

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, APRIL 20, 1998

The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in regular session in the District Courtroom, Pittsboro, North Carolina, at 7:00 P.M. on April 20, 1998.

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

Commissioner Dunlap entered the meeting at 7:18 PM.

The meeting was called to order by the Chairman at 7:05 P.M.

AGENDA

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

Commissioner Wilson moved, seconded by Commissioner Holland, to approve the Agenda. The motion carried four (4) 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 April 06, 1998

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

2. **Grant Acceptance for Healthy Chatham Initiative:** Consideration of a request to accept a grant in the amount of \$58,794 from Duke Endowment for continued development and sustainability of Healthy Chatham Initiative, **Budget Amendment #64**, attached hereto and by reference made a part hereof.

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

3. **Grant Acceptance for Skin Cancer Prevention and Early Detection Activities:** Consideration of a request to accept a grant in the amount of \$1,000 from the North Carolina Department of Health and Human Services for skin cancer prevention and early detection activities, Budget Amendment #65

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

4. **Grant Acceptance for Health Department's Family Planning Program:** Consideration of a request to accept a grant in the amount of \$7,155 from the State for the Health Department's Family Planning Program, Budget Amendment #66

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

5. **Sketch Design Approval for Subdivision for Hero Stone Bunker:** Consideration of a request for approval by Doug Ellis for sketch design approval of subdivision for Hero Stone Bunker consisting of 7 lots on 14.951 acres on SR #1762 (Jeremiah Drive) in Williams Township

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

6. **Sketch, Preliminary, and Final Approval for Community Independent School:** Consideration of a request for approval by C. Tandy Jones for sketch, preliminary and final approval for Community Independent School consisting of three (3) acres on SR #1536 (Lamont-Norwood Road) in Baldwin Township

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

7. **Preliminary and Final Approval for Bobcat Point, Phase I-A:** Consideration of a request for approval by Ricky Spoon Builders for preliminary and final approval for Bobcat Point, Phase I-A consisting of six lots on 12.078 acres on SR #1558 (Henderson Tanyard Road) and SR #1559 (Emerson-Cook Road) in Hadley Township

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

8. **Final Approval for Price Creek Subdivision, Phase 2:** Consideration of a request for approval by John McPhaul for subdivision final approval for Price Creek Subdivision, Phase 2 consisting of 10 lots on 25.09 acres off SR #1531 (Booth Road) in Baldwin Township

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

9. **Revision to Existing Conditional Use Permit by F.R.E.E.:** Consideration of a request for approval by Louise Cole on behalf of F.R.E.E. [Financial Reform for Excellence in Education] for a revision to the existing Conditional Use Permit for several businesses to allow a public school on 2.73 acres on the west side of SR #1008 [Mt. Carmel Church Road] north of the entrance road to Nature Trail Mobile Home Park in Williams Township

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

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Ray Greenlaw, 2 Jordan Drive, Pittsboro, NC, stated that as a Chatham resident and taxpayer, he has invested a substantial amount of volunteer time in efforts to improve the quality of life and County citizens;

that he feels action is needed to improve the management and the oversight provided for the County's Water Utility; that inadequacies in performance of these two functions are costing the taxpayers unnecessary expenditures; that the key to the solution of the management problem is employment of Water Utility staff persons with the required professional qualifications and management experience, particularly relating to the development and operation of all components of a major water utility; that the Board holds the key to improved oversight of the development and operation of the Water Utility through providing policy guidelines which specify objectives to be achieved by the Utility, adopting and applying policies and procedures which insure that more than one qualified engineering firm is considered for any contract to design a major Water Utility facility, and the engineering firm selected for the design of such facility not be employed to provide engineering supervision/inspection of that construction project.

Commissioner Dunlap entered the meeting at 7:18 PM.

CHATHAM COUNTY VOLUNTEERS RESOLUTION

Resolution Supporting the Year of the Volunteer: Consideration of a Resolution Supporting the Year of the Volunteer

Commissioner Holland moved, seconded by Commissioner Wilson, to adopt **Resolution #98-12 Supporting the Year of the Volunteer**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Chairman Pollard read the resolution in its entirety.

Volunteer Function:

Commissioner Wilson stated that volunteers within the County have made a lot of organizations work and are very important to the quality of life enjoyed in Chatham County.

Commissioner Wilson moved, seconded by Commissioner Holland, to instruct Staff to have some type of function honoring the volunteers in the County. The motion carried five (5) to zero (0).

"BE KIND TO ANIMALS WEEK" RESOLUTION

"Be Kind to Animals Week" Resolution: Consideration of a resolution proclaiming May 3-9, 1998 as "Be Kind to Animals Week"

Commissioner Wilson moved, seconded by Commissioner Holland, to adopt **Resolution #98-13 Recognizing May 3-9, 1998 as "Be Kind to Animals Week"**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Chairman Pollard read the resolution in its entirety and presented it to Wayne Sherman, Health Director, Randee Linke, Animal Control Supervisor I, and Tina Pinkley, Animal Control Officer I with two twenty pound bags of dog food manufactured in Siler City.

