

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING, DECEMBER 14, 1998

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in regular session in the District Courtroom, located in Pittsboro, North Carolina, at 7:00 P.M. on December 14, 1998.

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; and Clerk to the Board, Sandra B. Lee

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

AGENDA

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

The County Manager asked that “An Ordinance Amending the Chatham County Ordinance Regarding Conservation of Water During a Water Shortage, Which Ordinance was Adopted by the Chatham County Board of Commissioners on May 23, 1991” be added to the Agenda Item #14A.

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

1. **Minutes:** Consideration of approval of Board Minutes for meeting held December 07, 1998

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. **Resolution to Release County's Share of Economic Development Monies:** Consideration of a request for approval of Resolution to Release County's Share of Economic Development Monies from State Budget Office, attached hereto and by reference made a part hereof.

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

5. **Resolution for Submission of Application for Work First Transitional/Employment Transportation Assistance Allocations:** Consideration of a request for approval of a Resolution to Submit Application for FY 1998-99 Work First Transitional/Employment Transportation Assistance Funds for use by Chatham Transit Network, attached hereto and by reference made a part hereof.

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

6. **Discovery Penalty Relief for Mellon US Leasing:** Consideration of a request by the Tax Department to deny the request by Mellon US Leasing for relief of discovery penalty on business personal property

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 comments.

SHERIFF'S DEPARTMENT

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Public Hearing

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

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

CULTURAL ARTS CENTER PRESENTATION

~~**Cultural Arts Center Presentation:** Presentation on the proposed Cultural Arts Center by Melodie Truncally~~

There was no one present to make comments on the proposed Cultural Arts Center.

PLANNING AND ZONING

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Preliminary Approval of “The Hills of North Chatham”: Consideration of a request by Buck Branson, developer, for subdivision preliminary approval of “The Hills of North Chatham” consisting of 17 lots on approximately 86.945 acres, off SR #1535 (Gilmore Road) in Baldwin Township

Commissioner Outz moved, seconded by Commissioner Holland, to accept the Planning Department and Planning Board recommendation and grant preliminary plat approval as submitted. The motion carried five (5) to zero (0).

Final Approval of Falling Waters: Consideration of a request by C. A. Keisler for final approval of Falling Waters, consisting of 8 lots on 52.467 acres off SR #1958 (River Forks Road) in Oakland Township

Commissioner Phillips moved, seconded by Commissioner Pollard, to accept the Planning Department and Planning Board recommendation and grant final approval of Falling Waters as submitted with the following condition:

1. The plat not be recorded until the County Attorney has approved the financial guarantee.

The Planning Department also recommends that a waiver of required improvements be granted with the following condition:

2. The plat not be recorded until the Certification of Completion of Roads has been received from the Department of Transportation.

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

A. Amendment to the Chatham County Subdivision Regulations: Consideration of a request to amend the Chatham County Subdivision Regulations in various sections to provide for naming of private drives serving more than two lots and/or dwellings

Commissioner Outz moved, seconded by Commissioner Holland, to approve the Planning Department and Planning Board recommendation that the proposed amendments be adopted as follows:

ADD LANGUAGE

Page 25, Section 4.4 Specific Procedures for Each of the Two Classifications of Subdivisions

A. Procedure for All Subdivisions

(3) OVERVIEW OF THE MAJOR SUBDIVISION PLAT REVIEW PROCESS

9. Preliminary Review of proposed road names by Emergency Operations Center

Page 28, Section 4.4

B. Procedure for Major Subdivisions

4. Step 10. Where new public roads are proposed the plat shall be reviewed and approved by the Division of Highways of the North Carolina Department of Transportation. **Where new roads are proposed, road names shall be submitted to the County Emergency Operations Center for approval prior to submittal for preliminary subdivision approval.**

Page 31, Section 4.4 C. Procedure for Minor Subdivisions (Steps A-D)

(1) Step A. Minor Subdivisions may be submitted to the Planning Board staff for both preliminary and final review simultaneously since there are no public improvements involved. Since minor subdivisions are easily reviewed by the Planning Board staff there is no deadline for submittal. The applicant shall submit one (1) print and one reproducible plat to the Planning Board staff. Applicants shall pay any administrative fee established by the County at the time of the application or request. (#5) The staff shall inform the applicant of necessary modifications to the plat, and shall affix the necessary certification stamps. **Minor Subdivisions involving access to more than two lots shall have the access road name approved by the Emergency Operations Center (EOC).**

Page 37, Section 5.1 D. Features

- (12) Names of all streets **existing and proposed.**

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

B. Amendment to the Chatham County Subdivision Regulations: Consideration of a request to amend the Chatham County Subdivision Regulations in various sections to provide for notification of the Chatham County Historical Society at sketch design consideration if significant structures exist on or adjacent to development proposals

Commissioner Outz moved, seconded by Commissioner Holland, to approve the Planning Department and Planning Board recommendation that the proposed amendments be adopted as follows:

