

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, NOVEMBER 17, 1997

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 P.M. on November 17, 1997.

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

The meeting was called to order by the Chairman at 7:00 P.M.

AGENDA

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

Charlie Horne, County Manager, asked that the Mission Statement for the Welfare Reform Task Group be added to the Consent Agenda as Item #3A; that an appointment to the Water Board be added to the Agenda as Item #15A by Commissioners Wilson and Pollard; that a Closed Session for the sale of property be added to the end of the Agenda; and that Item #9 Smart Start be deferred until the December 1st meeting.

Commissioner Wilson moved, seconded by Commissioner Holland, 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 Grimes moved, seconded by Commissioner Wilson, to approve the items listed on the Consent Agenda as read by the Clerk.

1. **Minutes:** Consideration of approval of Board Minutes for regular meeting held November 3, 1997, reconvened meeting held November 3, 1997; and reconvened meeting held November 6, 1997

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

2. **Sketch Design Approval for Norwood Crossing:** Consideration of a request by MAC Development, LLC for subdivision sketch approval for Norwood Crossing consisting of 30 lots on 48 acres on SR #1536 (Lamont Norwood Road) in Baldwin Township

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

3. **Board of Goldston-Gulf Sanitary District Request:** Consideration of a request by the

Board of the Goldston-Gulf Sanitary District, Goldston, North Carolina, to increase the sanitary district board from three to five members and to provide for staggered terms by providing for some of the members to be elected at the next election for four-year terms, **Resolution #97-43 Increasing the Number and Providing for Terms of Office and For Staggering Terms of Office of the Commissioners of the Goldston-Gulf Sanitary District Board**, attached hereto and by reference made a part hereof.

- 3A. **Mission Welfare Reform Statement:** Consideration of approval of the Mission Welfare Reform Statement, attached hereto and by reference made a part hereof.

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

There was no one present who wished to make public comment.

PLANNING AND ZONING

Public Hearings

Request for Revision to Existing Conditional Use Permit by Bill Akridge: Public hearing to receive public comments on a request by Bill Akridge for a revision to his existing Conditional Use Permit for a mini-warehouse storage facility to allow two (2) additional mini-warehouse storage buildings on 2.48 acres on SR #1724 (Old Lystra Road) in Williams Township

The Chair administered the oath/affirmation to those in attendance who wished to make public comments.

Karen Campbell, 127 Meadow Run Drive, Chapel Hill, spoke on behalf of the Arbor Lea Homeowners Association. She stated that there are three primary areas of concern to Arbor Lea regarding the requested expansion as follows: 1) screening/buffering; 2) lighting; and 3) the potential effect, if any, on the water table and/or nearby creeks. She asked that evergreen plantings of sufficient height and spacing be in place upon completion of construction to maintain year-round screening/buffering from Old Lystra Road; that any additional lighting be shielded/filtered and directed within the facility and not toward Arbor Lea; and that because construction of the second building requires the existing pond on the property to be filled in and that the water source for this pond is unknown, that the Planning Department determine whether its removal will affect the water table or nearby creeks.

Bill Akridge, 182 Old Lystra Road, Chapel Hill, NC, stated that he and his wife own the three mini-warehouse storage buildings which are barely visible from Old Lystra Road; that the additional buildings will be built behind the existing buildings within a chain-link fenced lot; that the new building would have fifteen units located inside of the existing 140' x 240' lot; that a visual count of traffic averages five to seven vehicles daily; that with the additional buildings, he anticipates a maximum of twelve vehicles daily; that the majority of traffic accesses the storage lot from Hwy. #15-501 and should not create any traffic flow problems on Old Lystra Road or Hwy. 315-501. He stated that he would appreciate the opportunity to increase their business and keep up with the growth and demand for storage units in northern Chatham County.

Request for a Light Industrial Conditional Use District by Herbert Parker: Public hearing to receive public comments on a request by Herbert and Elizabeth Parker for a Light Industrial Conditional Use District with a Conditional Use Permit for contractor's storage yard, office and staging area for construction contractors including storage and service buildings and related facilities on 12.55 acres off SR #1008 (Farrington Road) in Williams Township

Ed Wheeler, 2509 Farrington Point Road, Chapel Hill, NC, asked that the Commissioners deny Mr. Parker's request. He stated that it will take away from the agricultural-residential area; that he feels the land is not suitable for building; and that at the present time and for a number of years, the Governors Club has been using the site as a construction-trash dump.

