

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, JULY 12, 1999

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the District Courtroom, located in Pittsboro, North Carolina, at 7:00 P.M. on July 12, 1999.

Present: Chair Rick Givens; Vice Chair Uva Holland, Commissioners Margaret Pollard, Carl Outz, and Gary Phillips; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager, Reneé Dickson; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Lee

The meeting was called to order by the Chairman at 7:12 PM.

AGENDA

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

Commissioner Holland moved, seconded by Commissioner Pollard, to approve the Agenda. The motion carried five (5) to zero (0).

CONSENT AGENDA

Commissioner Phillips moved, seconded by Commissioner Outz, to approve the Consent Agenda. The motion carried five (5) to zero (0).

1. **Minutes:** Consideration of approval of Board Minutes for Budget Work Sessions held June 9, 1999, June 10, 1999, June 21, 1999, and June 22, 1999 and Regular Meeting held June 21, 1999

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

2. **Tax Releases:** Consideration of a request for approval of tax releases, attached hereto and by reference made a part hereof.

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

3. **Refunds on Regular Tax Bills:** Consideration of a request for approval of refunds on regular tax bills paid in error, attached hereto and by reference made a part hereof.

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

4. **Funds Acceptance for Health Department:** Consideration of a request to accept additional funds in the amount of \$10,000 appropriated by the Division of Community

Health, NC Department of Health and Human Services to the Chatham County Health Department

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Edward Straughn, 281 Lutterloh Road, Pittsboro, NC, expressed a desire to have Lutterloh Road, (State Road #1548) improved and paved. He stated that the road is approximately two miles in length and connects NC #87 to Marshall Road (State Road #546); that the road has eighteen houses on it and is heavily used; that it is traveled each day by school buses, large tractor trailers, and others; that there are two large subdivisions and other building lots to be developed; that there is one single-lane bridge followed by a series of three curves; that there have been several accidents on the road; and that he would like to see the road paved, the bridge improved, and the road straightened. A petition signed by those in support of this action is attached hereto and by reference made a part hereof.

PLANNING AND ZONING

Public Hearing:

Revision to Existing Conditional Use Heavy Industrial District: Public hearing to receive public comments on a request by Frank Bolton for a revision to his existing Conditional Use Heavy Industrial District with a Conditional Use Permit to allow the construction of a 900 square foot office building on 15 acres on the north side of SR #1011 [Old #1] in Cape Fear Township

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

SECONDARY ROADS PRESENTATION

1999-2000 Secondary Roads Program: Presentation of the 1999-2000 Secondary Roads Program for Chatham County by Jeff Picklesimer, District Engineer, and adoption of **Resolution for the Chatham County Secondary Road Improvement Program**

Jeff Picklesimer, District Engineer for the NC Department of Transportation, Division of Highways, presented the Secondary Road Improvement-Highway Funds Program for Chatham County. He reviewed the 1999-2000 proposed allocations for unallocated highway funds, unallocated trust funds, and unallocated bond funds, a copy attached hereto and by reference made a part hereof.

Commissioner Pollard moved, seconded by Commissioner Outz, to adopt **Resolution #99-19 for the Chatham County Secondary Road Improvement Program**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

PLANNING AND ZONING

Communication Tower Site Requests:

A. Request by SBA, Inc. for Albert and Dorothy Vestal for a communication tower on 11.648 acres, off SR #1312 [Grady Siler Road], in Albright Township (Site #3)

Commissioner Phillips moved, seconded by Commissioner Outz, to approve the request by SBA, Inc. for Albert and Dorothy Vestal for a communication tower on 11.648 acres, off SR #1312 [Grady Siler Road], in Albright Township (Site #3). The motion carried five (5) to zero (0).'

B. Request by SBA, Inc. for Jerry A. Buie for a communication tower on 42.577 acres, off SR #1106 [Stockyard Road], in Matthews Township (Site #4)

Commissioner Phillips moved, seconded by Commissioner Outz, to approve the request by SBA, Inc. for Jerry A. Buie for a communication tower on 42.577 acres, off SR #1106 [Stockyard Road], in Matthews Township (Site #4). The motion carried five (5) to zero (0).

C. Request by SBA, Inc. for Claude J. Heard for a communication tower on 43 acres, off US #64, in Hickory Mt. Township (Site #9)

Dave LeGrys, Planning Board Chairman, presented an overview of the findings for a communication tower on the Heard property located off US Highway #64 in the Hickory Mt. Township as it relates to the McDaniel proposed replacement.

Catherine Wilkerson, Sprint PCS representative, stated that the tower plots are generated on a theoretical basis; that Sprint did "drive" testing on both the McDaniel and Heard sites; where they ran a test transmitter and drove to monitor the actual signal in the area; that the drive tests clearly indicated that the McDaniel tower would not work for them whereas the SPA tower would; that Sprint did not care where they put their antennas; that it is not a preference over provider; that it is strictly an engineering issue; that this will provide locations for others, as it is a prime area on Highway #64.

