26, 1996, with the understanding that a budget amendment will be submitted for approval by the Board of Commissioners indicating the exact amount of funds transferred. The motion carried five (5) to zero (0).

CP&L - Paul Braxton School Project: Consideration of a request from Carolina Power & Light (CP&L) for a thirty-year, no-interest loan for conversion of the Paul Braxton School into moderately priced housing for the elderly

After a being addressed by Murray Gould, Commissioner Grimes moved to authorize issuance of a commitment letter to Siler City Apartments LLC for an interest-free loan for 30 years, in the amount of \$112,500 to assist with financing of rehabilitation of the Paul Braxton School into affordable housing for the elderly and that commitment be made upon the following conditions, all of which must be satisfied prior to closing:

- A) Closing shall include a standard due diligence review by legal counsel for the lender that will require customary terms and conditions that are not expected to be met at the time of this commitment. Closing is expressly conditional upon certification by the county attorney that in his opinion the County has legal authority to make the loan.
- B) Closing shall take place after: (1) the issuance of a certificate of occupancy, and (2) stabilized occupancy of at least 90 percent for a 90-day period with qualified residents.
- C) Closing is to occur no later than January 1, 1998.
- D) Title to the Paul Braxton School property must be transferred to Siler City Apartments, LLC in fee simple prior to closing.
- E) The County's loan shall be evidenced by a promissory note and secured by a deed of trust on the property in form satisfactory to the county attorney. The deed of trust and note shall contain a "due on sale" clause. The deed of trust must be a valid and enforceable lien on the land and improvements subject only to a prior deed of trust lien not to exceed \$415,000.00 to secure financing as described in the proposal. The deed of trust may also secure the loan from Siler City as contemplated in subparagraph F).
- F) The Town of Siler City must issue to you a commitment on or before March 31, 1996 for and a loan of at least \$112,500 under terms similar to those contained in this commitment and also upon your obtaining other financing adequate for the project.
- G) That the project be financed, built, used, and operated as described in the proposal submitted to the county on your behalf.
- H) This commitment is not assignable without written consent of the County.

Commissioner Pollard seconded the motion with a stipulation that the property be placed on the tax rolls and receive no exemption from property taxes other than exemption now available for historical properties. The motion carried four (4) to one (1) with Commissioner Dunlap dissenting.

Community Development Block Grant: Consideration to set public hearings to receive public comment on a Community Development Block Grant

Commissioner Grimes moved, seconded by Commissioner Pollard, to advertise for and hold public hearings on the Community Development Block Grant (CDBG) on April 9, 1996 at 10:15 A.M. and the second public hearing be scheduled for April 22, 1996 at 7:00 P.M. The motion carried five (5) to zero (0).

Chatham County Deer Population Control: Consideration to set a public hearing to receive public comment on control of the deer population in Chatham County

Commissioner Pollard moved, seconded by Commissioner Wilson, to hold a public hearing to receive public comment on the control of the Chatham County deer population on April 22, 1996 at 7:00 P.M. and to invite a representative from the Wildlife Commission to the meeting. The motion carried five (5) to zero (0).

INTERIM MANAGER' S REPORTS

Renee Dickson informed the Commissioners that Geiger and Associates, Inc., the media marketing firm for travel and tourism with whom the County contracted, will hold their first press tour on April 12-15, 1996. She stated that Dave Simmons, owner of the Laurel Ridge Bed and Breakfast, will be hosting a reception on Friday, April 12, 1996 at a time to be announced, approximately 6:00 P.M.

CLOSED SESSION

Commissioner Grimes moved, seconded by Commissioner Wilson, to go into Closed Session for the purpose of discussing Personnel. The motion carried five (5) to zero (0).

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

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ASSISTANT COUNTY MANAGER

Commissioner Grimes moved, seconded by Commissioner Wilson, to appoint Renee Dickson as the Assistant Chatham County Manager at the salary she is currently receiving. The motion carried five (5) to zero (0).

COMMISSIONER'S REPORTS

Commissioner Wilson asked about the letter she received with regard to the a hydro electric power project to be located below the B. Everette Jordan Dam. She asked if there would be a future public hearing on this matter.

Robert Gunn stated that the route chosen is the most direct route to affect as many property owners as possible and that highway rights-of-way are being used most of the route to avoid impacting land owners.

ADJOURNMENT

- Commissioner Grimes moved, seconded by Commissioner Wilson, 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 adjourned at 11:37 P.M.

Uva R. Holland, Chairman

ATTEST:

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