Shirley Wheeler, 2509 Farrington Point Road, Chapel Hill, NC, asked that the Commissioners carefully consider the request before it is granted as she feels the request is detrimental to the community because it is an agricultural-residential area.

Gwen Gattis, Route 6, Box 1721C, Chapel Hill, NC, stated that she disapproves of the proposal; that she lives behind the site and feels that it is already a dumping area; that it may increase noise in the neighborhood; and that she understands that plans are to put fuel there and she does not agree with this.

Wade Barber, Box 607, Pittsboro, NC, representing Mr. and Mrs. Parker, addressed the specifics required in the ordinance: site plan and drawing, description of use, start and completion projections, adjoining property owners and reference to existing County plans. He reviewed specific application requirements and asked that Commissioners consider that there are hundreds of people engaged in construction jobs within two miles of this site; that at least one of those contractors has told the applicant it needs this site for its office, storage of parts, and maintenance of equipment; that the Land Use Plan anticipated that zoning for this type of use would be needed; that this site is well located; and that this is a good way to reclaim land that has been used as a borrow pit.

Dave LeGrys, Planning Board Chair asked questions regarding the proposed site.

Chatham County Zoning Ordinance Amendment: Public hearing to receive public comments on a proposed amendment to the Chatham County Zoning Ordinance text to allow a reduction in building setbacks to the minimum established in the state building code for industrial districts

There was no one present who wished to make public comment.

Off-Premise Signs Ordinance: Public hearing to receive public comments on the proposed recommendations for an ordinance regulating off-premise signs in Chatham County outside the towns' jurisdictions

There was no one present who wished to make public comment.

SHERIFF'S DEPARTMENT

Law Enforcement Block Grant: Public hearing to receive public comments on a request for a Local Law Enforcement Block Grant

There was no one present who wished to make public comment.

SMART START PRESENTATION

~~Smart Start Report: Presentation on report of results of Smart Start efforts to improve child care quality in Chatham county and annual report of the Chatham County Partnership for Children~~

This item was removed from the Agenda and rescheduled for the December 1, 1997 meeting.

PLANNING AND ZONING

Zoning Amendment

Heavy Industrial Conditional Use District for Rock Crusher: Consideration of a request by Ledford Engineering, Inc. for a Heavy Industrial Conditional Use District with a Conditional Use Permit for a rock crusher and associated uses on 38.9 acres off SR #1916 (Corinth Road) in Cape Fear Township

Commissioner Wilson asked that the area of fines be reestablished in vegetation in condition #9. She commended the Planning Board for their work efforts in this endeavor and stated that they had studied the issue very carefully and listened well to the neighbors in the community.

After considerable discussion, Commissioner Dunlap moved to table the motion until the next Board meeting and asked that the Planning Board bring to the Board of Commissioners water source considerations and any other pertinent information pertaining to this matter.

Jim Smith, Director of Environment Affairs for Certain Teed Corporation, stated that water is a big concern for his corporation; that they want to make certain that there is an adequate supply for their needs; that they are looking at the creek as a supply; that their engineering

studies have shown that there is an adequate supply for their needs; that they will be going to the Corps of Engineers to do so; that there will be a governing body to grant approval to use the creek as a water supply; that if, and only if, they are not able to obtain water from a source like the creek, will they look at County water as a backup supply; that they are very concerned about conserving water; that with the system which they expect to use, the water will be recycled; that they will be capturing stormwater which will also be recycled; and that they will be looking at only a small amount of County water due to their recycling efforts.

Wade Barber stated that the use of County water came up at a Planning Board meeting at which Certain Teed made an effort to address all of the issues; that Certain Teed needs to be given an idea of what they need to do regarding treated water, what information they require, and if there are any other issues which they need to address.

Mark Ledford, representing the applicant, stated that the drainage basin for Gulf Creek at the point of intake is a little over seven square miles; that a commonly used estimate of base flow in a creek or stream in this part of North Carolina is one cubic foot per second which translates to approximately 4.5 million gallons per day; that the intention of the proposed plant and the reclamation of the abandoned clay pit is to minimize intakes from Gulf Creek by over-sizing their recycle pond as well as collecting stormwater from the reclamation area; that they are assuming that no more than about ten percent would be drawn from Gulf Creek for make-up water; that drilled wells do not produce significant yields as per area well drillers; that

most likely a well will be drilled for domestic use and some process water; that they are aware that water is available on Corinth Road and may have to utilize it based on economics; that they would like for the Board to reverse the prior motion so that they could proceed with their studies and application process to the Corps of Engineers for the intake structure.