ADD LANGUAGE

Page 25, Section 4.4 A. Procedure for All Subdivisions (Steps 1-3)

- (3) OVERVIEW OF THE MAJOR SUBDIVISION PLAT REVIEW PROCESS

3. Notification of old and historic structures to the Chatham County Historical Association

Page 28, Section 4.4 B. Procedure for Major Subdivisions (Steps 4-29)

- (1) **When structures of greater than 50 years in age or having historical significance are on the property or within 100 feet of the development property or adjacent property then the developer shall contact the Chatham County Historical Association prior to submittal for sketch subdivision approval.**

Page 37, Section 5.1 D. Features

- (17) The approximate location of structures of approximately 50 years old or having historical significance on the development property or within 100 feet of the development property on adjacent land.**

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

C. Amendment to the Chatham County Zoning Ordinance: Consideration of a request to amend the Chatham County Zoning Ordinance to allow contractors storage yards as conditional use permits in all districts except where they exist as permitted uses

Commissioner Pollard moved, seconded by Commissioner Holland, to approve the Planning Department and Planning Board recommendation that the proposed amendments be adopted as follows:

ADD LANGUAGE:

Page 21, Section 10.1 RA-5 Residential – Agricultural District

B. Conditional Uses
Contractor's plants, storage yards and staging areas

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Page 25, Section 10.2 RA-90 Residential – Agricultural District

B. Conditional Uses
Contractor's plants, storage yards and staging area

Page 29, Section 10.3 RA-40 Residential – Agricultural District

B. Conditional Uses
Contractor's plants, storage yards and staging area

Page 31, Section 10.4 Office and Institutional District

B. Conditional Uses
Contractor's plants, storage yards and staging area

Page 34, Section 10.5 B-1 Business District

B. Conditional Uses
Contractor's plants, storage yards and staging area

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

D. Amendment to the Chatham County Zoning Ordinance: Consideration of a request to amend the Chatham County Zoning Ordinance to include specific language for the expiration of conditional use permits if identified criteria are not met

Commissioner Pollard moved, seconded by Commissioner Holland, to approve the Planning Department and Planning Board recommendation that the proposed amendment be adopted as follows:

ADD LANGUAGE:

Page 61, Section 15.1 Procedure

[last paragraph add language]

“Conditional use permits may include time limits for expiration if specified criteria are not met.”

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

PUBLIC WORKS

Merry Oaks Water Line Extension Project Budget: Consideration of a request for approval of the Merry Oaks Water Line extension project budget

Commissioner Phillips moved, seconded by Commissioner Outz, to approve the Project Ordinance Concerning the Merry Oaks Water Line Extension Project, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Dual Meter Service for Mixed Category Customers: Consideration of a request to amend the Water Service Rules and Regulations and Connection Charges Schedule to allow for dual meter service to mixed category use customers

Commissioner Pollard moved, seconded by Commissioner Outz, to amend the Water Service Rules and Regulations and Connection Charges Schedule to allow for dual meter service to mixed category use customers. The motion carried five (5) to zero (0).

Commissioner Pollard moved, seconded by Commissioner Phillips, to approve a six months grace period to allow for installation of a second meter so that existing customers with mixed category use are billed accurately. The motion carried five (5) to zero (0).

Abolishment of Utility Service Worker Position and Creation of Utilities Technician Position: Consideration of a request to abolish a Utility Service Worker position and create a Utilities Technician position

Commissioner Phillips moved, seconded by Commissioner Pollard, to abolish the Utility Service Worker position Grade 8 and create a Utilities Services Technician position Grade 10. The motion carried five (5) to zero (0).

Ordinance Amending the Chatham County Ordinance Regarding Conservation of Water during a Water Shortage: Consideration of approval to adopt An Ordinance Amending the Chatham County Ordinance Regarding Conservation of Water During a Water Shortage, Which Ordinance was Adopted by the Chatham County Board of Commissioners on May 23, 1991

Commissioner Pollard moved, seconded by Commissioner Outz, to adopt **An Ordinance Amending the Chatham County Ordinance Regarding Conservation of Water During a Water Shortage, Which Ordinance was Adopted by the Chatham County Board of Commissioners on May 23, 1991**, to become effective immediately, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

EMERGENCY OPERATIONS

Public Hearing

Naming of State Maintained Roads in Chatham County: Public hearing to receive public comments regarding a request for approval from citizens for the naming of fourteen new State maintained roads in Chatham County as follows:

Tony Tucker, Emergency Operations Director, explained that eleven of the roads listed are to be named due to the Highway #64 bypass construction; that most of the roads are located between Pittsboro and Siler City and are dirt roads. He read each road name and called for those who wished to make public comments.

SR #2228	Log Cabin Drive
SR #1649	Alston Horton Service Road
SR #1653	Burcybil Drive
SR #1648	Plantation Drive
SR #1652	Jennys Way
SR #1809	Suttles Road
SR #2109	Bynum-Perrell Drive
SR #1650	Sarahs Lane
SR #1514	Solid Rock Church Road
SR #1810	Farrell Service Road
SR #1607	Medina Lane
SR #1651	Brooks Drive
SR #1655	Pottery Lane
SR #2234	Stage Coach Trail

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

Commissioner Holland moved, seconded by Commissioner Pollard, to approve the fourteen (14) State maintained road names as petitioned. The motion carried five (5) to zero (0).