Gray Styers, BellSouth representative, stated that they know what will and will not work; that like Sprint, they do not care on whose property the tower is placed; that the SPA tower will work for them; that the decision must be based on the evidence received at the public hearing; and that there is no evidence in this case that the tower should not be put up.

Commissioner Pollard moved, seconded by Commissioner Outz, to approve the request by SBA, Inc. for Claude J. Heard for a communication tower on 43 acres, off US #64, in Hickory Mt. Township (Site #9). The motion carried four (4) to one (1) with Commissioner Phillips dissenting.

TAX ADMINISTRATION

Reappointment of Tax Collector and Appointment of Deputy Tax Collector:
Consideration of a request for reappointment of the Tax Collector and appointment of Deputy Tax Collector

Commissioner Holland moved, seconded by Commissioner Outz, to reappoint Frances L. Wilson as Tax Collector and to appoint Kimberly Horton as Deputy Tax Collector. The motion carried five (5) to zero (0).

HEALTH DEPARTMENT

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Maternity Care Coordination Grant: Consideration of a request to accept a reduced amount

of Maternity Care Coordination grant funds from the NC Department of Health & Human Services for the Health Department and utilization of Medicaid Escrow funds to make up the difference from the budgeted amount

Commissioner Pollard moved, seconded by Commissioner Phillips, to accept \$13,728 in State Maternity Case Coordination funds and utilization of \$3,222 in Medicaid Escrow funds to off set the difference in the budgeted amount of \$16,950. The motion carried five (5) to zero (0).

PUBLIC WORKS

- **HTE Customer Information System Software:** Consideration of a request to approve the purchase of HTE Customer Information System Software

Commissioner Phillips moved, seconded by Commissioner Pollard, to approve the purchase of HTE Customer Information System Software. The motion carried five (5) to zero (0).

SHERIFF'S OFFICE

- **Sheriff's Office Y2K Systems Update:** Consideration of a request to allow a waiver of competitive bidding for the purchase and installation of computer hardware from Sprint Telephone under the City of Fayetteville existing contract

Commissioner Outz moved, seconded by Commissioner Holland, to allow a waiver of competitive bidding under General Statute 143-129(g) for the purchase and installation of computer hardware from Sprint Telephone under the existing contract with the City of Fayetteville.

BOARDS AND COMMITTEES

- **Planning Board Reappointment:** Consideration of a request to reappoint a member to the Planning Board

Commissioner Phillips moved, seconded by Commissioner Holland, to reappoint David LeGrys, 111 Pokeberry Lane, Pittsboro, NC, to the Chatham County Planning Board. The motion carried five (5) to zero (0).

Economic Development Corporation Reappointment: Consideration of a request to reappoint a member to the Economic Development Corporation

Commissioner Pollard moved, seconded by Commissioner Outz, to reappoint Joe Trageser, PO Box 133, Pittsboro, NC, to the Economic Development Corporation. The motion carried five (5) to zero (0).

Library Advisory Board Appointments: Consideration of a request to appoint two new members to the Library Advisory Board and an appointment to fill the unexpired term of another member

Commissioner Pollard moved, seconded by Commissioner Phillips, to appoint David Kalbacker, PO Box 310, Siler City, NC, to the Chatham County Library Board. The motion carried five (5) to zero (0).

Commissioner Holland moved, seconded by Commissioner Pollard to appoint Jane Hinnant, 19 Crosswinds Estates Drive, Pittsboro, NC, to the Chatham County Library Board. The motion carried five (5) to zero (0).

Commissioner Phillips moved, seconded by Commissioner Pollard, to appoint Edith Calhoun to fill the unexpired term of Bonnie Vargo and the Chatham County Library Board.

ETJ Member Appointment on the Siler City Town's Planning Board/Board of Adjustment: Consideration of a request to appoint a member to serve as an active ETJ member on the Town's Planning Board/Board of Adjustment

Commissioner Phillips moved, seconded by Commissioner Pollard, to appoint John Brown, 417 Pine Lake Drive, Siler City, NC, to serve as an active ETJ member of the Town of Siler City Planning Board/Board of Adjustment. The motion carried five (5) to zero (0).

Orange-Chatham Justice Partnership Commissioner Appointment: Consideration of a request to appoint a Commissioner to the Orange-Chatham Justice Partnership

Commissioner Outz moved, seconded by Commissioner Pollard, to reappoint Commissioner Holland to the Orange-Chatham Justice Partnership. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Voting Delegate to the Annual Conference: Consideration of a request to appoint a voting delegate to the North Carolina Association of County Commissioners

Commissioner Outz moved, seconded by Commissioner Holland, to appoint Commissioner Pollard as a voting delegate to the North Carolina Association of County Commissioners. The motion carried five (5) to zero (0).