After further discussion, Commissioner Dunlap moved to reconsider his original motion. Commissioner Grimes seconded the motion. The motion carried five (5) to zero (0).

Commissioner Dunlap moved, seconded by Commissioner Grimes, to table the motion until the next Board meeting. The motion failed two (2) to three (3) with Commissioners Wilson, Holland, and Pollard opposing.

Commissioner Holland moved to accept the recommendation of the Planning Board. The motion died for lack of a second.

Commissioner Dunlap moved to use potable, existing, County water be used by Certain Teed unless an alternative water source could be found. The motion died for lack of a second.

Commissioner Holland moved, seconded by Commissioner Pollard, to find the five findings and the request be approved with the following conditions as recommended by the Planning Board and the Planning Department and to include that the area be reestablished in vegetation in condition #9:

1. Lights shall be shielded from upward glance and shall not be situated such as to cause direct glare onto adjacent properties.
2. The access road shall be improved to public road standards with a minimum width of 24 feet from State Road #1916 to within 100 feet of Gulf Creek.
3. If the access road becomes a public state maintained road, legal road access shall be provided to the properties of William H. Harrington and Steven P. and Angela Miller.
4. A wall for noise reduction shall be provided along the northern boundary of the Shank property unless the property is transferred. The noise wall shall be a minimum of eight feet high and shall be designed to provide a 5 dB(A) reduction at the house. The wall shall extend a minimum of 4 times the distance of the house from the access road (where possible); in each direction from the house along the northern property line. The wall shall be completed prior to building inspection approval of a certificate of occupancy for the industrial facility.
5. Fire protection shall be provided by installation of a fire hydrant at the intersection of State Road #1916 and the access road and/or other means is deemed adequate by the Moncure Volunteer Fire Department and the County Fire Marshall.
6. A vegetative buffer a minimum of 100 feet in width (except for road crossings) shall be maintained along the creek south of the plant area and Gulf Creek, except where land has been previously disturbed and reclamation would provide a more elective buffer.
7. A stormwater management plan shall be designed and installed to retain the first one inch of runoff from the impervious area of the proposed plant area.

8. Necessary permits for the volumes needed shall be received for water and waste water within 14 months of zoning approval or the conditional use permit shall expire.
9. Fines may be deposited in an area within 50 feet of an adjacent property line to a height not to exceed the elevation of the adjacent property at said property line. Fines may be deposited between 51 and 100 feet from the adjacent property line but shall not exceed by 20 feet the elevation of the adjacent property at said property line.

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

Other Planning and Zoning Matters

Telecommunication Towers Ordinance: Consideration of a request to extend the moratorium on telecommunication towers

Commissioner Wilson moved, seconded by Commissioner Holland that the moratorium on telecommunication towers be extended to a date the county attorney recommends is adequate to complete legal review of said ordinance on January 20, 1998. The motion carried five (5) to zero (0).

TAX ADMINISTRATION

- **Discovery Penalty Relief:** Consideration of a request to relieve a discovery penalty on a listing for Jimmy Brooks for Brooks Properties LLC

Jimmy Brooks, stated that he had paid his taxes every year and had not been late. He further stated that he did not know why his farm equipment was his only property which failed to be listed.

After considerable discussion, Commissioner Dunlap moved, seconded by Commissioner Grimes, to waive the discovery penalty imposed on Jimmy Brooks for Brooks Properties LLC in the amount of \$47.12. The motion failed two (2) to three (3) with Commissioners Wilson, Holland, and Holland opposing.