RECREATION DEPARTMENT

Recreation Master Plan Kick Off Meeting: Consideration of a kick off meeting for the Chatham County Parks and Recreation Master Plan

Reneé Dickson, Assistant County Manager, stated that HSMM, the recreation architect firm from Raleigh hired to compile the Chatham County Parks and Recreation comprehensive master plan will be meeting with the Recreation Advisory Board and the Master Plan Steering Committee to host a kick-off meeting; that they will discuss the scope of work and future plans and meetings; that the kick-off meeting is scheduled for December 16, 1998 at 7:00 PM in the Agricultural Auditorium and that future meetings will be advertised at a later date.

She asked that a Commissioner replacement for former Commissioner Grimes be appointed to serve on the Steering Committee for the Recreation Master Plan.

BOARDS AND COMMITTEES

Recreation Advisory Board Appointments: Consideration of a request to appoint members to the Recreation Advisory Board

Action on this item was deferred until a later date.

Transportation Advisory Committee (TAC) Appointment: Consideration of a request to appoint/reappoint members and/or alternates to the Transportation Advisory Committee (TAC)

Action on this item was deferred until a later date.

OPC Area Program Appointment: Consideration of a request to appoint a Commissioner to the OPC Area Program (OPC)

Action on this item was deferred until a later date.

Juvenile Justice Advisory Council Creation and Appointments: Consideration of a request to create and appoint members to the Juvenile Justice Advisory Council

Commissioner Holland moved, seconded by Commissioner Outz, to approve the formation of a Juvenile Justice Advisory Council for Chatham County. The motion carried five (5) to zero (0).

BOARD OF COMMISSIONERS' MATTERS

Proposed Clock for the Chatham County Courthouse: Discussion of the proposed clocks for the Chatham County Courthouse

The County Manager explained that the issue of installing the clocks in the Courthouse has been before the Board previously; that a donor has offered to complete the task of installing historically accurate clocks in the cupola of the Chatham County Courthouse; that this was originally to be done in the late 1880's; that due to a funds shortage, the money was used for schools; and that the owner has proposed a clock on all four faces with certain conditions and a long-term maintenance agreement.

The County Attorney stated that he had been in contact with a representative of the donor and discussing figures. He stated that he needed to talk with the Finance Officer before he makes a detailed recommendation to the Board and that he hopes to put together a trust agreement to be available for the Board at their retreat.

Mr. John Blair, representing the clock donor, stated that they were moving along with the maintenance agreement and that they are open to any suggestions; that they have addressed Mr. Fomberg's concerns in writing; and that he will be glad to address any questions on the matter.

MANAGER' S REPORTS

The County Manager informed the Commissioners of the following:

- 1) **Board Retreat:** The Commissioners' retreat will be held on Thursday, December 17, 1998 from 1:00-5:00 PM and on Friday, December 18, 1998 from 9:00 AM – 5:00 PM.
- 2) **1999 Legislative Goals Conference:** The 1999 Legislative Goals Conference of the NC Association of County Commissioners will be held on January 14-15, 1999 at the Sheraton Imperial Hotel & Convention Center off I-40 in Research Triangle Park. The

purpose of the conference is to bring together county officials from across the state to vote on proposed legislative goals for the 1999 and 2000 sessions of the General Assembly.

- 3) **Joint Session of Board of Commissioners and Smart Start:** There is a proposed joint meeting between the Board of Commissioners and Smart Start for January 26, 1999 around 5:00 PM to 6:30 PM.

Commissioner Pollard asked if the meeting could be moved to January 19th.

- 4) **Annual General Assembly Delegation Meeting:** There is an annual meeting held with the General Assembly Delegation to discuss Chatham County legislation and concerns before the coming General Assembly Session. The meeting is usually held in late January or February.

COMMISSIONERS' REPORTS

Commissioner Pollard stated that she had just received the Triangle Land Conservancy Report announcing receipt of a 1.189 million dollar grant to help preserve and improve the quality of water in Deep River. She asked that a congratulatory letter from the Board be sent to the Conservancy.

Commissioner Outz asked that a letter be written to the General Assembly in support of extending the deer season in the County; that the deer are destroying crops, bushes, shrubbery, and damage to automobiles; that he would like to see the hunting season made year round.

The County Manager explained that this issue had arisen a couple of times since he came to the County; that the Wildlife Commission came and extended the doe season for several weeks beyond the normal closure to try to get more control on the population; that our feedback, based on the extended time, was that not many more doe were taken; that most hunters were hunting bucks. He stated that he would be happy to write a letter to the General Assembly.

ADJOURNMENT

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 at 8:00 PM.

Rick Givens, Chairman

ATTEST:

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