Chatham County Fair Association Request: Consideration of a request by the Chatham County Fair Association for an additional appropriation in the amount of \$2,500 to be used for the flea market

This item was tabled until a later date.

MANAGER'S REPORTS

The County Manager informed the Commissioners of the following:

- 1.) **Recognition of Building and Grounds Training:** Members of the Buildings and Grounds Department have attended school as an effort to increase their competency and expand their levels of maintenance skills.
- 2.) **Resolution Establishing Chatham County Sewer District I:**

Sharon LaPalme, NC Rural Communities Assistance Project Associate Director, requested that the Board address the Unsewered Communities Grant application by approving the Resolution Establishing Chatham County Sewer District I.

Commissioner Phillips moved, seconded by Commissioner Outz, to approve **Resolution #99-20 Establishing Chatham County Sewer District I**. The motion carried five (5) to zero (0).

It was noted that there will be a public hearing held on July 26, 1999 at 10:00 AM in the District Courtroom on the Stockyard Road Unsewered Communities Grant.

- 3) **United Way Involvement with 4-H:** The appropriation from United Way for 4-H was increased to \$17,000.
- 4) **Special Presentation:** A certificate of appreciation was presented by Barbara Garcia to Renee Dickson on behalf of the men and women of the National Guard and Reserve Forces for employer support of the Guard and Reserve.

COMMISSIONERS' REPORTS

Commissioner Appreciation:

Chairman Givens expressed appreciation for the work efforts of the entire Board and their ability to work together.

School Funds:

Commissioner Phillips stated that he had received notification that the County had received reimbursement of \$100,000 from the First Site Committee's work; that he would like for the Board to honor their commitment to the Chatham County Schools by dedicating the money received to the school system and by requesting that it be used as a part of the expansion budget request.

Transportation Improvement Board Meetings

Commissioner Pollard stated that she sits on the Transportation Improvement Board for Durham, Carrboro, Chapel Hill, Orange and Chatham Counties; that the planning district includes only a small part of Chatham County; that it is a one-half day commitment one day per month; and that rarely is there a mention of Chatham County; and that the main business of the meeting is with regard to where the transportation monies are going. She requested permission from the Board to attend the meeting once every few months instead of every month.

By general consensus, it was agreed by the Board to support Commissioner Pollard's decision to attend the Transportation Improvement Board meetings every few months, instead of every month as done previously.

America Recyclables Day:

Commissioner Pollard stated that as the chair of the Solid and Hazardous Waste Subcommittee of the Environment, Energy, and Land Use Steering Committee of NACo; that she supports a forthcoming resolution which urges counties to proclaim November 15, 1999 as America Recyclables Day. She stated that by reviewing the recycling efforts in progress in Chatham County, she believes that Chatham County is a leader in this process. She asked for support of this endeavor.

Commissioner Pollard moved, seconded by Commissioner Phillips, that the Chatham County Board of Commissioners proclaim November 15, 1999 as America Recyclables Day. The motion

carried five (5) to zero (0).

Small Business Visitation:

- Commissioner Holland asked about visiting small businesses in the Asheville area during the NACo convention.

Chatham County Flag Dedication:

- Commissioner Holland asked about holding the Chatham County Flag dedication during the month of October with State officials attending.

The County Manager stated that the dedication is being planned to coincide with the October Festival sponsored by the Town of Pittsboro.

JOCCA and Smart Start Funds:

- Commissioner Outz expressed concern with regard to the accountability of the tax forms from JOCCA. He stated that the Board needs to find out what happened to the County funds, those misspent and/or misused, and whomever is responsible for same. He recommended that another auditor be hired to review the books of both JOCCA and Smart Start for the next two years.

The County Manager explained that the Board could suggest an audit, but that JOCCA is a nonprofit organization and Smart Start is a State funded organization. He continued by stating that this would be "cross pollinating" County and other entities; that the County has no authority to ask for another audit on how they spend their money; that if a discussion is desired on their accountability, a meeting can be requested with the JOCCA and Smart Start Board of Directors to learn the status of their programs.

By consensus, the Board agreed that a representative of each board be asked to attend the August 2, 1999 Board work session to discuss the issues which have been in the press.

Subscription Service:

Commissioner Outz asked about the voluntary yearly fee of \$50 paid in Wake County to First Health which entitles those people and their families to be transported by First Health, if necessary, at no additional charge.

The County Manager explained that this is a membership revenue-generating process to help volunteers finance first responders.

Year-Round Schools:

Commissioner Outz asked about the possibility of year-round schools in Chatham County.

The County Manager asked that each Commissioner send him a list of questions and/or concerns to be compiled and returned to the Board for review.

ADJOURNMENT

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Commissioner Phillips moved, seconded by Commissioner Outz, 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 to 9:03 PM.

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Uva Holland, Vice Chairman

ATTEST:

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

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