FINANCE DEPARTMENT

- **AS/400 Computer Upgrade:** Consideration of a request to purchase AS/400 computer Upgrade

Commissioner Wilson moved, seconded by Commissioner Grimes, to award the bid to Yorel Integrated Solutions, Inc. at a cost of \$43,090.00. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Citizen's Advisory Committee for 1997 Community Development Block Grant (CDBG) Scattered Site housing Program Appointments: Consideration of appointments to the Citizens' Advisory Committee for 1997 Community Development Block Grant (CDBG) Scattered Site Housing Program

Commissioner Grimes moved, seconded by Commissioner Dunlap to appoint the following citizens to the Citizens' Advisory Committee:

Ovelma Williams 5711 Moncure-Pittsboro Road, Moncure, NC
Housing Rehabilitation Applicant

Wanda Toomer 3448-A Old US #1, Moncure, NC
Housing Rehabilitation Applicant

Christine Brooks 1401 North Ross Avenue, Siler City, NC
Housing Advocate and JOCCA Employee in Siler City, NC

Peter Kittany Manco Dairy Road, Pittsboro, NC
NC Rural Communities Assistance Program

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

Commissioner Grimes moved, seconded by Commissioner Wilson, to appoint Commissioner Margaret Pollard to the Citizens' Advisory Committee. The motion carried five (5) to zero (0).

Recreation Advisory Board Appointments: Consideration of three appointments, one each by Commissioners Grimes, Holland, and Dunlap, for the Recreation Advisory Board

Commissioner Grimes appointed Phil Senter, 511 West Eighth Street, Siler City, NC to the Recreation Advisory Board. The motion carried five (5) to zero (0).

Commissioner Dunlap appointed Susan Douglas, 1904 Lydia Road, Bear Creek, NC to the Recreation Advisory Board. The motion carried five (5) to zero (0).

Water Board Appointments: Consideration of appointments to the Water Board

Commissioner Wilson appointed Winifred C. Smith, 5009 Corinth Road, Moncure, NC to the Chatham County Water Board. The motion carried five (5) to zero (0).

Commissioner Pollard appointed Russell Underwood to the Chatham County Water Board. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Architect for New Judicial Center: Consideration of selection of an architect for the new judicial center

Commissioner Wilson moved, seconded by Commissioner Dunlap, to approve the contract for the Chatham County Judicial Center and authorize the Chairman to sign the contract. The motion carried five (5) to zero (0). The contract is attached hereto and by reference made a part hereof.

~~**Sale of Home Health Completion:** Consideration of authorizing of agreement regarding sale of Home Health to UNC system~~

This item was deferred until Closed Session.

Reclassifications: Consideration of reclassifications of Accountant, Tax Assistant, Land Use Administrator, Deputy Specialist, Emergency Management Technician, and Collection Center Specialist

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the recommended reclassifications at the recommended salary grades, with an effective date as follows:

Current Position Classification	Proposed Position Classification	Effective Date	Current Grade/Step	Proposed Grade/Step	Current Salary	Proposed Salary	Increase
Accountant	Accountant	7/7/97	18,4	19,3	33,160	33,989	942
Tax Assistant	Assistant Supervisor for Listings	7/7/97	7,10	11,3	22,444	23,005	638
Land Use Administrator	Land Use Administrator II	11/24/97	16,4	17,3	30,076	30,829	571
Deputy Specialist	Investigations Lieutenant	11/24/97	15,4	17,1	28,644	29,361	543
Emergency Management Technician	Emergency Management Technician	7/7/97	11,4	14,1	23,566	25,364	2,043
Collection Center Specialist	Collection Center Specialist	6/24/96	9,5	10,3	21,909	21,909	0

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

Human Resources Coverage and Intern Position: Consideration of coverage during Human Resources Manager's leave and hiring of an Intern

Commissioner Wilson moved, seconded by Commissioner Grimes, to approve: 1) the temporary salary increase for the Administrative Support Specialist; 2) funds to hire a temporary receptionist; 3) funds to hire an intern; with \$3,000 to be taken from the reclassifications line item, approximately \$1,000 taken from lapsed salaries for the Human Resources Manager, and the remaining \$1,756 to be funded from contingency. The motion carried five (5) to zero (0).

Commissioner Wilson stated that with all of the reclassifications taking place, she feels that the person holding the Administrative Support Specialist in the Manager's Office should be reclassified; that when she finishes working in the Human Resource Office, that she would like to see her reclassified at that time rather than being put back into the Administrative Support Specialist-Receptionist position; that her talents are not being utilized in her current position.

Commissioner Wilson moved, seconded by Commissioner Holland, to ask staff to look at the reclassification the position of the current Administrative Support Specialist to take affect at the end of her interim duties for the Human Resource position. The motion carried five (5) to zero (0).