PRESENTATION BY CITIZENS' GROUP ON FEASIBILITY STUDY

"Friends of Mt. Carmel and Farrington Point Road" Presentation: Consideration of a presentation by "Friends of Mt. Carmel and Farrington Point Road" on feasibility study of Mt. Carmel

Church Road/Farrington Road

Robert Atwater, spokesperson for Friends of Mt. Carmel and Farrington Point Road, stated that the mission of the Friends of Mt. Carmel Church and Farrington Point Road is to maintain the rural character of the area and to retain the community undivided by the proposed boulevard; that as a group of organized business and residential property owners along SR #1008 and adjacent subdivisions, they oppose the proposal by the NC Department of Transportation recommending the expansion of Mt. Carmel Church and Farrington Point Road to a four-lane highway divided by a 20' median. He asked that the Commissioners support their concerns and not allow the proposed Feasibility Study to become a part of the Transportation Improvement program (TIP) requests. A copy of his speech is attached hereto and by reference made a part hereof.

The Chair called for a five minute break.

ECONOMIC DEVELOPMENT

Utility Access for Future Business Development: Consideration of approval of Commissioner involvement in the discussion of availability of contract treatment or purchase of utility services from Apex, Durham, and Sanford

Commissioner Wilson moved, seconded by Commissioner Grimes, to appoint Commissioner Holland and Pollard to approach Apex, Durham, and Sanford with the intent of discussing the availability of contract treatment or purchase of utility services. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

- **Appearance Commission Appointment:** Consideration of a request to appoint a member to the Appearance Commission

Commissioner Wilson asked that the appointment to the Appearance Commission be postponed until a later meeting.

BOARD OF COMMISSIONERS' MATTERS

- **Kent View Developers Request:** Consideration of a request submitted by Kent View Developers for County reimbursement for water line installed on Morris Road

A letter from the County Attorney written to the Chairman regarding the Kentview Subdivision Water Taps is attached hereto and by reference made a part hereof.

Commissioner Grimes moved, seconded by Commissioner Holland, to postpone a decision on this matter until a later date. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

The County Manager informed the Board of Commissioners of the following:

- 1) **Recommended Budget:** A copy of the proposed, recommended budget has been sent to the Board. Highlights of the \$42.3 million budget, with no recommended tax increase, will be

presented to the Board at the May 4th Board meeting. The public hearing on the budget is scheduled for May 18th with public comments in between.

- 2) **Project Turnaround:** Notification has been received for application approval for a \$68,000 grant. More information will be available in the near future.
- 3) **Personnel Advisory Committee Appointments:** Due to conflicts in the schedules of those already appointed to the Personnel Advisory Committee and an upcoming hearing, Carolyn Chandre explained that alternates are needed for the meeting to be held on Tuesday, April 21st.

Commissioner Grimes moved, seconded by Commissioner Holland, to appoint Steven Johnston of Townsend as an alternate to the Personnel Advisory Committee. The motion carried five (5) to zero (0).

In addition, Ms. Chandre requested that the composition of the committee be changed to allow one public sector representative be appointed from, or with an affiliation to, Chatham County.

Commissioner Grimes moved, seconded by Commissioner Holland, to authorize a change in the composition of the Personnel Advisory Committee to appoint a public sector representative from or affiliated with Chatham County. The motion carried five (5) to zero (0).

Commissioner Grimes moved, seconded by Commissioner Wilson, to appoint Pat Falls to the Personnel Advisory Committee. The motion carried five (5) to zero (0).

- 4) **Budget Work Sessions:** The following dates were set, by consensus, on which to hold budget workshops:

May 7, 1998	-	Siler City Courtroom	-	7:00 PM
May 11, 1998		Pittsboro District Courtroom		7:00 PM
May 13, 1998		North Chatham Elementary		7:00 PM
May 20, 1998		Byrd's Classroom		1:00-5:00 PM
June 1, 1998		Byrd's Classroom		1:00-5:00 PM
June 10, 1998		Byrd's Classroom		1:00-5:00 PM

The afternoon work session on May 4th was cancelled.

- 5) **Farm Tour:** The third annual Piedmont Farm Tour will be held April 25-26, 1998 from 1:00 – 5:00 PM during which one can enjoy the weekend touring small area farms.

COUNTY ATTORNEY'S REPORTS

Robert Gunn, County Attorney, explained that the State Supreme Court found that part of the Statute exempting some retirement homes (Springmore Case) from property taxes was unconstitutional. He feels the decision also applies to Carolina Meadows and Pittsboro Christian Village. The Court of Appeals had found it unconstitutional because it discriminated in favor of religion. It held that since it was unconstitutional, it should be extended to all the homes for the aged, whether they were religious affiliated or not. The Supreme Court said that the Court of Appeals was correct in finding it unconstitutional, but the appropriate remedy

was to strike the entire matter down, which wipes out the exemption. Carolina Meadows and Pittsboro Christian Village had applied for the exemption for 1997. The Tax Administrator denied the application and the Board of Equalization and Review upheld this denial. Both then appealed to the State Property Tax Commission and these appeals are now pending. Mr. Gunn advised that he had filed motions last week to dismiss each of these appeals or in the alternative, to grant summary judgement in the County's favor, based upon the strength of the case.

COMMISSIONERS' REPORTS

After receiving a telephone call, Commissioner Pollard expressed concern, over the past naming of a private road name in Chatham County. She asked that the installation of the sign designating "Big Mama's Lane" be delayed until the matter can be further studied.

Commissioner Grimes moved, seconded by Commissioner Wilson, to delay the installation of the sign designating "Big Mama's Lane". The motion carried five (5) to zero (0).

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 was adjourned at 8:36 PM.

Margaret Bryant Pollard, Chair

ATTEST:

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