CIP Evaluation Criteria: Consideration of CIP evaluation criteria

Reneé Dickson, Assistant County Manager, asked the Commissioners to approve the criteria by which the Capital Improvements Plan (CIP) requests are evaluated. She stated that the CIP evaluation team met and is proposing the changes to the way the CIP requests are evaluated; that the Commissioners' priorities be reduced from 25 to 15 points; that the reason for this reduction is to place more emphasis on long-term, rather than short-term priorities; that the Commissioner priorities still tie for the category given the highest number of points; that consistency with the Strategic Plan and other long-range plans has been added; that departmental priority has been eliminated and replaced with functional area priority.

Commissioner Grimes moved, seconded by Commissioner Dunlap to table this item until the staff can supply more information supporting their recommendation, showing how they will evaluate consistency of the Strategic Plan and other long-range plans. The motion carried five (5) to zero (0).

MANAGER'S REPORTS

The County Manager informed the Commissioners of the following:

Work Session: The Manager asked if the Board would like to have a work session on water issues after the next regularly scheduled meeting on December 1, 1997.

It was decided, by consensus, that there would be no work session due to the Commissioners' retreat to be held later in the week.

Arts as Small Business: Part of the interest in developing the economic base of the County, has been to figure arts as small business; that it has been discussed how to exhibit and increase the attractiveness of the courthouse in using local art; and that the Arts Council wants to look at a grant to pursue the possibility of displaying different types of items baiting Chatham County as something that can be put on display in public settings.

Field Trip to Scotland County: On Friday, November 21, 1997, the Solid Waste Advisory Committee and staff are traveling to Scotland County, NC to review their "Pay-As-You-Throw" program. The Commissioners are invited to attend and are asked to contact Bob Holden, Solid Waste Manager in the Public Works Department if interested.

DOT Trip: A quick trip reviewing certain roads and the bridges was taken at 9:30 AM. The tour included Representative Verla Insko, Senator Ellie Kinnaird, and DOT Representative, Mr. Kenley. A follow-up is being prepared with a list of "to be paved" roads within the County.

Animal Control Officer of the Year: Michael Yarborough has been chosen as the North Carolina Animal Control Officer of the Year

Commissioner Wilson moved, seconded by Commissioner Grimes, to have staff prepare a resolution honoring Michael Yarborough as Animal Control Officer of the Year. The motion carried five (5) to zero (0).

COMMISSIONERS' REPORTS:

Commissioner Holland expressed pride in learning that Jimmy Collins has been inducted into the North Carolina On-Site Wastewater Systems Hall of Fame.

Commissioner Wilson asked that Jimmy Collins be recognized at the December 1, 1997 meeting for this honor.

CLOSED SESSION

Commissioner Grimes moved, seconded by Commissioner Wilson, to go out of Regular Session and into Closed Session for the purpose of discussing "Sale of Property". The motion carried five (5) to zero (0).

REGULAR SESSION

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

HOME HEALTH SALE

Commissioner Dunlap moved, seconded by Commissioner Holland, to authorize the Chairman to sign the contract with UNC Hospitals for the sale of Home Health on December 15, 1997, when the necessary schedules have been added and when it is in form satisfactory to the County Attorney and Staff. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

CIP Evaluation Criteria: Consideration of CIP evaluation criteria

Reneé Dickson presented the method by which consistency with the Strategic Plan and other long range plans will be evaluated.

Commissioner Grimes, seconded by Commissioner Wilson, to approve the CIP evaluation criteria as proposed as follows with the following modification that the criteria consistency with the Strategic Plan be combined with community impact and support and that this combined criteria receive a maximum of 10 points:

Criteria	Max. No. Points	Relative Weight
Commissioner Goals	15	9.26%
Department Goals	5	3.09%
Consistency with Strategic Plan/Other Long-Range Plan	10	6.17%
Safety	14	8.64%
Mandate	13	8.02%
Timing/Linkages	12	7.41%
Economic Impact	11	6.79%
Efficiencies	10	6.17%
Maintain Current Service Levels	9	5.56%
Improve Service/Information Access	8	4.94%
Service Improvement	7	4.32%
Service Additions	3	1.85%
Operating Budget Impact	15	9.26%
Community Support/Impact	10	6.17%
Financing	15	9.26%
Timeliness of Submission	5	3.09%
Total Maximum Points	162	100%

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

ADJOURNMENT

Commissioner Wilson moved, seconded by Commissioner Grimes, 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 10:03 PM.

Margaret Bryant Pollard, Chair

ATTEST:

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